

the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes:

Ms. MILLENDER-McDONALD. Mr. Chairman, I am deeply concerned about a bill of this type "The Border Security Act of 2005" coming to the floor of this chamber.

This bill does not adequately achieve our common goals of a comprehensive immigration policy that protects our borders while humanely seeking to address the many workers who are already in this country.

We realize that 9/11 taught us that our nation must address our national security along our borders from the north, south, east and west. Unfortunately, this bill is not the way to go in addressing this very important issue.

Statistics have shown that barrier fences have never worked to deter migration. The fences proposed in this legislation would be disastrous to the environment. It would destroy half of our national park land and many endangered species would be at risk if a massive fence was built in this territory.

This is why I have joined with the U.S. Chamber of Commerce, American Nursery & Landscape Association, and Americans for Tax Reform, Associated Builders and Contractors, National Restaurant Association, National Retail Federation, Small Business & Entrepreneurs Council, Society of American Florists and the American Bar Association in opposing this bill.

For centuries, America has prided herself on welcoming those who felt that our country could give them a better way of life. The statue of Liberty in the Harbor of New York was that symbol of hope. Where is the promise and hope in this legislation?

Furthermore, this bill does nothing to address judicial review. As it now stands, the current detention practices are extremely expensive. The overall cost for detention is over \$1 billion a 2 year. On average over 22,000 detainees are in custody each day. Detaining members of vulnerable populations who are likely to appear for hearings and are not a threat to society is a misguided use of taxpayer's dollars. Using detention as the only way to ensure compliance is a costly practice. A formal hearing would expedite the process and save time and money.

Finally, if this bill is enacted provisions of this legislation would deny citizenship to babies who are born in this country by parents who are not citizens and would become law. These are not the principles of America.

As a Nation we need to address serious comprehensive immigration issues. As a Congress, we need to get to work and complete a bill that reflects the needs and concerns of the entire country.

I would be happy to vote for an immigration bill that actually protects the interests of the American public, small businesses and makes our Nation secure. H.R. 4377 is not that bill.

I urge a no vote on the Border Security Act of 2005.

TRIBUTE TO CBO DIRECTOR, DR.  
DOUGLAS J. HOLTZ-EAKIN

**HON. JIM NUSSLE**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, December 18, 2005*

Mr. NUSSLE. Mr. Speaker, I rise today to honor a man who many in this body have had

the distinct pleasure of working with during the past several years, and someone who has left a tremendous mark on the Congressional Budget Office. The distinguished Director of the CBO, Dr. Douglas J. Holtz-Eakin, will be leaving his position at the end of this month to take on the challenges and opportunities of his new job with the Council on Foreign Relations.

Back in 2003, I had the honor of interviewing candidates and making my recommendation on who should be the next director to lead the CBO. And while I'd interviewed several superbly qualified candidates for the position, after meeting with Dr. Holtz-Eakin, the choice was clear.

First, Doug possessed a wealth of economic and public sector experience, having served as the Chief Economist for the President's Council of Economic Advisers, a position to which he was appointed by President Bush in June 2001.

Second, based on his reputation as a man of unquestioned integrity, combined with his history of providing consistent, strong leadership, I felt confident he would effectively serve the whole of Congress in an independent, non-partisan fashion.

Last, but certainly not least, Doug is well known for his gregarious personality, and great sense of humor. And for anyone familiar with the always challenging and often thankless tasks regularly asked of CBO, these attributes are a tremendous asset to its leader.

And Doug's work these past few years has shown that my confidence in his abilities was more than justified.

During his tenure as CBO's director, he has effectively utilized the tremendous energy and talent of his staff. He has led CBO to make great strides in analyzing the impact of revenue measures on the economy. And because of his clear vision of how Congress and CBO could better work together, CBO's responsiveness and performance have improved significantly under his leadership.

I have been extremely impressed and very proud of Doug's leadership and accomplishments, and would today like to publicly thank him on behalf of this Congress.

Doug, we wish you continued success in the next chapter of your distinguished career.

STATEMENT ON FEMA'S BROKEN  
PROMISES

**HON. AL GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Sunday, December 18, 2005*

Mr. AL GREEN of Texas. Mr. Speaker, it has been more than 100 days since Hurricane Katrina devastated the gulf coast region, destroying more than 300,000 homes, taking more than 1,300 lives. FEMA promised help, yet, more than 100 days later, thousands of survivors are still living in tents and shelters. More than 100 days later, promised trailers have not arrived. More than 100 days later, a Federal judge has had to force FEMA to extend its deadline.

FEMA is now opting out of 12-month leases. What FEMA won't do, Congress can do. It is time for this Republican Congress to work with Democrats and enact legislation granting 1 year of housing assistance. It is imperative that this be done before we adjourn. Human

suffering continues. I am willing to work with those who want to end this suffering.

EXPRESSING THE SENSE OF CONGRESS WITH RESPECT TO THE  
2005 ELECTIONS IN EGYPT

**HON. JEFF FORTENBERRY**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, December 18, 2005*

Mr. FORTENBERRY. Mr. Speaker, as we consider the issue of democratic reform in Egypt, I think it is vitally important to assess progress in the context of the multifaceted cultural and philosophical challenges facing Egyptian society.

None of us would deny the benefits of freedom and democracy or choose another path to justice for our nation. Egypt has also taken its first steps on the path to democracy in a region where this concept of governance is virtually unknown and untested, despite many internal and external obstacles.

While this resolution draws attention to very legitimate and serious concerns that I share, I am concerned that as re-written, it amounts to a harsh censure that will accomplish little short of alienating the Egyptian government at a particularly volatile time in the history of the Middle East.

Mr. Speaker, would it have been better if Egypt's elections had not been held at all?

Looking at recent history, Egypt has borne significant sacrifices for the cause of peace and freedom in the Middle East. Formerly an ally of the Soviet Union, Egypt moved to establish diplomatic relations with Israel in 1978 after 30 years of hostilities. President Sadat paid a high price for Egypt's rapprochement with Israel. More recently, Ambassador Ihab al-Sherif paid with his life for daring to defy the foes of democracy in Iraq.

When I visited Sinai as an 18-year-old, I was struck by the graffiti scrawled on a twisted heap of concrete with the message: "Here was the war—Here is the peace." For close to 30 years now, Egypt has stood by a courageous choice for peace. While no government is perfect, this choice has been consistent with a move toward democratic reform, however flawed, and however tenuous.

Egypt's first contested presidential elections this September and the parliamentary elections held in December represent a significant achievement. Nevertheless, the unpleasant realities of high unemployment, threats of terrorism, internal political and religious strife, along with the vicious persecution of minority faith communities remain pressing concerns. While the state of democracy in Egypt is neither ideal nor established, we dismiss Egypt's concerns about the "slippery slope to theocracy" at our peril.

During Secretary Rice's visit to American University in Cairo this summer, she recalled the words of President Bush's Second Inaugural Address: "Our goal is to help others find their own voice, to attain their own freedom, and to make their own way." Secretary Rice went on to say that "we know these advances will not come easily, or all at once."

I appreciate and share the heartfelt concern of my colleagues who are seeking to usher Egypt along the path toward a vibrant and

thriving democracy. However, I believe that we need to express this concern in a manner that acknowledges the accomplishments of the past, appreciates the challenges of the present, and carefully considers the options available to realize our hopes for the future.

EXPLANATION OF THE DEPOSIT  
INSURANCE REFORM LEGISLATION

**HON. SPENCER BACHUS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, December 18, 2005*

Mr. BACHUS. Mr. Speaker, today, we have a great opportunity to make significant improvements in our Federal Deposit Insurance system. Our position is strong, as both the insurance fund and the banking industry are extremely healthy, making this the ideal time to fine tune the system and establish a strong footing going forward.

BASIC PRINCIPLES OF REFORM: FAIRNESS AND  
FLEXIBILITY

The two fundamental driving principles of reform are to provide fairness to all insured depository institutions by assessing each based on risk, and to promote greater flexibility by allowing the FDIC to manage the fund differently based on existing economic conditions.

The bill provides greater fairness to insured banks in many important ways. It authorizes the FDIC to revise its risk-based formula to reflect with greater accuracy the risk each institution poses to the insurance fund. In providing this authority, our Committee looked at examples provided by the FDIC to determine how the new system might work, including FDIC representations that show about 42 percent of all banks would likely remain in the lowest risk category. Because the very nature of bank loans involves risk, we expect the FDIC to form a reasonable system that encourages appropriate risk-taking, consistent with safe and sound banking, and with premiums at a level that protect the best run banks from being overcharged but don't inadvertently stop lending. In this bill, we make explicit that the size of the financial institution should not bar an institution from being in the lowest risk category. It is risk that matters, not size. We expect the FDIC to conduct assessments in such a timely manner that banks are able to plan for such an expense, thereby avoiding unexpected or untimely costs.

Secondly, the bill recognizes that about 10 percent of institutions have never paid a premium to the FDIC to support its operations. This has put a burden on those institutions that fully capitalized the insurance funds in the mid-1990s. This legislation provides that those institutions that capitalized the fund with initial credits in proportion to each institution's financial contribution to FDIC. The credits are intended to offset premium assessments for many years to come. Those institutions that have not financially supported the FDIC would not have these credits and therefore must begin to pay premiums to the FDIC. Moreover, should the insurance fund grow to the upper regions of the normal operating range for the FDIC, banks would be entitled to a cash dividend in proportion to their historic financial contributions.

In addition to promoting fairness, the bill provides the FDIC greater flexibility to manage

the insurance fund. The current law constrains the FDIC from charging most banks when the reserve ratio remained above a certain level and forces the FDIC to charge high premiums (23 basis points) at times when it makes the least sense. Our bill corrects these problems by allowing the FDIC to manage the fund within a wide range, with the intention that assessments would remain reasonably constant and predictable.

Importantly, this bill is not intended to raise more money than what the FDIC would have collected under the old law. Nor is this bill intended to encourage the FDIC to build the fund to the highest possible level. In fact, we know that each dollar sent to the FDIC means that there are fewer dollars that can support lending in our communities. As we considered this bill, we heard testimony that suggested that each dollar sent to Washington means that eight dollars of lending is lost. We cannot afford to restrict lending in our communities just to have more money added to the nearly \$50 billion already in the insurance fund.

To protect against the fund growing too quickly, the legislation provides an automatic braking system that would return as a dividend 50 percent of any excess when the reserve ratio of the fund is above 1.35 percent. It also caps the fund level, providing a 100 percent dividend when the reserve ratio exceeds the upper limit of the range at 1.50 percent. This assures that money will remain in our communities. And while we provided the FDIC some authority to suspend the 50 percent dividend under extraordinary circumstances where it expects losses over a one-year timeframe to be significant, our expectation is that this authority will be used rarely and reviewed carefully each year when the new designated reserve ratio is set. This exception should be temporary and not a regular event, and the FDIC must communicate to Congress and the industry its justifications.

The FDIC's development and implementation of a new risk-based assessment system should not negatively impact the cost of homeownership or community credit by charging higher premiums to prudently managed and sufficiently capitalized institutions simply because they fund mortgages and other types of lending through advances from Federal Home Loan Banks. The Gramm-Leach-Bliley Act took great care in trying to provide adequate funding resources for community financial institutions and insured housing lenders through expanding community institutions' access to Federal Home Loan Bank advances. The FDIC shall take into consideration the goals of the Gramm-Leach-Bliley Act with respect to Federal Home Loan Bank advances and the objectives of this Act when developing a risk-based premium system.

DESIGNED FOR THE FUTURE

Not only does the legislation provide fairness and flexibility, it also anticipates needed changes in the coverage levels over time. We know that inflation has cut in half the real value of the current insurance coverage since it was last changed in 1980. We also know that, as the baby boomers move into retirement, the current coverage level was inadequate to protect their life-long savings. Thus, this bill increased to \$250,000 the insurance limit on retirement accounts.

The House has repeatedly voted overwhelmingly in favor of legislation that would automatically index coverage levels based on

inflation. The other body has only recently passed deposit insurance reform. The indexing language included in the Senate reconciliation bill required the FDIC to "determine whether" to increase coverage based on the amount of inflation increase plus a long list of factors. Our compromise language calls on the FDIC and NCUA to consider just three narrow factors. Those factors are: (1) the overall state of the Deposit Insurance Fund and economic conditions affecting insured depository institutions; (2) potential problems affecting insured depository institutions; and (3) whether the increase will cause the reserve ratio of the fund to fall below 1.15 percent of estimated insured deposits. If the FDIC and NCUA elect not to increase coverage, they must make their case based on these three narrow factors. The key language in the compromise is that the FDIC and NCUA, "upon determining that an inflation adjustment is appropriate, shall jointly prescribe the amount by which" coverage "shall be increased by calculating" the amount of inflation. This change in language, from "determine whether" to "shall jointly prescribe" is a clear statement that Congress is establishing a presumption that the agencies will increase coverage if warranted by past inflation.

STRONGER THAN EVER

This legislation will make the insurance fund even stronger than it already is and, in combination with the extensive regulatory and supervisory authorities of the FDIC, ensures that the fund and the banking industry will remain strong for a very long time.

EXPRESSING SUPPORT FOR THE  
MEMORANDUM OF UNDER-  
STANDING SIGNED BY THE GOV-  
ERNMENT OF THE REPUBLIC OF  
INDONESIA AND THE FREE ACEH  
MOVEMENT

**HON. SHEILA JACKSON-LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Sunday, December 18, 2005*

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H. Res. 456, "expressing support for the memorandum of understanding signed by the government of the Republic of Indonesia and the Free Aceh Movement on August 15, 2005, to end the conflict in Aceh, a province in Sumatra, Indonesia." Let us begin by first thanking Congressman CROWLEY for his tireless work and steadfast leadership on this issue.

For over thirty years there has been armed conflict in the Indonesian province of Aceh between the Indonesian military and the Free Aceh Movement. The Free Aceh Movement had demanded independence while the Indonesian government has fought to maintain their control over the region. The fighting in the region has not only devastated the landscape, but has led to an estimated 15,000 deaths in the region.

Last December's tragic tsunami killed at least 165,000 people in Aceh. If something good can be taken from the horrible disaster, it is that the tsunami's destruction led the Indonesian government and the Free Aceh Movement to set aside their three decades of fighting to enable the rebuilding of Aceh.

With the help of former President Martti Ahtisaari of Finland, the parties agreed in July