

to those who provide life-giving assistance to those in need. I would personally like to thank America's Blood Centers and its Member Organizations for 43 years of providing blood products and services to over 3,300 hospitals across the country.

I am extremely proud to say my district is home to members of America's Blood Centers. The Delta Blood Bank in San Joaquin County is a founding member of America's Blood Centers. The Delta Blood Bank serves 18 hospitals throughout four California counties. And just as the demand for assistance never rests, the Delta Blood Bank center is staffed 24 hours a day, 7 days a week, 365 days a year. This community blood bank accepts donations throughout our beautiful central valley from draw sites located in Stockton, Manteca, Lodi and my hometown of Tracy.

Delta Blood Bank's diligent effort to collect, process, store and distribute safe and reliable blood and blood components to every patient in need has not gone unnoticed. America's Blood Centers has been at the frontline to respond to disaster, military and everyday demands. The America's Blood Centers has extended its helping hand beyond the needs of thousands of American hospitals by providing blood to our troops with the life-giving assistance they need. They play an integral role in ensuring the safety of those risking their lives to protect our great country.

House Resolution 220 recognizes the contribution America's Blood Centers has made to the welfare of all Americans. Additionally, there are other organizations that contribute, such as the Pleasanton Blood Center, affiliated with the American Red Cross.

Again, on behalf of the 4.5 million who benefit from its services each and every year, I would like to thank America's Blood Centers, particularly Delta Blood Bank, which serves my hometown and home district in California. And with such tragedies as hurricanes Katrina and Rita and continuing struggles in the Global War on Terror, the role the America's Blood Centers will play in the welfare of Californians and all Americans will be as important as ever.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Hampshire (Mr. BASS) that the House suspend the rules and agree to the resolution, H. Res. 220, as amended.

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

A motion to reconsider was laid on the table.

AMERICAN SPIRIT FRAUD PREVENTION ACT

Mr. STEARNS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3675) to amend the Federal Trade Commission Act to increase civil penalties for violations involving unfair or deceptive acts or practices that exploit popular reaction to an emergency or

major disaster, and to authorize the Federal Trade Commission to seek civil penalties for such violations in actions brought under section 13 of that Act.

The Clerk read as follows:

H.R. 3675

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 "American Spirit Fraud Prevention Act".

SEC. 2. INCREASE IN PENALTIES FOR UNFAIR OR DECEPTIVE ACTS OR PRACTICES EXPLOITING REACTION TO CERTAIN EMERGENCIES AND MAJOR DISASTERS.

(a) VIOLATIONS OF PROHIBITION AGAINST UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—Section 5(m)(1) of the Federal Trade Commission Act (15 U.S.C. 45(m)(1)) is amended by adding at the end the following:

"(D) In the case of a violation involving an unfair or deceptive act or practice in a national emergency period or disaster period, or relating to an international disaster, the amount of the civil penalty under this paragraph shall be double the amount otherwise provided in this paragraph, if the act or practice exploits popular reaction to the national emergency or major disaster that is the basis for such period, or to the international disaster.

"(E) In this paragraph—

"(i) the term 'national emergency period' means the period that—

"(I) begins on the date the President declares a national emergency under the National Emergencies Act (50 U.S.C. 1601 et seq.); and

"(II) ends on the expiration of the 1-year period beginning on the date of the termination of the national emergency;

"(ii) the term 'disaster period' means the 1-year period beginning on the date the President declares an emergency or major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

"(iii) the term 'international disaster' means any natural or man-made disaster in response to which the President furnishes assistance to any foreign country, international organization, or private voluntary organization pursuant to section 491 of the Foreign Assistance Act (22 U.S.C. 2292(b))."

(b) VIOLATIONS OF OTHER LAWS ENFORCED BY THE FEDERAL TRADE COMMISSION.—Section 13 of the Federal Trade Commission Act (15 U.S.C. 53) is amended by adding at the end the following:

"(e)(1) If a person, partnership, or corporation is found, in an action under subsection (b), to have committed a violation involving an unfair or deceptive act or practice in a national emergency period or a disaster period, or relating to an international disaster, and if the act or practice exploits popular reaction to the national emergency or major disaster that is the basis for such period, or to the international disaster, the court, after awarding equitable relief (if any) under any other authority of the court, shall hold the person, partnership, or corporation liable for a civil penalty of not more than \$22,000 for each such violation.

"(2) In this subsection—

"(A) the term 'national emergency period' means the period that—

"(i) begins on the date the President declares a national emergency under the National Emergencies Act (50 U.S.C. 1601 et seq.); and

"(ii) ends on the expiration of the 1-year period beginning on the date of the termination of the national emergency;

"(B) the term 'disaster period' means the 1-year period beginning on the date the President declares an emergency or major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

"(C) the term 'international disaster' means any natural or man-made disaster in response to which the President furnishes assistance to any foreign country, international organization, or private voluntary organization pursuant to section 491 of the Foreign Assistance Act (22 U.S.C. 2292(b))."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. STEARNS) and the gentlewoman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS).

GENERAL LEAVE

Mr. STEARNS. 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 this legislation.

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

There was no objection.

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

Since the difficult weeks following the destruction wrought by hurricanes Katrina and Rita, America has witnessed the overpowering kindness of the American heart, the charitable generosity of Americans to help each other. That outpouring of support, financial, spiritual, and otherwise, is beginning to give those who are suffering hope that their communities and lives will finally be rebuilt. The generosity of America is the heart of this great land and is a national treasure that benefits the entire world.

Unfortunately, there are disturbing reports that some unscrupulous persons are again trying to capitalize on the plight of others to make a fast profit and sully the greatness of America and its capability. Like the reports following September 11, fraudsters are again at work trying to take advantage of the kindness of Americans who want to help people who are suffering. And as we learned at the Katrina hearing I held in my subcommittee, the Internet as well as the old-fashioned door-to-door and telephone solicitations again are the tools of choice for those thieves scheming to defraud Americans of their charitable contributions. This is abhorrent and, in my opinion, particularly egregious in times of national tragedy.

While the Federal Government and the States have ways to prosecute these crimes, I think it is absolutely necessary to put those who take advantage of America's charitable generosity on notice that they will face severe penalties. Law enforcement is busy tracking down these thieves, and the Congress needs to make certain that this activity will be aggressively prosecuted once they are exposed and finally brought to justice.

Our response to these crimes also must serve to encourage those who

want to give their time and money to aid those in need to do so without fear of becoming victims themselves. Whether it is phony Web sites, spam e-mail solicitations, or just the old-fashioned scam artist, we must ensure that the financial generosity of Americans to help those in crisis is not slowly corroded by fraud. Charitable giving is a unique American tradition that provides incredible support to relief efforts and their agencies; and it must, Mr. Speaker, be protected.

H.R. 3675, the American Spirit Fraud Prevention Act, would double the civil penalties available to the Federal Trade Commission in their prosecutions of fraudulent schemes that exploit popular reaction to national disasters or emergencies as unfair or deceptive acts or practices. Now, these increased penalties, up to \$22,000, would go into effect after a declaration of a national emergency or a national disaster by the President of the United States. A trigger for international disasters also was added to the bill in response to international emergencies like the Asian tsunami and the earthquake in Pakistan.

Mr. Speaker, I believe this is a necessary bill that honors the generosity of all American people by ensuring that the tradition, our proud tradition, of charitable giving remains safe from the now notorious and despicable criminals that seek to steal from the hearts of our fellow Americans.

I would like to thank, in particular, the gentleman from New Hampshire (Mr. BASS) for his steadfast and strong leadership on this issue. He has done a great service to all Americans with this bill. I urge my colleagues to pass H.R. 3675, the American Spirit Fraud Prevention Act.

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

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

Mr. Speaker, I rise in support of H.R. 3675, the American Spirit Fraud Prevention Act. Hurricane Katrina was one of the worst natural disasters to have ever struck the United States; and it will take months, if not years, to recover from its wake. Countless lives were lost, and the Nation was confronted with a new reality, a harsh sense of our vulnerabilities. One saving grace, the one ray of hope that helped to combat the pain, suffering, and sadness of the Nation, was the commitment displayed by Americans who were determined to help. As the cities of New Orleans, Gulfport, Biloxi, and others try to regain their footing, residents around the Nation, including the Chicago area, where I am from, have opened their hearts, their homes, and their pocketbooks to provide support to those who have lost so much.

Over \$1 billion has been raised for relief efforts and aid to victims of Katrina from donations large and small made by the American public.

Unfortunately, however, there are some in our country who demonstrated

the shameful side of humanity by attempting to illegally profit from Katrina. Those individuals tried to exploit the generosity demonstrated by so many through fraudulent solicitations in which they claimed to be representing organizations benefiting the victims or providing emergency response services. While those despicable acts are already illegal, it is necessary for the Congress, on behalf of our constituents, to send a clear message that such behavior will be subject to even more severe penalties in the future.

Under H.R. 3675, the American Spirit Fraud Prevention Act, the maximum civil fines for actions of fraud in an attempt to profit from national emergencies will be doubled. These increased penalties will apply to all violations that occur within 1 year of the time the President declares a disaster and all violations that occurred during and up to 1 year after the expiration of a Presidential emergency declared under the National Emergencies Act.

The American public is caring and committed. We care about the well-being of our neighbors, and we are committed to do what we can to ensure prosperity and security for this Nation. While our government needs to do much more to improve its preparedness and response, we will not allow the generous and caring spirit of the American public to be victimized during a national emergency.

I urge my colleagues to vote in support of this bill.

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

Mr. STEARNS. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire (Mr. BASS), who is the author of the bill.

Mr. BASS. Mr. Speaker, I thank my friend from Florida for yielding me this time. I think I will thank him twice during this speech for what he has been able to do, which was to bring this bill to the floor quickly, along with my friend from Illinois.

As he mentioned, the American Spirit Fraud Prevention Act will double the penalties that the Federal Trade Commission can levy against individuals who commit fraud during times of Presidential emergencies or disasters if the offending action is associated with our response to the disaster.

This would be the third time that I have introduced this bill. It has passed Congress on two previous occasions, and I sincerely hope that it will pass again today.

Americans have opened their hearts and their wallets over and over again in the last 4 or 5 years, donating \$2.2 billion in the wake of September 11; \$1.3 billion for the tsunami victims; and as of now, over \$1.7 billion for Katrina aid. In 2004 alone, charities raised \$248.5 billion in the United States.

Americans should be proud that we can come together as a country over and over again even though oftentimes we have to dig a little deep in order to help people who are in trouble.

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My hometown of Peterborough got together and adopted a town in Mississippi. We will raise close to \$50,000 for this little town in Mississippi by the end of this week. I think that is enormously admirable. The money contributed is carefully accounted for, and it goes to the exact place it needs to go.

However, there is fraud. I understand that the Nation's first Internet charity fraud case involving Hurricane Katrina has been uncovered. An individual has been charged and a Federal indictment is pending for creating a consumer Web site that asked that donations be made on line, purportedly to support humanitarian airlift operations to get victims out of Louisiana. Two people in Los Angeles set up a table outside a big box department store in Burbank and displayed fliers that read, "Help now. American Red Cross relief for Hurricane Katrina." It had no connection whatever with the Red Cross.

Now, as was mentioned before, Federal officials do have some power to prosecute those engaged in fraud, but if we double the penalties at times when Americans are most likely to be wanting to give without doing the proper research that is necessary before any gift is made, I think we will create an extra element of deterrence.

I want to thank again my friend from Florida and my friend from Illinois as chairman and ranking member of the Subcommittee on Commerce, Trade, and Consumer Protection of the Committee on Energy and Commerce for allowing this bill once again to come to the floor of the House. I want to thank Chairman BARTON and Ranking Member DINGELL as well.

Mr. Speaker, it is time to pass this bill out of the Congress, pass it through the Senate and send it to the President's desk. I look forward to working with my colleagues in the committee and in the House and the Senate and White House to make sure this happens quickly.

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

Mr. Speaker, as the gentleman from New Hampshire has pointed out, we passed this twice before, and this is the third time. This a timely bill. More importantly, it is appropriate, and it is in need of passage more than ever. So I urge my colleagues not only to support it, but also I urge leadership in both Houses to move this bill to the President.

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

Mr. STEARNS. 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 Florida (Mr. STEARNS) that the House suspend the rules and pass the bill, H.R. 3675.

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

The yeas and nays were ordered.

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

SUPPORTING THE GOALS OF RED RIBBON WEEK

Mr. BASS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 485) supporting the goals of Red Ribbon Week.

The Clerk read as follows:

H. RES. 485

Whereas the Governors and Attorneys General of the States, the National Family Partnership, Parent Teacher Associations, Boys and Girls Clubs of America, and more than 100 other organizations throughout the United States annually cosponsor Red Ribbon Week during the week of October 23 through October 31;

Whereas a purpose of the Red Ribbon Campaign is to commemorate the service of Enrique "Kiki" Camarena, a Drug Enforcement Administration special agent who died in the line of duty in 1985 while engaged in the battle against illicit drugs;

Whereas the Red Ribbon Campaign is nationally recognized and is in its twentieth year of celebration, helping to preserve Special Agent Camarena's memory and further the cause for which he gave his life;

Whereas the objective of Red Ribbon Week is to promote drug-free communities through drug prevention efforts, education, parental involvement, and community wide support;

Whereas drug and alcohol abuse contributes to domestic violence and sexual assaults, and places the lives of children at risk;

Whereas drug abuse is one of the major challenges our Nation faces in securing a safe and healthy future for our families and children;

Whereas emerging drug threats, such as the growing epidemic of methamphetamine abuse, jeopardize the progress made against illegal drug abuse; and

Whereas parents, youth, schools, businesses, law enforcement agencies, religious institutions, service organizations, senior citizens, medical and military personnel, sports teams, and individuals throughout the United States demonstrate their commitment to drug-free, healthy lifestyles by wearing and displaying red ribbons during this weeklong celebration: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals of Red Ribbon Week;

(2) encourages children and teens to choose to live a drug-free life; and

(3) encourages all people of the United States to promote drug-free communities and to participate in drug prevention activities to show support for healthy, productive, drug-free lifestyles.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Hampshire (Mr. BASS) and the gentlewoman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes.

The Chair recognizes the gentleman from New Hampshire (Mr. BASS).

GENERAL LEAVE

Mr. BASS. 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. 485.

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

There was no objection.

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

Mr. Speaker, I rise in support of House Resolution 485, which would resolve that the House of Representatives support the goals of Red Ribbon Week during the week of October 23 through October 31 in order to commemorate the services of DEA Special Agent Enrique "Kiki" Camarena, who died in the line of duty in 1985 while engaged in the battle against illicit drugs.

I also understand that Red Ribbon Week encourages children and teens to choose to live a drug-free life, and I understand also that this resolution encourages all people of the United States to promote drug-free communities and to participate in drug-free prevention activities to show support for healthy, productive, drug-free lifestyles.

We know ultimately that education is the answer to drug abuse amongst children. As the father of a 14-year-old and a 12-year-old, I can assure you that education is key. What Red Ribbon Week does is recognize nationally the importance of keeping our youth off of drugs, and I am particularly pleased that we are commemorating this year and through this resolution Special Agent Enrique "Kiki" Camarena.

Mr. Speaker, this is a great resolution. I urge Congress to pass it.

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

Mr. Speaker, I rise in support of H. Res. 485, a resolution supporting the goals of Red Ribbon Week, October 23 through October 31, 2005.

As mentioned, the original and most fundamental purpose of Red Ribbon Week is to honor the memory of Enrique "Kiki" Camarena, a Drug Enforcement Administration agent who was brutally murdered by drug traffickers in 1985.

Now in its 20th year, Red Ribbon Week has grown into a national campaign to promote drug-free communities by raising awareness, particularly among our children, of the perils of drug use. During this week, communities, school and home-based programs will convey important drug use information to millions of our fellow citizens, particularly the most vulnerable among our children.

I regularly participate in one of those celebrations in my own district and appreciate the educational aspect of Red Ribbon Week. It aims to prevent drug use. Red Ribbon Week is a useful part of what we all acknowledge is a constant challenge in young lives.

Notwithstanding the many laudable aspects of Red Ribbon Week, it is clear

that we still have a lot of work to do. The most recent National Survey on Drug Use and Health tells us that almost 8 percent of the population over the age of 12 are current users of illicit drugs. Current use of illicit drugs is even more prevalent among teens, almost 11 percent. While marijuana is the most commonly used illicit drug, methamphetamine use is spreading across the country at alarming rates.

The NSDUH report also notes significant use and abuse of alcohol, tobacco and legal drugs such as pain relievers and tranquilizers. Again, young people in their late teens and early twenties have use rates in each of these areas that are significantly higher than the overall average.

We need to bolster our efforts aimed at prevention and do more to return our citizens to normal productive lives when their lives have been overtaken by drug abuse. And we should steer our policies and resources away from the overly militaristic and supply-side strategies of recent years. They do not work, and the money would be better spent on proven, effective ways to combat drugs and drug use.

While resolutions such as this are nice, and, in fact, they are important, they do not provide the additional resources necessary to provide prevention and treatment services for all who need them. Nonetheless, Mr. Speaker, I would urge all of my colleagues to support H. Res. 485, supporting the goals of Red Ribbon Week.

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

Mr. SNYDER. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I rise in support of this resolution that was sponsored by the gentleman from Indiana (Mr. SOUDER) and the gentleman from Maryland (Mr. CUMMINGS) and others. The line I like in it the most is it talks about encouraging children to choose a drug-free life, because the reality is, as every parent knows, you cannot follow around your kids for the rest of their life. They have to have the kind of honesty and information and judgment that they make the right choice for the rest of their life with regard to the use of drugs and the abuse of alcohol.

Part of that honesty, of course, is to familiarize kids with the brutality of the drug culture and what it has been like around the world. This resolution pays tribute to Kiki Camarena and his brutal death, but also brings attention to the fact the level of brutality and violence that accompanies the drug trade.

In Arkansas tomorrow there is going to be a celebration of the 20th anniversary of the Arkansans for Drug-Free Youth, the Red Ribbon Rally, and the Teen Summit on Alcohol and Tobacco. Governor Mike Huckabee will be there, along with 6,000 schoolchildren, 6,001 if you count TV personality Craig O'Neill, who will also be there, to celebrate this day in Arkansas.