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# Congressional Record

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# House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BRADLEY of New Hampshire).

## DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*March 16, 2005.*

I hereby appoint the Honorable JEB BRADLEY to act as Speaker pro tempore on this day.

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

## PRAYER

The Reverend James P. Campbell, Pastor, Christ Life Church, Woodstock, Illinois, offered the following prayer:

Let us pray. Almighty God, once more this esteemed body gathers to legislate for the people of this Nation.

The scripture states ''that government is God's servant for good.'' Remind hearts of this in all actions today. Help these great women and men to remember those who are less fortunate in all their decisions that they make.

We lift our Nation up to You for protection against terrorism and to protect our troops everywhere. Bring peace to our Nation, Father, and peace to all the troubled areas of the world.

Help those in this Chamber that struggle with illness, bring healing and health. Help those who wrestle with personal or family problems, bring solutions and peaceful resolve. Aid each Member of this House who is in the valley of indecision concerning matters of this Nation to make the right decision and action. Most of all, Father, let us feel Your love and care for all of us. In Jesus' name we pray. Amen.

## THE JOURNAL

The SPEAKER pro tempore. 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.

Mrs. BLACKBURN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. BLACKBURN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. SOLIS) come forward and lead the House in the Pledge of Allegiance.

Ms. SOLIS 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 Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1160. An act to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2005, and for other purposes.

The message also announced that pursuant to section 114(b)(2)(c) of Public Law 100–458, the Chair, on behalf of the Majority Leader, appoints the following individual to the Board of Trustees of the John C. Stennis Center for Public Service Training and Development, for a six-year term:

MARSHA BLACKBURN of Tennessee.

The message also announced that pursuant to Public Law 105–83, the Chair, on behalf of the Democratic Leader, announces the appointment of the following individual to serve as a member of the National Council on the Arts:

The Senator from Vermont (Mr. LEAHY), vice the Senator from Nevada (Mr. REID).

The message also announced that pursuant to Executive Order No. 12131, as amended, the Chair, appoints the following Members to the President's Export Council:

The Senator from Montana (Mr. BAUCUS).

The Senator from North Dakota (Mr. DORGAN).

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 one-minute speeches per side.

## HONORING RHEA TAYLOR, MAYOR OF FAYETTE COUNTY, TENNESSEE

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

Mrs. BLACKBURN. Mr. Speaker, today I rise to honor Fayette County, Tennessee, Mayor Rhea Taylor.

As the Fayette County Mayor since 2002 and a public servant for years, Rhea Taylor has been actively involved in planning for the rapid growth of Fayette County. And during their annual awards banquet, the Fayette



Printed on recycled paper.

County Chamber of Commerce named Mayor Taylor the 2004 Citizen of the Year.

During Mayor Taylor's tenure, Fayette County has been designated as a Three-Star Pilot Program county by the Tennessee Department of Economic and Community Development. In addition to facilitating growth planning and recruiting industries to the county, Mayor Taylor is working to create a county-wide fire system and a justice complex.

The list of achievements goes on and on, but it is clear that Mayor Taylor has worked tirelessly on behalf of the County's residents.

Mr. Speaker, I congratulate Mayor Taylor on his record of achievement and thank him for his continued good service to the people of Fayette County, Tennessee.

## NOT ONE MORE DIME

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

Mr. KUCINICH. Mr. Speaker, today the House is going to be asked to approve a supplemental appropriation of $82 billion, most of which will go to continue the war in Iraq.

We now know more than 2 years later that Iraq did not have weapons of mass destruction which was the immediate occasion of America's intervention. We know that Iraq had neither the intention nor the capability of attacking the United States. Yet this country has spent over $200 billion and today is determined to spend another $82 billion in furtherance of a war we did not have to fight at great cost of human life, the lives of our troops and the lives of innocent Iraqi civilians.

Yet while we are contemplating going ahead and spending $82 billion, we should be thinking about the fact that on January 30 the Special Inspector General for the Iraq reconstruction issued a report that the administration's Coalition Provisional Authority mismanaged $9 billion in a development fund for Iraq funds. Not a single penny of the $9 billion could be accounted for by the Inspector General.

The development fund for Iraq consisted of Iraqi oil revenues intended for reconstruction and humanitarian efforts in the war-torn country, but they cannot account for a single penny of it. Now this government is asking for $82 billion, most of it for Iraq. They could not account for a single penny of the money that the Coalition Provisional Authority, their authority, was responsible for. How can we give them another dime when they cannot account for $9 billion?

We have people who do not have decent education in this country, decent housing, our highways are falling apart except for our transportation bill. We need to focus on why they do not and have not produced a single shred of evidence of what happened to that $9 billion. The American people have a right to know.

## SOCIAL SECURITY HAS TO BE FIXED

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

Mr. MCHENRY. Mr. Speaker, Social Security needs to be fixed. It is a system that is currently broken, and it must be fixed. It will go bankrupt by the time the eldest baby boomers retire. We need to act sooner rather than later to fix this program. Every day we wait it costs us more and more.

When Social Security began there were roughly 40 workers working for one retiree. During the 1950s it was 16 workers per one retiree. Soon it will only be two workers per one retiree. Without reform it will go bankrupt, and soon. So it is not a matter of I want to fix Social Security or I think it should be fixed. Social Security must be fixed. And the best way to dothat is to transform the system into one where workers can put a portion of their Social Security savings into personal accounts.

Investing in government bonds and stocks will give them a better return on their investment than the current system gives.

We must fix Social Security. We must fix Social Security now.

## COMMUNITY DEVELOPMENT BLOCK GRANTS

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, today I rise to oppose cuts to the Community Development Block Grant program in the Republican budget.

The Community Development Block Grant program provides critical funding for public safety, affordable housing, economic growth initiatives for cities, counties and Native American communities.

The district I represent strongly opposes these cuts. And I have heard from a lot of people, the Los Angeles County Community Development Commission, the League of California Cities, the Southern California Association of Nonprofit Housing, and mayors from various cities in California, in addition to the County Native American Indian Commission. All of them strongly oppose the proposed Republican budget which seeks to cuts back important funding for cities like mine, particularly onethat I represent.

The city of Rosemead has used this vital money to help provide residential rehabilitation assistance to over 100 elderly and disabled households. In addition, they have done testing for lead poisoning in low-income homes.

So I urge my colleagues to enact a budget package that contains sufficient funding for community development that helps the underserved neighborhoods, like mine in the 32nd district, throughout the country.I urge my colleagues to support the Spratt alternative.

## GO GATORS

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

Mr. STEARNS. Mr. Speaker, it is with great pleasure that I rise today to congratulate one of the Nation's top public universities, the University of Florida, and their men's basketball team on their first-ever SEC title.

This was a Gators 40th try for the SEC title against a team that has defined success in this event, the Kentucky Wildcats.

The Gators beat the No. 4 Wildcats 70 to 53 on Sunday, March 13 in Atlanta, Georgia's Georgia Dome in front of 25,000 fans.

This win marked the second time in 8 days that Florida had beaten Kentucky, which increased their winning streak to seven in a row. This winning streak comes at a very hot time, as the Florida Gators are heading into this year's NCAA tournament. The Gators are playing their first tourney game this Friday in Nashville, Tennessee, against Ohio. I wish them the best of luck in the NCAA tournament and congratulate them for their first-ever SEC title. Go Gators.

## NOT AN INDEPENDENT ANALYSIS

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

Mr. EMANUEL. Mr. Speaker, yesterday while testifying before a Senate committee, Federal Reserve Chairman Alan Greenspan said on the tax cuts, ''It turns out we were all wrong'' about President Bush's tax cuts.

In his book, Ron Suskind quotes the Fed Chairman as telling Secretary O'Neill, ''Without the triggers, that tax cut is irresponsible fiscal policy.''

Despite his private views, Chairman Greenspan publicly supported the tax cuts without reservation. I only wish he had expressed publicly what he knew privately.

Mr. Greenspan went on to say that he wanted to use the tax cuts to eliminate the budget surplus. Well, he succeeded beyond his wildest imagination. We now have $2 trillion in additional debt because of those tax cuts. Now where do we send that bill, Mr. Greenspan?

The Fed Chairman would have us believe that no one could have seen this coming, that it was an honest mistake. I know something about spin. Mr. Greenspan, that is spin. Now, Mr. Greenspan advocates making tax cuts for millionaires permanent while advocating a cut in Social Security benefits for the middle class, all the while bemoaning the rising deficits this country has seen and $2 trillion of additional debt.

Thank you very much for that independent analysis, Mr. Greenspan. Mr. Greenspan, you know better.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

ADOPT A CUBAN POLITICAL PRISONER

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

Ms. ROS-LEHTINEN. Mr. Speaker, today I stand in this great Chamber of democracy to adopt a Cuban political prisoner. Although this idea may seem like an idea that has no effect, it actually has a profound and everlasting impact on those who are enslaved.

Three years ago, Castro, whom we know to be an evil dictator who abuses the human rights of his people, swept the streets of Cuba and imprisoned over 70 innocent men and women who were calling for democracy on the island.

One of these victims is Lester Gonzales Penton. This young man who will turn 28 next week was sentenced to 20 years and is currently held in one of Castro's most shameful prisons, Kilo 7.

I am honored to adopt Lester, and I urge my colleagues to join me in adopting these courageous, peaceful activists, activists who sit in squalid jails for crimes we consider to be some of the most sacred rights: freedom, democracy, and freedom of expression.

We stand here today to honor these heroic souls and demand their release. I invite my colleagues to join us at noon today at HC–7 to hear more about our Adopt a Cuban Political Prisoner Campaign.

□ 1015

AN ETHICS PROCESS IN LIMBO

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

Mr. HOYER. Mr. Speaker, the integrity of the people's House supersedes the interests of any individual Member who is privileged to serve here, of either political party.

We bear an individual duty, as well as a collective obligation, to abide by the highest ethical standards and to conduct ourselves in a manner that instills public confidence in this institution.

Yet, today, the ethics process in this House is at a standstill. Our bipartisan process to address alleged ethics violations has been stymied by a partisan roadblock that is inconsistent with the purpose and history of the Committee on Standards of Official Conduct.

The gentleman from West Virginia (Mr. MOLLOHAN), the ranking member of the Committee on Standards of Official Conduct, has introduced a resolution that would remove this roadblock and restore the ethics rules that were adopted on a bipartisan basis in 1997. I urge my colleagues to support the gentleman from West Virginia's (Mr. MOLLOHAN) resolution.

Let us restore the ethics rules that guided us for the last four Congresses. Let us ensure that our ethics process is bipartisan and commands the respect of the American people. We ought to expect no less of ourselves.

CELEBRATING THE VALUABLE WORK OF ROTARIANS IN RUSSIA

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

Mr. WILSON of South Carolina. Mr. Speaker, as a 30-year member of Rotary International, I am proud to recognize the valuable work of new Rotarians in Russia.

Although Rotary in Russia is only 11 years old, the 100-year-old Rotary organization is already strengthening Russian communities, helping to enrich multinational relations and improving economic conditions in the new democratic Russia.

Today, I met with a group of Russian Rotarians who are visiting our country hosted by Neil Young of the Towsontowne, Maryland, Rotary Club. Our visitors and their sponsors are enthusiastic to learn more about how American small businessmen organize and manage their businesses. They will be able to apply the lessons they learned to help Russian businesses survive, grow and create jobs and consumer products for their communities.

Rotarians throughout the world continue to promote networking for community development and leadership, they should feel proud that their efforts are making a positive difference for millions of people.

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

THE BUDGET

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

Mr. COOPER. Mr. Speaker, today, the House of Representatives will start its annual debate on the budget, one of the most important debates of the year.

I would urge all of my colleagues to vote against the rule setting up the terms of this debate. Why vote against the rule? Because the Blue Dog Coalition alternative, the amendment which had 12 key procedural reforms to get our Nation off its current drunken borrowing and deficit binge, none of those wise provisions were included for debate.

Why? Nine Republicans on the House Committee on Rules voted against such common-sense terms as, for example, having a cost estimate on every bill or allowing a recorded vote on items that spend more than $50 million. I do not know but it is very important that House Members vote against the rule so that we can have a fairer debate on our budget process and support the reforms in the Blue Dog Coalition.

SOCIAL SECURITY

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

Mr. PRICE of Georgia. Mr. Speaker, in 2008, only 3 years from now, the first baby boomers will start collecting retirement benefits from Social Security, and for these people the system has worked very well, but when our children and grandchildren get set to retire, the only thing that will greet them is frustration, grief and heartache at what we did today or, better yet, what we did not do to fix Social Security.

Mr. Speaker, I have practiced medicine for over 20 years, and I know that in order to treat the right disease you have got to make the right diagnosis, and the right diagnosis for the Social Security system is that we are on an unsustainable course. The right treatment is to fix the problem today rather than passing the problem on to future generations.

If we continue to postpone solutions, our only alternatives will be large tax increases or significant benefit reductions.

The goal of our ongoing discussion is not to pin blame on anyone. The goal is to have a system that will work for our children and our grandchildren, one that is stable, funded and secure.

A Social Security system that was designed for the world of 1935 will not work for the world of 2035 and beyond. Changes must be made, and the sooner we act the more secure we all will be.

VITAL CONTRIBUTIONS OF AFRICAN AMERICAN NEWSPAPERS THROUGHOUT OUR HISTORY

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

Mr. McDERMOTT. Mr. Speaker, it is an honor and a privilege to rise today to recognize the vital contributions of African American newspapers throughout our history and the continuing need for their perspective today. The Seattle Media in my district is a good example.

For nearly 180 years, black newspapers have provided their readers with not only the news of the day but with hope for a better tomorrow, and for the past 65 years the National Newspaper Publishers Association has been the standard bearer in that proud tradition.

A federation of more than 200 black community newspapers, the NNPA has provided outstanding service to its member papers and the 15 million Americans who rely on them for news.

Through its network, the NNPA makes stories that happen in one part of the country available everywhere, and on the pages of its member papers black reporters and columnists record critical events and render thoughtful and much-needed alternative viewpoints that both educate and inspire.

The NNPA is a great American institution in the rich history of African American newspaper gathering, and I am proud to pay tribute to them today.

## SOCIAL SECURITY

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

Mr. SHAW. Mr. Speaker, at the urging of the Democrat leadership in the Congress, political campaign veterans have formed a new liberal group that plans to raise $25 to $50 million to pressure lawmakers to vote against any Social Security plan that includes prepaid individual retirement accounts.

With straight faces, the Democrats call themselves ''Americans United to Protect Social Security.''

They say: ''The President and his supporters in Congress are messing with the third rail of politics; and we're going to be sure they get zapped'' good.

Mr. Speaker, this is about our children. The greatest disservice to our children and grandchildren would be to give in to groups like this who claim there is no problem and who simultaneously use Social Security as a political club to beat down those of us who would dare to strengthen it.

House Democrats have become the party of noes, and they are led by ''Minority Leader No.'' If we do nothing, as some Democrats would have it, today's young workers and future workers will face benefit reductions, payroll tax increases and unprecedented debt.

Mr. Speaker, we should be worried about the next generation, not simply the next election.

## WHERE IS THE DEMOCRAT SOCIAL SECURITY PLAN?

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

Mr. KINGSTON. Mr. Speaker, I want to follow up the comments of the gentleman from Florida (Mr. SHAW), because it is one thing for the Democrat Party and the liberal groups in Washington, D.C., the very, very special interest groups, to say we are against whatever the President wants to do. We understand that. But it is another thing when they do not offer their own plan.

What I would ask the Democrat Party is to put your plan on the table, because most people agree with the facts, and the facts are that Social Security is running out of money.

Most people understand life expectancy has changed since Social Security started in 1937 when folks lived to be 59 years old. Today, they live to be 77 years old.

Most people understand that in 1937 when Social Security started there was 60 workers for every one retiree, and today it is three to one.

Most people understand the changing demographics that caused it so that if you retired in 1980 it took you 2.8 years to get all of your money back that you put into the Social Security Trust Fund, and yet if you retired in 2003 it will take you 17 years to get your money back.

Most people understand that there is a generation-to-generation issue that needs to be addressed.

What I would ask the Democrat Party is just put your plan on the table. Let us take a look at it. Let us take the best of the Democrat ideas, combine them with the best of the Republican ideas for what is best to protect and preserve Social Security for the next generation.

## ELECTION OF MEMBERS TO JOINT COMMITTEE ON PRINTING AND JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. NEY. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the resolution (H. Res. 147) electing members to the Joint Committee on Printing and the Joint Committee of Congress on the Library, 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 Ohio?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 147

*Resolved,*

**SECTION 1. ELECTION OF MEMBERS TO JOINT COMMITTEE ON PRINTING AND JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.**

(a) JOINT COMMITTEE ON PRINTING.—The following Members are hereby elected to the Joint Committee on Printing, to serve with the chair of the Committee on House Administration:

(1) Mr. Doolittle.
(2) Mr. Reynolds.
(3) Ms. Millender-McDonald.
(4) Mr. Brady of Pennsylvania.

(b) JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.—The following Members are hereby elected to the Joint Committee of Congress on the Library, to serve with the chair of the Committee on House Administration:

(1) Mr. Ehlers.
(2) Mrs. Miller of Michigan.
(3) Ms. Millender-McDonald.
(4) Ms. Zoe Lofgren of California.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. NEY) is recognized for 1 hour.

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

I rise today in support of House Resolution 147, a resolution electing the House Members to the Joint Committee on Printing and Joint Committee of Congress on the Library.

This important resolution names our House Members to these two committees, and once passed, we may begin to work with the other body, which has already organized, to organize the entire committee for the 109th Congress.

I want to thank my colleagues for agreeing to serve with me on these committees. I would just like to briefly mention that on the Joint Committee on Printing would be the gentleman from California (Mr. DOOLITTLE); the gentleman from New York (Mr. REYNOLDS); the gentlewoman from California (Ms. MILLENDER-MCDONALD), our ranking member; and the gentleman from Pennsylvania (Mr. BRADY).

Joint Committee of Congress on the Library is the gentleman from Michigan (Mr. EHLERS); the gentlewoman from Michigan (Mrs. MILLER), our newest Member; the gentlewoman from California (Ms. MILLENDER-MCDONALD), our ranking member; and the gentlewoman from California (Ms. ZOE LOFGREN).

I want to thank our ranking member for working with us on this resolution, and I ask for support of this resolution.

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

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. NEY. 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. 147.

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

There was no objection.

## GENERAL LEAVE

Mr. LEWIS of California. 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 further consideration of H.R. 1268, and that I may include tabular material on the same.

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

There was no objection.

## EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

The SPEAKER pro tempore. Pursuant to House Resolution 151 and rule XVIII, the Chair declares the House in

the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1268.

□ 1028

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, March 15, 2005, the amendment offered by the gentleman from New York (Mr. WEINER) had been disposed of, and the bill had been read through page 72, line 17.

It is now in order to consider the fifth amendment listed in the order of the House of March 15, 2005.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY:

At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 7001. None of the funds provided in this Act for national intelligence programs shall be available for obligation until the President submits to the Congress a proposal or procedure to fully inform the congressional intelligence and defense committees of all clandestine military activities for which it is intended that the role of the United States Government will not be apparent or acknowledged publicly and that will be conducted in countries identified by the United States Government as sponsors of terrorism.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

Mr. OBEY. Mr. Chairman, could I ask the Clerk to read the amendment?

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read the amendment.

The CHAIRMAN. Pursuant to the order of the House, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 5 minutes.

The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

□ 1030

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

I made clear yesterday that based on conversations with Andy Card, the President's staff director, I have agreed to withdraw this amendment pending the administration's getting together with the leadership of the Committee on Appropriations and working out a process by which activities of the Department of Defense that are classified will in fact be communicated to the Congress. I am not just talking about after the fact; I am talking about a communication prior to the activities.

I simply want to read one sentence from an article that appeared in the New Yorker about this matter. It reads as follows: ''The intelligence system is now designed to put competing agencies in competition. What is missing will be the dynamic tension that ensures everyone's priorities in the CIA, the DOD, the FBI and even the Department of Homeland Security. The most insidious implication of the new system is that the Secretary of Defense no longer has to tell people what he is doing so they can ask, 'Why are you doing this? What are your priorities?' Now he can keep all of the mattress mice out of it.''

Well, if the Congress considers itself to be mattress mice, then they will not be concerned about the reports that we hear about the Department of Defense's activities. If the Congress takes seriously its obligation to exercise the power of the purse, which is one of only two real powers that we have outside of actual legislating, and if the Congress feels we have an obligation to this institution that transcends our obligation to the committees on which we serve, then the Congress will see to it that the executive branch understands that we are not trying to dictate what they do; we are simply trying to see to it that what they do is consistent with American values and will not get the country in trouble in the first place.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I want to say upfront to the House that it is not my intention to speak on the time I have reserved in opposition to this proposition, so I am asking for a chance for an exchange here with the gentleman from Wisconsin (Mr. OBEY). The gentleman from Wisconsin (Mr. OBEY) and I have spent a good deal of time behind closed doors in appropriate security to discuss matters like this, but especially to express our concern that the Department of Defense communicate regularly with the Congress relative to activities that might involve areas that are, indeed, secure.

I have never told the gentleman from Wisconsin (Mr. OBEY) this before, but I will never forget as a mere member of the Subcommittee on Defense and a member of the Intelligence Committee discussing a program that was in the black that I knew about because I happened to be in the back room, but a program that the Department of Defense was not very excited about. We ended up advancing some money to have that program go forward. I have no idea if we would have been unsuccessful with that effort if they had known how serious we were.

It is important that we communicate with each other. Communication is a two-way street not a one-way street. So for those listening across the river, it is very important to know that the gentleman from Wisconsin (Mr. OBEY) is serious about this, and the leadership of the House is serious about it as well.

Mr. OBEY. Mr. Chairman, I want to make clear that I assume good faith on the part of the White House, and I hope we can work things out. But if we do not, I will be pursuing every possible avenue to see that an amendment such as this is adopted because this Congress has an obligation to know what is happening in some of these covert and clandestine operations.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

It is now in order to consider the sixth amendment listed in the order of the House of March 15, 2005.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FILNER:

At the end of the bill, add the following new title:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. (a) REQUIREMENT FOR VETERANS HIRING PREFERENCE FOR FEDERAL CONTRACTORS PERFORMING CONTRACTS FOR RECONSTRUCTION IN IRAQ.—None of the funds made available in this Act may be used to enter into a contract with a private sector contractor to perform reconstruction in Iraq unless, as a condition of the contract, or any subcontract at any tier under the contract, the Federal Government requires the contractor and any subcontractor under the contract, when hiring employees who will perform work under the contract (or subcontract), to extend to preference eligible veterans a hiring preference equivalent to the preference extended to preference eligible veterans for civilian employee positions in the Federal Government.

(b) PREFERENCE ELIGIBLE VETERAN DEFINED.—In this section, the term ''preference eligible veteran'' has the meaning given the term ''preference eligible'' in section 2108 of title 5.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. A point of order on the amendment is reserved.

Mr. FILNER. Mr. Chairman, I ask unanimous consent that the text of the amendment be read.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read the amendment.

The CHAIRMAN. Pursuant to the order of the House of March 15, 2005,

the gentleman from California (Mr. FILNER) and the gentleman from California (Mr. LEWIS) each will control 5 minutes.

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

Mr. FILNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I call this the ''Let U.S. Veterans Rebuild Iraq and Afghanistan'' amendment. Once again, I rise in support of the veterans of our Nation. We have a major, major, major operation in Iraq and Afghanistan. The bill on the floor today appropriates a sum of $81 billion, and we will be spending over $200 billion. It seems to me that we ought to guarantee jobs to veterans with companies that are awarded government contracts from this fund. Our active duty are fighting, but those who volunteer to go and help in other ways should have the preference that their veterans' service offers.

We have all rallied to support our troops, but often after they come home, our veterans are not treated with the respect they deserve. I outlined yesterday the lack of respect that they will have and continue to have because of lack of adequate funding in the health care system. PTSD, post-traumatic stress disorder, for example, will not have the funding that is needed to treat what is expected to arise out of the current war. As I said yesterday, research funds are being cut, nurses' positions are being cut.

I tried yesterday to put an amendment on the floor that would supplement this supplemental with an additional $3 billion that the veterans groups think and have testified and have outlined is necessary. That $3 billion was not added in yesterday's supplemental. So today I ask that we ensure that there are jobs for our Nation's veterans, whether they are new or old. Let us give them the preference that they have in law at home with the preference for the contracts that are being awarded with such abandon in the Middle East today.

We know, if we do not serve our veterans with jobs or health care, what occurs. We know that up to half of the homeless on the streets today are veterans, mainly from Vietnam, because we did not give them the honor, the respect, the health care, the jobs, the housing that they needed. And so they are on the street after having fought for this country. One way to make sure that this does not happen to anyone else is to include veterans in the rebuilding of Iraq and Afghanistan. Many of them fought for freedom for those nations. Let us get them involved in the effort to build the future.

Mr. Chairman, I hope that the rules are not invoked here once again to stop a commonsense approach to helping our veterans in this Nation.

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

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman's amendment is most intriguing. The gentleman is interested in having opportunity for veterans to gain employment. I presume they are veterans, whether veterans of World War II or circumstances in Iraq or otherwise. I presume that is the case. I certainly would be supportive of ensuring every veteran has an opportunity to find work, wherever the veteran might have served. I would like to engage in a colloquy with the gentleman.

Yesterday we had a discussion on the floor of the House relative to the gentleman's wanting to ensure there were additional funding flows for veterans. There was some resistance to that suggestion because some of us thought there was money in the pipeline that adequately serviced the hospitals; and in regular order we would make sure whatever was necessary would be available, at future hearings and markups of bills that affect funding. So I want to ask a question: There is a veterans hospital in San Diego County, is there not?

Mr. FILNER. Of course.

Mr. LEWIS of California. Mr. Chairman, I am trying to remember, what is the name of that hospital. I am trying to remember.

Mr. FILNER. La Jolla.

Mr. LEWIS of California. San Diego Veterans Medical Center in La Jolla. And does it happen to be in the gentleman's district?

Mr. FILNER. No, it is not.

Mr. LEWIS of California. Mr. Chairman, it is my understanding that hospital needs a lot of work. I assume the gentleman suggests that veterans ought to be first in line if we do some refurbishing?

Mr. FILNER. Mr. Chairman, in last year's appropriation bill, that hospital was awarded close to $100 million for seismic refitting, retrofitting for earthquake safety.

Mr. LEWIS of California. And was the gentleman involved in that?

Mr. FILNER. Yes, sir.

Mr. LEWIS of California. Mr. Chairman, I would ask the gentleman, did we successfully get money for that seismic retrofitting?

Mr. FILNER. Mr. Chairman, yes, in last year's appropriation bill, La Jolla Medical Center was one of a variety of hospitals, I think about two dozen.

Mr. LEWIS of California. Mr. Chairman, I wish the gentleman would have discussed that with me at the time.

We had a similar problem at Loma Linda Veterans Medical Center, the sister hospital of the Jerry Pettis Veterans Hospital, and we found a way to do seismic retrofitting by way of using a laser. No portion of the hospital needs to be closed down while the work is being done. Thereby, patients can actually be in the hospital while the work is being done. We did not have that discussion.

Mr. Chairman, has the gentleman visited that hospital in the last years?

Mr. FILNER. Many times.

Mr. LEWIS of California. In the last year?

Mr. FILNER. Yes, sir.

Mr. LEWIS of California. Mr. Chairman, I attempt to visit my hospital regularly as well. And, indeed, visit the veterans who are now back at Walter Reed or Bethesda. Indeed, we all should be concerned about that priority.

But, frankly, I am a bit incensed by the gentleman's suggestion yesterday that would indicate that we do not give priority on a bipartisan basis to veterans. I would ask the gentleman to join me in a special mission. Would the gentleman consider the mission?

Mr. FILNER. Mr. Chairman, whatever the gentleman from California (Chairman LEWIS) suggests, I would consider.

Mr. LEWIS of California. Mr. Chairman, the mission is the veterans service organizations are a great voice for veterans here in Washington. Like the gentleman, they are constantly pounding their chest saying, I am calling for money, more opportunity for veterans. I insist that they help us go back to where the hospitals are and see that veterans are treated like real human beings in those hospitals. I cannot get the VSOs to do it. Maybe I can get the gentleman to do it because the gentleman is obviously more concerned than the VSOs are about those veterans benefits and the way they are being treated.

Mr. Chairman, I ask, would the gentleman from California (Mr. FILNER) join me in that effort, or does the gentleman believe the money is being spent very well at veterans hospitals?

Mr. FILNER. Mr. Chairman, if the gentleman would continue to yield, look, everybody wants efficiencies in this system; but I will say, for a paralyzed veteran with a spinal cord injury, there is no better place than the VA to get care.

□ 1045

To keep that quality of care for those veterans requires investment in our system. We are all looking for efficiencies but I will tell you there is no independent person, including the VA.

Mr. LEWIS of California. Mr. Chairman, I reclaim my time. . . .

Mr. FILNER. Mr. Chairman, the gentleman asked me a question.

Including the VA that says that we have enough money.

Mr. LEWIS of California. Who says we do not have enough money? . . .

Mr. FILNER. The VA says we do not have enough money. . . .

The CHAIRMAN. The gentleman will suspend.

The Chair has been trying to facilitate this colloquy, but the Chair will

now insist that Members follow regular order in yielding and reclaiming time Members will not speak at the same time.

The gentleman from California (Mr. LEWIS) controls the time and is recognized for the remainder of his time.

Mr. LEWIS of California. How much time do I have remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has 15 seconds.

Mr. LEWIS of California. Let me say that we made a major effort to see that veterans in our hospital did not have to walk around with folders under their arm. We insisted on computerization within that hospital. The gentleman could help me a lot helping the VSOs to really work with veterans where they are being treated or not treated so well.

POINT OF ORDER

Mr. LEWIS of California. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill which violates clause 2 rule XXI.

The rule states that an amendment to a general appropriation bill shall not be in order if it changes existing law or imposes additional duties.

I ask for the Chair's ruling.

Mr. FILNER. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. The gentleman is recognized.

Mr. FILNER. Once again we are using the rules to block a commonsense amendment. It seems to me that the chairman has deeper issues than a blocking of the thing on a procedural ground and feels that the VA is not doing its job. That is obviously a deep issue that we ought to discuss, but that should not lead him to block this amendment.

In addition, the only way I could judge the sincerity of the majority party in these issues is to see what they had done to the chairman of the committee I have sat on for the last 12 years; that is, the VA Committee. The chairman was removed from that job, purged from that job because he stood up for veterans.

I hope, Mr. Chairman, that the gentleman will join me on a mission as I join him on a mission for accountability and efficiency to convince the leadership of his party to put back on that committee members of the committee who actually fight for veterans.

Once again, I think the veterans of this Nation ought to understand that the rules of this House can be waived for anything that the majority party wants, but when it comes to the veterans of this Nation, they refuse to waive the rules.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The Chair finds that the amendment, although in the form of a limitation, proposes a legislative contingency imposing new duties on the Executive.

As such, the amendment violates clause 2 of rule XXI. The point of order is sustained.

It is now in order to consider the seventh amendment listed in the order of the House of March 15, 2005.

AMENDMENT OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. VELÁZQUEZ:

At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 7001. None of the funds made available in this Act may be used to fund any contract in contravention of section 15(g)(2) of the Small Business Act (15 U.S.C. 644(g)(2)).

The CHAIRMAN. Pursuant to the order of the House of March 15, 2005, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself such time as I may consume.

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

Ms. VELÁZQUEZ. Mr. Chairman, Federal contracts for overseas work have increased substantially over the last several years. This rapid increase in government buying is largely the result of the war in Iraq and combating terrorism. Since the spring of 2003, Congress has appropriated close to $200 billion for operations in Iraq and Afghanistan. The supplemental appropriations bill we are considering today provides an additional $81 billion.

Much of this funding will be spent on contracts for overseas work, and most of these contracts will be awarded to large corporations. Unfortunately, while 23 percent of contracting dollars spent domestically must include small businesses, there is no requirement that small companies have access to the bulk of overseas contracts. My amendment would change that by requiring that small businesses have access to international contracts just as they do for domestic work.

Federal agencies currently do not include overseas contracts when calculating their small businesses goals. Therefore, there are no means of holding agencies accountable for providing U.S. small companies with access to international work. As a result, only 1 percent of government overseas contracts are awarded to small companies, and barely 500 of the more than 23 million U.S. small businesses are performing work abroad. By requiring that contracts funded by this bill are calculated in the Federal Government's small business goals, we start to instill credibility in the system while ensuring that small firms receive their fair share.

These goals were enacted to ensure small business participation in the Federal marketplace. However, the Federal Government has failed to meet its small business goal in each of the last 5 years. In one year alone, this failure cost U.S. small businesses over $15 billion in lost contracting opportunities.

We have a lot to make up for with our Nation's small business owners. We can start by ensuring that they have access to overseas contracts.

Mr. Chairman, there are 23 million small businesses in the United States. They represent 99 percent of all employers, create three out of four new jobs, and employ more than half of all private sector workers. Historically, when the government has needed to build up for military operations, it has turned to small businesses to fulfill its procurement needs because of their flexibility and quick response time.

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from California.

Mr. LEWIS of California. I appreciate the gentlewoman from New York yielding. Como esta.

Ms. VELÁZQUEZ. Gracias.

I am sorry. I thought this was English-only here.

Mr. LEWIS of California. I wanted to say to the gentlewoman, first, I very much appreciate the thrust of her amendment. While we are prepared to accept her amendment, let me add to that there could be some resistance, perhaps, on the part of the State Department. If there is resistance, it is because they have never seen fit to apply the existing law to overseas contracts. I think that is a small mistake on their part, frankly, if they have not. I think the gentlewoman is not just raising an important point but a point that needed to be made.

Ms. VELÁZQUEZ. Mr. Chairman, I really appreciate the gentleman's support of this amendment. I would say that it does not surprise me that the Department of State would raise a concern because they are the worst offenders when it comes to fulfilling the statutory goals set by Congress regarding contracting practices on behalf of small businesses in our Nation. I would love to see that the gentleman work with me on behalf of small businesses and make sure that in this $81 billion there is small business participation. They can do the work and they can do it more effectively than many of the large corporations that are mismanaging and misappropriating much of the money that has been spent so far.

Mr. LEWIS of California. Let me say to the gentlewoman that her amendment is overdue. I am happy to accept it and I am happy to be her partner on behalf of small business in America.

Ms. VELÁZQUEZ. I thank the gentleman.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MARKEY

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MARKEY:

Page 72, after line 17, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 7001. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and any regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded. A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 420, noes 2, answered ''present'' 3, not voting 9, as follows:

[Roll No. 75]

AYES—420

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
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
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
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)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
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
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
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 (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
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
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—2

Hayes
Souder

ANSWERED ''PRESENT''—3

Price (GA)
Rohrabacher
Westmoreland

NOT VOTING—9

Baird
Baker
Boucher
Cubin
Larsen (WA)
McKinney
Portman
Roybal-Allard
Sweeney

□ 1122

Messrs. KLINE, PUTNAM, CARDOZA, TANCREDO, BLUNT, SMITH of Texas, GOODLATTE, MCHENRY, THOMAS, AKIN, FLAKE and EHLERS and Mrs. EMERSON changed their vote from ''no'' to ''aye''.

Messrs. PRICE of Georgia, WESTMORELAND and ROHRABACHER changed their vote from ''aye'' to ''present''.

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. PORTMAN. Mr. Chairman, due to a previously scheduled commitment away from Capitol Hill, I was unavoidably detained and regretfully missed rollcall vote No. 75, the Markey Amendment. Had I been present, I would have voted ''aye.''

Mr. WAXMAN. Mr. Chairman, time and time again, the Bush administration has not been straightforward with Congress, the American people, or our soldiers about the costs of this war and what it will take to ensure stability and security in Iraq so our troops can return home.

Instead of disclosing the actual findings of field reports on contracting audits, troop needs, or the projected cost of the reconstruction effort, the administration has withheld, distorted, and even deliberately hidden information.

Just this week, despite the administration's refusal to turn Pentagon audits over to Congress, I obtained a report by Defense Department auditors concluding that Halliburton overcharged the U.S. Government more than $100 million for a single task order under its no-bid $7 billion contract to restore Iraq's oil infrastructure. I would like to know why unredacted versions of this audit report and the audit reports on nine additional task orders are still being withheld from Congress.

I have also learned that administration officials violated a U.N. Security Council Resolution by intentionally concealing these overcharges from international auditors. The administration only provided heavily redacted audits to the international auditors charged with overseeing the Iraqi oil revenue used to pay Halliburton's inflated costs.

Worst of all, correspondence between the Army Corps of Engineers and Halliburton officials indicates it was Halliburton that blacked-out references to egregious overcharges and other key audit findings regarding the unreasonableness of Halliburton's prices.

I am deeply disappointed that the House voted down an amendment calling for the investigation of reconstruction efforts in Iraq and Afghanistan including contracting procedures, possible money laundering, and profiteering.

It is disturbing that the Republican leadership has been unwilling to assert its oversight responsibility and demand fiscal accountability.

The administration has not complied with Congressional mandates to provide a comprehensive breakdown of the $200 billion already spent in Iraq and Afghanistan and a detailed assessment of the projected costs of military and reconstruction activities in Iraq over the next 5 years.

The White House has failed to justify a permanent extension of tax cuts for the wealthy while paying for the war with mounting deficits and massive budget cuts to social programs.

And when it comes to our troops, it has been Congress, not the administration, prioritizing force protection needs and the procurement of safety essentials like armored Humvees, body armor, night vision equipment, and jamming devices to neutralize the improvised explosive devices that are among the biggest threats to U.S. patrols.

I am willing to support this supplemental precisely because it allocates a majority of funds for troop and equipment needs and training of Iraqi security forces. This is a vast improvement over the blank check requested by the administration to pursue its less accountable reconstruction efforts.

No matter how each of us feels about the administration's actions that led to war and its conduct since then—and I have been one of its strongest critics—we have an obligation to ensure that our troops have the support and equipment they need as long as they are in the field. In addition, the funding in this legislation for training and equipment for Iraqi and Afghan security forces is essential for these nations to take control of their own security so U.S. troops can come home.

Some who oppose this legislation believe that its defeat would hasten the return of our troops. Although it is critically important for the U.S. to develop an exit strategy, I am deeply concerned that a premature withdrawal of U.S. troops just after Iraq's democratic elections and as its leaders attempt the difficult task of forming a coalition government would only embolden the Al-Qaeda cells fueling the insurgency in Iraq.

I also strongly support other provisions of the legislation to pay for food aid and peacekeeping in the Sudan, as well as the more than $650 million allocated for relief and reconstruction to the countries devastated by the tsunami.

I fully support the $200 million included in this bill for economic revitalization and infrastructure development in the West Bank and Gaza. The end of the Arafat era presents a concrete opportunity for the Palestinian people to chart a future away from terrorism, corruption, and incitement and toward democracy, transparency, and the rule of law.

This aid package is a strategic and timely investment in the leadership of Palestinian President Mahmoud Abbas. The accountability requirements in this bill will set an example for the international community for formulating assistance packages that protect against cronyism, embezzlement, and mismanagement, which in the past siphoned millions of dollars to Arafat loyalists and terrorist organizations.

And so, I will vote for this legislation to support our troops and to support these other worthwhile U.S. humanitarian endeavors, but we have an obligation to hold the Bush administration accountable for its policies in Iraq.

Mr. UDALL of Colorado. Mr. Chairman, I will vote for this supplemental appropriations bill today.

I have been a critic of the Bush administration's policy in Iraq. But I think even those who have supported it should be deeply concerned about the escalating cost of our efforts there. If approved, the President's emergency supplemental appropriations request will bring the total cost of our operations in Iraq so far to over $200 billion. This amount gives me pause, but Congress must not fail to supply our troops.

When I visited Iraq last year, I met with our troops and it is clear to me that more resources, including body armor and military equipment, are needed to safeguard their lives. The bill we are considering today provides these resources. It includes important provisions to raise the military death gratuity from $12,000 to $100,000 and to increase funding for add-on vehicle armor kits, night-vision equipment, and electronic roadside-bomb jammers. It includes funding for contract linguists for the Army and additional body armor for the Army and Marines. And thanks to the passage of the Markey-Blumenauer amendment, which I supported, the bill reaffirms the U.S. commitment to the U.N. Convention Against Torture.

It also provides funding for tsunami disaster relief, $1.3 billion to train and equip Afghan security forces and the Afghan army, $92 million for Darfur and $150 million for food aid to Sudan and Liberia, and $580 million for peacekeeping programs, most of which are for Sudan. Importantly, the bill appropriates the President's request of $200 million for economic development in the West Bank and Gaza Strip.

But large as it is, the bill still falls short in some respects. More funding is needed for veterans' health care and mental health care and helping members of the National Guard transition back to civilian life.

And most problematically, the House-passed rule incorporated into the bill the REAL ID Act, legislation that I opposed when the House passed it in February. I opposed it again by voting against the rule. I believe the REAL ID Act does not strengthen national security, but it does create undue difficulties for asylum seekers and excessively expands the powers of the Secretary of Homeland Security.

The bill also lacks answers to some tough questions. How many more supplemental requests like this one does the administration plan to present to Congress? What is our post-election strategy in Iraq? Can we account for the billions of dollars already spent in Iraq, and are the remaining billions of dollars in reconstruction funds being well spent? Why can't we get a solid answer about the numbers of trained and equipped Iraqi troops?

That lack of information is why I voted for an amendment proposed by Representatives TIERNEY and LEACH to create a Select Congressional Committee—based on the Truman Committee that existed during World War II—to investigate and study the awarding and carrying out of Government contracts to conduct military and reconstruction activities in Iraq and Afghanistan.

Adoption of that amendment would have improved the bill. The failure of this amendment makes it even more important that we continue to ask questions, not only to provide accountability to American taxpayers, but also to keep faith with the real needs of our troops in the field. Estimates of future U.S. costs in Iraq are mind-boggling—ranging from $400 billion to $600 billion over the next decade. That's why it's so important for us to do the job right this time, The more effectively we use these billions to train and equip Iraqi troops, the more quickly Iraqis will be able to fend for themselves, which means a ticket home for our troops.

So the bill could be improved—and I have supported amendments that would do that. But the bottom line is that we need to provide the funding necessary to keep our troops supplied and protected. With our troops stretched thin, forced to perform longer tours of duty and short of equipment and supplies, funding for our men and women in uniform must not be held hostage to disagreements about the wisdom or folly of Bush administration policies.

Mr. MEEKS of New York. Mr. Chairman, I rise in opposition to the Emergency Supplemental Wartime Appropriations Act. It is unconscionable that the administration comes to Congress for another emergency supplemental when it has failed to account for previous emergency funding, and has failed to include the cost of the war in the FY '06 budget. How can this administration offer a budget that does not include funding for America's military operations overseas when we have more than 150,000 soldiers in Iraq and Afghanistan for an indefinite period of time? Why does the administration continue to resort to supplemental funding to pay for this war instead of including the cost in the budget where it will sufficiently reflect the impact of Operations Iraqi Freedom and Enduring Freedom on our deficit?

Mr. Chairman, I did not support the Iraq supplemental request last year because I had serious concerns about no bid contracts in the bill. Unfortunately I was right to be concerned; just today it has been reported that Pentagon auditors have found excess billing for postwar fuel imports to Iraq by the Halliburton Company totaling more than $108 million. To add insult to injury Congress has not received any of the nine auditing reports from the Pentagon, but instead must resort to receiving this information through unofficial channels. Despite repeated requests, the administration has kept nine audits confidential from both Republican and Democratic Members of Congress. Accountability is a bipartisan issue.

This $81 billion emergency supplemental funding request for the Department of Defense's Iraq and Afghanistan operations comes on the heels of $25 billion of emergency spending already appropriated for this year. Enacting this request would mean that this Congress will have provided this administration with almost $300 billion for military and reconstruction efforts in Afghanistan and Iraq. It is clear that this body is willing to live up to its end of the bargain and provide funding for our troops, but the administration is determined to continue to avoid serious questions and concerns about its spending.

Let me state outright that I opposed going to war in Iraq, but that is not my reason for opposing this supplemental request. I oppose simply because we cannot allow continued deception by the administration on every aspect of our engagement with Iraq. We were deceived with exaggeration of Hussein's weapons capabilities, and now we are being deceived about the duration of the engagement and its exact cost—on the American purse and the loss of our men and women in uniform. We have exacerbated the situation in the Middle East and put our country in a more

vulnerable position because of this war, and now we are asked to surrender the responsibilities of this body to hold the administration accountable for its actions.

ACCOUNTABILITY

Mr. Chairman as a Member of Congress I must provide answers to my constituents about the money that Congress spends. Accountability is not a partisan issue, we must all demand answers. Our Constitution was carefully crafted so as to allow a balance of power in our Government. Congress is obligated to use appropriations and the oversight that accompanies it as a means of holding the executive branch accountable for its spending of American funds. Any attempt to usurp that balance of power is a betrayal of the moral fiber of our Government and must be taken as an attack on the integrity of this body.

The Department of Defense by law must submit reports to Congress with a detailed explanation of the spending and future costs of the Iraq war. These reports were due October of last year and at the beginning of this year. Despite this legal obligation clearly delineated in last year's Defense Appropriations Act, we have to date received no report accounting for the spending and detailing cost estimates of previous supplemental funding. Our Government should not fail to meet its legal responsibility without consequence. How can we justify more emergency appropriations without adequate assurance that what has already been appropriated has been shrewdly spent?

Sadly, we have no report directly from DoD but the Inspector General reported that almost $9 billion in reconstruction funding has been mishandled and poorly accounted for. In fact, the Inspector General suggests that thousands of ''ghost employees'' were on an unidentified ministry payroll.

In addition, DoD has stated in the past that 220,000 Iraq security forces had been trained and equipped, that number was then scaled down to 136,000. Moreover, the Pentagon has recently put into question if these troops are truly prepared for service.

CONCLUSION

Mr. Chairman, opposition to this bill is not a vote against supporting our troops. This body has proven over and over again through appropriations that it supports our troops. Congress has appropriated $20 billion for Iraq reconstruction despite the administration's claims that Iraq reconstruction would cost between $1 and $2 billion and could be financed by Iraqi oil revenues. With enactment of this bill Congress will have appropriated $300 billion for the efforts in Iraq without proper accounting of the spending of these funds. The administration claimed that we would be received as great liberators and that just a few short months after the invasion we could start withdrawing troops, but instead we have no exit strategy and over 1,500 troops have died and thousands seriously injured. I could go on and on about the disastrous miscalculations and misleading estimates. This bill is critically lacking in accountability. No more blank checks for this administration.

Mr. STARK. Mr. Chairman, I cannot support the President's request to spend billions more for this protracted war in Iraq. It's time to bring our troops home.

Next week we will commemorate the second anniversary of the war and U.S. occupation. Over 1,500 American lives have been lost along with countless numbers of Iraqi civilians. Over 11,000 Americans have been wounded. The world is still not a safer place. What have we gained?

I disagree with those who claim a vote for this bill is a vote to support our troops. I stand behind these brave Americans and believe they ought to have every resource to protect them.

How is it supporting our troops to keep them in harms way without a plan to win this war?

How is it supporting our troops when we continue to allow the Bush administration to spend hundreds of millions of dollars at will on no bid Government contracts with no oversight?

How is it supporting our troops when we don't provide for mental health services for those troops traumatized in combat?

For all of these reasons, I'm voting ''no'' on the President's $81.3 billion supplemental request. It is time for a plan to bring our troops home, not give the President another blank check.

Ms. PELOSI. Mr. Chairman, in a few days we will mark the second anniversary of the invasion of Iraq and the start of a war that, in my judgment, did not need to be fought. At the time, the war was rationalized on intelligence estimates of Iraqi weapons of mass destruction capabilities that were wrong, and on suggestions that Iraq was somehow connected with the September 11 al-Qaeda attacks on our country that were never true.

The President now says that the war is really about the spread of democracy in the Middle East. This effort at after-the-fact justification was only made necessary because the primary rationale was so sadly lacking in fact.

The one constant in 2 years of combat has been the courage, dedication, and skill of the men and women of our Armed Forces. For more than 1,500 of our troops, service in Iraq required the ultimate sacrifice. That is a loss for which our country mourns each day.

Thousands more have been wounded—their lives, and the lives of their families changed forever by this war. Similar losses have been experienced by families in Spain, in Italy, and, of course, in Iraq.

The bill before us provides another $75 billion for military operations in Afghanistan and Iraq. This enormous sum was not requested through the normal budget process, not subjected to any hearings, and not counted against our massive budget deficits. In fact, this will be the third largest appropriations measure this year.

And this $75 billion will be on top of the more than $200 billion previously appropriated, mostly by the supplemental appropriations process, for these military operations.

How much of this cost would have been unnecessary had the administration taken the time and the care to plan adequately for a war of choice? We will never know. But we do know—because these supplementals are evidence of it—that our troops were sent into combat without the equipment they would need for a protracted insurgency operation.

Our responsibility now is two-fold. First, to ensure that our troops have what they need to do their jobs effectively and as safely as possible. And second, to develop a strategy for success that will contain clear benchmarks by which the American people can measure progress toward the time when our forces will be brought home.

That strategy for success must include an aggressive plan for transferring responsibility for their country's security to the Iraqis, an improved plan for Iraq's reconstruction, and an intensification of diplomatic efforts in the region.

Other countries—the Netherlands and Italy among them—are making plans for the return of their forces. The United States does not need to adopt their timelines, but we do need clear criteria for judging certain fundamentals, including the capability and willingness of Iraqi security forces to deal with the insurgency and protect the country.

Somewhere between an open-ended U.S. commitment to Iraq and a timetable for withdrawal must be a strategy for ending our military involvement. That fact was the heart of the amendment by the gentleman from Virginia, Mr. MORAN, which this House adopted yesterday.

The President owes it to the American people and this Congress to develop such a plan, clearly describe it, and provide an assessment of how much it will cost and how long it will take.

I understand and share the frustration that will lead some to vote against this bill. We are being asked, again, to clean up a mess that many of us argued strongly against creating.

Putting aside our frustration with this administration so that we can provide our troops what they need does not, however, mean that we will forget the mistakes, miscalculations, and misrepresentations that brought us to the point where these billions are necessary.

The time is long past due for an accounting for those failures. We in Congress understand our responsibility to provide for the common defense. The administration must understand its responsibility to use the money this Congress provides effectively, and with a transparency that can withstand scrutiny.

Ms. LINDA T. SANCHEZ of California. Mr. Chairman, I rise in opposition to H.R. 1268, the Emergency Supplemental Wartime Appropriations Act for FY 2005. My opposition to this bill does not mean that I do not support our troops. I wholeheartedly support our troops and believe that we should fully fund our troops so that they have the necessary equipment to ensure their safety. Also incorporated into this bill is funding for Tsunami relief efforts for affected Southeast Asian countries. Having gone to Sri Lanka and personally seen the devastation, I know how important our relief efforts are for these countries.

Sadly, I'm opposing H.R. 1268 because it includes the REAL ID Act of 2005. The REAL ID Act of 2005 would deny drivers' licenses to immigrants, and slam the doors on refugees seeking asylum from persecution. The REAL, bad, ID Act has nothing to do with supporting our troops, let alone national security.

It is such a shame that Republicans had to incorporate the REAL ID Act in the Iraq Supplemental and Tsunami Relief when it has nothing to do with these two pressing issues. This is an unprecedented move on the part of the Republican leadership and this concerns me.

The REAL ID Act, H.R. 418 will not make us safer. What H.R. 418 will do is undermine several key security features that were dealt with responsibly in the Intelligence Reform legislation which was based on the 9–11 Commission Recommendations.

If the Republicans and this administration really want to strengthen national security, they should start by providing full funding for

the Department of Homeland Security, particularly the security improvements authorized in the Intelligence Reform bill. Yet the President's 2006 budget did not include funding for 10,000 new border guards, 40,000 new detention beds to hold people awaiting deportation, and 4,000 new immigration inspectors as the bill dictates. The administration merely funds 210 new border patrol agents.

As the proud daughter of immigrants, I am pleased to be serving my country as a Member of Congress. It is a great honor to be giving back to America, a country that has given my family so much. Like millions of immigrants, my parents came here in search of the American Dream and to give their children the opportunity to secure a promising future.

Again, I am outraged and saddened that Republicans are using the pretext of national security to attack immigrants who pose no real threat to our safety. America is a country built by immigrants, and we should remain a country that is open and welcoming to those seeking freedom. The U.S. has always been a beacon of hope and we must continue to guard the light of liberty for those who are oppressed or displaced.

Mr. KIND. Mr. Chairman, I rise today in support of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005.

I have had the opportunity to visit Iraq twice over the last 2 years and visit with our military women and men and survey the operations of the U.S. reconstruction mission in Iraq. Never have I been more proud to be an American than when I visited our troops and observed them in the line of duty. My trips reconfirmed that we must give our troops the tools and resources they need to carry out their mission safely and effectively so they can return home soon. For this reason I am supporting the administration's supplemental request for $81 billion.

Specifically, I would like to highlight the good work of the 128th Infantry Division out of western Wisconsin, and the 1158th Transportation Company out of Tomah, Black River Falls, and Beliot. The 128th is on their first tour of duty in Iraq and is performing well, despite several equipment shortages and setbacks the unit has dealt with. The 1158th is on their second tour of duty, and is also performing above and beyond their mission. I am extraordinarily proud of their service to our country.

I am especially proud of young men like Andrew Carter. Today I had the opportunity to visit Andrew, a member of the 128th, at Walter Reed Hospital. He was recently injured in Iraq riding in a Humvee that was hit by an RPG. There is a good chance he would have been killed if it hadn't been for vehicle armor that was added to the Humvee. This supplemental appropriates more funding to continue to armor humvees, so that we can continue to save lives. One of the first things Andrew said to me was that he wants to heal quickly so he can get back to Iraq and serve with his unit. His resolve is a good reminder of the dedication of our men and women in uniform and why we need to renew our commitment to soldiers like Andrew.

While I do not endorse all of the supplemental's provisions, in the absence of a funding alternative, I support the need to provide for our troops. But we do need to start budgeting and paying for their obligations, such as the need for a new embassy in Iraq, instead of passing so-called ''emergency'' supplementals and leaving a legacy of debt for our children to inherit.

As our military effort continues, I and other members of Congress will work to ensure that our service men and women have all the resources necessary to fulfill their mission. Again, my thoughts and prayers are with those serving our country, as well as their families. America is firmly behind our troops and we're all hoping to see them home safe, secure, and soon.

May God continue to bless these United States of America.

Mr. NEUGEBAUER. Mr. Chairman, I rise in support of H.R. 1268, the Emergency Supplemental and Wartime Appropriations Act of 2005. This supplemental provides necessary funding for a variety of military operations and for equipment that will keep our troops safe while they fight the War on Terror. We are asking the brave men and women of our Armed Forces to put their lives on the line in defense of our freedom. In return, we should not hesitate to give them the best protective gear that we can provide.

However, I have serious concerns about providing additional non-defense and non-emergency items, such as money for facility construction and international peacekeeping efforts that are included in this supplemental. I believe that while these items may be vital to our Nation's interests, they are not true emergencies.

I commend the chairman of the Appropriations Committee, the distinguished gentleman from California, Mr. LEWIS, for his efforts to limit the amount of non-defense and non-emergency funding in this bill. But, far too often the Federal Government deems additional spending an ''emergency'' because it was not included in the original budget request. Any non-defense and non-emergency funding should be considered in the regular budget process.

As Members of Congress, we owe it to the American taxpayer to ensure any new request for emergency spending is thoroughly reviewed and considered in a fair manner on the House floor, especially when essential funding for our Nation's Armed Forces is at stake.

Despite my displeasure in allowing some of these additional items to be included in the supplemental, I support this legislation because Congress has a moral obligation to provide our troops with the safest equipment and most up to date training available.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of this Wartime Supplemental bill but not without some hesitation after questioning why some funding is included in what should be a bill solely to support our troops and their ongoing efforts in Iraq and Afghanistan.

I applaud my colleagues who are working to include at least some FY2006 funding for Iraq and Afghanistan in the FY2006 Budget. The Congressional Budget Office predicts that the cost of the wars in Afghanistan and Iraq could reach $458 billion over the FY 2005 to 2014 period, on top of the more than $200 billion already expended. An emergency is something unforeseen, but these war costs can be estimated far in advance.

In his FY2006 budget request, President Bush did not include funds for construction of the U.S. Mission in Iraq. Instead, a week after submitting his FY2006 budget to Congress, the President sent Congress an FY2005 emergency supplemental funding request which included more than $1.3 billion for the embassy in Iraq. This hardly seems to be emergency funding since we have known we will need to operate and maintain an embassy in this country, yet there has been funding for the U.S. embassy in Iraq included in the previous two wartime supplemental bills, and again in this bill.

There is also $36 million dollars included for the construction of a new detention facility at Guantanamo Bay, Cuba in this supplemental. We have been detaining suspected terrorists at Guantanamo Bay since shortly after September 11, 2001; this is clearly a need seen far in advance and should be included in the Defense appropriations bill, not in this bill.

Additionally, this bill should not be used as a means to move controversial legislation, but the rule for this bill includes a provision to attach the text of H.R. 418. This bill was brought to the Floor of the House in February without a hearing in the Judiciary Committee, circumventing the legislative process.

H.R. 418 includes language that allows the Secretary of Homeland Security to waive any law necessary to construct barriers and roads along our borders. With over one thousand miles of border in Texas alone, I did not feel it was appropriate to allow the Secretary of Homeland Security to waive environmental regulations, undermine the competitive bidding process and threaten the ability of workers to be paid a prevailing wage on these projects.

The most important part of this issue is catching people who are here without proper documents. In December of 2004, I voted to authorize 10,000 new border patrol agents over the next 5 years, however the President's budget would fund only 210 of the 2,000 authorized border patrol agents, 143 of the 800 authorized interior investigators and only 1,920 of the 8,000 detention beds promised by the Intelligence Reform and Terrorism Prevention Act of 2004. H.R. 418 will not solve our immigration problem if we do not put agents on the border and increase the capacity of detention centers.

I do strongly support a number of provisions in this bill, however, which will better protect the men and women serving in Iraq and Afghanistan, better provide for the families of those who gave their lives serving in these countries, and better equip our troops.

It is time that we increase the military death gratuity benefit to $100,000 and the subsidized life insurance benefit to $400,000 for the families of soldiers who died or were killed on active duty while serving in Iraq and Afghanistan after October 2001.

We must take additional steps however, to improve benefits for the families of our troops not addressed in this bill. When families of our service members do not have access to healthcare because they cannot find a provider that has a contract with Tricare, there is a major problem We need to address the excess paperwork and low reimbursement rates in the Tricare system to ensure family members do not have to worry about their health care while their loved ones are serving our country.

In addition, after continually hearing stories from the men and women serving in Iraq about the lack of protective armor, this supplemental addresses these problems by providing

$75 million for body armor protection and $611 million for add-on vehicle armor kits which was $48 million more than requested. We also provide necessary oversight on the vehicle armor kits and several other procurement requests, while offsetting increases in funding for our troops with decreases in unnecessary foreign aid. In addition, we rightly increased the request for the family of medium-tactical vehicle, or FMTVs, to $735 million after recognizing wartime operations are causing much greater wear and stress on these vehicles than peacetime operations.

I support this bill because it provides necessary benefits and equipment to our troops, but I do not believe it should be used as a vehicle for projects that could and should be funded through the annual budget. During this time of soaring deficits, we must practice fiscal discipline; however this bill fails to do that by adding projects unrelated to the immediate wars in Iraq and Aghanistan. This bill should be solely about providing our troops with necessary resources for their mission in Iraq and Afghanistan. Anything not directly related to that does not belong in this bill.

Mrs. DAVIS of Californi. Mr. Chairman, I rise today to voice my strong opposition to incorporating the unnecessary provisions of the REAL ID Act, H.R. 418, in the Emergency Supplemental Wartime Appropriations bill.

I intend to vote for the emergency -spending package today. It provides the equipment and armor our service members need on the ground in Iraq and Afghanistan. H.R. 1268 also significantly improves our support of military families by increasing the death gratuity to $100,000 and improving the life insurance coverage we provide to those risking so much in the battlefield. Our service members need this bill. However, I was extremely disappointed to learn House Leadership was adding the text of H.R. 418 to the legislation. I voted against the REAL ID Act on the House floor for several reasons.

I am firmly committed to the security of the United States and the safety of all Americans. H.R. 418 does little or nothing to improve our protection. At the same time, the bill has a harmful impact on legal precedent and allows the federal government to undermine states' rights and state procedures. I also worry the REAL ID Act diverts attention from the crucial mission of securing the homeland by creating new demands on our agencies without providing the resources.

Finally, Congress passed many of the recommendations made by the 9/11 Commission. H.R. 418 is not only unnecessary and potentially harmful but also counters the hard work of the Commission and the Congress.

Mr. LANGEVIN. Mr. Chairman, I rise in support of H.R. 1268. I would like to thank the committee leadership for their efforts to provide our men and women in uniform with the equipment that they need to succeed. As a member of the House Armed Services Committee, I have worked with my colleagues to provide much-needed force protection equipment to our troops. H.R. 1268 includes $75 million for body armor, $51 million for up-armored Humvees, and $611 million for add-on armor kits for vehicles. Having visited our wounded soldiers at Walter Reed Army Medical Center, I know that we can prevent further injuries by funding this important equipment, and I appreciate the committee's efforts in this area.

Furthermore, the bill raises the military death gratuity from $12,000 to $100,000 and increases subsidized life insurance benefits from $250,000 to $400,000 for families of service members who died or were killed on active duty, retroactive to October 7, 2001. As a cosponsor of legislation to increase the military death gratuity, I believe we must appropriately honor those that have made the ultimate sacrifice, and these benefit increases are one small gesture that Congress can make to demonstrate our respect. This legislation also demonstrates our nation's commitment to aiding those in dire need throughout the world. H.R. 1268 includes $656 million for disaster relief to the victims of the tsunami as well as essential peacekeeping and humanitarian assistance to Darfur.

However, I was deeply disappointed that the House leadership used a procedural move to attach the language of the REAL ID Act, which I opposed when the House considered it in February. The REAL ID Act would significantly alter our nation's asylum and immigration laws in the name of homeland security, though its provisions went far beyond the recommendations of the 9/11 Commission. The Senate has already registered some opposition to the REAL ID provisions, and I fear that their inclusion in the House's supplemental bill will slow down the process and prevent us from sending assistance to those who need it most.

Our primary responsibility should be to assist our men and women in uniform and to fulfill our promises to the nations that were devastated in the December tsunami. I urge my colleagues to move swiftly to pass this measure and to drop any extraneous provisions that would hinder this important funding.

Ms. MOORE of Wisconsin. Mr. Chairman, my opposition to the war in Iraq and criticism of the Administration's rationale for engaging our troops in this conflict have been well documented. As U.S. casualties mount, it is my hope that the Administration will craft a plan to facilitate the timely withdrawal of our forces. For this reason, I am a cosponsor of H. Con. Res. 35 which calls on the President to do so.

But in the meantime, despite these reservations, the cold, hard truth of the matter is that our soldiers are in Iraq not because they choose, but because they have been ordered there. And they are under fire every day. We must make every possible effort to ensure that our troops return home safely to their families.

The legislation before us today provides $51 million for "up-armored" Humvees which protect soldiers from anti-tank mines and armor-piercing munitions. It appropriates $611 million for add-on vehicle armor kits which provide critical protection to drivers and crews against attacks from Iraqi insurgents. Also included is $50 million for the radio jammers that are installed in our vehicles to prevent attempts by insurgents to explode remote controlled bombs and mines as our troops drive by.

This measure also provides critical increases in financial support to the families of our fallen soldiers. H.R. 1268 increases the military death gratuity from $12,000 to $100,000. This benefit provides an immediate cash payment to assist survivors of deceased members of the armed services. It also increases government subsidized life insurance benefits from $250,000 to $400,000.

The legislation also provides crucial assistance for emergency situations overseas. It would give $656 million in direct assistance for tsunami disaster relief for countries devastated by the December 26, 2004 earthquake and tsunami. In addition, $92 million in emergency funds are provided to respond to the humanitarian crisis in the Darfur region of Sudan where egregious ethnic cleansing has been occurring. Tens of thousands of men, women, and children have been killed during the violence and thousands more die every month in camps housing the nearly 2 million people who have fled their homes. $150 million in emergency food aid, mostly for Sudan and war-ravaged Liberia, was included in committee.

With a recent glimmer of hope and improved chances for a resolution in the Middle East, the bill provides $200 million for the West Bank and Gaza to help the forces for peace seize this opportunity. This includes $50 million for road and water infrastructure improvements, $50 million to improve the flow of people and goods into Israel, $24 million for trade promotion and capacity building, $20 million for schools and community centers, $16 million for democracy and rule of law programs, $15 million for agriculture production and marketing, and $13 million for health care.

Mr. Chairman, while I continue to have grave concerns about the President's war in Iraq, on balance this bill provides funds that will help protect our men and women under fire, gives additional help to the families of those who will never return home, helps consolidate the tentative gains in Israel and the Palestinian areas, and aids the peoples of other nations who face dire crises abroad. For these reasons, I will cast my vote in favor of the measure.

Mr. BLUMENAUER. Mr. Chairman, I reluctantly voted against this supplemental, not because there aren't many important items included in it, but because a "no" vote is one of the few things in my power to signal my deep opposition to the administration's policy in Iraq. At its core, this bill gives too much money to the wrong people to do the wrong thing. As I made clear from the beginning of this war the administration continues to have no plan for success in Iraq. They have no blueprint for winning the peace and have not even adequately protected our troops in harm's way.

I fully support the assistance to the tsunami-affected region, and hope it will be used wisely for recovery, reconstruction, and mitigation of future disasters. While we cannot prevent natural events such as floods, mudslides, volcanic eruptions, earthquakes, or tsunamis, we can reduce or mitigate their devastating impacts by helping communities to rebuild in safer locations, construct sturdier dwellings, and enhance natural ecosystems that mitigate the impact of these natural disasters.

I am pleased to see that there is funding to provide additional armor for our troops and vehicles in Iraq. I hope that they will use the funding provided by Congress to give our troops the protection that they need.

An amendment that I offered with Mr. MARKEY to prohibit funds for torture and for sending detainees to countries that practice torture passed. The use of torture and rendition is morally reprehensible, puts Americans at risk, is a poor way to obtain reliable information in our fight against terrorism, and sets back the cause of democracy. This is the very least that we can do as Congress continues to abdicate its responsibility to investigate this horrific aspect of administration policy.

Regardless of the merits, everyone should be troubled by the use of supplemental legislation to pay for regular military action in Iraq and Afghanistan. Funding these operations outside of the regular budgeting process limits our ability for effective oversight and distorts the true budget picture.

The Rules Committee burdened this legislation with all the flaws of H.R. 418, the ''Real ID Act,'' which, among other things, placed the entire 7,514 mile border completely outside all legal protections. This is perhaps the most damaging single precedent since I've been in Congress.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in support of H.R. 1268, the War Supplemental Appropriations bill for FY 2005, which will provide funding for military operations and reconstruction activities in Iraq and Afghanistan, as well as important funds for tsunami relief and recovery.

The bill before us includes important changes made by the Appropriations Committee to the President's original budget request. These changes are essential to providing our servicemen and women the equipment and support they need to help keep them safe as they fulfill their important mission. Committed to the fact that the well-being of our troops is our highest priority, the Appropriations Committee increased funding by 69 percent more than requested for add-on vehicle armor kits; $401 million more, or twice the amount requested, for new trucks; and $50 million in unrequested funds for radio jammers to disrupt attempts by Iraqi insurgents to explode remote controlled bombs and mines.

The bill also includes important provisions to increase the military death gratuity from $12,000 to $100,000 and to provide subsidized life insurance benefits from $250,000 to $400,000 for families of soldiers who die or are killed on active duty, and we make these important provisions retroactive to the beginning of military operations on October 7, 2001. No amount can compensate for the death of a loved one, but an increase in these benefits that can help a family cope with the financial impact of a combat death is long overdue.

When the Appropriations Committee met, I strongly supported the Jackson amendment to add $150 million in food aid for Sudan, and I am pleased we have acted again today to add $100 million in additional disaster assistance. The United States has an obligation and opportunity to assist this troubled country, and I believe this additional funding sets an important example for the United Nations and other countries that still need to respond to the crisis in Sudan.

I have been very concerned about the lack of accountability by the Defense Department and the Administration as we provide them with enormous, although necessary, sums of money. While there has been some improvement, I am troubled that the Department of Defense has not submitted the required biannual report on the military operations of the armed forces and on the reconstruction activities administered by DOD in Iraq and Afghanistan. I know that Chairman JERRY LEWIS, Defense Appropriations Chairman BILL YOUNG and ranking members DAVID OBEY and JOHN MURTHA, as well as my colleagues on the full committee, have expressed similar concerns about DOD's lack of responsiveness.

I'm also troubled that the Administration continues to request emergency supplemental funds for military operations. We have been engaged in Afghanistan for over three years, and nearly three years have gone by since we invaded Iraq. Therefore, it is no surprise that funds are needed to support our servicemen and women overseas. The Administration should be building these costs into their regular budget submissions.

I am also disappointed that the Republican leadership failed to make in order an important amendment by Representatives HOOLEY and DELAURO to expand veterans' health care and mental health care. Our returning troops deserve whatever help they need to successfully transition to civilian life.

Finally, I am particularly angry that the Republican leadership is using this bill as a vehicle to move an unrelated piece of legislation, the Sensenbrenner ''Real ID'' immigration bill. The important bill before us provides critical resources for our servicemen and women overseas and badly needed disaster relief. It should not be used by the Republican leadership to fulfill their political promises. I hope the Senate will oppose this legislative gambit and confine the bill to address the serious needs it is intended to address.

However, in spite of my concerns, I believe it is our responsibility to provide our servicemen and women the resources necessary for them to fulfill their mission and come home safely. Protecting our troops, who are sacrificing so much on our behalf, and providing for their families, will always be my first priority, and that is why I am supporting this bill today.

Mr. PAUL. Mr. Chairman, I rise in opposition to this $82 billion ''emergency'' supplemental bill. I also am opposed to the manner in which the REAL ID Act, H.R. 418, was attached to the Rule, thereby stealthily making the establishment of a national ID part of an ''emergency'' bill to which it is completely unrelated. Once again we see controversial bills being hidden inside another bill so that they are automatically passed where they otherwise might face opposition. I do not believe this is a wise practice.

This ''emergency'' supplemental is the second largest supplemental appropriations bill in United States history, second only to the one last year. The funds will be considered ''emergency'' funds so Congress can ignore spending caps that would require the billions in new spending to be offset by reducing spending elsewhere.

We are told that this is emergency spending, and that we therefore must not question this enormous expenditure. Does an emergency require sending billions of American taxpayers' dollars overseas as foreign aid an emergency? This bill is filled with foreign aid spending. If we pass this ill-conceived legislation, we will spend $656 million for tsunami relief; $94 million for Darfur, Sudan; $150 million for food aid, most to Liberia and Sudan; $580 million for ''peacekeeping'' overseas; $582 million to build a new American embassy in Iraq; $76 million to build a new airport in Kuwait (one of the wealthiest countries on earth); $257 million for counter drug efforts in Afghanistan; $372 million for health, reconstruction, and alternative development programs to help farmers stop raising poppy; $200 million in economic aid for the Palestinians; $150 million for Pakistan (run by an unelected dictator); $200 million for Jordan; $34 million for Ukraine.

Does anyone really believe that all this foreign aid is ''emergency'' spending? Or is it just an opportunity for some off-budget spending? Just the above foreign aid equals almost $3.5 billion. Does anyone believe that sending this much money abroad as international welfare is a good thing for our economy?

Is there a baseball emergency? There must be, because this ''emergency'' supplemental contains a provision to allow Washington, D.C. to use taxpayer money to build a baseball stadium.

Mr. Chairman, this bill is almost unimaginably expensive. It is our out-of-control spending that really is the greatest threat to the United States and our way of life. I urge my colleagues to reject this legislation.

Ms. KILPATRICK. Mr. Chairman, I rise in reluctant support for the $81.1 billion emergency supplemental funding bill we are considering today. The only reason I am voting for the bill before us today is because it provides much needed equipment for our forces in theater, increases death gratuity to $100,000 for families of soldiers who have died or were killed on active duty. My support for this measure is tepid at best.

What troubles me the most about this bill are two key concerns: One, there are no mechanisms for tracking if the money is properly spent. There is simply no mechanism for improving accountability of how taxpayers' dollars are spent. The Defense Department wants to take the money and provide little detail to Congress on how these dollars are being used or abused. The American people have a right to know how these dollars are spent. And, two, by increasing investments in our war and defense efforts, we further constrain budgetary resources for investments in education, highways, community development, first responders, health care, public health and more. What is at stake here is the very welfare of our states and communities, who find themselves financially strapped because of the economic policies of this administration. Our domestic economy cannot continue to pursue this trend.

Despite my many misgivings over this spending bill, I will vote for its passage. We in Congress must call on the Defense Department to provide better accountability for the spending decisions it makes.

Ms. SOLIS. Mr. Chairman, today I voted in support of the Fiscal Year 2005 Iraq and Tsunami Relief Supplemental.

This decision was difficult for me. I strongly opposed the REAL ID Act of 2005. The REAL ID Act has no place on a bill to fund support for our military families and tsunami victims. In fact, I voted against H.R. 418 when it was considered by the U.S. House of Representatives on February 10, 2005. This type of political game was vicious attempt to portray those who believe REAL ID is a bad policy as unpatriotic, and I refuse to make servicemembers and their families' losers of that game.

I voted for this spending bill because it includes equipment and services that our troops and their families need desperately. It includes additional funds for health care services, mental health for veterans, active duty servicemembers and their families, and financial assistance to help members of the National Guard transition back into civilian life. This legislation also provides an increase in the amount of life insurance for troops, an increase in the death benefit for families of fallen military members, and provides additional funding so our troops have the armored

humvees and personal protection they need while serving in Iraq.

With the knowledge we have today about the lack of protective equipment and inability of our system to serve military families, I do not believe that withholding funds from our military families and tsunami victims is the right way to solve the predicament the Bush Administration has created. I remain very concerned about the Bush Administration's lack of a clear exit strategy in Iraq and I will continue to fight for real immigration reform and for a clear plan so our troops can come home and democracy can thrive in an Iraq run by Iraqis.

The CHAIRMAN. There are no further amendments in order. The Clerk will report the last three lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005''.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PUTNAM) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes, pursuant to House Resolution 151, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MS. HOOLEY

Ms. HOOLEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. HOOLEY. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore (Mr. PUTNAM). The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. HOOLEY moves to recommit the bill, H.R. 1268, to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

THE MILITARY HEALTH CARE AND JOB RETRAINING TRANSITIONAL BENEFITS AMENDMENT

On page 6, line 7, after the dollar figure, insert ''(increased by $50,000,000)''.

On page 35, line 10, after the dollar figure, insert ''(increased by $100,000,000)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Oregon (Ms. HOOLEY) is recognized for 5 minutes in support of her motion.

Ms. HOOLEY. Mr. Speaker, I rise today to offer a motion to recommit that would provide $100 million in health and $50 million in job training transitional assistance to help active duty forces make the transition to the veterans benefits system.

The gentleman from Washington (Mr. BAIRD) and I have been working on this issue together and trying to add $1.3 billion for VA health care and reintegration services. While our amendment was ruled not in order, we now have a chance to ensure that this supplemental includes at least some funding for vital health and employment services.

America is currently asking more of its all-volunteer military force than it ever has before. Yet even as America prepares to continue its large and prolonged military campaign in Iraq, it has done very little to provide for the veterans of this war. Our obligation to support our troops does not end when they leave Iraq.

But how are we supposed to provide adequate health care to these new veterans when we did not even meet the needs of our current veterans? The fiscal year 2005 Omnibus was $1.3 billion short in the amount that then Secretary Principi, as well as the House Committee on Veterans' Affairs, stated was needed to just maintain the current level of veterans health care.

We also need to make sure that our returning soldiers have the readjustment assistance they need, particularly for members of the Guard and Reserve. You have to understand, these members do not go back to a base, they go back to their home State and then are scattered throughout that State. Members of the National Guard returning home face immense challenges in transitioning out of active duty deployment and back to civilian life. While the State Guard offices are working to provide these returning soldiers with important information regarding their health care, employment assistance and other transitional services, they simply do not have the money they need to complete the education and counseling necessary for a smooth transition back to civilian life. I think our returning soldiers deserve better.

Mr. Speaker, I urge my colleagues to support this motion to recommit and keep our promise to our Nation's veterans.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, let me simply congratulate the gentlewoman from Oregon (Ms. HOOLEY) for her motion. I would hope that every Member supports it. I think that the contents of it are important. In fact, we need to go further. We have increased in this bill insurance benefits for servicemen and women who die up to $400,000, but servicemen and women who come back from combat who are brain damaged, who have lost their sight, who have lost their arms, who have lost their legs, they come back to really very little assistance from Uncle Sam.

In addition to what the gentlewoman is talking about, we also need to be looking at the huge hole that still exists in the earning power of those individuals, and we need to do a whole lot more than we are doing today.

I think the Hooley amendment is a great start, and I would urge every Member of the House to vote for it.

Mr. LEWIS of California. Mr. Speaker, I rise to claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes in opposition.

Mr. LEWIS of California. Mr. Speaker, I rise in opposition to the motion to recommit largely because I believe on both sides of the aisle the body recognizes that the reason for this supplemental is to provide as quickly as possible money flows in support of our troops.

This is a supplemental dealing with our challenges in the Middle East especially. It is a supplemental dealing with the crises that have resulted from the tsunami. But, in the meantime, the gentlewoman is suggesting that we should recommit this bill to add $150 million. The best thing that we can do for our troops is to move this bill very quickly and send it on its way for a conference with the Senate. There is absolutely no question that to have a recommittal motion be successful that would add $150 million to an $82 billion package, the vast percentage of which is in support of our troops, at best is a technical exercise.

□ 1130

To recommit for the sake of recommitting is not a reflection of how seriously we are taking the challenge we have of supporting our troops. So I rise in opposition to the motion to recommit, and I urge Members on both sides of the aisle to recognize that we must move forward with this supplemental.

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

The SPEAKER pro tempore (Mr. PUTNAM). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. HOOLEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 200, noes 229, not voting 5, as follows:

[Roll No. 76]

AYES—200

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—229

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Baird
Cubin
Roybal-Allard
Smith (NJ)
Sweeney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1153

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PUTNAM). The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 43, not voting 3, as follows:

[Roll No. 77]

YEAS—388

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
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)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
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
Oxley
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)

Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—43

Abercrombie
Baldwin
Blumenauer
Capuano
Clay
Coble
Davis (IL)
Duncan
Farr
Filner
Frank (MA)
Grijalva
Hastings (FL)
Hinchey
Holt
Jackson-Lee (TX)
Kucinich
Lee
Lewis (GA)
Maloney
Markey
McCollum (MN)
McDermott
McGovern
McKinney
Meehan
Miller, George
Owens
Pallone
Paul
Payne
Rangel
Sanders
Schakowsky
Serrano
Stark
Thompson (CA)
Tierney
Towns
Velázquez
Waters
Weiner
Woolsey

NOT VOTING—3

Baird
Cubin
Sweeney

□ 1201

Mrs. JONES of Ohio changed her vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 151, the text of H.R. 418, as passed by the House, will be appended to the engrossment of H.R. 1268.

(For text of H.R. 418, see prior proceedings of the House of February 10, 2005, at Page H536.)

## THANKING STAFF AND MEMBERS FOR ASSISTANCE ON H.R. 1268

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

Mr. LEWIS of California. Mr. Speaker, I very much appreciate the Chair giving me a moment to express my deepest appreciation to the entire House for the way they handled the discussion on the bill that has just been passed.

I especially want to express my appreciation for the fabulous staff work on both sides of the aisle who allowed us to move this bill as expeditiously as we have.

The bill involves sizeable amounts of money designed essentially to support our troops, wherever they may be, but especially in the Middle East.

Mr. Speaker, I want to also express my deep appreciation to my colleague, the gentleman from Wisconsin (Mr. OBEY), who cooperated every step of the way, a demonstration that we do not have to agree on everything; but in terms of supporting our troops we are in agreement. I very much appreciate the work of the House, as well as the committee.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later in the day.

## AMENDING INTERNAL REVENUE CODE OF 1986 EXTENDING LEAKING UNDERGROUND STORAGE TANK TRUST FUND FINANCING RATE

Mr. CHOCOLA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1270) to amend the Internal Revenue Code of 1986 to extend the Leaking Underground Storage Tank Trust Fund financing rate.

The Clerk read as follows:

H.R. 1270

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

**SECTION 1. EXTENSION OF LEAKING UNDERGROUND STORAGE TANK TRUST FUND FINANCING RATE.**

(a) IN GENERAL.—Paragraph (3) of section 4081(d) of the Internal Revenue Code of 1986 (relating to Leaking Underground Storage Tank Trust Fund financing rate) is amended by striking ''April 1, 2005'' and inserting ''October 1, 2005''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. CHOCOLA) and the gentleman from California (Mr. STARK) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. CHOCOLA).

GENERAL LEAVE

Mr. CHOCOLA. 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 the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1270, which would extend financing for the Leaking Underground Storage Tank Trust Fund. The Leaking Underground Storage Tank Trust Fund is financed with an excise tax of 0.1 cent per gallon imposed on the sale of gasoline, diesel, and other motor fuels. This tax is set to expire on March 31, 2005.

This bill would extend the trust fund's financing through September 30, 2005, the same date that the other motor fuels excise taxes expire. The administration supports the extension of this financing.

Monies appropriated from the leaking underground storage tank trust fund are used for detention, prevention, and cleanup of leaking underground storage tanks. Leaking tanks can contaminate groundwater that is ultimately used for drinking.

Since this program began in 1984, the program closed nearly 1.6 million tanks and reduced the severity of leaks from underground storage tank systems that remain in service. Approximately 675,000 tanks remain in service and are subject to regulations. However, there remains a backlog of over 100,000 sites that require remedial action. Extending the tax for 6 months will allow us time to discuss possible reforms to the program while not allowing for the disruption of the collection of the tax.

I urge my colleagues to support this bill.

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

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

Mr. Speaker, I would like to inquire how long has it been since we have really had any fun around here, and would it not be a lot better if we just cut out this leaking underground storage tank stuff; we are talking about a LUST bill. I thought we might as well get that on the record and endure whatever the smirks are, because it is really an important bill. It is not controversial. It is a straightforward extension for 6 months, and I got a smile from Mr. Speaker.

It is a 0.1 cent per gallon excise tax. It will go to clean up drinking water and the environment. I appreciate the support of the gentleman from Indiana (Mr. CHOCOLA) for this bill and look forward to its passage.

Mrs. CAPPS. Mr. Speaker, I am pleased that the House is continuing the funding mechanism for the Leaking Underground Storage Tank Fund or LUST fund.

Across this country there are hundreds of thousands of leaking underground storage tanks.

Many, if not most, of these have MTBE in them and have been linked to the contamination of groundwater in thousands of communities.

So it is important that we continue funding for the Trust Fund that helps communities get these messes cleaned up where responsible parties can't be found.

But I agree with my colleagues who, noting the needs that are out there, have called for a longer extension of this funding mechanism.

Clearly, we have to give states more support and the ability to know that the LUST fund will back up their efforts.

Mr. Speaker, I believe it is also important to note how inadequate the efforts of this Administration have been in addressing the problem of leaking tanks.

For example, the LUST fund could take in approximately $200 million in revenues this year alone.

And yet the Administration proposes to spend only slightly more than a third of that to address the problems caused by these leaking tanks.

This is a completely inadequate response to addressing the 136,000 spills across the country.

We should be spending more to help these communities clean up.

We should also be enacting common sense reforms like requiring secondary containment for underground storage tanks.

We should be requiring more frequent inspections of all underground tanks.

And we shouldn't be taking steps like those in the energy bill that would weaken "polluter pay" laws.

The energy bill as currently drafted weakens EPA's ability to recover the money they spend to clean up sites.

We have to continue holding polluters accountable for the damage they cause.

So while I will support this bill, I believe we should be doing much more.

Ms. SOLIS. Mr. Speaker, I rise today in support of cleanup of leaking underground storage tanks and this bill to extend part of the funding source for this program. However, I am concerned that this resolution only guarantees this funding source through October 1, 2005.

Leaking gasoline tanks are a major problem in this country. There are currently 136,000 leaking tanks across the country. More than 36,000 of these are in California—more than 100 currently leaking in my district alone. Seventy-five percent of these leaking tanks could release MTBE into our groundwater supplies. This problem is not going away.

The EPA estimates that over the next 10 years 120,000 more tanks could leak. That means 120,000 more communities polluted—harming their soil and water and public health and leaving communities with the cleanup bill.

To put it in perspective, cleanup from MTBE alone could cost at least $28 billion.

So while I support this legislation, the cleanup problem is much bigger than a 6 month extension—our communities and states deserve a real funding commitment.

Ironically, while we are here today talking about ensuring funding for 6 months, the current energy bill, like last session's bill, threatens to gut the program.

Last year language was inserted in the energy bill which would largely gut this program which our communities and water providers depend on.

Changes to this program in the energy bill restrict the Environmental Protection Agency from getting money for cleanups from polluters—therefore rewarding polluters at the expense of working families, communities and states.

Taxpayers should not shoulder the burden of cleanup costs.

Language in the energy bill also fails to require that tanks be inspected every 3 years as recommended by the General Accounting Office. In fact, under the energy bill, it could be six years before these tanks are inspected.

Adopting more stringent inspection requirements is a common sense proposal, one that will save taxpayers money and prevent unnecessary threats to our water supplies.

Finally, the energy bill fails to require secondary containment.

More than 20 states already require at least secondary containment because these states recognize the savings to taxpayers, water providers and redevelopers from preventing contaminated soil and water.

So while we are here today committing ourselves to a 6 month funding of the program, we are also preparing to unnecessarily gut important principles.

This program helps protect the health and water security of my constituents.

Changes to this program should not be done haphazardly in the energy bill. We owe it to our constituents and communities who deal with leaking tanks to not shove random provisions into legislation.

Mr. Speaker I support this bill and urge my colleagues to support it to guarantee at least some funding for cleanup, but I also urge my colleagues to seriously reject the changes to the Leaking Underground Storage Tank program included in the energy bill.

Mr. GILLMOR. Mr. Speaker, I rise in reluctant support of H.R. 1270, legislation to extend, for 6 months, the tax that finances the Leaking Underground Storage Tank, LUST, Trust Fund.

As chairman of the House Energy and Commerce Subcommittee on Environment and Hazardous Materials, I have spent the last couple of Congresses getting familiar with the LUST program. I think the goal behind this program—and its tax—is important. The LUST program, though well intentioned, is unable to realize its full potential because of the way Congress operates it.

Congress first initiated this tax in 1986 primarily through a 0.1 cent-per-gallon motor fuels tax. The LUST tax generated roughly $150 million per year over a 9-year period, and more than $1.6 billion was collected for the fund before the taxing authority expired in December 1995. Congress reinstated the LUST tax through the Taxpayer Relief Act of 1997, Public Law 105–34, from October 1, 1997, through March 31, 2005. In fiscal year 2004, the LUST tax generated $192.9 million in revenues, and the fund earned $66.7 million in interest on an accrual basis. At the end of 2004, the fund's net assets were $2.33 billion.

This is all well and good, but Congress has had a history of making annual appropriations in an amount that is close to the amount of interest that the LUST Trust Fund earns each year. In fact, the appropriated amount is much less than the annual revenues created each year by this tax. The LUST Trust Fund has been used by Presidents and Members of Congress in both parties to balance their books rather than protect and clean up groundwater pollution that was released from these tanks.

Mr. Speaker, myopic views of LUST have helped to create the program deficits facing LUST and extending the LUST tax cannot be thoughtfully considered unless it is looked at as a whole. Several experts, including the Government Accountability Office, have testified before the Energy and Commerce Subcommittee on Environment and Hazardous Materials that the LUST Trust Fund should be spent in greater quantity and that these amounts should help encourage inspection requirements, operator training, and more cleanup. These are important LUST program reforms that must be secured in order to make the justification of a LUST Trust Fund, and the tax that finances it, solid public policy arguments.

Again, while I am not going to oppose this bill on this day, it is essential that prior to another extension of the LUST tax that, at a minimum, reform to the LUST program be coupled with any extension of the tax. These reforms have passed the House on two occasions last year and are currently contained in the energy bill discussion draft currently before the Committee on Energy and Commerce. I am hopeful we can get these reforms enacted soon.

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

Mr. CHOCOLA. 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 Indiana (Mr. CHOCOLA) that the House suspend the rules and pass the bill, H.R. 1270.

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. CHOCOLA. 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.

## EXPRESSING GRAVE CONCERN OF CONGRESS REGARDING PASSAGE OF ANTI-SECESSION LAW BY NATIONAL PEOPLE'S CONGRESS OF PEOPLE'S REPUBLIC OF CHINA

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 98) expressing the grave concern of Congress regarding the recent passage of the anti-secession law by the National People's Congress of the People's Republic of China.

The Clerk read as follows:

H. CON. RES. 98

Whereas on December 9, 2003, President George W. Bush stated it is the policy of the United States to "oppose any unilateral decision, by either China or Taiwan, to change the status quo";

Whereas in the past few years, the Government of the United States has urged both Taiwan and the People's Republic of China to maintain restraint;

Whereas the National People's Congress of the People's Republic of China passed its anti-secession law on March 14, 2005, which constitutes a unilateral change to the status quo in the Taiwan Strait;

Whereas the passage of China's anti-secession law escalates tensions between Taiwan and the People's Republic of China and is an impediment to cross-strait dialogue;

Whereas the purpose of China's anti-secession law is to create a legal framework for possible use of force against Taiwan and mandates Chinese military action under certain circumstances, including when "possibilities for a peaceful reunification should be completely exhausted";

Whereas the Department of Defense's Report on the Military Power of the People's Republic of China for Fiscal Year 2004 documents that, as of 2003, the Government of the People's Republic of China had deployed approximately 500 short-range ballistic missiles against Taiwan;

Whereas the escalating arms buildup of missiles and other offensive weapons by the People's Republic of China in areas adjacent to the Taiwan Strait is a threat to the peace and security of the Western Pacific area;

Whereas given the recent positive developments in cross-strait relations, including the

Lunar New Year charter flights and new proposals for cross-strait exchanges, it is particularly unfortunate that the National People's Congress adopted this legislation;

Whereas since its enactment in 1979, the Taiwan Relations Act (22 U.S.C. 3301 et seq.), which codified in law the basis for continued commercial, cultural, and other relations between the people of the United States and the people of Taiwan, has been instrumental in maintaining peace, security, and stability in the Taiwan Strait;

Whereas section 2(b)(2) of the Taiwan Relations Act declares that ''peace and stability in the area are in the political, security, and economic interests of the United States, and are matters of international concern'';

Whereas, at the time the Taiwan Relations Act was enacted into law, section 2(b)(3) of such Act made clear that the United States decision to establish diplomatic relations with the People's Republic of China rested upon the expectation that the future of Taiwan would be determined by peaceful means;

Whereas section 2(b)(4) of the Taiwan Relations Act declares it the policy of the United States ''to consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States'';

Whereas section 2(b)(6) of the Taiwan Relations Act declares it the policy of the United States ''to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan''; and

Whereas any attempt to determine Taiwan's future by other than peaceful means and other than with the express consent of the people of Taiwan would be considered of grave concern to the United States: Now, therefore, be it

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

(1) the anti-secession law of the People's Republic of China provides a legal justification for the use of force against Taiwan, altering the status quo in the region, and thus is of grave concern to the United States;

(2) the President of the United States should direct all appropriate officials of the United States Government to reflect the grave concern with which the United States views the passage of China's anti-secession law in particular, and the growing Chinese military threats to Taiwan in general, to their counterpart officials in the Government of the People's Republic of China;

(3) the Government of the United States should reaffirm its policy that the future of Taiwan should be resolved by peaceful means and with the consent of the people of Taiwan; and

(4) the Government of the United States should continue to encourage dialogue between Taiwan and the People's Republic of China.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of New Jersey. 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 concurrent resolution under consideration.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to voice strong support for a resolution authored by the gentleman from Illinois (Mr. HYDE) which expresses the grave concern of the Congress over the adoption by the National People's Congress of the People's Republic of China on March 14 of an anti-secession law. Beijing's ill-advised action constitutes not only a unilateral change in the current status quo in the Taiwan Strait, but also provides a legal framework for military action against Taiwan when ''possibilities for a peaceful reunification have been completely exhausted.''

Adoption of this law followed upon by a threat, made in China's Defense Policy White Paper, released on December 17, 2004, to ''crush'' any attempt to split Taiwan from China, noting its ''sacred responsibility'' of the People's Liberation Army to stop any attempt at splitting the country.

We are all aware as to how seriously the PLA takes its ''sacred responsibility'' to further the goals dictated by the Communist regime in Beijing. When the PLA was presented with a clear choice between serving the people or obeying the orders of the leaders of the Communist party on June 4, 1989, a day of infamy, the tanks rolled into Tiananmen Square and Chinese blood was spilled by fellow Chinese.

Thus, we should not assume that the attempt in the anti-secession law to provide a legal justification for the use of force against the people of Taiwan is an idle threat. History shows that this is not the case.

Mr. Speaker, President Bush, in welcoming the Chinese Premier to Washington on December 9, 2003, made Chinese policy crystal clear with regard to this issue. President Bush stated, ''We oppose any unilateral decision by either China or Taiwan to change the status quo.'' At the time the President spoke firmly concerning attempts by Taiwan's President to unilaterally change the status quo.

Well, what is good for the goose is good for the gander. Beijing's unilateral attempt to change the status quo must be vigorously opposed by both the administration and the Congress. The Congress, in particular, is obliged, under commitments made in the Taiwan Relations Act, not to remain silent when confronted by this challenge from Beijing. The Taiwan Relations Act clearly and unequivocally states: ''It is the policy of the United States to consider any effort to determine the future of Taiwan by other than peaceful means a threat to the peace and security of the Western Pacific area and of grave concern to the United States.''

Beijing's new anti-secession law clearly qualifies as such an effort to determine the future of Taiwan by other than peaceful means and thus represents a grave concern to the United States of America.

Mr. Speaker, Beijing's reckless action comes at a time when there were signs of renewed thawing in the cross-strait relations which gave some cause for optimism over the ultimate peaceful resolution of this issue.

The commencement of the Lunar New Year's holiday of cross-strait charter flights, the continued movement of Taiwanese to the mainland, increasing cross-strait commercial investment, and the arrival of mainland representatives in Taipei to attend the funeral of a leading negotiator for Taiwan on cross-strait issues were all extremely positive signs.

It is unfortunate, however, that Beijing has chosen once again to be its own worst enemy by dissipating all the goodwill generated through such gestures by stubbornly pursuing this provocative and ill-timed measure.

Contrary to the observation of Chairman Mao, cross-strait issues will never be solved by resorting to the barrel of a gun.

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

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

Mr. Speaker, I rise in strong support of this resolution, and first I would like to express my appreciation to the gentleman from Illinois (Mr. HYDE) for introducing this important and timely resolution and for moving it so expeditiously to the floor. I also want to express my gratitude for his support to the gentleman from New Jersey (Mr. SMITH). I am proud to be the lead Democratic sponsor of this important measure.

Mr. Speaker, I just returned from visiting both China and Taiwan a few weeks ago. I cautioned in both places prudence, moderation, stability, no precipitous action, no turmoil. The lives of the people of Taiwan and the People's Republic of China are increasingly intertwined. More than half a million Taiwanese now live on the mainland. Nonstop charter flights between Taiwan and the mainland were launched during the Lunar New Year, and both sides are actively exploring new options for a variety of exchanges across the Taiwan Strait.

This is the main reason why the Chinese Government's decision to move forward with the so-called anti-secession law is so profoundly unfortunate. By codifying the potential use of force against Taiwan, Beijing has thrown a bucket of ice water on the warming relations that had been developing between the people of China and Taiwan.

The Chinese Government should be using their best and brightest young leaders to build new bridges between the people of China and Taiwan. Instead, the government has bowed to pressure from hard-line elements in the Chinese military to ratchet up the pressure on Taipei.

Passage of this law, Mr. Speaker, is a wasted opportunity. The anti-secession

law mandates military action against Taiwan when ''the possibilities for a peaceful reunification would be completely exhausted.'' In other words, whenever Beijing decides there is no longer any point in talking to Taipei, the new anti-secession law requires the Chinese military to take action against Taiwan.

Mr. Speaker, the passage of the anti-secession law is a threatening move by Beijing which will undoubtedly heighten tensions across the Taiwan Strait. It will decrease the chance that either side will be willing to resolve differences peacefully. The law is reprehensible, and it should be reconsidered by the National People's Congress in Beijing.

Mr. Speaker, both Taipei and Beijing have a paramount responsibility to maintain restraint and to avoid any action which could increase tensions across the Taiwan straits. With passage of this law, Beijing has failed this critically important duty, and it is my profound hope that China's top leaders will find a way to repair the damage that the law's adoption has caused.

I strongly urge my colleagues to vote for this resolution.

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

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Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. CHABOT), a distinguished member of the Committee on International Relations, chairman of the Subcommittee on the Constitution of the Committee on the Judiciary, and cochair of the House Taiwan Caucus.

Mr. CHABOT. I very much thank the gentleman for yielding me this time.

I want to first, Mr. Speaker, commend the distinguished gentleman from Illinois (Mr. HYDE), chairman of the full committee, for bringing this timely and important resolution to the floor. The so-called anti-secession legislation adopted by the National People's Congress of the People's Republic of China will unilaterally change the status quo in the Taiwan Strait, in direct contradiction of the policy of the United States Government.

The Taiwan Relations Act, enacted by this Congress in 1979, declares that peace and stability in the Taiwan Strait are in the political, security and economic interests of the United States. The legislation adopted by the Chinese People's Congress which states that China ''shall employ nonpeaceful means'' in the event of Taiwan's moving toward independence clearly threatens that peace and stability.

The people of Taiwan want peace. Taiwan's democratically elected President, Chen Shui-bian, whom I have met with many times, has repeatedly shown his determination to maintaining peace, stability and the status quo across the Taiwan Strait, and the Beijing dictatorship has responded by pointing over 600 missiles at Taiwan, and now by enacting a threatening anti-secession law.

The future of Taiwan should be determined by the people of Taiwan. Any effort by the Communist leadership in the People's Republic of China to deny a free people in Taiwan a safe, prosperous and democratic future should be condemned.

Mr. Speaker, this is a very important issue. I am very pleased that it is being taken up by the Congress here today. It deserves the utmost attention. I want to thank again the gentleman from Illinois (Mr. HYDE) for bringing this forward. I also want to thank the gentleman from California (Mr. LANTOS) for whom I have great respect and has been a leader in this area for many years and the gentleman from New Jersey (Mr. SMITH) as well.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself 30 seconds to thank the committee members and the staff, especially Dennis Halpin, Sarah Tillemann and Peter Yeo, for their work on this resolution and Dan Freeman, who is our counsel and parliamentarian, for his work, and his expertise on this and so many other resolutions. We are so grateful for them.

Mr. HONDA. Mr. Speaker, I rise today to express my distress over anti-secession legislation recently passed by the National People's Congress of the People's Republic of China (PRC). The new law reaffirms the PRC's sovereignty over Taiwan and threatens peaceful and non-peaceful means to defend its "One China" policy. In passing this law, the PRC imperils the status quo and durability of the delicate cross-strait truce that has been established.

The United States has consistently maintained that differences between Taipei and Beijing should be resolved diplomatically and with the full involvement of the people of Taiwan and China. I subscribe to this position and the view that the status quo must be preserved until a peaceful resolution can be achieved. The anti-secession law disturbs the status quo and creates and unnecessarily tense situation that may lead to an escalation of hostilities.

While the anti-secession law may have originated as a reaction to political rhetoric in Taiwan, the Taiwanese government supports the status quo, further obviating the need for the anti-cession law. The new law also seems at odds with recent positive developments between China and Taiwan that seem to signal closer relations. For example, direct flights between Taiwan and mainland China were initiated during the Chinese New Year holidays and two senior representatives from the People's Republic of China attended the memorial services for Koo Chen-fu who was instrumental in moving cross-strait dialogue forward 10 years ago.

Mr. Speaker, in light of these positive events, it is unfortunate that the PRC has chosen to take a step backwards in the effort to improve cross-strait relations. The anti-secession law has made it necessary for us today to pass this resolution, which expresses the Congress' grave concern that China is establishing legal justification for the use of force against Taiwan. The resolution rightly urges U.S. officials, through appropriate diplomatic channels, to express our nation's grave concern to the PRC, and it reaffirms U.S. support for fostering cross-strait dialogue in an effort to resolve this international issue peacefully.

Ms. SOLIS. Mr. Speaker, I rise today in support of the resolution, House Concurrent Resolution 98, which expresses the concern of the U.S. House of Representatives regarding China's Anti-Secession Law. This misguided law effectively authorizes use of military force against Taiwan if Taiwan moves toward formal independence.

I believe the anti-secession law is a dangerous and unnecessary escalation of tensions between China and Taiwan. The future of Taiwan should be resolved by peaceful means and with the consent of the people of Taiwan. The United States should continue to encourage dialogue between Taiwan and China. In today's world, we should strive to ensure peace, liberty and democracy. I am proud to join my colleagues in support of this resolution.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 98.

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. LANTOS. 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.

## EXPRESSING CONCERN REGARDING VIOLATION OF HUMAN RIGHTS BY SYRIA

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 18) expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic, as amended.

The Clerk read as follows:

H. CON. RES. 18

Whereas the Syrian Arab Republic is governed by an authoritarian regime which continues to commit serious human rights abuses, including the use of torture and arbitrary arrest and detention;

Whereas the Department of State's Country Reports on Human Rights Practices for 2004 states that Syria's ''human rights record remained poor, and the Government continued to commit numerous, serious abuses'', the government ''significantly restricts freedom of speech and of the press'', ''freedom of assembly does not exist under the law'', and ''the Government restricted freedom of association'';

Whereas Article 19 of the Universal Declaration of Human Rights states that ''Everyone has the right to freedom of opinion and expression. This right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.'';

Whereas Article 20 of the Universal Declaration of Human Rights states that ''Everyone has the right to freedom of peaceful assembly and association.'';

Whereas Syria's September 2001 press law permits the government to arbitrarily deny or revoke publishing licenses for vague reasons and compels media to submit all material to government censors;

Whereas Syrian authorities have arrested, or, in the case of foreigners, expelled journalists for writing critically about Syria's policies;

Whereas Human Rights Watch and Amnesty International have reported that the security forces of Syria are targeting emerging Syrian human rights organizations, as well as their attorneys, in an apparent attempt to intimidate those organizations;

Whereas, on March 8, 2004, Syrian security forces arrested more than 30 human rights dissidents and civilians at a sit-in in front of the parliament;

Whereas a United States diplomat who was watching the peaceful demonstrations was also arrested and held for an hour in what the United States called an unacceptable violation of diplomatic practice and which the United States protested ''in the strongest terms'';

Whereas Article 7 of the Universal Declaration of Human Rights states that ''All are equal before the law and are entitled without any discrimination to equal protection of the law.'';

Whereas the criminal law of Syria provides for reduced sentences in cases of ''honor'' killings, and spousal rape is not illegal;

Whereas the infringement by Syria on human rights and civil liberties extends into the Lebanese Republic, which it continues to occupy in violation of United Nations Security Council resolutions;

Whereas hundreds of Lebanese civilians are believed to have been killed or ''disappeared'' by Syrian occupation forces or its secret police;

Whereas hundreds of Kurdish civilians were injured or killed in clashes with the Syrian authorities in March 2004 in Qamishli, a city in northeastern Syria, and Syrian security forces arrested and tortured Syrian Kurdish civilians from the town of Al-Malikiyah on January 9, 2005;

Whereas Syrian authorities continue their harassment of Aktham Naisse, Syria's leading human rights activist, President, and founding member of the Committees for the Defense of Democratic Liberties and Human Rights in Syria, and the 2005 winner of the Martin Ennals Award for Human Rights Defenders, one of the most prestigious awards in the global human rights community, by charging him with spreading false information, forming an underground association with links to international human rights groups, and opposing the Baath Party;

Whereas, in November 2004, upon his release from prison, Kamal Labwani, a 48-year-old physician in Syria, stated that there are at least 400 political prisoners in Syria, 100 of whom have been jailed for at least 20 years;

Whereas Mr. Labwani urged ''all defenders of freedom and human rights, whether individuals, associations, or bodies, or international, Arab, or local organizations to participate with us in this campaign to call for the immediate release of all political prisoners and detainees of opinion and conscience'';

Whereas, in November 2004, Syrian journalist Louai Hussein was banned from writing by the Syrian Interior Ministry's political security office;

Whereas, in November 2004, the arrest in Germany of a Syrian embassy official for espionage and issuing threats against the Syrian opposition in Europe is evidence of a campaign reportedly launched by Syrian dictator Bashar Assad, aimed at intimidating the regime's opposition abroad;

Whereas thousands of Syrian citizens, along with their families, children, and grandchildren, live outside their country in forced exile, solely because of their political views, or because of the views of members of their families; and

Whereas human rights and democracy groups in Syria have sponsored a petition urging greater freedoms and the release of all political prisoners: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That Congress—

(1) condemns the consistent pattern of gross violations of internationally recognized human rights by the Government of the Syrian Arab Republic;

(2) calls on the international community to adopt a resolution at the upcoming session of the United Nations Commission on Human Rights which details the dismal human rights record of Syria;

(3) expresses its support for the people of Syria in their daily struggle for freedom, respect for human rights and civil liberties, democratic self-governance, and the establishment of the rule of law;

(4) encourages the President and the Secretary of State to reach out to dissidents, human rights activists, and the nonviolent democratic opposition in Syria, and to assist them in their efforts; and

(5) urges the adoption and pursuit of these and other policies to seek a democratic government in Syria that will—

(A) bring freedom and democracy to the people of Syria;

(B) cease the illegal occupation by Syria of the Lebanese Republic;

(C) abandon support for terrorism;

(D) not pursue research, development, acquisition, production, transfer, or deployment of biological, chemical, or nuclear weapons, will provide credible assurances that such behavior will not be undertaken in the future, and will agree to allow United Nations and other international observers to verify such assurances; and

(E) live in peace and security with the international community.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume. I want to thank the leadership for bringing up this resolution.

H. Con. Res. 18, Mr. Speaker, addresses the continued gross violations of human rights committed by the Syrian regime. The terrorist regime in Damascus is one that not only supports and facilitates terrorist attacks against innocent civilians throughout the world but also engages in a widespread campaign of terror and human rights suppression among its own people.

According to the most recent State Department Country Reports on Human Rights Practices, the government of Syria continues to commit numerous serious abuses and remains with a poor record on human rights overall. Any activity by human rights activists and organizations is stifled and activists are sentenced to lengthy prison terms, tortured or even forced into exile, only to be harassed and intimidated in exile as well.

Domestic human rights groups cannot exist legally. According to a recent world report by Human Rights Watch, the dictatorship of Syria strictly limits freedom of expression, association and assembly and treats ethnic minority Kurds as second-class citizens. The government has a long record of arbitrary arrests, systematic torture, prolonged detention of suspects and grossly unfair trials. Women face discrimination and have little means for full redress when they become victims of rape or domestic violence.

However, Syria's deplorable human rights record is not limited to its immediate borders. The repressive apparatus also extends into neighboring Lebanon, which has been a captive nation for 25 years. Hundreds of free-thinking Lebanese civilians are believed to have been killed or disappeared because of Syrian occupation forces throughout these years. U.S. policy must support the Syrian people. It must support its dissidents, human rights activists, and the pro-democracy advocates so that they, too, can free themselves from the shackles of tyrannical rule.

This resolution also addresses, Mr. Speaker, two overarching vital U.S. national security requirements regarding the Syrian regime; that is, that Syria must immediately and unconditionally cease its support for terrorism and its development of unconventional weapons and advanced missile capabilities.

I strongly urge my colleagues to support this important resolution to express U.S. support for those in Syria and Lebanon who continue to toil for freedom and democracy, and ensure the regime in Damascus that we will continue to increase the pressure until these goals are met.

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

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

I rise in strong support of this resolution. I want to commend my friend from New Jersey for his leadership on this issue. The resolution before the House supports the people of Syria who live under a violent and repressive regime. The last Congress, this body passed the Syria Accountability Act with 297 cosponsors. That bill primarily addressed Syria's behavior in the Middle East, including its sponsorship of terrorist groups and its continuing occupation of Lebanon. This resolution, Mr. Speaker, focuses on Syria's domestic misbehavior for which Damascus must also be held fully accountable. After all, nobody has suffered more from the brutality of the

Syrian government than the Syrian people.

According to the State Department's annual human rights report released recently, Syria continues to commit egregious human rights abuses, including torture, arbitrary detentions of political prisoners without trial, censorship and harassment of journalists, protections for spouse-rapists, and light sentences for so-called honor killings. According to Amnesty International and Human Rights Watch, Syria is engaged in an unceasing campaign to harass and intimidate human rights organizations.

In recent days, the world has focused on Syria's outrages against the Lebanese people and, indeed, another resolution we are considering today deals directly with that issue. But, Mr. Speaker, we cannot credibly say we favor political reform in the Middle East if we ignore Syria's depredations against its own citizens.

Syria is certainly, and I quote, one of the world's most repressive regimes, as the United Nations Commission on Human Rights has indicated. Accordingly, it is important that this Congress be on record not merely in condemning the Syrian government for its actions against its neighbors but, more importantly, to express our support for the Syrian people in their struggle to achieve the kind of government they deserve.

When I met with Syrian President Assad in Damascus, I urged him to change his government's behavior at home and abroad so that Syria could rejoin the ranks of the civilized world. This resolution is one result of his failure to heed that advice.

Mr. Speaker, a Syria that is accountable to world standards and norms, a Syria that respects its own citizens and no longer occupies Lebanon or supports terrorism against Israel must be a central goal of our project of reforming the Middle East. In the long run, a Middle East in which people are stakeholders in public life offers the greatest hope for peace and safety in the region and beyond.

I urge all of my colleagues to support H. Con. Res. 18.

Mr. Speaker, I am delighted to yield such time as he may consume to my friend and colleague, the gentleman from Oregon (Mr. BLUMENAUER), a distinguished member of the Committee on International Relations.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this resolution and his leadership in bringing it forward. I am going to support the resolution. I, too, am troubled by what we have seen with the Syrian government. I am heartened by some activities in the Middle East. I think there is some real progress. But I would step back for a moment and ask us to reflect on something that has been happening that does not reflect so well on our government.

Just moments ago, the House overwhelmingly approved an amendment advanced by the gentleman from Massachusetts (Mr. MARKEY) and me that dealt with making sure that money that we approved in the supplemental was not used to torture suspects of terrorism. We have this sense, and it is one that the people I represent feel very strongly about, that we have a responsibility and an obligation as the world's oldest democracy to be upholding our standards of rule of law, of due process. We have made torture illegal not just because people are concerned that it is an immoral practice, we do so because it is not a good way to get useful information.

Dictatorships torture indiscriminately, but it is not a way, as the Intelligence Community well understands, that we get good information upon which to base activities that may put our men and women at risk and to protect United States interests. Furthermore, we do not torture suspects of terror because if we do so, then any information that is gathered from that process taints any potential case and we cannot bring people to justice in a court of law.

Last but not least, we do not torture because we want a standard established where we can use our moral authority to make sure that Americans abroad are protected, whether they are in uniform or they are civilians.

There are a variety of moral, practical reasons why we are against torture. Yet I would note that there are too many press accounts for us to ignore, too many reports from nongovernmental organizations that the United States is participating in and condoning torture on behalf of prisoners that we have taken to other countries. There is a famous case that now the Canadian government wants investigated where the United States kidnapped a Canadian citizen and rendered this person to Syria where he was tortured. We have called for this Congress to get on top of what is, I am afraid, an emerging scandal, where we use extraordinary rendition, where we kidnap and transport people, where there is not effective oversight, where Congress does not know what is going on, where there are people who are not being held accountable, where there are problems that we have seen with people who have been in custody of the CIA and some of the American prisons that we have had in Afghanistan and Iraq.

□ 1230

We, as a Congress, need to be doing our job because we do not believe in torture; it is illegal; it is against international conventions; it is against the interests of the United States. And I must re-emphasize the irony when we come forward with a resolution that points out the problems, legitimate problems, the abuses in Syria, and then it appears as though the United States is willing to offer up people to countries like Syria, where we thought they are in fact going to be tortured.

Mr. Speaker, I would hope that Congress gets ahead of this issue, that Congress does its job to investigate these widespread reports that are coming through now our own legal system, that are coming through the media, that are coming from nongovernmental organizations, that we exercise our oversight to make sure that we have our own house in order. There should be no prospect that we are on one hand going to be a Congress that condemns torture and abuse of human rights in Syria, and on the other hand we are going to look the other way when we may be offering up people who are suspects, not convicted of anything, to be turned over to the hands of these same torturers.

I would sincerely hope that we will have activity on the part of all of us to make sure the many committees in Congress do their job to provide this oversight and that we are not relying on the media, nongovernmental organizations, and what trickles through the legal system to do a job that we should be doing.

Ms. MCCOLLUM. Mr. Speaker, while I rise in support of this resolution, I do so with serious concerns.

Torture is a crime and a vile human rights abuse. Syria should be condemned in the strongest possible terms for committing acts of torture against detainees and prisoners. This is why I support the resolution. Yet, the fact that our government has sent detainees to Syria knowing that these individuals would be tortured and abused is morally repugnant and violates international, as well as U.S., law.

The practice of extraordinary rendition—our government's practice of outsourcing torture to countries like Syria must also be condemned, repudiated and immediately ordered stopped by President Bush. Human Rights Watch, which is frequently cited as an authoritative source in this resolution, has stated that the U.S. policy of "denouncing torture in Syria, and then handing over prisoners to Syrian torturers sends the ultimate mixed message."

Syria is a notorious violator of human rights that should be condemned. The hypocrisy of our government using Syrian torturers as a subcontractor to immorally and illegally commit human rights abuses is shamefully absent from this resolution.

Mr. BOUSTANY. Mr. Speaker, I rise today in support of H. Con. Res. 18 to express Congress' concern about the treatment of the Syrian and Lebanese people by the Government of the Syrian Arab Republic. I want to thank my colleagues from Florida and New York for introducing this resolution and bringing it to the floor today.

Earlier this body considered H. Con. Res. 32, which expresses support for the liberation movement in Lebanon. Now, under this second resolution, we take into consideration the effect of Syrian rule of its own people. The Syrian Arab Republic is governed by an authoritarian regime which continues to commit serious human rights abuses, including the use of torture, arbitrary arrest, and detention.

Within Syria both freedom of speech and freedom of the press has repressed through systematic intimidation. Syrians are prohibited to publicly assembling in order to express discontent of any kind. Political prisoners are

known to have been held in detainment for up to twenty years. Ruling authorities continue to allow honor killings. In the North, Syrian forces have attacked unarmed Kurd populations with live ammunition. Human rights organizations working in opposition these injustices are targeted by Syrian authorities with intimidation tactics.

The Syrian government's treatment of its people can no longer be tolerated. I encourage my colleagues to pass the resolution in question and in doing so condemn the Syrian government's gross human rights violations upon its own people and support the Syrian people's struggle for a free and democratic government.

Mr. SMITH of New Jersey. Mr. Speaker, we have no further requests for time, and I yield back the balance of my time.

Mr. LANTOS. Mr. Speaker, we have no further requests for time, and I yield back the balance of our time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 18, 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. LANTOS. 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.

## GENERAL LEAVE

Mr. SMITH of New Jersey. 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. Con. Res. 18, the concurrent resolution just considered.

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

There was no objection.

## EXPRESSING GRAVE CONCERN OF CONGRESS REGARDING OCCUPATION OF REPUBLIC OF LEBANON BY SYRIAN ARAB REPUBLIC

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 32) expressing the grave concern of Congress regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic, as amended.

The Clerk read as follows:

H. CON. RES. 32

Whereas since its invasion of the Lebanese Republic in 1976, the regime of the Syrian Arab Republic has implemented a systematic policy of occupation over Lebanon that has transformed the political, social, and economic character of Lebanon;

Whereas on July 20, 1976, President Hafez al-Assad of Syria stated that ''Syria and Lebanon were one state and one people'';

Whereas, on October 13, 1990, the Syrian occupation of Lebanon was complete, when Syrian troops launched aerial and ground attacks and occupied the Lebanese presidential palace and the Ministry of Defense, ousting the constitutional government of Prime Minister Michel Aoun of Lebanon;

Whereas the Syrian regime appointed their own proxy government and president in occupied Lebanon, and started a large-scale persecution operation against the Lebanese people by arresting, abducting, torturing, and killing opponents of the occupation;

Whereas, on May 22, 1991, following the occupation of Beirut, Lebanon, Syria concluded the Brotherhood Treaty for Coordination and Cooperation with Lebanon;

Whereas this treaty solidified the integration of the two countries in matters of security and intelligence, finance and trade, and industry and agriculture, by establishing the mechanism for Syrian command under the cover of ''joint'' decisionmaking;

Whereas the Syrian regime has continued to employ a wide range of policy means to transform Lebanon into a ''client state'' and a Syrian political satellite;

Whereas Syria clearly tampered with the Lebanese parliamentary elections of 1992, 1996, and 2000, by amending electoral laws which delineated voting districts and laid down intricate procedures for the elections, which were rigged in a way to guarantee results favorable to Syria;

Whereas Syrian-backed ad-hoc modifications to the Lebanese constitution extended by three years the presidential tenure of Lebanese president Elias Harawi, allowed Emile Lahoud, commander of the Lebanese army, to become president, and extended Lahoud's term in contravention of United Nations Security Council Resolution 1559;

Whereas Lebanese judicial institutions have been utilized and mobilized to impose Syrian control, including the routine issuance of death sentences *in abstentia* against expatriates and opposition leaders;

Whereas Lebanese Broadcasting Law No. 382 of 1994 provided the legislative framework for controlling and restricting Lebanese radio and television;

Whereas the restrictions on the free flow of information and opinion in Lebanon is in sharp contrast to the legacy of journalism in that country;

Whereas it is widely reported that Syria has utilized the practices of kidnapping and arresting Lebanese citizens, using torture against them, and causing their virtual disappearance;

Whereas Human Rights Watch reported that in November 1999 Syrian authorities in Damascus, Syria, offering no explanation whatsoever, returned to his family the dead body of Lebanese citizen Adel Khalaf Ajouri, aged 52, who had ''disappeared'' in 1990;

Whereas within Lebanon itself, Syria reportedly operated detention facilities in Tripoli, Beirut, Shtaura in the Bekka Valley, and Anjar on the Lebanese-Syrian border;

Whereas ''Syrian order'' in Lebanon was institutionalized when Damascus led the process of disarming the Lebanese militias, except for Hezbollah, which Syria retains as a terrorist proxy engaged against the State of Israel;

Whereas Lebanon, under the control of Syria, continues to serve as a major training center for terrorist organizations such as Hezbollah, Palestinian Islamic Jihad, Hamas, and the Popular Front for the Liberation of Palestine–General Command;

Whereas a number of Lebanese government officials have actively facilitated and contributed to the Syrian occupation and its activities, thereby threatening regional and global security;

Whereas United Nations Security Council Resolution 1559 calls for the ''strict respect of the sovereignty, territorial integrity, unity, and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon throughout Lebanon'', the withdrawal from Lebanon of ''all remaining foreign forces'', ''the disbanding and disarmament of all Lebanese and non-Lebanese militias'', and ''the extension of the control of the Government of Lebanon over all Lebanese territory'';

Whereas, on February 14, 2005, a bomb exploded in Beirut, Lebanon, killing at least 15 people, including Rafik Hariri, former Prime Minister of Lebanon, and wounding approximately 100 other innocent victims;

Whereas after the bombing, President George W. Bush stated during an address in Brussels that ''Our shared commitment to democratic progress is being tested in Lebanon, a once-thriving country that now suffers under the influence of an oppressive neighbor'', called on Syria to ''end its occupation of Lebanon'', and reiterated the provisions of United Nations Security Council Resolution 1559;

Whereas Lebanese opposition leaders gathered after Hariri was killed and issued a statement demanding Syrian troop withdrawal from Lebanon within the next three months, calling for the resignation of the current Lebanese cabinet, and declaring that ''we will fight the current regime and demand our right for a neutral government that makes sure Lebanon steps forward from being a captive state to regaining its full independence and sovereignty''; and

Whereas the ongoing mass demonstrations by the Lebanese people resulted in the dramatic resignation of the Lebanese Cabinet on February 28, 2005: Now, therefore, be it

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

(1) the Lebanese Republic is a captive country;

(2) the occupation of Lebanon represents a long-term threat to the security of the Middle East and United States efforts to promote political and economic liberalization in the region, and this issue should be raised by the President and the Secretary of State in all appropriate bilateral and multilateral forums;

(3) the President should direct the United States Permanent Representative to the United Nations to present and secure support for a United Nations Security Council Resolution classifying Lebanon as a captive country and calling for the immediate release of all Lebanese detainees in Syria and Lebanon;

(4) the President should freeze all assets in the United States belonging to Lebanese government officials who are found to support and aid the occupation of Lebanon by the Syrian Arab Republic;

(5) all countries should fully and immediately implement United Nations Security Council Resolution 1559;

(6) it should be the policy of the United States to—

(A) support independent human rights and pro-democracy advocates in Lebanon; and

(B) seek the full restoration of sovereign democratic rule in Lebanon; and

(7) the United States should provide assistance through the Middle East Partnership Initiative and the Broader Middle East and North Africa Initiative for broadcasts and civil society efforts to assist individuals, organizations, and entities that support Lebanese sovereignty and the promotion of democracy in Lebanon.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Texas (Mr. PAUL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 10 minutes of my time to the gentleman from California (Mr. LANTOS) and ask unanimous consent he be permitted to control the time.

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

There was no objection.

GENERAL LEAVE

Mrs. ROS-LEHTINEN. 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. Con. Res. 32, expressing the grave concern of Congress regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume. I thank the leadership for bringing this important resolution before the House today at a time when hundreds of thousands of Lebanese are flocking to the streets issuing cries for freedom. It is critical that the United States Congress reaffirm its commitment to the restoration of Lebanese sovereignty and independence and specifically acknowledge the plight that Lebanon has endured as a captive nation. House Concurrent Resolution 32 does exactly that, Mr. Speaker.

For too long Lebanon has been denied its independence by the regime in Damascus, a regime that has imposed its will upon the Lebanese people through electoral intimidation, through political persecution, through assassination of opposition leaders and brutal military force. But the Lebanese people's desire to be free and sovereign could not be silenced and could not be repressed any longer.

The protests that have followed the Valentine's Day bombing in Beirut that killed former Prime Minister Hariri ushered in an immediate demand from a unifiable and diverse Lebanese opposition for Syria to withdraw from Lebanon. The streets of Beirut earlier this week boasted the largest anti-Syrian demonstration in Lebanese history and possibly the largest pro-democracy rally in Middle East history in response to the Syrian and Iranian-sponsored Hezbollah rally a week earlier.

For the first time, a number of moderate Shiites joined the Druze, Sunnis and Christian groups whose anger and grief over the brutal tactics of the Syrian occupiers and their Lebanese collaborators have galvanized them into action, into a coordinated effort to reclaim Lebanon's sovereignty.

House Concurrent Resolution 32 clearly articulates the threat to U.S. national security interests and to regional stability posed by Syria's presence in Lebanon. And the threat is not limited to Syrian intelligence and military, but to its terrorist proxy, Hezbollah, which uses Lebanese territory as a launching pad for attacks against Israel and a training ground for terrorists targeting U.S. and other Western interests.

Thus, at a time when this body has clearly articulated our stand regarding Hezbollah just a few days ago, let us underscore that we will not tolerate an appeasement of Hezbollah in Lebanon.

House Concurrent Resolution 32 builds on recent developments and calls for the President to instruct the U.S. Permanent Representative to the United Nations to present and secure support for a Security Council resolution classifying Lebanon as a captive nation.

It calls for the President, pursuant to existing law, to freeze all assets in the U.S. belonging to Lebanese Government officials who are found to support and aid in Syria's occupation of Lebanon.

Finally, Mr. Speaker, it calls for the United States policy to include support for the independent human rights and pro-democracy advocates in Lebanon and for the full restoration of sovereign democratic rule there.

The resolution underscores the U.S. position against Syria's brutal occupation of Lebanon and U.S. policy about holding state sponsors of terrorism accountable for their actions. Calling for Syria to depart from Lebanon once and for all is in keeping with the post-9/11 approach of forcing terrorists out of their caves and placing them on the run. The U.S. position on Syrian withdrawal forces the terrorists to retreat to their own soil; and in doing so, it seeks to limit their impact so that freedom and democracy can flourish once again in Lebanon and throughout the region.

The Lebanese people have had enough, and they will not allow their territory to continue to be used as a staging ground for terrorists and their state sponsors. Let us stand with the Lebanese people and overwhelmingly adopt this resolution.

I strongly urge my colleagues to support H. Con. Res. 32 and send a clear message to the Syrian terrorist regime to get out of Lebanon. Not to the border; not to the Bekaa Valley. Completely out.

God willing, as our Arab-speaking Lebanese brothers and sisters would say, inshallah, we will soon witness a free, independent, sovereign, and democratic Lebanon.

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

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

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

Mr. PAUL. Mr. Speaker, I have taken the time in opposition to this resolution not so much to object to the well-intended notions of the gentlewoman and the promotion of freedom and liberty. It is just that I do not think this is going to achieve it. As a matter of fact, when we pursue resolutions like this and a more aggressive foreign policy of telling other countries what to do, I see it as more of a threat to our security rather than helping our security.

I, for one, would admit I personally do not know what is best for the Lebanese and the Syrians, the Iraqis, or anybody else in the region; but I would argue the case that traditionally in this country up until probably the past 100 years, we took a different position on foreign policy. We took a position of nonintervention, one where we strived for neutrality, and we argued the case that we did not have any business in the internal affairs of other nations. No matter how well intended, there always seem to be ramifications. There seem to be unintended consequences. There seems to be a condition called ''blow-back,'' where it comes back and ends up where we suffer more than anybody else.

For instance, we are in Iraq right now with all these good intentions. We have been there for a couple of years. We have spent over $200 billion, and this week they came out with a survey and they talked about the most dangerous city in the world and where security is the worst, and that city is not Beirut.

In the last 2 years, every one of us would have rather have been in Beirut than we would have been in Iraq. And yet we have 140,000 troops there protecting the Iraqis and promoting freedom and liberty and elections, and it sounds good. But I think if we are honest with ourselves, the results are not nearly as wonderful as we would like them to be.

The other thing that concerns me is that we lose credibility when we talk about what we want and what we will impose on other nations, because when we are claiming that the Lebanese cannot possibly have elections with the presence of foreign troops, at the same time we daily hear the bragging about the great election in Iraq where we had these 140,000 troops and total martial law in order for an election to take place. I am all for the elections, and I am a strong supporter of self-determination; but I do not correlate that with our policies.

We saw demonstrations, first a little at a demonstration orchestrated in support of getting Syria out of Lebanon, and then there was a response to that where 500,000 showed up supporting Hezbollah claiming they supported Syria, and then of course following that there was a much bigger demonstration. So the people have had freedom to express themselves. But the one thing about all the demonstrations, we never saw a sign that said,

America, come save us, come in here, tell us what to do, tell us what to do with our elections. They have had elections going on for you in Lebanon without any violence directed against Syrian troops as we see daily in Iraq. They have an election coming up in May. It has been scheduled all along. It is not like they have been avoiding them.

We complain a lot about the Syrians being there, and if I have a personal preference, since I believe in self-determination, I would have the troops out just as I would have our troops out of most other places. But I would have foreign troops out of the Golan Heights. Why are we so excited about the Syrian troops, who were invited by the Lebanese Government? Why are we not excited about foreign troops in the Golan Heights and in the over 100 countries where that we have troops?

So I think we lose credibility. I think the Arab people just laugh at us and say, oh, yes, they are for these wonderful elections, and they have got to get these troops out; and at the same time we have troops all over the place.

The Syrians went into Lebanon in 1976, and if we go back and look at history, it was at the urging of the Government of the United States because there was about to be an election. And at that time, it was perceived that the election would undermine the minorities, the Christians and the Druse. So, therefore, it was in our interest at that time to interfere with the election, just as we have interfered so many times since then over the world.

Just think of the elected leader in 1953 in Iran, the elected leader, Mossadeq. But he did not follow what we wanted him to do with regards to oil. So what did we do? We sent in the CIA. We overthrew him, and then we had our puppet government, the Shah, for 25 years, which did nothing more than provide fodder for the radicals, and we radicalized the ayatollahs against us.

In a conversation with a veteran of the CIA, an expert in this region, he explained, at least he sincerely believed, that we did a tremendous favor for Osama bin Laden, and that is to go into Iraq, expose ourselves, and then create the chaos of Iraq. Where there was no al Qaeda before, it is now a haven for al Qaeda.

□ 1245

It has served as a recruiting ground for al Qaeda. So no matter how well the intentions are, we should look at the conclusions; what finally happens.

Our problem very simply comes from the violation of the basic principle that we should follow, and that is that we should be friends with nations and trade with nations, and that we should be neutral in foreign affairs, because it does not serve our interests. It costs a lot of money and it costs a lot of credibility and it costs a lot of lives.

Just think of what the interference in Iraq has cost us: Over 1,500 men; over 11,000 battle casualties, with another 9,000 sent home because of illness; and over $200 billion. And there is no end in sight. Today we had to pass another $82 billion, which was not put into the budget, to continue this process. My argument is it comes not because we make a misjudgment, not that this resolution is simply a misjudgment of the day; it just is that is part of the misjudgments that we have made now for many, many decades in overall foreign policy.

It is fully endorsed. The American people certainly have not been up in arms about it and have endorsed it, along with the large majority in the Congress. But long term it does not work. Just look how long the American people supported Vietnam, until finally they had to throw up their arms and demand an end to the senseless war.

But, ultimately, not only do the people get very angry and upset and frustrated with the loss of life, there are economic limitations to this as well, and that is something that I do not think anybody here hardly pays any attention to; that is how long can we continue to spend this money and not have this come back to really haunt us economically? The 1960s came back to haunt us in the 1970s, and the basic financial condition of this country is much worse than it was in the 1970s. Yet there is no hesitation.

I see resolutions like this as not restraint, but encouragement, without looking back and seeing how we participated in contributing to the problems that we have in the Middle East. So I am making the suggestion, why do we not think about overall policy with consistency, and think almost what is in our best interests?

I would like to read a quote from Ronald Reagan, because he was involved in Lebanon and our government was involved in the early 1980s. In his memoirs he admits it was a serious mistake, and we ought to take advice from Ronald Reagan on what he said about his misadventure in Lebanon. We were in there in 1983. This is what he writes in his memoirs several years later.

''Perhaps we didn't appreciate fully enough the depth of the hatred and complexity of the problems that made the Middle East such a jungle. Perhaps the idea of a suicide car bomber committing mass murder to gain instant entry into paradise was so foreign to our own values and consciousness that it did not create in us the concern for the Marines' safety that it should have.''

Further quoting Ronald Reagan, ''In the weeks immediately after the bombing, I believed the last thing we should do was turn tail and leave . . . yet, the irrationality of Middle Eastern politics forced us to rethink our policies there.''

He concluded with advising us to stay clear. I would like to suggest that I believe that is pretty good advice.

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

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

Mr. Speaker, I rise in strong support of the resolution. Let me first pay tribute to my good friend and colleague, the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her work on this resolution, and for her outstanding leadership on our Subcommittee on the Middle East and Central Asia.

Mr. Speaker, the resolution before the House expresses the grave concern of the Congress regarding the ongoing occupation of Lebanon by Syria.

Mr. Speaker, I first visited Lebanon and Syria in 1956, almost half a century ago. Lebanon was a prosperous, free, open and democratic society. I remember going to the Bekaa Valley, to the City of Ba'albak, where among the ancient Roman ruins Shakespeare was performed on alternate nights in English and French.

Since 1976, Syria has occupied Lebanon with brutal force. Our resolution appropriately demands that the occupation end now.

Yesterday, Mr. Speaker, the people of Lebanon tore down gigantic billboards in Lebanon that portrayed the former and current Syrian dictators, Mr. Assad and his father. Just imagine having in the United States huge billboards of Joe Stalin or the ayatollahs of Tehran, how we would feel about this? Well, that is how the Lebanese people felt about having these gigantic billboards pay tribute to a country which occupies their land.

As we speak, there is no Syrian embassy in Lebanon. What could speak more eloquently of the colonial outlook that the Syrian regime has towards Lebanon? In colonial times, the colonial power did not have an embassy in its colony because it did not recognize it as an independent, sovereign nation. That is precisely the attitude of Syria towards Lebanon today.

All of us have been inspired by what the Lebanese call their ''independence'' uprising. By passing our resolution, the Congress will express its solidarity with the brave anti-Syrian occupation, freedom-loving demonstrators in Martyrs Square in Beirut.

Mr. Speaker, Bashar Assad, Syria's ruler, continues to play games with the international community. As his speech earlier this month showed, he still believes he can ignore the international community's demand that Syria withdraw immediately and totally from Lebanon. Let us not be fooled by his promises of gradual withdrawal delinked from time tables. If you can tell a man by his friends, all you need to know about Assad is that his only friend in Lebanon is the terrorist gang Hezbollah.

Mr. Speaker, Syria has not only persecuted the Lebanese people, arresting, abducting, torturing and killing opponents, most recently the Prime Minister of Lebanon, it has also destroyed Lebanon's lively institutions, rendering them little more than outposts of Syrian control.

These crimes have taken place on the soil of what was once the Arab world's lone democracy. That is why it is vital that the Lebanese people succeed in throwing off Syrian rule and that the Lebanese be allowed to conduct free and fair parliamentary elections this spring, unimpeded by the fist of Syria's military or the brutal machinations of its intelligence agents.

Mr. Speaker, we stand shoulder to shoulder with those who seek full restoration of sovereign, democratic rule in Lebanon. I strongly support this resolution, and urge all of my colleagues to join me in sending a message of hope to the Lebanese people.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I would like to make a few points regarding the unintended consequences of our foreign policy, as well as what might happen in Lebanon.

It has been said about our administration that we hope the Lebanese people will be able to express their view at the ballot box through free elections without interference and outside intimidation. That sounds like a pretty good suggestion, with the conclusion by the administration that when there is outside interference the elections are unreliable.

Once again, I ask the question, does that not raise the question of whether or not the elections in Iraq are as reliable, as is supposed?

Also, President Bush said that these elections must take place without external forces, and all the troops must be out. The UN resolution calls for the troops out as well as the security forces, but the resolution also calls for disarming the people of Lebanon.

In other words, this resolution takes the position that we should go in Lebanon and repeal the Lebanese Second Amendment rights so that nobody has any guns. I just see that as an interference that is going to lead to trouble.

We see civil strife precipitating a civil war in Iraq, and I think what our involvement here now is liable to lead to that type of situation, rather than peace and prosperity and elections.

It is said that this has all come out from the murder and killing of Hariri, and most people now just assume that the government of Syria had something to do with that. Yet there is no evidence for that. There is absolutely zero benefit for the Syrian government to have killed Hariri.

But there is a theory that some of the radical Muslims in Syria that object to Assad, because he is too moderate, because he endorsed the Persian Gulf War and because he takes some of our prisoners and he participates in the interrogations of our prisoners, that he is seen as too liberal, too friendly with the West, and some suppose that that could have been the reason that the murder had occurred, believing that it would bring down the government of Assad.

Now, that could be an unintended consequence, that consequence that could have a great deal of significance, and that is that the radicals end up taking over, some individuals more radical than Assad, end up taking over Syria, which is always the possibility. But too often these unintended consequences occur and then we do not know how to respond to them.

In Iraq in January of this year there was some polling done, an expression by the people on what they thought about foreign occupation. Eighty-two percent of the Sunnis, I guess understandably so, said that all foreign troops ought to leave, and 69 percent of the Shiites said all foreign troops ought to leave. I wonder why that is not important to anybody?

Instead, we are talking about occupation for years, about building 14 bases in Iraq. How long do we stay in these countries and why is it so necessary for us to be telling other people what to do and when to do it and how to do it and stirring up nothing but anti-American sentiment, while at the same time, even though our goals may be well-intentioned, they are never achieved? We just do not achieve them. And to think that the election under the conditions that we are condemning in Lebanon is the salvation, is the evidence that we are having tremendous achievement, I think is something that we are just pulling the wool over our eyes.

□ 1300

John Adams gave us some pretty good advice about what we should do overseas. And I think that when we have resolutions like this, and we do have them continuously, and we have done them for decades. It was a preliminary to our invasion of Iraq starting specifically in 1988; But Adams advised, he made a suggestion and he made a statement, he says: ''America goes not abroad seeking monsters to destroy.''

That statement is so appropriate. It looks like we are just looking for problems; and since the results are so poor and we cannot afford it, once again, I want to state my position that I am suggesting not so much that I know or we know exactly what is best for other people. It is that precisely we do not know and we do not have the authority, the moral, the legal, the constitutional authority to do what we do. And besides, it is a threat to our national security.

Jefferson's suggestion was for peace, commerce, and honest friendship with all nations and entangling alliances with none. And we have way too many entangling alliances, making these huge commitments which will come to an end not because anybody is going to pay much attention to what I say, but they will come to an end because this country is on the verge of bankruptcy.

We cannot continue to raise our national debt by $650 billion a year and pretend that we can police the world and at the same time increase entitlements here at home. So one day we will have to face up to these realities, and it will all come to an end.

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

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

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I do want to make one point about the resolution. The statement toward the ends says: The President should direct the United States Representative to the United Nations to present and secure reports for the United Nations Security Council classifying Lebanon as a captive country in calling for the immediate release of Lebanese detainees in Syria and Lebanon.

Now that is pretty interesting that we are going to tell them who they can release and who they should release. But the question I have, and maybe the sponsors of the resolution could answer this: Will that include that we insist that they release the prisoners that we have sent to Syria?

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank Yleem Poblete and Paul Ostburg Sanz, long and dedicated, hardworking members, staffers on our committee on these measures and the work of the Subcommittee on the Middle East and Central Asia.

I would like to thank Chairman HYDE of the International Relations Committee, for understanding the need to support the Lebanese people at this critical time, and moving this resolution quickly through the Committee.

I would also like to commend our leadership for their commitment to freedom and democracy for all the people of the Middle East.

Lastly, I must make special mention of the efforts and cooperation of our Subcommittee Ranking Member, GARY ACKERMAN, and especially our Full Committee Ranking Member, TOM LANTOS.

TOM LANTOS has experienced first hand what happens when one appeases dictators and ignores the oppression of human beings. We cannot stand idly by and allow Syria to continue to deny the Lebanese people their rights and their nation.

Thanks to the cooperation of my colleagues on the other side of the aisle, we are able to send a clear and unified message to both the Syrian oppressors and to the Lebanese people. As we did with the Syrian Accountability and Lebanese Sovereignty Restoration, we have an opportunity today, by supporting H. Con. Res. 32, to demonstrate a united front and show that freedom transcends party lines, geographic borders, and language barriers.

When it comes to freedom and democracy, the U.S. is speaking with one voice, as the Lebanese people are speaking with one voice.

In so doing, we become one with our brothers and sisters in Lebanon as they seek to remove the shackles of Syrian tyranny and occupation.

I urge my colleagues to vote in favor of this resolution.

Mr. BOUSTANY. Mr. Speaker, I rise to encourage U.S. support of the people of Lebanon in their struggle to free themselves from Syrian occupation. Syria has illegitimately held control over its neighbor for 25 years, a situation which can no longer be permitted to continue.

Syria has proved itself an utterly destructive force upon its neighbor, Lebanon. Syria has systematically deprived the Lebanese people of their many liberties. It has illegally extended the terms of pro-Syrian officials within the Lebanon government by altering the Lebanese constitution. It has and continues to intimidate Lebanese dissenters with threats of political persecution. Lebanese citizens with views not in keeping with Syrian authorities have been arrested, kidnapped, tortured and in some instances even killed. The Lebanese press has been effectively stifled in order to repress anti-Syrian sentiment. Finally, and most reprehensively, Syria has allowed and even funded the continued existence of the terrorist group Hezbollah within the southern Shebaa farm region of Lebanon. Today Hezbollah is the largest international terrorist organization on the globe, with cells in Asia, Europe, Africa, and the Americas. The presence of Hezbollah ensures continued turmoil within Lebanon and throughout the international community.

When it first sent troops to help quell the Lebanese civil war, Syria claimed its purpose was to stabilize the country. Instead Syria has consistently prevented Lebanon from becoming the stable and prosperous state for which many Lebanese patriots, including the late former Prime Minister Rafik Hariri, have toiled.

Today the people of Lebanon are taking to the streets, crying out for their freedom from this foreign oppression. As an American of Lebanese descent, my heart is with them. My ancestors came to this country in search of greater freedom. Now, as I watch the Lebanese freedom movement, I am filled with the hope that the citizens of my country of origin will soon have the chance to claim the liberties for which my ancestors sought in coming to the United States.

Consequently, Mr. Speaker, I urge my fellow members to pass H. Con. Res. 32 in support of the Lebanese struggle for independence. Syria must be made to know in no uncertain terms that we expect the complete withdrawal of its troops from Lebanon, the immediate dissolution of Hezbollah, and the immediate termination of interference within Lebanon's government.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 32, 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. LANTOS. 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.

## REMEMBERING WILLIAM LEHMAN

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

Mr. HASTINGS of Florida. Mr. Speaker, I rise today and I ask Members in their offices who knew the person that I rise to speak about to take cognizance of the fact that we regret to announce the death of one of our revered former Members.

William Lehman died today. A real giant among human beings has passed and is transitioning. I am sure I speak for all of us in this body that knew him and especially those of us in the Florida delegation in expressing our heartfelt condolences to the Congressman's family.

The funeral arrangements are pending. It is my understanding that the funeral will be at 1 p.m. on Sunday. Those that knew Bill, he was referred to some times as Alabama Bill, he was a mentor, friend, humanitarian, and humble servant of humankind.

He provided transportation for thousands through his variety of auto dealerships and then as a distinguished Member of this body chairing the Committee on Transportation and Infrastructure. He helped to provide the funding for those of us that have seen his vision come alive in the form of transportation measures in south Florida and around this Nation. He will be sorely missed.

I can assure Members that it would be appropriate to stay in contact with his family with their condolences.

## PROVIDING FOR CONSIDERATION OF H. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 154 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 154

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010. The first reading of the concurrent resolution shall be dispensed with. All points of order against consideration of the concurrent resolution are waived. General debate shall not exceed five hours, with four hours of general debate confined to the congressional budget equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget and one hour of general debate on the subject of economic goals and policies equally divided and controlled by Representative Saxton of New Jersey and Representative Maloney of New York or their designees. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. The concurrent resolution shall be considered as read. No amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by an opponent and a proponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House and in the Committee of the Whole. All points of order against such amendments are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. After the conclusion of consideration of the concurrent resolution for amendment, the Committee shall rise and report the concurrent resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final adoption without intervening motion except amendments offered by the chairman of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

SEC. 2. After adoption of House Concurrent Resolution 95, it shall be in order to take from the Speaker's table Senate Concurrent Resolution 18 and to consider the Senate concurrent resolution in the House. All points of order against the Senate concurrent resolution and against its consideration are waived. It shall be in order to move to strike all after the resolving clause of the Senate concurrent resolution and to insert in lieu thereof the provisions of House Concurrent Resolution 95 as adopted by the House. All points of order against that motion are waived.

The SPEAKER pro tempore. The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

Mr. PUTNAM. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. PUTNAM. Mr. Speaker, it is a great day in our great Nation, and it is an honor to be here to begin the debate about the fiscal blueprint for our Nation, the priorities of our Nation.

House Resolution 154 is a structured rule that provides for consideration of House Concurrent Resolution 95, establishing the congressional budget for the United States Government for fiscal year 2006 and setting forth appropriate budgetary levels for fiscal years 2007 through 2010.

Mr. Speaker, as a member of both the Committee on Rules and the Committee on the Budget, I am pleased to bring this resolution to the floor for its consideration. This rule provides for 5 hours of general debate with 4 hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, and 1 hour on the subject of economic goals and policies equally divided and controlled by the gentleman of New Jersey (Mr. SAXTON) and the gentlewoman from New York (Mrs. MALONEY) or their designees.

The rule waives all points of order against consideration of the concurrent resolution.

This rule makes in order four amendments which are printed in the Committee on Rules report accompanying the resolution. Each is debatable for 40 minutes, the time equally divided and controlled by the proponent and the opponent.

The rule waives all points of order against the amendments printed in the report, except that the adoption of the amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. It also permits the chairman of the Committee on the Budget to offer amendments in the House to achieve mathematical consistency.

This is a fair rule. The Committee on Rules has allowed substitute budgets to be considered on the House floor. They range across the political spectrum affording Members of varying philosophies within each political party and across political parties an opportunity to support the budget they deem appropriate for our Nation.

Since before my time in this body, the Committee on Rules has consistently afforded the minority the opportunity for its alternative to be heard, with the only exception being the fiscal year 2003 budget when there was not a budget alternative offered. I am pleased this rule provides a chance for all our Members to express their views on how our Nation should prioritize its spending.

The congressional budget is an important tool of the Congress, allowing us to set priorities for the coming fiscal year. Therefore, this budget provides for America's most urgent needs. The driving forces behind this budget are continued strength, continued growth, and restrained spending.

The congressional budget is the ultimate enforcement tool, allowing Congress to clearly identify its priorities for how taxpayer dollars should be spent. It allows us in a time of war to ensure that our Nation's soldiers are sufficiently equipped. Prioritizing guarantees that our economy continues to expand, providing jobs and opportunities for more Americans each and every day.

Finally, this tool allows us to make certain that our government acts in a fiscally responsible manner to ensure opportunities and safety for future generations of Americans. This budget ensures that our Nation remains strong in the face of terror. We continue the multiyear plan to enable the military to fight the war on terrorism now and to transform itself to counter unconventional threats in the future. This budget works to prevent attacks, reduce vulnerabilities, and improve readiness.

Continued economic growth is vital for our Nation to fund her priorities and give opportunity to her people. Today, the general consensus of both private and public forecasters is that the U.S. economy is in a sustained expansion with solid growth of real GDP and payroll jobs and with low unemployment and low inflation.

The speed and strength of the economic recovery of the last several years has been due in large part to the tax relief packages given to the American people along with the extension of that tax relief passed last year. These policies continue to promote sustained economic growth and job creation.

I am proud to be a member of the Committee on the Budget that this year reported out a historic budget that sets in motion a glidepath to cut the deficit in half both in dollars and as a percentage of gross domestic product in 5 years. This budget wisely targets both discretionary and mandatory spending in an effort to set priorities.

The Committee on the Budget calls for a reduction in total nondefense, nonhomeland security discretionary spending. And for the first time since 1997, the budget includes reconciliation instructions to authorizing committees calling for the slowed growth of mandatory programs.

Mandatory spending is the guaranteed spending that grows each and every year, mostly without reform or review. It currently consumes 55 percent of the budget; and if it continues unchecked, it will reach 61 percent of the budget by 2015.

□ 1315

More than half of the government's spending today is on automatic pilot. This is neither sound policy nor sustainable fiscal policy. Congress is on its way to losing control over spending priorities as entitlements squeeze the budget more and more. Reconciliation instructions are the critical step to begin the process of getting our mandatory spending back to a sustainable level.

I am hopeful that while the authorizing committees are reviewing their programs they may also conclude that many of these mandatory programs would be better suited as discretionary and, therefore, subject to greater oversight by the Congress.

I am proud of the work the Committee on the Budget has put forward this year. I thank the gentleman from Iowa (Chairman NUSSLE), the chairman of that committee, for pushing forward with fiscal discipline and bringing us this outstanding budget for consideration.

I urge Members to support the rule and the underlying bill.

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

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

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Florida (Mr. PUTNAM), my colleague, for yielding me the customary 30 minutes.

Mr. Speaker, every day from this floor we hear our Members talk about values and morals that guide our Nation, but nothing reveals our true values as legislators more than how we choose to spend the American taxpayers' money. Each decision to fund a program or not to fund another is a conscious choice that we make.

These choices have real consequences for the hardworking Americans we serve, and so, really, those choices are about our values and our morality. We, as legislators, choose to fund what is most important, what has the most value. That is why the Federal budget of the United States is a moral document.

When we establish the financial priorities of the government each year, we show the American people in black and white what and who we value most.

As the budget resolution we debate today shows with startling clarity, the majority's priorities I think are out of step with the values of the American people.

The majority's budget resolution throws an additional $106 billion in tax cuts to the Nation's wealthiest, while cutting billions in crucial funding for health care, education and housing programs; programs that help the hardworking Americans get by from day-to-day; programs that give hope to mothers and fathers that they, too, may one day share in the American dream.

I believe this budget resolution sends the wrong message, values the wrong priorities and shortchanges too many of our hardworking taxpayers that we should, in fact, be helping.

What message are we sending about the values of this House when we cut more than $20 billion from Medicaid, threatening the health care of millions of children, seniors and disabled Americans?

What message are we sending about the values of this House when we cut student loans, Pell grants and other educational spending by more than $21 billion?

What message are we sending about this House when we cut more than $5 billion from farm and nutrition programs, slashing the food stamp program that so many Americans depend on to feed their children?

How can we hurt all these people, cut all this funding, slash all these programs and still afford $106 billion in

tax cuts for our wealthiest, a tax cut that balloons the deficit and shifts the financial burden to pay those taxes to our grandchildren and our children?

That is right. Every penny we give away in this budget's massive tax cut to the wealthy shifts the burden of those taxes to the middle class and to the working poor who cannot even get unemployment benefits extended or an increase in the minimum wage out of this Congress.

What will it take for this House to get its priorities in order? How much debt will we strap to the backs of our future generations before we get smarter? How much must we borrow from foreign countries to feed the majority's insatiable appetite for economic Darwinism?

In 5 short years paying the interest, and this is so important I want to repeat this, by 2009, the interest that we pay on the Nation's debt will cost by itself more than all the domestic, nondefense, discretionary spending combined. That is very close by. Simply put, for every dollar we could be spending on roads and schools and putting more cops on the street, fifty cents of it will be passed on to foreign countries to finance the deepening debt with which this majority continues to encumber us. That is on top of the debt we incurred earlier today of $80 billion that we are hoping the Chinese will finance.

If the majority had its way our grandchildren would end up having to use those privatized Social Security accounts they have been pushing for the past few weeks to pay off this massive new debt that Congress keeps throwing at them. What is the problem?

What is included in this budget is just as horrifying as what is excluded from it.

In a disingenuous attempt to conceal their own economic short-sightedness, this majority has purposely hidden the harmful effects of their Social Security privatization plan, a plan that could cost the taxpayers trillions over the next 10 years, from this budget resolution.

They have low-balled the cost of the war in Iraq, spending only $50 billion over the next year, which just today we voted for $80 billion. Let me compliment the gentleman from Iowa (Chairman NUSSLE) because if he had not put $50 billion in, there would have been nothing because the President did not include it at all in his budget. I call on any Member of the majority to stand here today and tell me we will spend just $50 billion and $50 billion alone next year.

Rather than show the true cost of their budgetary unmindfulness, the majority has chosen to conceal from the public the true cost of their plans, and as they prepare to pass this resolution and further cripple the financial viability of our Nation, the real knockout punch looms on the horizon.

Social Security privatization, while not detailed in this budget, would have disastrous, long-term, far-reaching impacts on the budget. The plan would cut Social Security benefits, make solvency problems worse and require massive borrowing, mostly again from the foreign countries, to the tune of $4 to $5 trillion over the next 10 years, and we have no less authority than Vice President CHENEY who verifies this.

In order to make certain that we are able to meet future budget obligations for the health and well-being of our children, our seniors, our veterans and disabled, we must protect Social Security from privatization.

Therefore, at the end of this debate, I will be asking for a ''no'' vote on the previous question so that we can consider legislation by the gentleman from Colorado (Mr. SALAZAR), our colleague, that will prohibit the use of the Social Security Trust Fund to pay for the administration's ill-advised private accounts plan.

Whether my friends on the other side of the aisle want to admit it or not, the administration plan to divert Social Security payroll taxes to private accounts will cut future Social Security benefits and make it nearly impossible to meet the future needs of so many Americans. That is why it is so important to stop this potential hemorrhage of Social Security in its tracks. The Salazar bill is a good step to show the American people that we will not allow their retirement checks to be slashed to pay for private accounts.

It is time for this House to show the American people what we truly value. This is our choice today. Will we stand with the people we represent or with the CEOs, corporations and special interests that stand to gain from the tax cut and the plan to privatize Social Security?

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

Mr. PUTNAM. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from West Virginia (Mrs. CAPITO), my distinguished colleague on the Committee on Rules.

Mrs. CAPITO. Mr. Speaker, I would like to thank my good friend and colleague, the gentleman from Florida, for yielding me time.

Mr. Speaker, I rise in support of the rule and the budget resolution. The rule allows for debate, along with three substitutes, two of which were offered by the minority. I think it is a good rule.

I commend the gentleman from Iowa (Chairman NUSSLE) and members of the Committee on the Budget on a good product that addresses several of the concerns that I have had with President Bush's budget.

I am pleased that the budget provides for extension of tax cuts that have brought 20 months of job growth to our Nation's economy. I also agree with the increases for our national defense and homeland security to provide for our troops fighting the war on terror and to keep our communities safe.

One source of concern for me was the Community Development Block Grant program. It is crucial to city and rural areas across my district. The President's budget proposed reducing funds to the CDBG and 17 other economic development programs from $5.31 billion to $3.71 billion. I am pleased that the Committee on the Budget added an additional $1.1 billion to the President's request for the functional category encompassing these programs. This budget resolution makes no assumption on the President's proposed Communities Initiative.

Our veterans deserve the very best health care and services our Nation can offer them. Funding for veterans have increased by 47 percent over the past 4 years, and I am pleased that the committee added $297 million this year to the President's budget proposal for veterans, and I will continue to seek further and additional funding for our veterans and their health care.

I continue to have some concerns with the budget. I am a strong supporter of vocational education and TRIO programs. The President's budget proposal would combine these into a high school intervention initiative and reduce funding. TRIO programs are very successful. I actually worked in one in helping low income students with their transition to college.

Vocational ed programs offer many high school students the motivation to work hard in all of their classes and provide job skills who do not go on to college. I look forward to working with appropriators to ensure adequate funding levels for both TRIO and vocational ed.

Medicaid funds are very important also to all West Virginians, particularly low income West Virginians, and I urge my colleagues to avoid cuts to Medicaid as the reconciliation instructions found in this resolution are implemented.

I look forward to working with my colleagues to ensure that these priorities like veterans education, economic development and Medicaid are adequately funded as the process continues.

I support the rule and the resolution.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. RANGEL), the ranking member on the Committee on Ways and Means.

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

Mr. RANGEL. Mr. Speaker, let me thank my New York colleague for extending me the 5 minutes.

I rise in opposition to the rule because it appears to be inconsistent with all of the things that the President is talking about.

The President is talking about relieving the tax burdens of working Americans, and yet there is no provision at all for the alternative minimum tax that is going to grab the middle income people with a tax that they do not deserve, and the Committee on Ways and Means and this Congress never intended that they have to carry this burden.

I am glad that the gentleman from Iowa (Chairman NUSSLE) saw fit to put the $50 billion in because it is an indication that they know that a war is going on, and I only wish that they would put something in there to help those veterans that are fighting the war.

Lastly, if the President is going around the country selling this concept that we ought to eliminate this Social Security system and set up a new system, everyone agrees that it is going to cost a lot of money to do this. The transition is very, very costly. It runs into trillions of dollars, and yet there is not one scintilla of evidence that the President's legislative ideas are considered by the House in this budget.

The President had a press conference today, and he has indicated that the personal accounts, as he called them, and private accounts, as we called them, actually will not do anything to make the Social Security system solvent. So, in support of the President's position, what we are saying here in defeating the rule, give us the opportunity to bring legislation to my colleagues that would prohibit us from taking the contributions that are made to the Social Security fund out of that and putting it into a private fund, which the President agrees with us has nothing to do with saving Social Security.

As a matter of fact, he says that personal accounts will make sure that individual workers get a better deal in whatever emerges as a Social Security system, which means that if it is separate and just to make someone feel good because they have private investments, then come, Mr. President and my fellow colleagues of the other side of the aisle, and let us talk about it by taking personal private accounts off of the table and, in a bipartisan way, help us to get something that emerges out of Social Security.

Then, if we want to encourage incentives for savings, since the third rail that the President has grabbed is changing the income tax system, then let us work together and put incentives in the tax system that would encourage low and middle income workers to have a savings.

It just seems to me to have a budget today that excludes the real cost of the war, that punishes veterans that suffered in the war, that makes no provisions for relieving the economic pain that is going to be caused by the alternative minimum tax, and to act like the President going for 60 cities in 60 days will have no legislative impact, then let us save a lot of money and say that we cannot deal with Social Security reform today, not because we do not have a problem, but the President is committed in making certain that we do not find a bipartisan solution.

□ 1330

But the President going into districts knocking Democrats because they are not coming forward to work with him is inconsistent with what our President has said when he brought this subject up, and that is keep your powder dry, do not be critical because I will be coming up with a bill, and then after that come to us.

The President has changed his position three times. First, he says there is no crisis; and we agree with him that there is a problem. Two, he indicates that the personal accounts really are not the solution and have nothing to do with the solution of solvency. And, three, he is now saying he wants ideas instead of coming up with what he thinks should be the solution.

It just seems to me that it is up to us to make certain that we still work for a bipartisan solution; and if the President does not believe that his personal and our private accounts are going to help us in resolving this problem, then for God's sake let us get on with Social Security and with the help of the gentleman from California (Mr. DREIER), a personal friend of the President who listens to him, tell him we agree with the President that if it does not solve the problem, get out of the way and let us together, Republicans and Democrats, solve this problem.

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

Mr. Speaker, I appreciate the concern of the ranking member of the Committee on Ways and Means in regard to the alternative minimum tax. The gentleman will be delighted to learn that this budget makes accommodation for a further AMT extension of relief so that middle-class Americans are not impacted by that AMT provision that originated in the Committee on Ways and Means. The gentleman from New York will be further delighted to know that the budget process allows the flexibility and the discretion for that authorizing committee to make those changes rather than having the Committee on the Budget direct them for them.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule. I would like to congratulate the gentleman from Florida (Mr. PUTNAM) who is doing a superb job, along with our colleague from Dallas, the gentleman from Texas (Mr. SESSIONS). As members of the Committee on Rules, they are also serving in the very important capacity on the Committee on the Budget where they have played a key role in fashioning this work product that we are going to see.

Let me speak about the rule itself. I am happy to see the gentlewoman from New York (Ms. SLAUGHTER), the distinguished ranking minority member from Rochester, New York. I am happy this rule has been able to report out every single substitute that was submitted to the Committee on Rules calling for an opportunity to be considered here in the House. I am also happy we have been able to include an additional amendment which is unusual in that as Members know from the perspective of both sides of the aisle, when Democrats were in the majority here, Republicans in the majority, we have traditionally only made substitutes in order. But out of deference to the distinguished ranking minority member of the Committee on Appropriations, we have chosen to make in order an amendment offered by the gentleman from Wisconsin (Mr. OBEY).

I believe this rule is extraordinarily fair, extraordinarily balanced and will provide an opportunity for a wide range of public policy discussions to take place as we move ahead with consideration.

Let me say when it comes to the budget itself, I think we have a clear choice. The gentleman from South Carolina (Mr. SPRATT) came before us and discussed the questions that relate to the budget proposal that have been assembled by the members of the committee under the very able leadership of the gentleman from Iowa (Mr. NUSSLE). I know the gentlewoman from New York (Ms. SLAUGHTER), as we proceeded with questions in the Committee on Rules, talked about the gentlewoman's concern over things like tax cuts.

I will say it is very important as we proceed with this budget for us to recognize what it is that tax cuts have brought about. I know in the eyes of many people it is counterintuitive in a sense that if we reduce tax rates, we can somehow increase the flow of revenues to the Federal Treasury and reduce the size of the Federal deficit. I know it is counterintuitive because there are many who unfortunately are stuck with this notion that the way to deal with the deficit problem, the way to increase revenues to the Treasury is to dramatically increase taxes.

One of the points that I think is important for us to make, and I mentioned this yesterday in the Committee on Rules, the director of the Office of Management and Budget, Joshua Bolton, has on more than a few occasions reminded me, and I am sure he has said this to other groups, that if we did not have the tragic attack on September 11 against our Nation, September 11, 2001, if we did not have the horrendous cost of the war in Iraq with which we have had to contend, we would still have a Federal deficit.

We often hear during this debate that we saw under President Clinton a dramatic improvement in the budget and a surplus created. It was during the leadership provided by a Republican Congress that we got to that point, but the issue that needs to be brought to the forefront was that it was the economic slowdown, not the attack of September 11, not the war in Iraq, as painful as that has been, that led to the deficit itself.

It is the economic slowdown that began the last two quarters of the year 2000. The recession, the slowdown that we saw in early 2001, of course exacerbated as is regularly said by the attacks of September 11, by the corporate scandals we have seen, and the other challenges we have had to contend, but that economic slowdown is what led to the deficit itself.

So the single most important thing that we can do is to ensure that we expand our economy. That is the best way to deal with the deficit. That is not to say we should not be reining in Federal spending. I believe at my core as a Republican that the reach of the Federal Government impinges on individual initiative and responsibility, two very, very important things that need to be encouraged. If we can couple focusing on economic growth with responsibly reining in Federal spending, it is very clear that is the most effective way to deal with the deficit.

So what have we seen? When we had the debates in 2001 and then in 2002 and 2003 and 2004 on the issue of tax cuts, we constantly heard the argument from our very distinguished friends on the other side of the aisle that the Bush tax cut would ruin the country. It would dramatically increase the deficit itself. I am very happy to report, as I know most of my colleagues know, based on the projections we had for the last fiscal year, because of the economic growth that we saw, because of the unanticipated revenues that came into the Federal Treasury, because of the tax reduction that brought about that economic growth, we have seen the deficit itself actually reduced by $109 billion over what had been projected. That reduction in the anticipated level of the Federal deficit demonstrates that reducing rates is, in fact, the best way for us to deal with this. That is just a philosophical difference that we have between the two political parties.

Mr. Speaker, I happen to believe a Democrat, John F. Kennedy, was absolutely right when he argued this in the early part of the 1960s. It was successful. We saw dramatic economic growth as President Kennedy brought about a dramatic reduction on capital gains in the early 1960s. We have empirical evidence. It happened during the 1980s when we saw a doubling of the flow of revenues to the Federal Treasury following the implementation of the Economic Recovery Tax Act of 1981.

Mr. Speaker, I think it is important for us to recognize that this package is one which is deserving of bipartisan support. It is a responsible budget which will rein in the kind of profligate Federal spending that we have seen in the past and which we know is very easy to engage in, regardless of political party. Under Republican leadership, we are reining in that growth in Federal spending and at the same time we are focused on very important priorities.

Last night in a speech the President gave to an event we had, he talked about the importance of an ownership society, how homeownership is at an all-time high. It is approaching 70 percent. Minority homeownership is at an all-time high.

One of the things we want to do, we want to make sure that younger workers have an opportunity to have confidence in the Social Security system. We have all been forced to pay into the Social Security system. Anyone who has been around since 1937 when it was implemented has been forced to pay into that system. We need to make sure that it is solvent.

We know in 13 very short years more will be going out of Social Security than is coming into Social Security through the FICA taxes. We also know while people talk about the so-called $2 trillion hole, the other night the Treasury Secretary told me if nothing is done on Social Security, that borrowing level will be even greater than the $2 trillion that those who are critical of the President's proposal argue is out there on the horizon.

I think if Members look at these very important issues and then focus on what is our number one priority, the national security of the United States, this budget is one which should enjoy broad support across the board from Democrats and Republicans alike. I urge support of this rule which allows alternative proposals, those that I have just discussed, to be considered. I think the rule itself is one which is modeled after the rules that our friends when they were in the majority put together for consideration of the budget.

I look forward to strong support for the rule, and I hope at the end of the day there is strong bipartisan support for the budget resolution.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, just a brief word about the gentleman from California's remarks about unprecedented deficits. The gentleman points to 9/11, it was one of the causes; so was the recession that occurred under the Bush administration, and also policies that were adopted by this Congress and the President and the tax cuts that went predominantly to the very wealthy. When Mr. Greenspan was confronted with this, he said, ''I relied on the projections that most people made,'' but he was reminded he was wrong. A lot of us here said that at the time.

I want to say now a word about this rule. It completely ducks the issue of Social Security and what the costs would be if privatized. The President said just a few hours ago, ''personal accounts do not solve the issue.'' I am glad that the President acknowledged that privatization does not solve the issue. What he did not say is it makes it worse, far worse if it were to occur.

When we take their own figures and project them through the first 20 years if privatization were to occur, and we are going to make sure it does not, it would mean that this 2042 shortfall year, 2052 according to CBO, but take 2042, the shortfall would occur 11 years early. It is fiscally irresponsible.

Secondly, the President said, ''I have not laid out a plan yet intentionally; I have laid out principles.'' But they have also had briefings and endorsed plans and called them a good blueprint, and the impact would mean, it would mean there would be a deduction from Social Security benefits of 70 to 100 percent what would be in private accounts.

□ 1345

What it also means is that there would be a mammoth cut in benefits under Social Security, worse and worse the younger you were, $152,000 for a younger worker over their lifetime. We know enough about these proposals that come out of the White House, come out of their briefings or words of the President to know massive debt, major benefit cuts, and they would not, for most younger workers, help but hurt.

The President also said, ''A nest egg you could call your own.'' Those are his words. No, that is not correct. Because it would be under a government managed account and most workers would have to annuitize what was left in their private accounts and there would be nothing to pass on. No, it would not be a nest egg. It would be, for most people, an empty egg.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. SALAZAR).

Mr. SALAZAR. I thank the gentleman from Massachusetts for yielding me this time.

Mr. Speaker, I rise today in support of the effort to defeat the previous question. If the previous question is defeated, my bill, H.R. 1330, the Social Security Trust Funds Protection Act, will be brought before the House for debate and a vote.

My bill would ensure that Social Security payroll contributions cannot be diverted to establish private accounts. I know that people say that Social Security was not meant to be the only source of retirement income, but the sad reality is that for too many people it is the only source of retirement.

Amelia Valdez from Pueblo, Colorado, gave me this photograph about 2 weeks ago. As she gave it to me, she looked up into my eyes with tears as she said, ''This is a photograph of Franklin D. Roosevelt signing the Social Security Act in 1935. Please hang it in your office as a reminder.'' She continued and said, ''Please do not let them dismantle my only source of income.''

In rural America, Social Security keeps tens of thousands of people from falling into poverty. My Democratic colleagues and I are committed to keeping our promises to American workers. We will fight to strengthen

Social Security so that American worker gets the benefits that they were promised.

Creating private accounts will only hasten the demise of Social Security by draining trillions of dollars from the Social Security Trust Fund. We cannot forget the lessons that we learned from Enron. A retirement fund that relies on the stock market is simply not a secure benefit. The proposal to privatize Social Security would mean a 40 percent cut in benefits. It simply does not make sense to change the Social Security system program so that it cuts benefits. The first step towards saving Social Security is to make sure that the payroll moneys are only used to pay Social Security benefits.

I urge my colleagues to vote ''no'' on the previous question so that we can protect the retirement security of every American.

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

I thank the gentleman and the previous speakers for drawing attention to the looming crisis that impacts people my age in Social Security, the people who frankly have come to the conclusion that unless Congress acts sooner rather than later, there will not be that program and that dramatic and important action is needed. But coming back to the rule on the budget, which is the order of the day, it is also good to know that it is more about what reforms we will be taking up later this year are dominating the discussion, which I take to mean and assume to mean that the overall and underlying budget itself is a sound one and that the rule is fair.

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

Mr. McGOVERN. Mr. Speaker, I yield myself 4 minutes.

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

Mr. McGOVERN. Mr. Speaker, the budget resolution sets the priorities of the Congress. It is a moral compass for what we stand for, what we believe in. It shows if our priorities are in the right place. It shows whether we are going to provide for the less fortunate or if we will continue to reward the rich and the powerful at the expense of people in need. The mundane minutia that are detailed as budget authority and outlays are actually the blueprints of our Nation. I do not like what the Republicans are building. They are creating a government without a conscience.

The Republicans control the White House, they control the Senate, and they control the House of Representatives. It is their agenda that determines the future direction of this country. That agenda includes slashing Medicaid, food stamps, education programs and veterans benefits. That agenda includes protecting tax breaks for the very wealthy in this country. That agenda also includes privatizing Social Security. Today, they will have an opportunity to put their vote where their rhetoric is. As we just heard, the gentleman from Colorado (Mr. SALAZAR) has introduced a bill that frames this issue plainly, that no payroll taxes may be diverted to privatize Social Security.

Mr. Speaker, I oppose privatization as do most if not all of my Democratic colleagues. The position of our Republican friends is not quite as clear. They say that all options are on the table and that they are open to listening to various ideas. They talk about the impending doom facing Social Security, creating a crisis out of thin air. They extol the virtues of Wall Street. They are desperately trying to find a way to make Social Security privatization more palatable. Their problem is that the more the American people learn about privatization, the less they like it. I believe that Social Security is a sacred compact between the Federal Government and senior citizens. It is an insurance program, a safety net intended to keep our senior citizens out of poverty. It has worked for 60 years. The privatizers want to unravel that safety net. They want to slash guaranteed benefits, run up trillions of dollars in debt and decrease the solvency of the trust fund. That is their plan.

Today we will have a chance to see if those privatizers have the courage of their convictions. So far, we have not seen that courage, because the budget resolution before us does not include the trillions of dollars in transition costs required to privatize Social Security. The Republican majority claims to support the President's privatization scheme. They say they want to do it this Congress. But they are not willing to put it in a budget.

Maybe the vote on the previous question will help them. If you believe as I do that we must not privatize Social Security, then you must vote ''no'' on the previous question. If you believe in privatizing Social Security, then you will vote ''yes'' on the previous question. It is that simple.

Social Security does face long-term funding challenges. Everyone recognizes that. As Democrats, we stand willing to work in a bipartisan way to meet those challenges. But we will not stand idly by and let the Republican majority destroy Social Security in the name of saving it. I urge my colleagues to say no to privatizing Social Security by voting ''no'' on the previous question.

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

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

This is a vigorous debate about the priorities that are embodied in our budget blueprint. But for the second day in a row now, we have had this characterized as a government without a conscience. Yet since 1995, we have seen dramatic and historic increases to IDEA, Individuals with Disabilities Education Act. Title I, historically high numbers. Veterans health care, $18.9 billion in fiscal year 2000, $30 billion today. Education numbers, up in double digits. HHS and NIH, doubled. That is not a government without a conscience. That is a government that has seen unsustainable rates of increases to discretionary domestic spending. This budget turns that corner and begins the process of slowing the growth in mandatory and discretionary but continuing to provide for those priorities, continuing to make those tough decisions in ways that have been avoided by prior Congresses.

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

Mr. McGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me this time. First, I must comment on the gentleman's remarks that if things were so good, then why is it that we have parents of children with special needs decrying these budgets? Why is it that we have firefighters coming to us decrying this budget? Why are we seeing so many people saying that we have our priorities in the wrong place? Certainly we should look at this budget resolution because it should be defeated.

Even though Social Security privatization is the President's number one priority, this Republican budget resolution hides the cost of the harmful effects of Social Security privatization. It refuses to include any details on the President's privatization plan and it further continues to spend every single cent of the Social Security surplus reserve on things other than Social Security. That means over the next 10 years under this budget that we have before us, $2.6 trillion of worker contributions that are supposed to be dedicated to Social Security will be spent on something other than Social Security. Like what? To pay for these tax cuts that are going principally to the wealthiest Americans in this country.

Even with that being done, using all the Social Security surplus moneys, we still have deficits never seen before in this country. This year alone we will have the biggest deficit this country has ever seen, more than $400 billion. That is more than $1,000 on the head of each and every man and woman in this country. They are gleeful. They believe that that is what we should do.

Mr. Speaker, many of us believe that we should have a plan as the Salazar legislation would propose that we save every single cent of the Social Security surplus which this year alone the surplus in Social Security contributions that will not be needed to spend for benefits to Social Security recipients will equal $169 billion. We can start by saying that $169 billion of Social Security moneys will not be spent, because this budget spends every single cent of the $169 billion coming in this year for Social Security on something other than Social Security. That is why so many Americans are so insecure about

Social Security and insecure about what the President proposes to do about Social Security.

Not more than 2 hours ago, one of the President's Cabinet secretaries, Secretary Elaine Chao of the Department of Labor, said before the committee, Social Security is not guaranteed.

I asked the Secretary, ''Can you clarify? Do you mean in the future perhaps if we don't do something to make it stronger, it won't be guaranteed?''

She just continued to say, ''It is not guaranteed.'' That is why people today feel so insecure about what the President is proposing, especially with privatization, because he will not tell us what it will cost. We know it could end up costing some 46 percent in benefit cuts if we privatize. We also know that it would require massive government borrowing, some $5 trillion over the next 20 years, if you try to privatize the system.

Where does all that money come from? Mr. Speaker, the reason people are so insecure about Social Security is not because the system is not there for them, it is because we have leaders talking about changing it without giving us the facts. Mr. Speaker, it is time for us in our budget documents to speak to the people, to give them the facts. This budget resolution does not do it. We should defeat it.

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

I am delighted to provide the gentleman some facts. Fact number one, title I has grown 10 percent per year since 2000. Pell grant funding, grown 10.3 percent per year since 2000. No Child Left Behind funding, grown 40 percent. Special education since 1996 has more than quadrupled. Funding for IDEA has quadrupled since 1996. IDEA funded only 8 percent of the per pupil expenditure in 1994 and 1995. Now it is nearly 20 percent. The Education Department discretionary budget authority has increased 146 percent since 1995. Those are the facts.

Was there not a conscience in the Congress prior to 1995? Is a 146 percent increase unconscionable? The commitment to education, the commitment to health care, the commitment to the NIH, the commitment to defense and the commitment to policies that expand and grow our economy and give Americans tremendous opportunities have been embodied in our budgets and are embodied in this budget.

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

Mr. McGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I am going to urge a ''no'' vote on the previous question and a ''no'' vote on the rule. The minority has an issue we want to discuss in the course of this budget. That issue is whether or not we should stand by and allow the continued diversion of revenue assessed taxpayers for the specific purpose of Social Security.

Social Security means a lot to me. I have received a Social Security check. I have received that survivors benefit when my dad died. It meant so incredibly much to our family. One in six North Dakotans that I represent, 114,000, get a Social Security check every month. Well over half of North Dakotans pay into Social Security. They say what we have heard all across the country, and that is, ''My Social Security taxes are for Social Security. Don't raid those Social Security dollars.''

Now, of course, given the discussion on this radical overhaul of Social Security, we have the other prospect that these dollars will be taken away from Social Security and placed into private accounts, resulting in either massive additional borrowing to continue Social Security benefits or very draconian budget cuts. Massive additional borrowing or budget cuts if the revenue coming into Social Security is diverted into private accounts.

We think right now is the time to have this discussion. I support so much the amendment brought up by my friend from Colorado (Mr. SALAZAR), a new Member.

□ 1400

He wants to have this body move immediately to a debate on his amendment which would prohibit the diversion of Social Security money upon our completion of the budget. I think this is a good idea. I would like to hear one reason why we ought not move to discussing this diversion of Social Security money away from the Social Security trust fund, why we should not discuss today the prospects of massive additional Federal borrowing if we divert the Social Security money, why we should not discuss today the Draconian budget cuts that would reduce benefits potentially to people who desperately need them if we divert money that is coming in to pay benefits into private accounts.

There is a lot of explaining to do, in my opinion, for those who are advancing this privatization scheme on Social Security; and I know the Nation would feel an awful lot better, certainly those I represent, if we conduct this debate having first adopted the preservation of Social Security. Let us move to the discussion on how we shore up and maintain and strengthen Social Security, but not in ways that would cause massive additional borrowing, massive benefit cuts.

Vote ''no'' on the previous question. Support this opportunity to debate the Salazar amendment.

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

There will be that opportunity, this being the rule on the budget; but I will engage in a bit of discussion about the Social Security because I am one who will gain or lose a great deal, being someone who will reach that retirement age at that year of insolvency. And it is shocking to me that the party who gave us Social Security, and should be very proud of it and are, are almost in complete denial about the looming crisis that it faces and refuse to accept the fact that, regardless of which option we choose to solve the problem, that it is something that should be kicked down the road to future generations, to future Congresses, to future years.

And there is a stone wall of resistance to any discussion at all about for once Congress getting ahead of a big issue, for once Congress actually dealing with the problem before it is crashing down around our heads, for once Congress actually being bold and looking into the future beyond the next budget cycle, beyond the next election, beyond the next short-term problem and actually tackling it and dealing with it.

Anyone who has been through their freshman orientation upon being elected has a bipartisan group give them the long-term unfunded liabilities of this government, and we acknowledge that there are vast differences in the approach to saving Social Security. But, unfortunately, largely with one bold, brave exception in the gentleman from Florida (Mr. BOYD), there has been total resistance to have any constructive effort to bring about a solution to this problem.

Mr. POMEROY. Mr. Speaker, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from North Dakota.

Mr. POMEROY. Mr. Speaker, I appreciate the gentleman's yielding to me and very much appreciate the constructive tone of his debate.

We actually have advanced provisions for the safeguarding of Social Security. This Democratic Party which stood so strongly in preserving surplus dollars saved Social Security first, walling them off, the lockbox. We saved Social Security revenues for Social Security. And it is the Democrat Members of this body who are prepared to enter discussions when going-in principles are agreed to. Those principles: there shall be no insecurity added into Social Security and that there should be no additional Federal borrowing, no vast amounts of Federal borrowing.

Mr. PUTNAM. Mr. Speaker, reclaiming my time, I appreciate the gentleman's comments. I look forward to that constructive effort because we share that passion that those 55 and older, those at or near retirement, will not be impacted. But by golly, we have got an obligation to those people who are under 35 or under 45 or whatever number we finally arrive at, people who have time to plan and people who know, and all of us know, of all stripes, that there will be a problem in either 2040 or 2041 or 2042. We can argue over months and weeks all day long, but the point is we are not doing anything to take care of that first-year teacher, that first-year firefighter, that first-year soldier that all of us stand up on a regular basis and claim to speak for.

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

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

Let me just say to the gentleman from Florida that we do not believe that the way to increase the solvency of Social Security is to decrease the solvency of Social Security. Everybody on our side of the aisle is prepared to work in a bipartisan way to increase the solvency of Social Security. What we are objecting to is this privatization scheme.

Let me also say to the gentleman, because he questioned why I said that the Republican majority of this Congress has a budget that will create a government without a conscience, the reason why I say that is because this budget would cut $5.3 billion from the Department of Agriculture, cutting food stamps and other programs that are vital to America's farmers. This budget would cut 21.4 billion from education, cutting student loans and higher education spending.

He brags about the increase in money for No Child Left Behind, but we never properly funded No Child Left Behind. And our teachers and our principals and our superintendents are screaming about the fact that we have passed an unfunded mandate to them.

This bill would cut $20 billion, mostly from the Medicaid program. It would cut $270 million in spending from section 8 and other housing and homelessness programs. It would cut money from the Witness Protection Program, $103 million from transportation. It would cut $798 million for veterans health care. It would cut the earned income tax credit. It would cut money for unemployment insurance programs.

I mean, this is why I say that this is a budget that creates a government without a conscience. We are turning our backs on people who need our help, and I think that is wrong.

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

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

I would respectfully request that the gentleman give us the page number and paragraph of this budget blueprint that cuts the Witness Protection Program.

As the gentleman knows, the budget document is a broad blueprint for spending that directs the authorizing committees, those committees of members who have developed expertise in their areas, to find savings through reconciliation instructions. It allows Members like the gentleman from New York (Mr. RANGEL) on the Committee on Ways and Means to best formulate those revenue measures that avoid AMT taxing; that allows members of the Committee on Energy and Commerce to deal with the issues facing Medicaid program, which all of the Governors acknowledge is swallowing up State budgets; that allows the Committee on Agriculture to fund within their committee's jurisdiction those savings in a variety of programs.

This budget blueprint is a sound document that sets the course for our Congress and for our Nation for the coming year; and the cuts that the gentleman refers to are reductions in the rate of growth in those programs, with the exception of the reconciliation instructions, which are a remarkable and historic first step to this Congress restraining spending and funding priorities and simultaneously getting our arms around the deficit that both parties are understandably concerned about.

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

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

Let me first say to the gentleman that only in Washington would one call a cut a reduction in the rate of increase in spending. The bottom line is that this budget is more than just a general blueprint. There are specific directions in this budget that not only cut to the bone but cut through the bone. And, again, I repeat that this is a budget that creates a government that will have no conscience, and it needs to be defeated.

Mr. Speaker, if the previous question is defeated, I will modify this rule to provide that immediately after the House passes the budget resolution, it will take up H.R. 1330, the Social Security Trust Fund Protection Act. This legislation, introduced by the gentleman from Colorado (Mr. SALAZAR), would ensure that Social Security contributions are used to protect Social Security solvency by mandating that trust fund moneys cannot be diverted to create private accounts.

Mr. Speaker, while Members of this House may differ on what is the best long-term solution to ensure solvency of Social Security, I think we probably all agree that we need to protect the money that goes into the trust fund and that any diversion of these funds must be undertaken with great care. Private accounts do not help the trust fund solvency. In fact, it is estimated that they would cost the system more than $5 trillion. H.R. 1330 will give us an opportunity to vote up or down on whether we want the Social Security trust fund to be used to pay for these fiscally irresponsible private accounts.

Let me make it very clear that a ''no'' vote on the previous question will not stop consideration of the budget resolution, nor will it change the process by which it is to be considered. But a ''no'' vote will allow the House to vote to prevent the siphoning off of the Social Security trust fund to pay for private accounts.

So, Mr. Speaker, I urge a ''no'' vote on the previous question.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed in the RECORD immediately before the vote on the previous question.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

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

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

The untrained observer would believe that we were debating a Social Security bill here this afternoon. In fact, it is the rule on the budget blueprint for this country for fiscal year 2006, a budget blueprint that does a number of things important to the American people.

It puts our soldiers and sailors and airmen and Marines and Coast Guard and Reservists and Guardsmen foremost, fully funding the President's defense request, budgeting for the continued global war on terror to the tune of $50 billion; prioritizing, even making tough divisions, something that we are loathe to do often in this process, but it is what we are here for, making tough decisions about priorities, priorities in government, priorities in households, priorities in our individual lives, something every American is accustomed to.

It continues to invest heavily in our Nation's defense and homeland security. But it also recognizes that these challenges that have come about since 2001 have also required us as a Nation to make some tradeoffs. And so for the first time since the Reagan administration, it calls for an eight-tenths of a percent reduction in nonsecurity discretionary spending. It directs the authorizing committees to find savings on the mandatory side of spending, discretionary being just over a third of the budget anymore; mandatory nearing two thirds, essentially on auto pilot.

So a balanced approach to finding savings in our government such that we may begin to get our arms around the deficits and cut the deficit in half in 5 years so that we do not shoulder young people just entering the workforce, school-age children, children not yet born with these massive debts. We begin the difficult process of fiscal restraint, something that is anathema to this body oftentimes, all too often.

It has been said in the context of the Social Security debate that the other side does not believe the solution to solving Social Security's problems is to privatize it. We do not believe the solution to Social Security's problems is to do nothing. We have led with our chin on this issue, and I am very proud of that effort; and I am proud of the manner in which we have conducted this debate because it will undoubtedly be an extensive debate occupying a good part of the 109th Congress.

It is an opportunity for this Congress to lead, to lead the American people to an understanding of an issue that is at a total insolvency point occurring in 2042, but its impacts on the Federal budget beginning as soon as 2008. And as a young person who will be impacted by that, it gives us an opportunity to look beyond the short term and be truly visionary in the great ways that this Congress is capable of being.

We have done a lot of great things over the past several years: doubling NIH, continuing to invest in research and cures and trials to make the human condition better. And, frankly, we have succeeded to the point that the reason why Social Security faces insolvency is because the life expectancy of Americans continues to grow. Every 5 years that pass, life expectancy goes up a year. This budget continues to fund our priorities, continues to invest in people, and continues to lay the groundwork for policies that allow people to pursue their own version of the American Dream, to find opportunity in a growing, expanding economy; that allows for job creation, that does not punish entrepreneurial spirit, that allows people to continue to invest in their businesses, to have more money in their own pocket to make decisions about their own children's future, about their own opportunities, and about their own hopes and dreams.

And with that I urge my colleagues to support the rule, which is a very fair and balanced rule, and to support the underlying budget produced by the committee.

The material previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION FOR H. RES. 154, RULE FOR H. CON. RES. 95

At the end of the resolution add the following new section:

SEC. 3. Notwithstanding any other provision in this resolution, immediately after disposition of the concurrent resolution H. Con. Res. 95, the Speaker shall declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1330) to provide that Social Security contributions are used to protect Social Security solvency by mandating that Trust Fund monies cannot be diverted to create private accounts. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. The bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 4. If the Committee of the Whole rises and reports that it has come to no resolution on the bill H.R. 1330, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of that bill.

□ 1415

Mr. PUTNAM. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clauses 8 and 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of the rule if ordered, H.R. 1270, by the yeas and nays, and H. Con. Res. 98, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 230, nays 202, not voting 2, as follows:

[Roll No. 78]

YEAS—230

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—202

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—2

Cubin
Radanovich

□ 1442

Mr. PALLONE and Mr. REYES changed their votes from ''yea'' to ''nay.''

Mr. FORTENBERRY changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 196, not voting 10, as follows:

[Roll No. 79]

AYES—228

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—196

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—10

Cubin
Honda
Hostettler
Jefferson
Melancon
Radanovich
Rush
Watson
Watt
Weldon (FL)

□ 1451

Mr. SPRATT changed his vote from ''aye'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## AMENDING INTERNAL REVENUE CODE OF 1986 EXTENDING LEAKING UNDERGROUND STORAGE TANK TRUST FUND FINANCING RATE

The SPEAKER pro tempore (Mr. LAHOOD). The pending business is the question of suspending the rules and passing the bill, H.R. 1270.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. CHOCOLA) that the House suspend the rules and pass the bill, H.R. 1270, 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 431, nays 1, not voting 2, as follows:

[Roll No. 80]

YEAS—431

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
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
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
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)
Kind
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
McDermott
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
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
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 (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—2

Cubin
Hostettler

□ 1500

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## EXPRESSING GRAVE CONCERN OF CONGRESS REGARDING PASSAGE OF ANTI-SECESSION LAW BY NATIONAL PEOPLE'S CONGRESS OF PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 98.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 98, 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 424, nays 4, not voting 6, as follows:

[Roll No. 81]

YEAS—424

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
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
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
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Capuano
Cardin
Cardoza
Carnahan
Carson
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Chabot
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Clay
Cleaver
Clyburn
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Cole (OK)
Conaway
Conyers
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Costello
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Crowley
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
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Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
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Etheridge
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Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
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Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
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Hastings (FL)
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Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
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Johnson (CT)
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Johnson, E. B.
Jones (NC)
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Lewis (CA)
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Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
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Murphy
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Napolitano
Neugebauer
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Peterson (MN)
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Pomeroy
Porter
Portman
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
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Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
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Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
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Spratt
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Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—4

McCollum (MN)
McDermott
Oberstar
Paul

NOT VOTING—6

Cubin
Gilchrest
Johnson, Sam
Melancon
Neal (MA)
Tiahrt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1507

Ms. McCOLLUM of Minnesota changed her vote from ''present'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, last week on March 9 during the discussion of the transportation

bill, I was detained out of the building and away from the Capitol, and I missed the following votes and would like to have recorded in the appropriate place of the transportation bill that on the Graves amendment if present I would have voted ''no''; on the Kennedy amendment if I was present, I would have voted ''no''; on the Osborne amendment if I was present, I would have voted ''no''; on the Moran amendment if I was present, I would have voted ''aye''; on the Conaway amendment if I was present, I would have voted ''no.''

## ELECTION OF MEMBER TO COMMITTEE ON RULES

Mr. MENENDEZ. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 161) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 161

*Resolved*, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON RULES.—Ms. Matsui.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 525

Mr. MEEKS of New York. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 525.

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

There was no objection.

## GENERAL LEAVE

Mr. NUSSLE. 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 fiscal year 2006 budget resolution.

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

There was no objection.

## CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

The SPEAKER pro tempore. Pursuant to House Resolution 154 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution, H. Con. Res. 95.

□ 1508

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010.

The Chair designates the gentleman from Ohio (Mr. LATOURETTE) as chairman of the Committee of the Whole, and requests the gentleman from Illinois (Mr. LAHOOD) to assume the chair temporarily.

The Clerk read the title of the concurrent resolution.

The Acting CHAIRMAN. Pursuant to the rule, the concurrent resolution is considered read the first time.

General debate shall not exceed 5 hours, with 4 hours confined to the congressional budget, equally divided and controlled by the chairman and ranking member of the Committee on the Budget, and 1 hour on the subject of economic goals and policies, equally divided and controlled by the gentleman from New Jersey (Mr. SAXTON) and the gentlewoman from New York (Mrs. MALONEY).

The gentleman from Iowa (Mr. NUSSLE) and the gentleman from South Carolina (Mr. SPRATT) each will control 2 hours of debate on the congressional budget.

The Chair recognizes the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today we are here to debate the budget resolution for 2006, the Federal Government spending blueprint that will guide all of this Congress' spending and revenue decisions for the coming fiscal year.

Let me start by thanking my staff on both sides, Republicans and Democrats. What Members will hear today, this is probably one of the heartiest debates of the year when we talk about the priorities for the coming year. As Members might imagine, because we come from different backgrounds and different States and different philosophies, we have different ideas of what is important, Members will hear quite a bit of debate from time to time that will sound rancorous. It will sound like we do not agree on anything and everything is going to be difficult, and I do not think it is quite that bad.

We have some pretty important priorities that we all agree upon, and we share a number of the goals. How to achieve those goals is in part the budget process: how are we going to get it done, and how are we going to accomplish it. That, unfortunately, gets into the details where we may disagree.

I thank the gentleman from South Carolina (Mr. SPRATT), my partner and friend who will come forthwith his own budget today, and we appreciate that. Members will hear his ideas and our ideas. We will get to debate those ideas, and we will come out at the other end with a better understanding of exactly how both sides will approach the problem, the challenges we will have; and we will hear about some of the ways to solve this.

Long before today, long before this debate started and quite honestly before we received the President's budget, we knew what the priorities were going to have to be. If you attend any town meeting in Iowa or across the country, Members are going to hear these same kinds of themes: we have to keep the country strong and defended. If we are not strong, we are not free; and if we are not free, we have lost everything. We have lost the most important gift we have been given, that has been bestowed on us, and that we feel so passionate about being able to bestow on generations to come here in this country and around the world. We need to continue to be strong.

Second, we need to continue to grow the economy. We really do. We need to create jobs and keep the opportunities flowing for our kids and grandkids because we know when we are strong and growing, we are able to accomplish so much in the world. Our economy must continue to grow.

Last but not least, and I can tell Members this is true wherever you go, people around the country are frustrated by the attitude and almost arrogance that government can solve all of our problems, that somehow another government program will solve the problem, or more government bureaucracy or more government regulations or just another law or more employees working in fancy white buildings downtown, if we would only do that we would solve the problem, and that means spend much more money, too much money.

So America's continued greatness comes from, I believe, the unlimited opportunities that our freedom provides, but we have to get our hands around this out-of-control, unsustainable spending. Right along with our well-meaning folks who come along, we have created a government that is too big and spends too much, and we have to get control of that spending if we are going to be successful.

As I have said, these must be our Nation's highest priorities, continued strength, continued growth, and making sure we can restrain spending because none of the rest of it, all of the good things that the Federal Government does in so many areas such as education and health care and veterans benefits and agriculture and transportation and energy and science, I could go on and on, we all have our favorite areas where we think the government ought to invest, but none of that continues to happen, none of that will be achieved if we are not strong, if our economy does not grow, and if we cannot get our arms around the spending.

So we chose to write a budget that ensures that first and foremost our needs must be met, gives all other priorities a fair shake, that is what the

budget process does, it puts in a $50 billion what we call a place holder, recognizing that we need to fund next year's likely emergency request for the war on terror, we have to plan for that; and it continues the progress that we have made in reducing the deficit and getting our spending on a sustainable path.

□ 1515

Last year was really the first year that we have been able to move beyond the crisis mode that we have had in our budget in response to September 11, 2001. We began a path to get hold of our out-of-control spending and to reduce the deficit. We had, I think, some pretty good success. We ought to recognize that we made some progress last year and realize how it happened. Despite cries from many different quarters in the country that all we need to do is just raise some taxes, tax the wealthy is always what people say, tax all those small businesses that are creating jobs, tax those farmers, tax those families that are sending their kids to college and are trying to make ends meet around their kitchen table, just give them more taxes and we will solve the problem. We decided we were not going to raise taxes. As a result of that, the economy continued to expand, and, due in large part to those economic policies, we now have strong, sustained economic growth and job creation. We also, for the first time in a long time, managed to slow the rate of this nonsecurity spending that has been out there, for the first time below the rate of inflation. I think that is a whole lot more reasonable than what we saw in years past.

Let me just show my colleagues what we did last year. This is what happened in just one year. The President when he came in, almost a year ago right now, the budget deficit was going to look like this, $521 billion. We all said that was not what we wanted, that we did not want to do that. We wanted to see if we could get our arms around it last year. We knew it was going to be tough. We knew there were going to be all sorts of complaining, claims that we were not keeping the priorities straight, but when the President started, this is where we started, at $521 billion. In one year alone, 20 percent, $109 billion was reduced on that deficit. $109 billion or 20 percent in one year.

Why? Two reasons. Number one, the economy grew. The economy grew faster than anybody expected, because when you unleash this 10-plus-trillion-dollar economy and allow it to just chug along and create jobs and have people investing and creating those opportunities for our young people around the country and others to make money for themselves and deal with their own problems and their own challenges, our economy is a wonderful thing and when it has just a little bit more growth than we expect, that brings in a lot of revenue to our Treasury. In one year, we reduced the deficit 20 percent. In that same year, even with tax reductions, more money came into the Treasury than the year before. This is not a science experiment. It is a fact. When you reduce taxes and you cause economic growth, oftentimes, and last year was an example of this and already we are seeing it this year, more money comes into the Treasury. That combined with holding the rate of growth of spending, we were able to reduce that deficit and get back eventually to balance. We took the first steps by keeping the economy growing, creating jobs, beginning to restrain this out-of-control spending.

But while both of these items are critical alone, they are not going to get the job done. We have so many Members who understand that every year we come down to the floor on appropriation bills and we battle over a million here and a million there, and I know it all adds up, but there is a part of the budget that is not being addressed. I will get to that in just a moment.

This year in the budget, much like the President's budget, we take the necessary next step for slowing spending, at the same time ensuring that our priorities are met. This includes reducing the top line number for all the nonhomeland, nondefense spending by eight-tenths of 1 percent. What we are doing is we are saying we are going to take the President's number for defense and for homeland security, we want to keep the country strong, but in all other areas of our discretionary spending, we are going to start weeding the garden. We want to look through all of those programs and find ways to save money, find ways for us to reform programs, find places where we are wasting money, where money is not being spent appropriately, and as a result of that be able to reduce some of those increases.

Additionally, and probably more important, this budget begins to address the unsustainable growth on the other side of the budget, the 55 percent of the spending that simply operates automatically. This is the dirty secret of budgeting that most Members do not want to talk about and that is what we call mandatory spending. What is mandatory? What could possibly be mandatory about spending in Washington? When Congress sets up a law that says a check is going to be written if certain eligibility is met and regardless of any other changes in demographics or anything else, money just keeps going out, the program keeps chugging along, without any checks, without any balances, without any opportunities to take a look at whether the program is meeting the needs. That is automatic spending. That is the mandatory spending.

What we did a number of years ago in welfare reform is we said the program is not helping people, it is not helping families, it is locking people into the dependency on government, asking no personal responsibility in return. Unless we reform the program, we are not going to get our spending under control. People are just going to keep getting the checks and nothing is going to ever change. Generation upon generation was going to be locked in this spending. And so what we did just 10 years ago and what we want to do again here is tackle some of that automatic spending.

Let me show you what is happening to it. The yellow area here is the portion of the budget that back in 1995 when we tackled welfare reform was about half of the budget, this entitlement spending or automatic spending. We tackled it back then. Thank goodness we did because it was growing out of control in the welfare programs. We now need to look in other areas because look what has happened in just 10 years. In just 10 years, more than half of the budget is now done automatically, is not going to be done on the floor here, in our appropriations process, is not going to have the oversight, is not going to have the opportunity to reform because we are not paying attention to it in our budget. This year we are. This year we are going to. This year we are going to ask the committees to reform the programs and begin weeding the garden, looking for ways to deliver these programs more efficiently.

Why? Because as we see, if we do nothing, it grows unsustainably out of control, which is the word the Governors use for Medicaid, unsustainable. The Medicaid program is unsustainable. They know it is growing too fast. They know that on an average year, Medicaid grows 7.5 percent. Out of control. 7.5 percent. And so this year what we are going to do is we are going to begin to tackle this automatic spending. Our current rate of growth of spending in this mandatory area is 6.4 percent. All of it is growing at 6.4 percent. Nothing changes. 6.4 percent. Again, every year, another 6 percent, every year growing and compounding and growing and Congress is doing nothing. Our constituents are getting frustrated. And so what we need to do is we need to go in and reduce that growth just one-tenth of 1 percent. That is all we are asking for. We are saying instead of growing at 6.4 percent, it is going to keep growing at 6.3 percent. But let us get the committees and let us get the Congress and let us get the Governors into a room and let us begin talking about these programs, reforming them and getting them under control.

I will note that there is a very interesting phenomenon about this decision to slow the rate of growth which ends up being about one-tenth of 1 percent over the next 5 years. It has created a very interesting phenomenon, because what happens about this time of year is people come to the floor and they start saying things like, oh, these cuts are outrageous, these cuts are unconscionable. Why do they keep calling it cuts? Because in Washington, a cut is a decrease in an anticipated increase.

Let me explain what I am saying here. What I am saying here is that in Washington, if you do not get what you expected from one year to the next, if you do not get the increase you thought you were going to get, they run to the floor, they run to the press conferences, they run to wherever it is they can run and complain and suggest that they are being cut. It would be as if your son came to you and you have been negotiating your lawn mowing fee, his allowance maybe over the last number of years and you were able to pay him 10 bucks every time he mowed the lawn. This year he came to you and he said, ''Dad, I want 15.'' You said, ''Son, I love you. You're a great son. You do a great job. I'd like you to trim a little bit more, but you're doing a pretty good job with the lawn. I'm not going to give you 15, I'm going to give you 12.'' If he ran to the microphones with a lot of people around here, they would claim he was cut $3. My goodness, what an outrage. You should love your son. You should love what he does to your lawn, that he should get an increase to $15. My goodness, what an outrage, instead of recognizing that it was a $2 increase. That happens so often around here.

I understand that we are going to hear some of that rhetoric today, but we are slowing the rate of growth. We are just saying it needs to be slowed down. Just slow it down. Let us reform the programs. Let us get the people in a room who need to be part of the discussion to reform these programs and let us slow down the spending and make sure that the programs that we are talking about, which are so vitally important to people, take the food stamp program. That is for people who are hungry. Take the Medicaid program. That is for people who do not have health care. Take a number of these programs and suggest that they should grow out of control? Or suggest they should meet the changing needs of a population, and that is something that we have to continue to do and it requires constant weeding of the garden and constant attention if we are going to get that done.

The problems facing our mandatory spending did not happen overnight. We are not going to fix this overnight. We are not suggesting this is being fixed overnight. It is like going from 60 miles an hour to slam on the brakes to zero? No. That is not what we are doing. We are just saying, slow down, figure out a way to make these reforms.

One thing I will guarantee you is that if there is no budget, if you do not put these kinds of instructions into the budget, if there is no budget or if an entity or a Member comes to the floor with a budget today that does not have these serious kinds of instructions in the budget to reform the programs, I will guarantee you they will not get fixed. I would suggest to you doing nothing is not an option. You cannot complain about Medicaid and offer no solution. You cannot complain about the error rate in food stamps and say there is no solution. You cannot complain about these programs and say there is no solution. We do not think there is a silver bullet but we want to set up a process to begin the discussion to fix these programs. We can do this. It is going to take time. The budget recognizes that, the budget we brought to the floor today, that we need a reasonable pace to get there. We set September as a deadline so we can invite all of the interested parties in to begin this. It builds on the critical work that we have done over the past number of years to shore up and strengthen national defense and create jobs and make sure that we continue our reduction in spending. I believe it is a doable, a fair and honest budget, one that we can work with the President in order to make sure it gets put into place.

I want to end with this. We plan to enforce this budget. This is a good budget. Just like last year, we plan to enforce this budget. Whether this is by way of announcement or however you want to do it, do not worry if we do not get an agreement with the Senate, with the other body. I understand that the other body has decided to walk away from the President on the budget. They are not going to do real reform. It does not look like they are going to try and control spending. I am very frustrated with what I see over from the other body. They are watering it down every step of the way. The courage unfortunately does not appear to be there in order to make some of these big changes that I think our Nation demands at this time. But I will tell you that in the House, just like last year, we enforced the budget. There was a controversy for those Congress watchers that have been brewing on the floor this week about people who wanted to really enforce the budget. Thank goodness we do that. Last year we enforced the budget. The Speaker did. I did. We were able to hold the line on spending, keep within that budget. As a result, we got the deficit reduction that we needed. Just like last year, we will do that again this year. I do not need any special rules. I do not need any Member to tell me that that is how we ought to do it. That is my commitment. That is the Speaker's commitment. That is the majority's commitment. When we pass something, we mean it. That is what we lived under last year.

We have had terrible extra budgetary spending in an emergency basis. I understand people are frustrated with all the extra spending. I want to show it to you. Every year we have had to do extra spending. I understand that. On September 10, 2001, we had a surplus.

□ 1530

There is no question, we had a surplus on September 10 of 2001. We all know what happened the next day. And we all know and we all joined in the spending to meet the needs of our changed world. None of that was in the budget. We knew we had to do it. We knew we had to keep the economy strong. We knew we had to support our troops. We knew we had to combat terrorism. We knew we had to protect the country.

We decided we would do whatever it took. That is whatever it took. And it meant we had to run deficits. But just like last year, we made a commitment to reducing the deficit. We did it 20 percent last year. We are going to do it again this year. We will get to cutting the deficit in half by 2009. We will get that accomplished and then some, and we will get back to balance. But we have got to stick to a plan.

We will do whatever it takes, not only to protect the country, but we will do whatever it takes not to pass on that legacy to the next generation. We cannot do it all in 1 day. We cannot do it all in 1 year.

We made progress last year. This budget builds on that progress, meets the needs of our country, and it is a good budget that I hope my colleagues adopt.

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

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. SPRATT. Mr. Chairman, it is hard to believe that just 5 short years ago we were sitting on a pinnacle of surpluses totaling $236 billion. And it did not come easily. It was not the fallout from some fantastic economy, some serendipitous result.

Democrats, beginning in 1992 and 1993, made the hard choices that moved the budget to surplus in unprecedented fashion. $290 billion was the deficit inherited by President Clinton when he came to office, as this chart will show. $290 billion was the largest deficit in our Nation's peacetime history.

The President, as his first legislative act, sent us a budget to cut that deficit by more than half over the next 5 fiscal years. I will never forget the day we passed it here on the House floor by one vote, and in the Senate by the Vice President's vote. I will never forget the taunts, the claims that we were cutting the economy off at the knees, buying ourselves a one-way ticket to a recession, and ballooning the deficit instead of resolving it.

Well, Mr. Chairman, every year thereafter, after adoption of the Clinton budget in 1993, every year the bottom line of the budget got better, to the point where in the year 2000 we had a surplus of $236 billion. We made the hard choices to make that happen. And that was the surplus inherited by President Bush when he came to office in the year 2001.

No President in recent times has enjoyed such an inheritance, and he squandered his inheritance. We warned against it. We warned against going for deep tax cuts and relying upon the projection of surpluses at that point in time, which was $5.6 trillion.

We told the President then that while we may seem to be sitting on an island of surpluses, we were surrounded by a sea of red ink, a sea of debt; and we needed, now that we could, to attend to our long-term needs, our obligations to Social Security in particular.

He defied and ignored all those priorities and went solely with the budget whose primary thrust and emphasis was the biggest tax cuts we have passed in the history of this Congress.

Unfortunately, the prophecies and predictions we made have come to pass. The boost to the economy imparted by those tax cuts did not replenish the revenues to the Treasury of the United States. As a consequence, today we have the largest deficits in our Nation's history. Not just this year. It is not just something episodic. Two years ago we had a deficit of $375 billion. This past year we had a deficit of $412 billion. This year, according to OMB, we can look for a deficit of $427 billion. Each of those deficits, 375, 412, 427, each of those deficits is a record deficit.

And now what do we look at for the long-term future? The President tells us he is going to cut the deficit in half. And he sends us a budget which purports roughly to do that. But he conveniently omits from his estimation of what will be incurred in the way of cost over the next 5 years major items such as the cost of the war. We have 140,000 troops in Iraq and Afghanistan. More in Afghanistan. That war cost is not going away or tapering off any time soon. And any budget that is straightforward should include some estimation of the likely cost now that we have been over there for 2 or 3 years and know what the costs should be based upon.

Secondly, there is nothing in the President's budget to account for fixing the Alternative Minimum Tax, which we all know is a political inevitability. His own Treasury Department has told us if we do not fix it, it will go from four million tax filers to 30 million tax filers by the year 2010. It will have to be fixed in the near term. There is not a thing in the President's budget that accounts for that. Even though he asks for additional tax cuts, he leaves out that $640 billion item.

And then the cost of fixing Social Security, privatizing Social Security. The President says he would like to allow workers to take 4 percentage points off their FICA payments and put it in a private account. Well, if you do that, you are taking money out of public trust funds, putting them in private trust funds; and, therefore, money will have to be borrowed to meet the obligations of Social Security; to wit, $754 billion beginning in the year 2009 and extending to the year 2015. That is not my number. The White House gave us that estimate. And yet they did not put it in their own budget.

When you add all of these things together, what you get is not a deficit that is going to be cut in half over the next 5 years, or the next 10 years, for that matter. What you get is a deficit that moves from $427 billion next year to $621 billion in the year 2015.

Let me just show you in three simple lines what this means looking backward over the immediate last 3 years.

When my Republican colleagues passed the President's budget and his tax cuts in the year 2001, his offices at OMB told us in earnest, we will not be back here hat in hand to ask to increase the debt ceiling of the United States, the legal limit on what we can borrow, again until 2008. So confident are we that these tax cuts will be replenished, we do not think we will be back here until 2008.

They were back here in the year 2002, asking for an increase in the debt ceiling of $450 billion.

The next year, 2003, they came and asked for a debt ceiling increase of $984 billion. Let me tell my colleagues for reference purposes how big that is. The entire debt of the United States when Ronald Reagan came to office was less than $984 billion. In one year, in one year, the Bush administration asked and the Republicans in the Congress, both Houses, acceded to a debt ceiling increase of $984 billion. That was May 26, 2003. Within 15 months, Secretary Snow from the Department of Treasury was back and said, we need more; we need more. And consequently, before we adjourned last November, the Congress again, with Republican votes, increased the debt ceiling by $800 billion.

That means in 3 fiscal years, 3 of the 4 fiscal years represented by the Bush administration's first term, the debt ceiling of the United States had to be raised by $2.234 trillion in order to accommodate the budgets of the Bush administration.

Today, we have before us a budget resolution which was crafted by the Republicans and by the gentleman from Iowa (Chairman NUSSLE). Very little collaboration. A lot of civility. We have a great relationship, but little collaboration. They did their thing; we did our thing. Basically, what they have done is a take-off on the President's budget. It is very similar to the President's budget.

So instead of taking my word for what the consequences of this budget are, let me show something that every Member has in his or her office right now. It came yesterday, March 15: an analysis of the President's budgetary proposals for the fiscal year 2006, prepared by the Congressional Budget Office, which, as everybody knows, is neutral and nonpartisan. Members do not have to read the whole thing, although I would commit it to their reading. They just have to read to the second page. Table 1.1 on the second page, if they read there, they will see the implications of what they will be putting in train if they vote for this budget resolution, which is basically the President's budget request.

And that is, according to CBO, we will add to the debt of the United States $5.135 trillion over the next 10 years. Another $5 trillion on top of the $2.2 trillion that I have just shown will be added over the next 10 years as a consequence of passing this budget. That is not cutting the deficit in half. That is letting the deficit soar and soar and soar.

To mitigate the problem, the gentleman from Iowa (Mr. NUSSLE) and his colleagues on the Committee on the Budget have prepared some cuts in domestic discretionary spending. The irony here is they and the President both go to one sector in the budget that has not been growing over the last 3 to 4 years, and they take their cuts almost exclusively out of these domestic programs, programs like education and veterans health care and the environment.

Yet where the real cost increases, spending increases, are coming is not in those accounts, which constitute about $350 billion and have basically been flat for the last 3 years. As this chart shows, over the last 4 years, 90 to 95 percent of the spending increases have come from defense, understandably, the reaction to 9/11, post-9/11, and to an account in the budget that did not exist 3 years ago, Homeland Security. That is where the growth is coming.

But in instead of going to this growth, instead of going to these items in the budget, they are concentrating on domestic discretionary spending, and I tell my colleagues while we can take a hit this year, $150 billion over 5 years, a significant reduction, and maybe some more next year, pretty soon we are going to reach the tolerable limits of what we can do in the way of cutting education, law enforcement, infrastructure improvements, and things like that in the United States.

So there are limits to where we can go and the methods they are choosing, and that is why I say this is the path we are taking. Here it is when CBO sends us their report: $5 trillion. And, by the way, that does not include anything for the additional cost of the war past the year 2006, and that is because the President does not have it in his budget. The gentleman from Iowa (Mr. NUSSLE) to his credit said we know we are going to be there in 2006. We know basically what it costs, we should put something in our budget to reflect that cost. And he put $50 billion in his budget. The President did not. If we adjust his budget, as represented here in CBO, for the likely cost of being in Iraq and Afghanistan for some years to come, it adds another 300 to $400 billion to the tally. It pushes it on up even more.

So that is what we have before us, a very tough, almost intractable problem. And I wish I could say that for all of this arduous effort I thought that we were beginning to get our hands around the problem. I do not think so.

We have offered a substitute that we think is better fiscally and better in terms of our core values, the values

that we support and we think the American people share: the education of our children, for which we do more; the health care of our veterans, for which we are committed and do more; the development of our communities; and the quality of our environment. We do that simply by bringing spending in the domestic discretionary accounts back to baseline, that is, to current services, enough to prevent them from being eroded away by inflation, but not by any significant increase.

Those changes plus the plan we lay out will bring our budget to balance by the year 2012. We think that ought to be the effort and aim of every budget that is presented here in the well of the House, getting back to balance as soon as possible and will incur less debt than the budget resolutions being offered to us.

So we have got plenty to debate here today, but we have got an alternative on our side that protects our core values and priorities, the education of our children, the health care of our veterans, the development of our communities, the quality of our environment, and one also that is fiscally responsible. One also that will move us to balance sooner in time more assuredly than the Republican resolution.

We look forward to the debate. We believe that we have the better choice, the better resolution; and we will be presenting in the course of the day the reasons why.

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

Mr. NUSSLE. Mr. Chairman, at this time I would like to have our Members talk a little bit about our continued strength as a Nation.

Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. CRENSHAW), a member of our committee, to talk about national defense.

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Mr. CRENSHAW. Mr. Chairman, I thank the chairman for yielding me time, and want to commend him for his hard work in crafting this fiscally responsible budget which fulfills Congress's commitment to protecting American citizens.

As the chairman just stated, the driving force of this budget is to make sure, first and foremost, that our most critical priorities are met, and there is no greater priority in this budget than making sure that America's continued strength and security are intact. Our number one commitment to the American people continues to be the protection of their security.

Five years ago when I decided to run for Congress, I decided because I looked at our military, I saw that it was underfunded, I saw that it was overdeployed. In fact, in the late 1990s, the service chiefs had warned Congress that our Nation was on the brink of a hollow military, with inadequate funding for troop training and maintenance of equipment.

This became painfully clear when we were attacked on September 11. Our Nation had severe defense and homeland security deficits that had to be addressed immediately. Since that day, Congress has shown that we are more than willing to spend whatever is necessary to protect and defend our Nation and support our troops.

Since September 11, we have spent $1.9 trillion, almost $2 trillion, to provide for the defense and homeland security of this Nation, and that does not include the supplementals that we have already passed, which add up to $248 billion. So we have done a whole lot of very necessary and very costly building, rebuilding and across-the-board updating to correct those deficits, and we acted quickly, deliberately, and in a bipartisan way to address those needs. I am glad to say that this year's defense and homeland security budget builds on the substantial progress we have already made.

Our national defense base budget continues the multiyear plan to enable the military not only to fight the war against terrorism today, but to transform our military to counter some of the unconventional threats that will come in the future, and Congress has shown that we are more than willing to do whatever it takes.

I am going to show you a chart, and this shows that since 2000 we have increased spending for the military by 66 percent. You can see it goes from $287 billion to $476 billion these last 5 years. So that is quite a commitment.

Now, this budget accommodates the President's request for the Department of Defense and increases our spending this year up to $419.5 billion, almost $420 billion. That is an increase over last year of 4.8 percent. It also proposes a sustained average increase of 3 percent over the next 5 years.

I think we all know that the most important part of our defense funding is for the people, the men and women who serve our country, the finest military personnel in the world. To support them and to allow the Department of Defense to continue to recruit and train first-rate forces, this budget builds on the critically needed funding increases of the past few years for military personnel.

Since President Bush took office, we have increased spending in military personnel accounts by approximately 40 percent, providing such quality of life advancements as, number one, an increase in military pay of 21 percent. We have reduced the average out-of-pocket housing expenses for military people from 18 percent down to zero. They do not have to pay on average any out-of-pocket expenses for their military housing. And we fully funded the health benefits for active duty members, for retirees and their dependents as well.

We spend money in operations and maintenance. That is the core of our readiness to fight this global war on terrorism. This budget provides for increases in training and education, operations and support for the military forces, maintenance of field weapons systems and equipment, and operation and maintenance of facilities. In total, operations and maintenance has gone up by 20 percent over the last 4 years.

To continue our effort to replace worn out or obsolete equipment, we provide for procurement of new ships, aircraft and vehicles, as well as the purchase and initial fielding of weapons systems, ammunition and other combat-related systems. Over the past 4 years, funding for procurement has increased 25 percent.

Also, as the chairman noted in his opening statement, we have included in our budget $50 billion to fight the ongoing War on Terror.

Mr. Chairman, the number one responsibility of the Federal Government is to protect American lives, and I am proud to say that this budget does just that. I urge its adoption.

Mr. NUSSLE. Mr. Chairman, I yield 4 minutes to the gentleman from Kansas (Mr. RYUN) to talk about homeland security.

Mr. RYUN of Kansas. Mr. Chairman, I thank the gentleman for yielding me time, and I want to compliment the gentleman and the staff for putting together what I consider an excellent budget. Your work will be recognized as we move this.

Continuing our progress in providing for homeland security, this budget provides for a total homeland security spending of $49.9 billion, an increase of 8.6 percent. About 55 percent of that would go to the Department of Homeland Security or other homeland security-related funding spread through the government, including the Department of Defense, Health and Human Services and Justice as well.

These funds will work to meet the needs in three key strategic areas of homeland security, including, first of all, preventing attacks. We provide for increases in funding for homeland security programs and agencies specifically designed to help prevent attacks from occurring, including border security, counterterrorism and counterintelligence.

Secondly, we reduce other vulnerabilities. Our budget works to reduce and eliminate the risk of attacks at our ports, rails, in the skies, our food supply and roads by allowing for increases in many of the programs and agencies to help protect these important areas of commerce and travel.

Thirdly, ensuring preparedness. This budget also helps to ensure that our first responders have the necessary material and equipment to handle emergencies as well as adequate disaster preparedness through FEMA.

Key initiatives of the President's proposal supported by this include: $40.4 billion for total homeland security spending, excluding the Department of Defense homeland security spending; $38.3 billion for the Department of Homeland Security, a 177.5 percent increase for agencies moving into the department from fiscal year 2001;

and the increase in this year's budget follows on the heels of truly substantial increases over the past few years.

As you will see from the chart we are going to put up now, this chart shows only the non-defense discretionary spending and illustrates what we have done in the past years in the area of homeland security since 2001.

In 2000, spending in this category, as you can see from the bottom over here, was $9 billion, so over the past years we have increased that by 28 percent, where we are now up to an estimated $32 billion. So the increase has been there and we are doing what is right.

We have invested more than $50 billion to create the Department of Homeland Security, reorganizing 22 agencies consisting of 180,000 employees and their missions and invested heavily to protect the homeland against threats such as bioterrorism.

As I said a moment ago, there is no higher priority in our budget, or certainly in the budgets of the past few years, than providing for what is needed for the protection and security of our country and support of our troops. That said, we want to ensure that the money we are spending is being spent wisely and with proper planning and oversight. As the chairman has often said, and we are working on here, many times too often around here we judge our progress simply on how much we are spending, instead of how well we are spending it.

Aside from the increases the President has proposed for both homeland security and defense, his budget recommends reducing total funding for non-security discretionary programs by about 1 percent from the current year's level. Particularly under these circumstances, we want to make sure that every dollar we spend is spent wisely and with proper planning and oversight. The homeland security defense spending is certainly no exception.

Mr. SPRATT. Mr. Chairman, I yield for the purposes of a unanimous consent request to the gentleman from Virginia (Mr. MORAN).

(Mr. MORAN of Virginia asked and was given permission to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Chairman, I thank my friend the gentleman from South Carolina for his leadership.

Mr. Chairman, I rise in support of the fiscally responsible Democratic alternative budget offered by the gentleman from South Carolina (Mr. SPRATT) and in opposition to the Republican leadership's unbalanced budget.

Mr. Chairman, the annual budget resolution is not a legally binding document, but a guide, a blueprint for our Nation's budget. While the House regretfully—and irresponsibly—failed to pass a budget resolution last year, we should not by our inaction diminish its importance. The budget resolution should reflect this body's values and priorities and those of the American people. Unfortunately, Mr. Chairman, the majority's 2006 budget resolution does not reflect the American people values, priorities and needs, let alone their children's needs. This budget will, in fact, hurt the vast majority of Americans for years to come.

This budget resolution makes tax cuts for the wealthiest in our society its top priority. By contrast, it puts little or no priority on programs to serve veterans. It slashes funding to protect the environment and eliminates numerous education programs. Low-income households and underserved communities take the worst hit through excessive cuts to health care programs, education, critical infrastructure and housing.

These funding cuts include the elimination or substantial reduction of 150 programs. For example, the Department of Education eliminates 48 programs, costing a total of $4.3 billion, and the Department of Health and Human Services eliminates 33 health and social services programs costing $2.0 billion. Some cuts are implemented over a 10-year budget window, but many are eliminated entirely in fiscal 2006. For example, all vocational education programs are eliminated immediately. The budget slashes $522 million for all technology education programs and $437 million for State grants for safe and drug free school and community programs. The Environmental Protection Agency, EPA, budget is cut by nearly one half billion dollars, jeopardizing EPA's ability to enforce environmental regulations and coordinate mitigation programs with State and local governments.

The Republican budget cuts veterans' health care by $14 billion below current services over the next 5 years. These cuts come at a time of unprecedented growth in demand for services. The Veterans Health Administration, VHA, is struggling to provide adequate health care services for our aging Vietnam, Korean, and World War II veterans, in addition to serving the needs of the countless and increasing Iraq war veterans.

The Congressional Budget Office predicts that the administration's policies expressed through this budget will result in deficits of $250 billion or more each year over the next 10 years. The programs I just cited represent a small portion of the discretionary budget. Targeting environmental, veterans, health care, education, basic scientific research and housing programs for cuts, while advocating permanent tax cuts that benefit the highest income tier, is not the way to balance the budget.

These discretionary programs represent only 16 percent of the deficit but are charged with nearly 100 percent of budget cuts. While the tax cuts represent the cause of the majority of our deficit, they will not be pared back but instead are made permanent.

The Bush administration and its House leadership proposes to make tax cuts permanent even though this policy would cost $1.5 trillion over the next 10 years. Mounting debt and enormous interest obligations will be borne by current and future generation. Equally troubling, most of our new debt is being purchased by foreign nations. Japan and China, for example, hold nearly $1 trillion in American debt. A decline in the dollar's value against the Euro during the last year has not gone unnoticed by foreign governments that finance U.S. deficit spending. Financial ministers have expressed increasing concerns about America's unwillingness to reduce deficits. Asian nations, including South Korea, are now balancing their currency portfolio with Euro purchases. Without a historical comparison it is difficult to adequately predict what impact these trends will have on American economic and national security. Some of us are growing increasingly concerned by the administration's lack of a comprehensive strategy for reducing our reliance on foreign financing. even acknowledgment of the problem would be helpful.

The President has insisted on cutting taxes during a time of war. You don't finance two wars with five tax cuts. President Bush is the only president ever to do so, and his stubborn pursuit of additional costly "reforms" (such as the multi-trillion dollar Social Security privatization plan) seriously imperils America's ability to compete in the future against emerging economies in Asia and the European Union. Our economy, particularly in my home district on Northern Virginia, is currently in pretty good shape. But our standard of living and growth cannot be sustained if we insist on deferring enormous debt and interest obligations to future generations. The House leadership's blind acquiescence to the President's policies is regretful and irresponsible.

Mr. Chairman, I urge my colleagues to vote against the Republican leadership's budget, which basically rubber stamps the President's budget. I strongly support the Spratt alternative Democratic budget, a much more responsible and morally defensible budget.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Chairman, I thank my friend, the gentleman from South Carolina, who is one of the most able and honorable Members of this body. I also want to congratulate the gentleman for having put together a budget that reaches balance.

The other side talks a good game. They do not produce. Every year the ranking member's budget has a lower deficit than the Republican budget.

My point today is simple: On the floor of this House, there are two pictures and two pictures only: One is George Washington, to my right, and the other one is a gentleman people in the galleries have trouble identifying. Who is he? He is a Frenchman, the Marquis de Lafayette. Why is he here? Because during the American Revolution, they loaned us money to help us beat the British.

There is always a race between the creditors and the citizens. Well, under the Republican budget, the creditors start winning in the year 2009. This is it, the tipping point. In the year 2009, we will be spending more money to service our debts, increasingly to foreigners, than we will be spending on our own citizens on domestic non-defense discretionary spending. That is an outrage. It will be better starting in the year 2009 in terms of domestic government in this country to be a creditor and not a citizen.

And the trend that is being set by the Republican budget just gets worse. Do not take my word for it, listen to the Government Accountability Office. By the year 2040, under present trends, it will take all the revenues of the Federal Government just to pay interest

on our debts. There will be no national defense, there will be no Social Security, there will be no Medicare, there will be no government left. The Republicans have put us on a road to ruin.

One of the speakers recently just said, well, we have a strong defense. That is good. We are borrowing more and more of the money from the Chinese. Who do you want pictured on the wall of the House of Representatives in future years? Do you want the Marquis de Lafayette, or do you want Hu Jintao of China, or Prime Minister Koizumi of Japan, or do you want Tony Blair of Great Britain? Because these creditors have more and more power over this country because we are borrowing more and more of their money.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Hawaii (Mr. CASE).

Mr. CASE. Mr. Chairman, I thank the gentleman, and I am very happy that the gentleman from Tennessee (Mr. COOPER), my predecessor speaker, spoke of what happens next. Because I think as I look at this budget and I ask myself what is really wrong with this budget, of course, we are going to hear a lot of detail this afternoon and it is easy to get lost in the detail, and frankly it is easy for detail to obscure the underlying principles and rationale for a budget.

But let us get beyond the detail and ask ourselves a basic question, how long out does this budget go? Can you believe that this budget only goes 5 years? It only goes out 5 years.

Now, what if I came home and I told my wife, I have got a great family budget, it goes one year, knowing that I have a balloon payment on my home mortgage the following year?

What if my accountant gave me a 3-year budget for my family, knowing that I would retire in the fourth year?

What if my business ran a 5-year budget, and I knew that I had to replace my entire plant inventory in the sixth through the tenth year? I think I would be told to get out of budgeting.

And what if I told you that this budget goes 5 years, because the consequences of the budgetary policies that are inherent in this budget come home to roost after that 5 years. And what if I told you that for that exact reason in prior years we have run 10-year budgets, but we did not do it in the last couple of years. And why would we do this? Because the consequences are obscured beyond that 5 years.

I know what I think about that, and I know what the Democrats think about budgeting only until it hits the fan, and that is wrong.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CARDOZA).

Mr. CARDOZA. Mr. Chairman, I rise today to express my disappointment with the lack of attention to our Nation's fiscal crisis. We have a budgeting process that simply defies logic. The system is broken, plain and simple. We need to focus our efforts on finding a cure for our addiction to budget deficit spending.

This dog of a budget does not hunt, but the Blue Dog Coalition has introduced a 12-step reform plan that is a good place to start with reforms. It requires a balanced budget, stops Congress from buying on credit and puts a limit on spending. It requires an accurate account, cost estimates and allows sunshine to purify the process. It is no secret that our national debt is out of control. We are expected to run a $427 billion deficit in 2005, with more deficits projected as far as the eye can see.

We do not even have a firm grip on where our money is going. Within the Department of Defense, only six of 63 departments are able to produce a clean audit. That is less than 10 percent.

□ 1600

This budget omits so many major expenses that it is a sham. The administration has essentially cooked the books using Enron-style accounting and Congress is just blindly going along with the program.

We find ourselves trying to pass a budget that hides half of our problems. We know that foreign holding of U.S. debt is on the rise. Interest on the national debt is the fastest growing area of the Federal budget, and the trade deficit is totally out of control.

What are we doing about it? Not a darn thing.

I hope that this Congress will wake up and restore fiscal responsibility and accountability. It is time to stop digging this hole deeper.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE of Kansas. Mr. Chairman, we have in this country a $7.7 trillion national debt. We have deficit for the past 4 years of over $400 billion a year. We have interest between a half a billion dollars and three-quarters of a billion dollars a day, interest a day on our national debt.

We have got to change the way we are doing business in this country, or our children and grandchildren and future generations will not have a chance. The first rule of holes is when you are in a hole and you do not want to go deeper, stop digging. We just keep digging this hole deeper and deeper and deeper.

This should not be about Republicans and Democrats. This should not be partisan at all. We are all in this together. We ought to be working together to return to fiscal responsibility. Some people talk fiscal responsibility, but they are not willing to practice it.

I proposed a couple of years ago that we reinstate what is called PAYGO, pay-as-you-go rule. That would require if you have a new spending proposal or a new tax cut proposal, you have to say how it will be paid for. Pretty simple, pretty commonsense.

Chairman Alan Greenspan has recommended that to the Committee on the Budget, to the House of Representatives that we should return to the PAYGO rule and we should do that. That would keep us from putting our country deeper and deeper in debt. But we are not doing that, and we have got to change the way we are doing business here.

We are putting our kids and grandchildren in a hole so deep I am concerned that they will never be able to climb out if we do not turn things around here.

We should all come together, Republicans and Democrats, and say we are going to restore fiscal responsible; we will take care of business. But we cannot have just unlimited tax cuts. It is like a kid going into a candy store saying, I got a dollar, when what he wants to buy is a $1.50 worth. They say, You do not have enough money. But I want it. Well, we cannot have everything we want. We can have selected tax cuts, we can have selected spending; but we cannot have everything across the board and keep our country in the black.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Mr. Chairman, I do not think the American people realize how bad the situation here is in Washington and how financially mismanaged our government has been over the last 4 years.

Since 2001, this country has borrowed in hard dollars $1.12 trillion. What that means to every citizen is simply this: at 5 percent interest, that is over $50 billion a year that has been transferred away from addressing the problems of health care and veterans and education and the things that will keep our country competitive into interest. What is worse than that though is since that time 84 percent of the budget deficit that we have run, the money we have borrowed has come from foreign interest.

We are now sending $80 billion a year overseas in interest checks. We are bankrupting America while this country, this Congress fiddles. And this situation is not only dire and getting worse by the second. We are borrowing $13,000 a second, paying interest at about $5,000 a second.

If you took 1,000 dollar bills and stacked them on top of one another, one million dollars would be about a foot high. A billion dollars would be about as high as the Empire State Building, and a trillion dollars would be a thousand times as high as the Empire State Building. This government has borrowed over $1 trillion in the last 48 months, and we are doing nothing in this budget to address that problem.

We are lording over the largest budget deficits in the history of the United States. That is the record. I mean, people are entitled to their opinion. They are not entitled to their own set of facts. This is not something that is going to happen in the future. This has happened and is happening now.

The director of GAO was before the Committee on Ways and Means last week. Do you know what he said? He said if we continue on this course, if we do what the administration and this Congress recommends, and that is make the tax cuts permanent, and spending only grows at the rate of growth of the economy, in the year 2040 every dime that comes into Washington, D.C. will be going to pay interest. There will be nothing left, 35 years from now.

I do not know if I can impress on the American people enough to demand that something be done about this horrible mismanagement of their country and their country's finances.

Mr. NUSSLE. Mr. Chairman, I yield myself 30 seconds.

I say they have demanded and we are responding; but I do not hear any of them saying we want a tax increase like the Blue Dog budget is going to offer. That is not what they are saying.

We do not need more taxes to come into Washington from this oversized government. We do not need that from the Democratic substitute. We do not need it from the Blue Dog budget. We do not need a tax increase. There is not anybody balancing their checkbook around their kitchen table in Iowa saying, gee, Mom and Dad, let us figure out a way to pay more in taxes.

They want us to control spending. So we will talk about controlled spending.

Mr. Chairman, I yield 6½ minutes to the gentleman from Florida (Mr. PUTNAM) to talk about the discretionary part of the budget.

Mr. PUTNAM. Mr. Chairman, I appreciate the chairman's leadership in this effort. As he noted in his opening statement, we have spent a great deal in these past few years to secure our Nation in the wake of the September 11 attacks. But at the same time we were directing a huge new share of resources to those urgent needs, we were also continuing to keep pace in our domestic nonsecurity programs like education, health care, veterans, agriculture, a whole host of other issues outside of defense and homeland security that people associate with their government.

On 9/11, our priorities shifted as a Nation, but our fiscal priorities remained the same. We kept growing our domestic programs by the same levels we had been, the rate of which would have been unsustainable even without a September 11. Over the past decade, we have increased programs almost across the board, and in many cases doubled, tripled or even quadrupled the rate of inflation.

I say that because out of one side of the mouth of the opposition comes a plea for fiscal restraint and out of the other side comes a hue and cry at the devastating terrible cuts that are being beset upon the American people.

Let us look at what the impact of domestic spending has been over the past decade. A Mount Everest of increases in discretionary spending. As we can see, overall discretionary spending grows since 1994, a very steep line. With the exception of last year which was the first time in a long time that we began the process of slowing growth, on average we have increased discretion spending by 6.1 percent per year for over a decade.

Let us look at some of the key areas that make up that portion of the spending. In the last 5 years, the Republican Congress has increased education funding by an average of almost 12 percent per year. Over that same period of time, spending for the Department of Education has increased by 75 percent, almost doubling our commitment. In fact, aside from the newly created Department of Homeland Security, the Department of Education has grown faster than any other Federal agency or Department during this period.

Let us look at some of the key programs that make up two-thirds of the Department of Education's budget. Title I, since 2000 title I funding for low-income schools has increased by 55 percent. Pell grants which help provide lower-income students with funding for college has increased by 57 percent over 5 years. And while this decision will be left up to the authorizing committee, the President's budget request called for increasing that amount that students are eligible to receive under this program.

Let us look at funding for our special needs students. IDEA, the Individuals With Disabilities Education Act, or IDEA, provides for those needs of our most important and sensitive children in the school system; funding has increased by 87 percent in the past 5 years.

In addition to increased funding, Congress also passed the No Child Left Behind Act which demands results in exchange for dollars. It works to forge a real link between education spending and classroom achievement while focusing resources on underperforming schools.

Now let us look at veterans, those men and women who have done so much to secure the freedoms and liberties that we enjoy and take for granted on a regular basis. I think that everyone should be proud of the commitment that we have made and continue to make in the area of veterans benefits.

Since Republicans took control of the Congress in 1995, tremendous strides have been made in improving benefits for our Nation's veterans through hefty increases. Budget authority since 1995 has increased 77 percent, beginning at $38 billion, ending up at $67.6 billion. A tremendous increase. In fact, that 77 percent increase compares to only a 40 percent increase over the previous 10 years.

Spending per veteran. Let us get right down to the veteran in your district. Spending per veteran since 1995, increased payments per veteran have gone up 103 percent compared with 43 percent during the previous 10 years. You could walk into any Legion Hall or VFW complex in America and be proud of that number.

Since 1995, we have increased VA medical care funding from $16.2 billion to almost $30 billion. And in 1996 and 1999, Congress expanded eligibility for medical care and as a result the number of veterans utilizing VA care has nearly doubled.

The Montgomery GI bill. Those veterans who return home and seek to improve their lot and develop their education skills, since 1995 Montgomery GI education benefits have gone from $405 to $1,004, an increase of 147 percent. And I will also note that prior to the Republican take over in 1995, under 40 years of Democrat control, there was no progress whatsoever on concurrent receipts. Now military retirees injured in combat or while training for combat who are 50 percent or more service disabled, are able for the first time in over 100 years to receive retirement benefits at the same time as their veterans disability compensation.

About a month ago, the Charleston Gazette ran this quote, and I will share it: ''Bush increased VA spending by 27 percent in his first term. As factcheck.org pointed out, funding for veterans is going up twice as fast under Bush as it did under Clinton. And the number of veterans getting health benefits is going up 25 percent.''

The bottom line is that domestic discretionary needs have been met and continue to be met under this blueprint that the gentleman from Iowa (Mr. NUSSLE) presents today.

Mr. NUSSLE. Mr. Chairman, I yield 7 minutes to the gentleman from Mississippi (Mr. WICKER) to talk about automatic spending or mandatory spending. We do not need a tax increase. We need to control spending.

Mr. WICKER. Mr. Chairman, I thank the gentleman for yielding me time, and I thank him for saying what he did earlier about tax increases.

I have been watching these budget debates for 11 years now as a Member of Congress, 3 years as a member of the Committee on the Budget; and year after year the argument is the same.

Our colleagues from the other side of the aisle criticize our budgets in two respects. They say Republican budgets do not spend enough, and they say taxes should be higher. That is pretty much the gist of their complaints against our budgets. So I am glad to see the chairman pointing out his opposition and join him in adding my opposition to tax increases.

Now, I do want to talk as the chairman has asked me about mandatory spending. And I appreciate this opportunity as a member of the Committee on Appropriations, as well as a member of the Committee on the Budget.

As the chairman has noted, Congress spends a lot of time talking about discretionary spending, that part of the budget that makes up only one-third of total spending. The last time we made

any real effort to restrain the bulk of our spending, that part on auto-pilot, was back in 1997 and before that 1990.

Now if we look at this pie chart, we can see how much of our total spending has come to be mandatory spending: 48.7 percent in 1995, 54.3 percent today. And if we do not get a rein on it, by the year 2015, the portion of the budget over which we have little control or have chosen to have little control will grow to 62.1 percent.

□ 1615

Eventually this spending will crowd out other priorities which we also need to address.

Let us look at the other chart if we might. This one deals with student loans. We address much of our student spending with discretionary money, but student loans are mandatory programs. Since 2000, student loan volume has increased by 64 percent, with loans increasing by $31.4 billion to $80.7 billion today. This represents an annual growth rate of 10.5 percent at a time when our economy has grown by approximately 4 percent per year.

The next chart deals with Medicare spending. Medicare, of course, as we all know, is the Federal Government's nationwide health care system for 41 million senior citizens and disabled persons. That is 14 percent of the population. Since 1995, Medicare spending has grown 88 percent. This year alone we will spend $293 billion on Medicare. Over the next 5 years, CBO estimates that Federal outlays will amount to $2 trillion, and as my friend from Tennessee pointed out, $1 trillion is an awful lot of money.

Our next chart deals with Medicaid. Medicaid provides medical and long-term expenses to more than 40 million low-income families, elderly and disabled individuals. This is one out of seven Americans who benefit from this program. It serves as the cornerstone of America's health care safety net. Since 1995, Medicaid spending has grown an astonishing 211 percent. Let me repeat that. Since 1995, Medicare spending has grown 211 percent. According to CBO, this year the Federal Government will spend $183.2 billion on this important program, and over the next 5 years that spending will grow by over $1.1 trillion, an enormous rate of increase in this mandatory program.

So why have we allowed it to get to this point? And why are there still so few people who are willing to admit there is a problem, let alone trying to tackle the problem?

The first reason, mandatory spending is difficult to control. This spending is tied to a variety of factors outside Congress's control, demographics, economic conditions, medical prices and so on. In addition, we have an aging population, with longer life expectancy—that is a good thing—increasing benefits and ever increasing medical expenses. In addition, the baby boom generation, my generation, is about to retire, adding huge strains to the resources of these programs.

Secondly, these programs address critical needs that must be met, Medicare payments, Social Security payments, commitments to our veterans.

Almost everyone is affected by one or more of these programs, either ourselves, our children, our parents, our grandparents. In many cases, people associate these programs with the one check that they receive with their name on it.

Now, all of these factors make it especially difficult not only to control entitlement spending but even to discuss getting it back under control without causing concern to good, deserving people who worry that their benefits will be changed. So we have a big problem to deal with, not only to get our hands around the problem, but to do it in a way that is fair for today's recipients and tomorrow's recipients.

The President's budget addressed this problem by including savings in mandatory programs, just slowing that rate of growth, as part of our effort to get the growth rate under control and to help reduce the current deficit. Our budget, while not an exact duplicate of the President's proposals, begins the process.

It is important to remind everyone that this is not happening in a vacuum. As the gentleman from Florida (Mr. PUTNAM) pointed out, we have already taken the first steps toward getting a grip on discretionary spending.

Specifically, what does this budget do? It provides, for the first time since 1997, reconciliation instructions to the authorizing committees. It directs each of them to find a specified amount of savings. What it does not tell them to do is where to find those savings. That will be left up to the committees. The budget has a number that is given to each committee, and it directs the committee of jurisdiction to find that amount of savings. This is a critical step to begin the process of getting our mandatory spending back to a sustainable level, simply slowing the rate of growth of programs such as the one demonstrated on this poster.

It is a critical step, and I ask all of my colleagues to support this effort by supporting the budget, and I thank my chairman again for putting together a resolution that addresses the very needed mandatory spending restraint that is going to be necessary for our future economic prosperity.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Chairman, I thank the gentleman for the time.

It has to be tough. I am a good friend of the gentleman from Mississippi (Mr. WICKER) and a friend of the gentleman from Florida (Mr. PUTNAM). It has got to be tough for them and the chairman.

Back when they were on the committee a few years ago when this President first started in office, we had surpluses, and it was easy to go before the committee and debate how we would spend money we actually have or actually had and projected we would have. But today we are out of it, so much out of it that we have to come to the floor and almost pretend that we are doing something that we are not.

As much as I respect the gentleman from Mississippi (Mr. WICKER), and I know he has left the floor, he should call his own Governor, Governor Barbour, and ask him his feelings about the Medicare increases he bragged about here on the floor.

My Governor Bredesen in Tennessee was faced with an enormous shortfall, as most Governors are. I might add that the Governors were here not long ago, Democrats and Republican, and expressed their outright opposition to President Bush's budget as it related to Medicaid and even this budget as it relates to it.

The thing that is clear today, Mr. Speaker, is that our priorities are just very different than theirs. They accuse us of wanting to spend more. Yet the two most previous speakers bragged about how much spending they have done over the last several years. I would, too, if I was actually cutting budgets.

The VFW Hall that the gentleman from Florida (Mr. PUTNAM) said I should be proud to go into and explain what we have done over the last few years, it is funny. They were here passing out ribbons and arm bands, urging us to do more because this budget here actually cuts the budget for the Veterans Affairs Department by $740 million when we consider keeping up with inflation.

We ask those returning from Iraq to pay higher copayments for their drugs, and we even ask them to pay a $250 dollar entry fee.

All of these numbers we use here could be confusing to people back home, but here is the short of it. We are going to do less for those who need it most, and we are going to do more for those who need the least in this budget.

I would be embarrassed if I had to vote for this budget. Thankfully I do not, and frankly I do not even know if I am going to vote for all the things we are going to present on our side, for one reason. It is not balanced. Ours is more balanced than my colleagues, and as much as my colleagues may want to pretend that they are doing something for education when they talk about the increases, ask any State education commissioner how far off we are with our numbers for the No Child Left Behind Act, how far we are off for the poor children in this country. If my colleagues are proud of making those kind of cuts, go for it; vote for that budget.

The last point I would make is on Medicaid and Medicare. We want to say to poor people in this country that we are taking care of them and doing all that we can. Yet we will not say to drug companies in the country that we want them to negotiate directly with Medicare so we can ensure we get the

best price for seniors, for the disabled and for the poor working people across this country.

Vote no if my colleagues care about America and care about our future.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. Mr. Chairman, I thank the distinguished gentleman from South Carolina (Mr. SPRATT) for yielding me time, and I, more importantly, thank him for his tremendous leadership, for his leadership on the Committee on the Budget. He has presented budgets that are statements of our national values, that are balanced in terms of their priority and balanced in terms of their fiscal soundness. He has been a great teacher to the country and the Congress on this issue. We are indeed blessed by his exceptional leadership.

Mr. Chairman, with today's vote on the previous question, Republicans told their constituents exactly where they stood on Social Security. They want to privatize it. Defeating the previous question would have ensured that payroll contributions of millions of Americans are protected and are not diverted away from Social Security to fund private accounts, but Republicans voted unanimously to undermine Social Security with private accounts.

Even though Social Security privatization is the President's number one priority, the Republican budget hides the cost in and the harmful effects of Social Security privatization by refusing to include any details on the plan in the budget.

The Republican budget also continues the Republican raid on the Social Security Trust Fund by spending every penny of the Social Security Trust Fund over the next 10 years, totaling $2.6 trillion.

The previous speaker or colleague the gentleman from Tennessee (Mr. FORD) referenced that when President Bush came into office he came in at a time of surplus. Indeed, for the last 3 years of the Clinton administration, there was zero deficit. In fact, there were surpluses, and that tightening of the government's budget under President Clinton enabled the Clinton administration to pay back over $350 billion of our indebtedness, reducing the national debt. We were on a course of action in the budget of being debt free by the year 2008, debt free for our country, and what that means in terms of the budget and the debt service is remarkable.

Yet, President Bush came into office with his reckless tax cuts for the superwealthy. Not all of them were for superwealthy. We supported those for the middle class, but because of the size of the tax cuts for the superwealthy has driven us deeply into debt to the tune this year, if we include the supplemental, of about a half a trillion dollars in debt for 1 year, this is unconscionable.

The course of action that the Republican administration is on makes it nearly impossible for them to pay back the Social Security Trust Fund, the money they have taken from it to date.

Secondly, the private accounts and the transition costs of around $2 trillion for the transition over the next 10 years, is huge and, again, undermines Social Security.

So the deficit in the budget is directly related to undermining Social Security. It is essential that the President be stopped in creating these private accounts which drain money out of the Social Security Trust Fund, thereby weakening Social Security. It is essential that the President and the Republicans be stopped from their reckless deficit spending, their raid on the Social Security Trust Fund and their further deficit spending with their tax cuts for the superrich that will make it impossible for them to pay back the money to the trust fund.

This is money that the American workers have placed into the trust fund, that American businesses have matched by placing into the trust fund for retirement insurance. This money belongs to the American people. It is not a slush fund for President Bush to give tax cuts to the superwealthy at the expense of working families in America.

Democrats are committed to addressing the challenge which faces Social Security down the road. The first step towards strengthening Social Security is ensuring that Social Security contributions are used only to pay for the guaranteed benefit that American workers have earned through a lifetime of work, for retirement; for disabilities if, God forbid, that happens, a tragedy befalls their family; and again, for survivors and families who have lost a loved one.

Privatization makes the challenge facing Social Security worse by slashing benefits by more than 40 percent for future retirees survivors, the people with disabilities, if what we know of the President's plan, indexing to prices rather than wage, is proceeded upon, saddling our children and grandchildren with massive debt and jeopardizing the retirement lifeline provided by Social Security's guaranteed benefit.

Rather than diverting trillions with a T-R, trillions of dollars from the trust fund to fund risky private accounts, Democrats are committed to strengthening Social Security. Once privatization is off the table, Democrats want to work with Republicans in a bipartisan way to make any adjustments to keep Social Security solvent.

□ 1630

Indeed, Mr. Chairman, the issue is what we do about Social Security from the year 2050 to the year 2100. Contrary to what the President has put out there, there is no crisis facing Social Security. There is a problem down the road. We have time to deal with it in the right way, in a way that does not slash benefits, that does not increase the deficit, does not rob our trust fund of its funds and does not burden our children with all of that debt.

So we will go to the table and say, with the amount of money that should be in the trust fund, and if the administration honors its moral and legal obligation to pay the trust fund back the money it has taken out, then the trust fund and interest on it should take us well into 2050. And after that, the benefits would be at 80 percent, and that is what we have to deal with. We can deal with it soon. We can deal with it in a bipartisan way. Just as President Reagan did working with Speaker Tip O'Neill in 1983, we can work it out in a bipartisan way to strengthen Social Security.

Some say that the private accounts are an end in themselves. There are people who believe in private accounts. Others believe that the private accounts are just a decoy, just a Trojan horse that looks appealing to people because it is a new idea, that once they get it past the gates of the city that rotten underbelly of huge deficits will destroy Social Security.

Either way, private accounts have got to go. They take money out of the trust fund, and this administration has no visible means of paying that money back.

Today, again, the Republicans said with their vote that they want to undermine Social Security by privatizing it, while Democrats voted unanimously to strengthen Social Security for future generations. Let us honor our responsibility to future generations, to our children, also to America's workers. Morally and legally we are bound to give them the promise of America to pay their insurance; their retirement insurance; and, if in time of tragedy, their disability and survivor insurance as well.

Mr. NUSSLE. Mr. Chairman, we do not need a Democratic tax increase. We need to keep the economy growing.

Mr. Chairman, to speak about that issue, I yield 10 minute to the gentleman from Ohio (Mr. PORTMAN), vice chairman of the Budget Committee.

Mr. PORTMAN. Mr. Chairman, I thank the chairman of the Budget Committee for yielding me this time, and I am delighted to have the opportunity to talk about the importance of keeping the economy growing. And this budget certainly does that.

But let me take a moment, if I could, and respond to some of the comments by the minority leader with regard to the Social Security system. First, to say the criticism that your budget, Mr. Chairman, does not include Social Security, is kind of an unusual one, given that as the gentleman from South Carolina (Mr. SPRATT) knows, under the Budget Act of 1974, Social Security is off budget. And even if the Budget Committee, in all of its wisdom, decided we were going to reform Social Security, we would not have the ability to. You cannot do it in the budget.

And, secondly, although we heard a lot of criticism about some of the President's ideas and some of the other ideas to indeed modernize and save Social Security, we did not hear even outlines of a plan on the other side. So it is kind of hard to put a budget together, even if you could under the Budget Act, when there is no plan.

There is lot of denial about the problem we just heard. And there is a lot of criticism about those who would like to address the problem. I commend the President for addressing it. There can be no greater sense of leadership around this place, Washington, D.C., than someone who is willing to take on the third rail in American politics, Social Security.

Traditionally, it has been one that politically is very tough, hard to take on, referring to that third electrified rail in the New York subway system. You grab it and you are electrified. The President is taking it on, as are Republicans, because it is the right thing to do. It is the right thing to do for our seniors, to be sure they have strong Social Security. And as the President said repeatedly, anybody who is age 55 or older will not have their benefits changed one bit.

But more importantly, it is important for those succeeding generations. I have my 14-year-old son with me today. We want to be sure that his generation has an opportunity to have the same kind of peace of mind in retirement and the retirement security that we have all enjoyed.

And quite frankly, the math does not lie. The Social Security system was funded in a way that does not permit us to continue to provide those benefits to future generations because of the fact that we have people living longer, because we have more people who are about to retire, my generation, the baby boom generation, and because therefore we will have fewer people working to pay in those benefits.

We need to do something. We need to do it on a bipartisan basis. We need to put aside this notion that everything is off the table and criticism and denial and, instead, address the very real problem we have. And the very obvious solution is to do something sooner rather than later because the sooner we do it, the less impact it will be on our economy, on our budget, and on our young people.

The gentlewoman from California (Ms. PELOSI) talked about the reckless tax cuts that have driven us into debt. Well, what have we seen over the last 4 years? It is not tax relief that drove us into debt. Over the last 4 years we have seen remarkable changes in our Nation's economic picture after having endured the bursting of the stock market bubble, the corporate scandals, a recession, the terrorist attacks and their aftermath and, of course, the uncertainties of an international war against terrorism, including our conflicts in Afghanistan and now in Iraq.

These things have resulted in two things. Number one, because of the recession, less revenue. And of course that is the number one reason we find ourselves with a growing deficit over the last few years. And all the data supports that, from CBO, from OMB, all the nonpartisan actuaries looking at this issue. All those who analyze it say the same thing. When you have less revenue coming in, lower capital gains, lower corporate income tax, lower individual income tax because of recession, that is the number one reason.

The second reason is increased spending. And, yes, this Congress has increased spending, and in a few areas as has been talked about earlier today, it was necessary. One, of course, is Homeland Security. Once again, this budget provides for substantial increases in our Homeland Security budget because we need it to protect our country against the terrorist threat.

Second is with regard to defense. We inherited not only a recession over the last 4 years, but also a deficit in terms of our defense. We needed to rebuild defense. And again today we will vote on a budget, or this week on a budget, that will increase substantially our commitment to the defense of our country. So some spending has been increased, and some other areas as well.

Tax relief is specifically focused on growing that economy, getting us out of that recession, moving us to a point where we have increased revenues coming in. And you know what? The strength and resilience with which our Nation has responded to the challenges I talked about earlier, the recession, the terrorist attack, the stock market bubble, the corporate scandals, has been incredible. And it has been because of the tax relief. The tax relief, as opposed to the less revenue from the recession, as opposed to the increased spending, the tax relief has actually enabled us to move out of a recession into economic times where we see good economic growth.

We have acted together to address those deficits in our Homeland Security, our national security, and also put in place through tax relief the necessary incentives to grow our economy. Because of that, we are in a very different position today than we were 4 years ago.

In fact, the general consensus of both public and private forecasters is that the US economy is in a sustained expansion growth period, with real solid GDP growth over the last year and going forward, real growth and payroll jobs, low unemployment and very low historical inflation.

This chart shows the GDP growth. Starting in 2003 going up, real GDP growth has increased for 13 consecutive quarters. In 2004, our real growth was 4.4 percent. That makes us the envy of the developed world. It is the strongest growth we have had in 5 years and one of the strongest in 20 years.

The Budget Committee recently heard from Chairman Alan Greenspan from the Federal Reserve who said the U.S. economy delivered a solid performance in 2004 and thus far activity appears to be expanding at a reasonably good pace. The Fed projects we will have real GDP growth this year of between 3½ and 4 percent, and again good growth in the proceeding year.

This growth is because, again, the tax relief is beginning to work. This includes real business investment, increasing at a rate of 15 percent over the last year and a half. The best performance in real business investment and equipment over the past 7 years, shipments of nondefense capital goods, which is a key measure of private business investment, has rebounded very strongly.

Homeownership has also increased dramatically. We are now seeing the best homeownership rates that we have seen in our country's history. Housing construction is at its best in 20 years. This shows a record high in homeownership, including among minorities.

Unemployment is also a good story. If we look at what has happened since the tax relief was put in place, payroll employment has increased by 3 million jobs over the past 21 months. Just last week we saw job gains of 262,000 new jobs, more than a quarter million new jobs in February. Again, that is something that we should be proud of as a Congress, something we should be very pleased about. Significant improvement in jobs and labor markets has occurred and is expected to continue as new claims for unemployment insurance are at their lowest level in over 4 years.

Even the stock market is rebounding. Despite all the problems we have gone through with the markets we talked about earlier, the Dow-Jones Industrial Average has been at its highest level in 4 years. The Dow has nearly tripled in value over the last 4 years. These are not just figures or abstractions; these mean real jobs for real people we represent. It means we have higher investment in plants, in business, and equipment. We have higher business income; we have higher wages, higher take-home salary. This is happening in America right now. We need to be sure that continues.

Expanding job opportunities and solid income growth is what this budget is all about so every American who wants to work can work and find a job. That is what makes this a Nation of opportunity and prosperity. Today, because we have an improved economic picture, things are better; but we are not finished. We need this momentum to continue. We need to be sure we continue to see the kind of economic growth we have seen, and that means we need to continue the tax relief we passed in 2001, 2002, and 2003.

The minority leader earlier talked about the reckless tax cuts that caused the deficit. We talked about what caused the deficit. Here is what has resulted from those reckless tax cuts: 3 million jobs in the last 21 months. There are a lot of factors in the economy; but the one we can control is the

fiscal side, and that is our spending and our tax relief.

What this budget does is it says we need to continue that tax relief. We are not going to increase taxes just now as our economy has finally gotten back on track, as the people we represent have finally seen the kind of opportunity we all want them to have. We are not talking about new taxes; we are talking about keeping the tax relief that was in place in 2001, 2002, and 2003 by this Congress, put in place by this Congress, so we can continue to have good economic growth.

The speed and the strength of the economic recovery of the past several years has been due in large part to this tax relief. We cannot forget that as we look at this budget. We also need to keep spending under control.

Earlier this month, Alan Greenspan told us that the notion of raising taxes in response to deficits ''posed significant risk to economic growth and the revenue base'' and that in his judgment we should aim to ''close the fiscal gap primarily, if not wholly, on the outlay side.'' That is what this budget does. It makes some tough choices in nondefense discretionary spending, some tough choices in terms of our entitlement growth. Our entitlement programs are growing well beyond inflation.

As the gentleman from Iowa (Chairman NUSSLE) has laid out today, this budget calls for a lot of responsible ways for Congress to help itself to control spending, controlling discretionary growth, allocating discretionary spending to defense and homeland security priorities, as we talked about earlier, and calling for reconciled reductions in the amount of growth on the mandatory spending side. None of it is going to be easy.

A lot of us here in Congress have gotten pretty comfortable in signing off on big spending increases and free-flowing new spending. But success at keeping taxes and spending down is critical to a strong economy and with it higher standards of living for our Nation's workers and our families.

The gentlewoman from California (Ms. PELOSI) talked about the good old days in the 1990s when we did have an opportunity to get the deficits down and get some surpluses. We did it very simply by keeping taxes under control and keeping spending under control. That is what this budget provides for, so we can reduce the deficit in half in 5 years and see that opportunity continue.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

To respond to the gentleman, I would say that Mr. Greenspan has told our committee three times that we should borrow from the experience of the 1990s, reinstate the so-called pay-as-you-go rule, and apply it both to entitlement spending increases and additional tax cuts, including renewal of expiring tax cuts as a means of diminishing the deficit and improving the bottom line.

In the interest of full disclosure, we ought to acknowledge that advice was given to us three times, and it is in our budget resolution. We recommend it in two places in our budget resolution. The one discipline proven to work that we ought to institute at the very least is PAYGO and apply it both to entitlement spending increases and to additional tax cuts, per the recommendation of Chairman Greenspan.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, while the majority cynically tells America that they will cut the deficit in half by 2009, here we go begin. A simple review shows that the budget will add $127 billion 5 years from now and make the situation even worse.

□ 1645

This is the legacy we are giving to our kids. We are telling them, ''We've got a deal for you. We're going to privatize part of Social Security.'' They are going to need the money to pay the interest on the debt. They better save their money.

My friend from Ohio has presented probably the best defense of deficit spending that I have ever heard. Along with the false claims and the budgetary sleights of hand, remember, these are the same folks who since 2001 have converted a $5.6 trillion surplus into a deficit of $4 trillion, a $9 trillion turnaround. Defend that.

It really takes a special talent to underfund education, to underfund veterans' programs, to cut Medicaid, to fail to protect Social Security and still raise the deficit. Over and over again it is clear, Mr. Chairman, the leadership in Washington has no credibility when it comes to handling the people's money. We are good at giving tax cuts to Sammy Sosa and we forgot the very people who are fighting on the front lines.

It is not just doing the congressional budget process where this is apparent. A lack of credibility with America's money seems to be the order of the day throughout government. Just this morning, we completed another $81 billion supplemental for a war the administration told us would cost $100 billion in its entirety. We were told that the war would be paid for by oil revenue. Just this week, we found out that Halliburton has overcharged the Pentagon more than $108 million in excess billing, a sum that would pay for 592 up-armored Humvees which we disgracefully did not provide for our troops at the beginning of this war, or 2,250 explosive device jammers for our troops in the field. We are going to hear these conversions of costs over and over and over again. Mr. Chairman, get used to it.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I rise in strong opposition to the Nussle budget. This budget cuts $20 billion from Medicaid. Our friends on the other side of the aisle claim that this is not a cut, just a reduction in growth.

But it is a cut. When prices increase, and they surely have in health care, and spending does not match that increase, you are reducing the program's purchasing power. You are cutting the program. This budget is going to deny States, health care providers and low-income working families $20 billion for the health care services that they would have had. And there is no evidence that closing loopholes or fighting waste, fraud and abuse would save anywhere near this amount.

Medicaid provides health care, irreplaceable health care, to 52 million of our poorest children, poor pregnant women, parents and the elderly. It is a critical source of acute and long-term care for 13 million elderly people and disabled people. These are real people who would be affected by cutting $20 billion out of Medicaid.

Mr. Chairman, since the President took office, the number of uninsured has increased by 5.2 million. Without Medicaid, this number would surely have grown much higher. Medicaid enrollment grew by 6 million over the same period, covering many people who would otherwise have been uninsured. Even so, Medicaid costs have grown about half as fast as private health insurance premiums have grown. Between 2000 and 2003, Medicaid per capita spending went up 6.9 percent while private insurance premiums shot up over 12.5 percent. The growth we have seen is a result of the skyrocketing health costs that the President has allowed, not Medicaid itself.

If these cuts in Medicaid are made, the ranks of the uninsured will surely increase, the economy will become weaker, and health care costs would skyrocket even more because fewer people would be unable to afford regular checkups and preventive measures but would be stuck by going to the emergency room as a last resort. That is why the National Governors' Association opposes these cuts. It is why faith-based organizations oppose these cuts. And it is certainly why organizations, which I have a list of here, like the March of Dimes, the National Association of Children's Hospitals, the American Academy of Pediatrics and the AARP, all of these groups and many more oppose the cuts that this budget puts into Medicaid.

I urge my colleagues to vote against this budget and these draconian cuts in Medicaid.

Mr. NUSSLE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PORTMAN) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the concurrent resolution (H.

Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, had come to no resolution thereon.

## PERMISSION TO OFFER AMENDMENT OUT OF SPECIFIED ORDER DURING CONSIDERATION OF H. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

Mr. NUSSLE. Mr. Speaker, I ask unanimous consent that during consideration in the Committee of the Whole of H. Con. Res. 95 pursuant to House Resolution 154, the gentleman from Texas (Mr. HENSARLING), or his designee, be permitted to offer amendment numbered 2 in House Report 109–19 out of the specified order.

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

There was no objection.

## CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

The SPEAKER pro tempore. Pursuant to House Resolution 154 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the concurrent resolution, H. Con. Res. 95.

□ 1652

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, with Mr. LATOURETTE in the chair.

The Clerk read the title of the concurrent resolution.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the gentleman from Iowa (Mr. NUSSLE) had 1 hour and 7 minutes remaining and the gentleman from South Carolina (Mr. SPRATT) had 1 hour and 26 minutes remaining.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. I thank the gentleman for yielding me this time.

Mr. Chairman, the budget is a reflection of our values and priorities as a Nation. Congress should support a Federal budget that will make us more competitive in the global economy, spread prosperity to more Americans and reestablish fiscal discipline to ensure a better future for our children. This budget resolution takes us in the wrong direction. In order to cover up the President's mismanagement of the economy and the resulting mountains of debt, the Republican budget sacrifices important domestic priorities like Medicaid. This budget resolution cuts Medicaid more deeply than the President's proposal, as much as $20 billion over 5 years. Slashing Medicaid will have a devastating impact on the most vulnerable in our society. Medicaid is the health care safety net for impoverished children, elderly and the disabled. Reductions to Medicaid will cause lasting harm to current Medicaid beneficiaries and make the system less viable for health care providers.

Exactly who will be affected by cuts to Medicaid? Thirty-nine million low-income children and parents, including one in every five American children; 13 million elderly and disabled individuals who are receiving acute and long-term care coverage.

This budget would set back the quality of nursing home care. With Medicaid funding half of the Nation's nursing home care, cutting or block granting the program would set back efforts at improving the quality of care provided to seniors and people with disabilities in the Nation's nursing homes. This budget would unravel an already fraying health safety net, jeopardizing support for providers like hospitals, clinics, doctors and health plans that serve low-income people.

This budget would increase the number of uninsured which has already risen to 45 million people under the President's watch. Sick people cost more when they are uninsured and receiving care in emergency rooms than when they are covered by Medicaid.

This budget would put children at risk. If children have less health coverage, they are more likely to compromise their ability to learn in school and to grow into healthy, contributing members of society.

Cuts to Medicaid will shift costs to States, increasing their already significant fiscal burdens. Cuts in block grants do not address the real challenges States are facing, Medicaid enrollment increases which have occurred as a result of more people losing their health care coverage. Shifting additional costs to the States will likely drive them to cut Medicaid coverage and services.

This administration has provided huge tax cuts to the highest earning households in the Nation over the last few years. Now we see the rest of the plan. To reduce or eliminate health care coverage for poor, elderly and disabled people in order to finance tax cuts for the wealthy is inequitable and not in line with our Nation's values.

Mr. SPRATT. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank my friend from South Carolina for yielding me this time, and I also want to thank him and commend him for the leadership that he has shown during the course of the Budget Committee work and for the alternative Democratic substitute which we will talk about a little bit later today.

Mr. Chairman, there are few moments during the legislative year here in Congress which really defines who we are as a Congress, who we are as a Nation and where we are going with our priorities. It is one of these moments today when we have a discussion about our budgets and the priorities that we place in the budget.

For some reason, the Republican budget that we have before us only is budgeted for 5 years rather than the typical 10 years. I submit that one of the reasons I think they are doing a 5-year budget instead of a 10-year budget is because of the complete breakdown in fiscal responsibility and what the costs of their budget will entail and the explosion of budget deficits in the second 5 years that they do not want to talk about during the course of these next couple of days during the budget. We, on the other hand, will be presenting a Democratic alternative, one that does, I believe, reflect the values and the priorities that we share as Americans in this Nation.

Our budget will reinstate the pay-as-you-go rules to instill budget discipline again in the decisions that we are making in these budgets. We achieve a balanced budget under our plan by 2012, just when the massive baby boom retirement wave really starts to hit, and we protect important investments, in defense, in veterans' programs, education and health care to keep America strong and to help us grow the economy and create jobs. By reinstating the pay-as-you-go rules, we will be in a better fiscal position to better preserve and protect the long-term solvency of the Social Security program.

What this chart demonstrates next to me is the result of budget decisions over the last 14 to 15 years. This green line which shows an upward trend that resulted in 4 consecutive years of budget surpluses is Congress operating under pay-as-you-go rules. The red lines that show the plummeting of the surpluses into historically large budget deficits shows Congress without pay-as-you-go rules. What is hard to understand about reinstituting pay-as-you-go rules as part of budget discipline and decisions that we have to make to right the fiscal ship again?

With pay-as-you-go rules, it gave us 4 years of budget surpluses, 2 in which the Congress was not raiding the Social Security Trust Fund and using that money for large tax cuts or other spending priorities and enabled us to start reducing the national debt which was an incredible economic dynamic at the end of the 1990s.

This chart demonstrates the current raid on the Social Security Trust Fund under the Bush administration. Every dime in surplus that is being run in the Social Security account right now is

being diverted, to help finance large cuts for the most wealthy or to help finance large new spending programs, a 30 percent increase in Federal spending over the last few years alone. That will continue throughout the duration when we are running surpluses in the Social Security Trust Fund under their budget proposal. What this has meant was increased borrowing cost, year after year after year having to raise the debt ceiling in order to finance the breakdown in fiscal discipline in this place.

Why is this important today? It is important because we do not owe this debt to ourselves anymore. Ninety percent of the new debt that was purchased this last year alone is being purchased by foreign countries, Japan, the number one purchaser, soon to be surpassed by China as the number one holder of our debt.

□ 1700

I do not believe, and Democrats do not believe, it is in our best long-term economic interest to be so dependent on foreign interests to be financing these deficits.

The President has been out campaigning on a new Social Security plan lately. It is kind of tough to engage in a meaningful discussion since he has not offered a detailed proposal; but from what we understand, he is calling for massive new borrowing in order to set up these privatized accounts that he is fond of. In fact, Social Security runs a deficit of $3.7 trillion over the next 75 years. What the President is proposing to do is to borrow $5 trillion for these transition costs to set up private accounts over the first 20 years alone in order to fix a $3.7 trillion problem. And that is probably one of the reasons why he is having such a hard time selling his plan out in Middle America. People know intuitively with this massive new borrowing that it is going to hurt economic growth prospects for our Nation; it is going to jeopardize our children and grandchildren's future by leaving a large legacy of debt for them. That is why, once we can get past the whole idea of privatizing the Social Security system, we can try to get together as Americans and work on a bipartisan solution that will be fiscally responsible and that will keep the promise to future generations.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Chairman, the budget declares our Nation's priorities in black and white, and this budget makes America black and blue.

Republicans have squandered the surplus, forcing America to go country to country in search of money to prop up what cannot stand on its own fiscal integrity. They present charts and graphs. They talk about acting in America's best interest when, in fact, we have before us a budget that rewards America's special interests. We are deep in debt and growing deeper because Republicans have so many special interests to thank with your money.

The price tag is mind-boggling, but that is outdone by the people Republicans have targeted to bear the burden of their fiscal recklessness. The rich get the gain; America's most vulnerable get the pain.

As ranking Democrat on the Human Resources Subcommittee, I asked my staff to examine where past Republican practices might be in this politically engineered budget crisis. $18.7 billion is coming out of the Committee on Ways and Means. None of it out of Social Security. None out of Medicare. What is left? Poor people and children.

Two million of our Nation's poorest families will see Draconian cuts in Temporary Assistance for Needy Families. Child care assistance for low-income working families could be eliminated. Social service block grants could be cut 60 percent, and Federal assistance for foster care could be slashed by 80 percent. And if that is not enough, let us take $5 billion worth of food stamps out of children's mouths. It is America's most vulnerable who will pay for the Republican intention to extend tax breaks for capital gains, with 75 percent of the benefit going to people earning over $200,000 a year.

What in the world is going on? Do Republicans intend to starve the poor so they can feed the rich?

Budgets reflect values. We heard a lot about values, family values, all this stuff. I guess feeding kids is not a value. And I suppose this budget reflects the Republican majority. Those values can be summed up in one word, bankrupt, just like this budget.

I urge a ''no'' on this resolution.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK of Michigan. Mr. Chairman, I thank our ranking member for yielding me this time.

This is a bad budget. The very safety net that we hoped to help American families is being shredded. The Republican budget is wrong; and the prescription is wrong for Medicaid, over 52 million children, women, elderly, seniors, disabled individuals, 52 million in America. The largest health care program and the only health care program for many.

The Committee on Energy and Commerce has been instructed to cut $20 billion from the Medicaid health care program for so many vulnerable citizens. Medicaid pays for 70 percent of nursing home care in Michigan. Sixty-four percent of the costs are spent on the elderly and disabled. Do we really want to hurt the least of these who have built this country?

This Republican budget cuts Medicaid even more than what the President sent to Congress. We can do better.

I just left a meeting with my Governor in our Michigan delegation, both Democrats and Republicans. Unfortunately, the Republicans wanted to blame our Governor for Medicaid, and they said cut Medicaid back. When one is unemployed, when they have no health care, when jobs are being lost, unfortunately they need Medicaid. And it is unfortunate that this budget does not restore Medicaid, help the most vulnerable, and not ask for $20 billion cut for the elderly, for seniors, for the disabled.

The budget is bad. It kills Medicaid. We can do better.

Mr. NUSSLE. Mr. Chairman, to talk about the importance of our communities and our cities, I yield 3 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the chairman for yielding me this time.

As a member of the Save Our Cities Caucus, which is chaired by the gentleman from Ohio (Mr. TURNER), I rise in strong support of full funding of the Community Development Block Grant and Community Services Block Grant.

Our cities are hardest hit by the tough social problems of this age: poverty, drug abuse, underachievement. And I am proud that Republicans have long understood that the Federal Government has a responsibility to support our cities. They are the life blood of our commerce, but locally controlled Federal dollars are far more powerful than arbitrary Federal programs.

It is extremely important that we fully fund these critical programs because they preserve the local power of local governments to fix holes in the safety net, to assure the services that people need. In New Britain, my hometown; in Meridien or Danbury, Connecticut; or in Waterbury, the largest city in my district, Community Development Block Grant funds and Community Service Block Grant funds leverage several times their value to provide child care, elder care, literacy programs, substance abuse treatment programs, after-school programs. They help those cities demolish buildings that are a blight or that harbor drug dealers. They help clean up brownfields. They improve fire stations. They improve parks. They rebuild sidewalks. They reconstruct streets. They work to make our cities able to attract the economic development that provides jobs and a healthy urban environment.

So between the Community Development Block Grant and the Community Services Block Grant, the Federal Government has traditionally contributed, and under Republican leadership, generously, to assure the safety net in the cities and the economic strength of our urban communities.

So I thank the gentleman from Iowa (Mr. NUSSLE) for recognizing, as the majority of Republicans do, the importance of these flexible block grant programs to our urban communities.

Mr. NUSSLE. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. TURNER), the chairman of that coalition, to talk about the same subject, the importance of our communities and the Community Development Block Grant.

Mr. TURNER. Mr. Chairman, as the chairman indicated, I chair a working group appointed by the gentleman from Illinois (Speaker HASTERT) called Save America's Cities. This working group has 24 members of the Republican conference who have backgrounds in urban issues, either having served as mayors or members of city councils or otherwise in local government, or who by their districts have a natural affinity for urban issues by working closely with their communities and seeing the difficulty of urban revitalization and redevelopment and the commitment to bringing jobs back to our cities.

Mr. Chairman, I support the Committee on the Budget in adding $1.140 billion to the administration's request for programs under the community and regional development function in the budget, which includes the Community Development Block Grant. The budget document itself specifically lays out that the funds are being restored with the clear intention of supporting the Community Development Block Grant program, or CDBG.

It goes on to state that the resolution makes no assumption regarding implementation of the President's proposed Strengthening America's Communities Block Grant or transferring the Community Development Block Grant program from the Department of HUD to the Department of Commerce. This is an important notation because it is very important for national associations that support urban issues, like the U.S. Conference of Mayors, the National League of Cities, that have had a great deal of concern about the consolidation of 18 programs, some of which are currently located in HUD, to Commerce and the reduction in overall spending, which was proposed of 30 percent.

This House, in taking the action of supporting the Committee on the Budget's resolution, does not accept the President's level of funding and looks to restore functions for CDBG that go to important issues in our community such as taking abandoned houses and refurbishing them, demolishing abandoned buildings where they cannot be rehabilitated, taking abandoned lots that might have been strewn with broken grass or be places where criminals congregate and turning them into community parking lots that can help support areas of local community business districts.

Looking, as the gentlewoman from Connecticut (Mrs. JOHNSON) was saying, to the area of brownfields, we have abandoned factory sites throughout our urban core which make it more difficult for us to bring jobs to those areas of our cities, to find ways to environmentally clean up those sites, and to demolish the buildings, bringing jobs back into them. The Community Development Block Grant program supports those functions.

I also serve as chairman of the Federalism and the Census Subcommittee of the Committee on Government Reform, and we recently held a subcommittee hearing on the administration's proposal to consolidate existing direct grant economic and community development programs within the Department of Commerce. We heard information from the U.S. Conference of Mayors and the National League of Cities where they told of the success of these programs.

I want to thank the chairman for listening to the great degree of success that they have had in the past and looking to ways that we can continue to support this program.

So I appreciate the addition of the $1.140 billion and the notation of the support for the Community Development Block Grant program.

Mr. NUSSLE. Mr. Chairman, I yield myself 30 seconds.

Just to punctuate what the gentleman from Ohio and the gentlewoman from Connecticut said, we believe in local control; and we want to be partners with these communities in solving problems. We disagreed with the President in his budget with the changes that were made to the Community Development Block Grant; so we made that value judgment and change in this budget. We are supporting our mayors. We are supporting our communities. We want to be good partners, and we believe in local control in solving those problems. The big Federal Government cannot solve all these problems that these local folks are dealing with. We want to give them the opportunity to do that.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. DELAY), majority leader.

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding me this time.

Before us today is an excellent budget, the result of an excellent process, and the product of an excellent chairman, the gentleman from Iowa.

Despite some occasional overheated rhetoric, the fiscal year 2006 budget resolution is, in fact, a modest attempt by a reasonable majority to hold down the growth of government spending. This is one of the strongest budgets I have seen since coming to Congress.

True, it makes tough choices. Imagine, it prioritizes spending, and it starts the long process of modernizing the Federal Government while rooting out waste, fraud, and inefficiency. But, Mr. Chairman, American taxpayers deserve no less, especially today. We are at war with an enemy who threatens us here at home and on the other side of the world.

□ 1715

Our security spending must therefore take priority, and in turn we must make difficult but necessary choices about non-security spending.

That is exactly what this budget does. It meets our needs at home and abroad without raising taxes, which would stifle our economy, or wasting money, which undermines the hard work the American people did to earn those tax dollars in the first place.

Of course, for some people, regardless of the fiscal and international circumstances, taxes and spending are never high enough. This year, as every year, they have warned us about the dire consequences of trusting the American people with their own money.

Last year, the same critics made the same criticism of our efforts, which we now know ultimately slowed the growth of non-security discretionary spending to about 1 percent. These critics assured us that our budget would bust a hole in the deficit. And yet last year, the deficit came in $109 billion smaller than experts originally thought it would, specifically because of the increased economic growth directly attributed to Republican tax relief passed since 2001.

Millions of jobs were created last year. Indeed, more than 3 million of them have been created since the House took up President Bush's similarly criticized Jobs and Growth tax relief package 21 months ago.

So, in short, Mr. Chairman, the economic data coming in every month speaks to the wisdom of the fiscal policies of the Republican majority. The critics were just wrong, and they are wrong again this year.

The principal mantra against this budget is that it will explode the deficit, despite the evidence of last year's shrinking deficit projections. What, one wonders, do they think that the $67.1 billion in additional spending that they propose at the Committee on the Budget markup would do?

The balanced budgets of the late 1990s should serve as our model, they say. Well, I agree. And I would remind them that the balanced budgets of the late 1990s were passed by Republican Congresses, without much help from our friends on the other side of the aisle. Hardly any of them voted for it.

How anyone takes credit for policies they opposed is beyond me, but I guess that is politics. But, again, so is the idea that raising $392.4 billion in new taxes, as Committee on the Budget Democrats proposed just last week, would somehow help the economy to create jobs.

Well, Mr. Chairman, the facts are indisputable: Democracy is on the march around the world; the war on terror is being won; the economy is growing; jobs are being created; deficit projections are shrinking; and the looming demographic crises facing Social Security and Medicare are being addressed, all thanks to the courage, the policies and the leadership of President Bush and this Republican Congress.

That the same people who have criticized us all along are criticizing our

budget today, Mr. Chairman, only suggests we must be doing something right.

So I urge all my colleagues to give more momentum to our success and support the budget resolution before us.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume to respond to the gentleman.

I would point out that when the Bush budget summit agreement came to the floor of this House in the fall of 1990, after many arduous months of negotiation with the Bush administration and the Democratic leadership and the Republican leadership in the House, only 88 Republicans supported the passage of that bill, which had the President's support behind it.

In 1993, when we passed the Clinton Budget Act and began the unprecedented march towards lower and lower deficits, eventuating in a surplus of $236 billion in the year 2000, not a single Republican in either House voted for that deficit reduction effort.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank my colleague from South Carolina, our ranking member on the Committee on the Budget for yielding me time.

Mr. Chairman, I wish I had enough time to respond to the Majority Leader's problems with this budget, but, in all honesty, the War on Terror, we just passed the supplemental that was not part of this budget, and most of us, in fact I voted for that supplemental because it was the War on Terror.

But I rise to oppose the drastic cuts in Medicaid in this budget resolution. Medicaid is not the problem child of our health care system and should not take the fall for this administration's inability to balance the budget.

Medicaid's cost per capita growth is lower than Medicare or even private insurance, despite the fact that Medicaid has absorbed an increased beneficiary population due to gaps in Medicare coverage, an economic downturn and the decline of employer-sponsored health insurance. Medicaid is a success story in this country, not a program that belongs on the Federal chopping block.

As a member of the Committee on Energy and Commerce, I cannot support this budget resolution instruction to my committee to cut $20 billion outs of Medicaid.

The robust Medicaid program is critical for the health care delivery in my home State of Texas. Forty-five percent of all infants born in Texas are covered by Medicaid, 45 percent. Nearly 50 percent of all children receiving care in our children's hospitals are Medicaid beneficiaries. Medicaid is the single-largest health insurer for our Nation's children. How can we cut the most vulnerable in our society, our children, and still consider ourselves looking out for the least of this society?

To paraphrase the Bible, let us not suffer the little children. That is not our job here in this Congress. If Congress goes forward with these ill-advised Medicaid cuts, the States will be left holding the bag and their only option is to further cut the benefits.

Mr. Chairman, 45 million Americans currently are uninsured. It makes no sense to slash Medicaid spending, which will virtually guarantee an increase in the number of uninsured in our country. Medicaid cuts will not better our bottom line. It will only make our problems worse.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I wish to speak very briefly about an aspect of fiscal responsibility, the rule called pay-as-you-go, because there is a connection between our lack of fiscal responsibility and these draconian cuts we are seeing in vital services, like the $20 billion that people who are poor and dependent on Medicaid will be forced to endure.

Our colleagues in the majority have consistently opposed Democratic efforts to reinstall pay-as-you-go rules for both entitlement spending and new tax cuts. In fact, they just denied the House the ability to vote on such a proposal offered by the gentleman from Tennessee (Mr. COOPER) and the Blue Dogs.

These PAYGO reforms were put in place in the 1990s and were essential to the successful effort achieved then to balance the budget. PAYGO reforms have been endorsed in their entirety by Alan Greenspan, but the Republicans do not want them applied to tax cuts. Why? Because doing so would require that they identify specific revenue measures, most likely spending cuts, which would provide the offsets, vital spend services being cut, such as Medicaid.

So we should reinstate PAYGO. We should not support this budget, that destroys so much which is a part of our health care delivery, Medicaid.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from Missouri (Mr. SKELTON), the ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in support of the alternative budget resolution that will soon be offered by my friend and colleague, the gentleman from South Carolina (Mr. SPRATT). I do so in light of the fact that the Republican budget resolution mirrors the President's request for defense and the Spratt alternative matches this funding dollar-for-dollar, but the Spratt budget is better because section 401 of his resolution calls on the Congress to address serious shortcomings in both the President's budget and the House Republican budget resolution.

Let me explain why I favor the Spratt alternative budget. The Republican budget only temporarily increases the death gratuity and the Service Members Group Life Insurance coverage. The Spratt budget would make these increases permanent. That is important.

The Republican budget omits targeted pay raises and reenlistment bonuses for enlisted personnel. We know right now we are having a great deal of trouble in enlisting young people, reenlisting some of the troops. As you know, you enlist a soldier, but you retain families. These issues are critical to retaining experienced troops and maintaining readiness. The Spratt budget makes it a priority.

The Republican budget fails to increase funds for Family Service Centers to support the families of deploying troops. The Spratt budget takes care of that, and takes care of our military families.

The Republican budget shortchanges community-based health care organizations that care for the injured servicemen and women. The Spratt budget takes care of that. It pluses up the program.

The Republican budget does not aggressively fund nuclear nonproliferation programs. Both sides of the aisle, and as a matter of fact during the last campaign both the candidates for President, said that stopping a nuclear weapon from getting in the hands of terrorists is our top national security priority. The Spratt budget backs that up with dollars.

Mr. Chairman, I urge my colleagues to support the budget to be offered by the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, a budget says a lot about our values. What this budget says to America's veterans is that Congress does not value your service to country. It makes a mockery of the American value of shared sacrifice in time of war. How does it do that? Let me explain.

This budget says to the person sitting here safely at home who makes $1 million in dividend income this year that you can keep every penny of your $220,000 tax break that the House Republican leadership has given you recently, every penny of that tax break. But, on the other hand, it says to millions of America's veterans that we are going to direct a $14 billion cut in veterans' programs over the next 5 years.

This budget even goes so far as to say they have to cut $798 billion out of disabled veterans' monthly pensions, low-income veterans compensation checks and veterans GI benefits, their education benefits, unless of course they want to go raise fees or, perhaps most likely, do all of those things.

Where is the American value, the American family value, in those priorities? To a millionaire, making every

dime on dividend income, you can keep your $220,000 tax cut; but to a veteran who may be coming back from Iraq, in fact a soldier today who may be tomorrow's veteran or next year's veteran, we are going to make you wait longer for health care in our VA hospitals; you are not going to get the care you deserve and you earned by risking your life for your country.

I hear a lot from my Republican colleagues about family values. This budget does not reflect the family values of the American family, because the American family respects the service and sacrifice of our veterans, not just with speeches on Veterans Day. We are awfully good about that. But they expect us to respect veterans every day, and this bill does not even come close to maintaining present services for health care for our veterans.

They can show their charts, how they have increased veterans funding, but the reality is it does not keep up with present services. So, in effect, every Member of this House who votes for this bill is voting for a real cut in health care services, education services and monthly disability pension checks for America's veterans.

I think the American people, and I know America's veterans, are going to be offended by the values and priorities of this bill. Let us not just say yes to veterans on Veterans Day and turn our backs on them on budget day. Sadly that is what this budget does.

Mr. Chairman, I urge my colleagues on both sides of the aisle to reject the values of this budget; reject the slap in the face of millions of American veterans while coddling the wealthiest in our society, who are going to enjoy that $220,000 tax break they are making by their riskless dividend income of $1 million this year.

Let us stand up for America's veterans today when it counts. They may appreciate our speeches on Veterans Day, but today they need our vote. That is the value that counts. Vote no on this unfair slap in the face to America's veterans.

□ 1730

Mr. NUSSLE. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. BUYER), a veteran and the chairman of the Committee on Veterans' Affairs.

Mr. BUYER. Mr. Chairman, I want to congratulate you on this budget. I think the American people are smart enough to recognize truth and demagoguery. That is what you hear on this House floor is demagoguery, and that is completely unfortunate.

I believe that ensuring that the disabled, the injured, the low-income and special needs veterans are given the highest attention. That is the priority of our Nation.

In establishing priorities of care for veterans health care, this Congress also believes that the same military values that guided servicemembers on active duty should define how services and assistance are provided to them as veterans. It is why we established the priorities of care, one, two, three, four, five, six, seven, eight.

This budget takes into consideration the present budgetary constraints, the aging veteran population, as well as the influx of veterans into the system as the Nation continues to fight the war on terror throughout the world.

As chairman of the Committee on Veterans' Affairs, I seek an increase in $12.6 million for the medical and prosthetic research projects above the President's budget request. We also increased by $293 million for State nursing home partnership. We increase about $300 million discretionary funding for veterans health care, despite the demagoguery you will hear from some Members on this floor.

To ensure that our national cemeteries are maintained as the shrines that they are, my subcommittee chairman, the gentleman from Florida (Mr. MILLER), and I recommended an additional $45.6 million in construction to begin a 5-year $300 million national shrine commitment project to repair and restore the existing national cemeteries. But while our greatest attention should be focused on those who have served us and can no longer fend for themselves, there is another group of veterans that needs our help: our soldiers, sailors, airmen and Marines who need assistance in returning to the workforce or entering the workforce for the first time after serving their country.

This budget will also ensure that the VA benefits take care of the young solder coming home, as well as the older soldier who may already have a family. We need to make sure that the VA is flexible and personal in its delivery of health care and benefits, such as training and education.

This is a wise investment, harnessing the same spirit and drive that has won our Nation's battles, to contribute to our Nation's workforce and to sustain our national competitive edge. To facilitate this investment, I created a new subcommittee solely devoted to this effort chaired by the gentleman from Arkansas (Mr. BOOZMAN).

The gentleman from Iowa (Mr. NUSSLE), as chairman of the Committee on the Budget, has done an outstanding job. He has led Congress through some challenging budgetary times as chairman. Some may forget the meaning of the attacks upon our country on September 11. It was an attack upon our freedom, upon our way of life. It was devastating to our economy. That economic growth has returned, but we also now need to manage that economic growth smartly.

There is a lot of rhetoric, but let me return to some facts. Under this President, spending for veterans has increased by 47 percent in 5 years versus 32 percent in the 8 years under the Clinton administration.

If I turn to the chart to my left, as the chart shows, over the last 7 years discretionary spending has grown 39.5 percent under the VA–HUD appropriations bill. That is a 4.9 percent average increase for every year from 1998 all the way to present. So despite all the rhetoric that America and my colleagues will hear, the reality is this chart. The spending on veterans continues to increase, maintaining our commitment to veterans in America.

I also would like to turn to a second chart I think is very interesting. On this chart it shows what happened under the Democrat control of Congress. Congressional spending per veteran was flat. For 10 years a meager $400 increase for 10 years from 1984 to 1994.

Can everybody see this? It was flat. To my colleagues on this side of the aisle, do you see this? It was flat for 10 years. You did not hear demagoguery on the House floor. What you had at the time were individuals on both sides of the aisle working together in a bipartisan fashion with regard to how we deal with veterans.

So what we have under the Republican control the last 10 years is from 1995 to 2005 Congress increased spending by $1,400 per veteran, that is from $1,368 to $2,773 per veteran. I think this chart is very clear.

What has occurred under Democrat control is flat-lined budget for veterans. I am not going to demagogue. It is just a reality.

Now with regard to what has happened under Republican control, the increase and the maintaining of our commitment to veterans programs and causes across the board. This is the reality.

I want to say to the budget chairman, I want to thank him. He has given me a task, and the task is that with regard to all of these programs in discretionary and mandatory, are there savings out there? Are these systems being run smartly and effectively and efficiently?

He has challenged those of us who serve on the Committee on Veterans' Affairs. And you know what? We will accept the challenge, and we will go and work together in a bipartisan fashion and see if we can find those savings. He has not dictated to us. He has challenged us and we accept the challenge.

Mr. NUSSLE. Mr. Chairman, I yield 3 minutes to the gentleman from New Hampshire (Mr. BRADLEY), a member of the committee.

Mr. BRADLEY of New Hampshire. Mr. Chairman, the gentleman's budget allows our country to meet our most important values, a strong defense, a strong economy, while reducing our Nation's deficit.

Let me, if I might, focus on another area of concern that the prior speaker just talked about and that is commitment to our Nation's veterans. We do value our veterans' service. And if you look at this chart that I have here that talks about overall spending in the VA, Mr. Chairman, you will see a strong

commitment to honoring the commitment of our Nation's veterans.

The second chart that I have specifically talks to veterans medical care which has increased from 1995 to 2005, over a 10-year period, nearly 85 percent. And in the last 5 years, medical spending has increased by 68 percent. That is a commitment to our Nation's veterans.

Let me talk about some other specific areas of improvement that we have made. We have allowed Guard and Reserve units to enroll in medical benefits. We have increased the GI benefit. We have funded finally for the first time concurrent receipts so that the practice of disallowing veterans who had disabilities as a result of their service from collecting both their retirement pay and disability pay is finally being addressed with a $22 billion commitment over the next 10 years.

We have reduced the wait times at our VA hospitals, and the VA continues to give our Nation's veterans excellent care.

Let me touch on, Mr. Chairman, what we have done under the gentleman's leadership this year in the veterans line items of the budget. The discretionary baseline under the President's submission was $30.8 billion. Under the gentleman's mark and allowing me to work together with him and propose an amendment, we increase that by $877 million, which means in these tough fiscal times that our Nation is experiencing a 2.8 percent increase for veterans health care numbers.

Yes, there is a reconciliation number; but when we started with the President's submission, it was $424 million. The reconciliation, Mr. Chairman, under the gentleman's mark is $155 million. I believe that we can find that reconciliation number without enrollment fees, without drug co-pays because we will have the flexibility to look for waste, fraud, and abuse in the veterans numbers and be able to reduce and meet a goal in that fashion.

Let me repeat: we do not have to establish either drug co-pays or enrollment fees. We can achieve this reconciliation in other ways.

Mr. Chairman, in summary, I congratulate the gentleman again for a fiscally prudent budget that meets our Nation's needs, and I look forward to continuing to work with him to honor the commitment to our Nation's veterans.

Mr. NUSSLE. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. LEWIS), the gentleman of the House who has probably some of the heaviest lifting to do with regard to controlling spending, the chairman of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my chairman yielding me time.

I really come today to express my very sincere and deep appreciation to both the gentleman from Iowa (Mr. NUSSLE) and the gentleman from South Carolina (Mr. SPRATT) for the fabulous job they do of working together on behalf of all of us to try to make sense out of our budget process.

To say the least, the world on both sides of the aisle and across the country would love to suggest that we provide for them every program at a maximum level that they might have on their wish list. And in turn, that same world wants us to make sense out of balancing our budget. These gentlemen are faced with that horrendous and impossible task, and to them we owe a great debt of gratitude.

As the gentleman from Iowa (Mr. NUSSLE) suggested, I have now the responsibility of chairing the Committee on Appropriations where, as they help us struggle with the budget, we spend money that has a propensity to violate that which is their guidelines for sensible budgeting. But in turn, over the years as I have observed this process there has been far too little communication, that is meaningful communication, between those on the staff level but also the professional level within the committee itself, between the appropriations process and the budgeteers.

I must say that in the time I have had this job, the short time, the gentleman from Iowa (Mr. NUSSLE) has gone out of his way to say time and time again, we want to work with you.

I have committed myself to trying to have the Committee on Appropriations once again be a committee designed to preserve dollars, not just spend dollars; and, indeed, if we are successful in that effort, we will be in partnership with our budgeteers, attempting to make sense out of the budget and eventually balance that budget.

We are not in this alone. And the issues that flow around stabilizing our economy know nothing about partisan politics. And I must say that the Committee on the Budget has provided guidelines; in the past we have not always followed those guidelines. It is my intention to work as partners in this business so we can all be successful. And I can say without any reservation, if we are successful, moving our bills this year very rapidly so they are ready for conference in the early spring, it will be in no small part a success of the work you all have done.

I appreciate that very much and look forward to continuing this relationship.

Mr. NUSSLE. Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to thank the gentleman for his kind remarks.

Mr. Chairman, I yielded to myself to clarify what is in the budget proposal we are proposing versus the budget resolution reported by the committee and sponsored by the Republicans.

Our budget, let me make this clear, matches dollar for dollar their budget on national defense and international affairs, there is not a dime's worth of difference over a 5-year period of time. But our budget does single out veterans as one group deserving of more spending, more than just a current services budget, because the demands are clearly there. So our budget provides $1.6 billion more than theirs, than the Republican resolution, for veterans health care in 2006. And between 2006 and 2010 we provide $17 billion more for veterans health care.

Our budget resolution contains no reconciliation instructions to the Committee on Veterans' Affairs. What does that mean? Their resolution calls upon the Committee on Veterans' Affairs to report savings out of mandatory programs that will save $798 million. There are only two places those savings can come from: either cutting disability benefits or raising the fees that veterans must pay to use veterans facilities.

Our budget resolution contains special provisions for our troops to make sure that the increases in life insurance to $400,000 for combat fatalities voted up in the supplemental for 1 year will be extended for future years, and that the death gratuity raised to $100,000 will also be continued for future years. And we will provide more funding for family separation centers, for deployed troops, and more community-based health care for returning troops and their families, two things that have been critically noted.

Our resolution recommends that the funds be taken from the Missile Defense Agency and advanced satellite programs to pay for these personnel benefits. We think it is a good tradeoff.

Our resolution also contains more in the four functions that fund homeland security and make special provisions for increasing the budget for cooperative threat reduction, so-called nonproliferation, by $200 million.

So in summary, for our veterans, for our troops and for the emerging threats facing us, terrorists armed with WMDs, our budget is not only better funded, but better focused than theirs.

Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. EDWARDS) for a response.

Mr. EDWARDS. Mr. Chairman, my colleague, the gentleman from Indiana (Mr. BUYER), may want to hide behind a fig leaf of charging demagoguery, but let us review the facts he did not refute.

Fact number one, this budget will cut veterans pensions compensation and education benefits by nearly $800 million.

□ 1745

Fact number two, over 5 years it will cut veterans health care by nearly $14 billion. Fact number three, in this same budget someone making a million dollars a year in dividend income will get to keep every penny of his $220,000 tax break. They may call it demagoguery. I think America's veterans

will call it wrong, wrong what they are doing to our service men, women and our veterans.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. CORRINE BROWN).

(Ms. CORRINE BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. CORRINE BROWN of Florida. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPRATT) for his leadership on this budget matter.

Shame, shame, shame. I cannot believe the Republican budget. Our men and women that serve this country are putting their lives on the line, and what are we doing? Cutting benefits and refusing service. I am reminded of the words of the first President of the United States, George Washington, whose words are worth repeating over and over again.

''The willingness with which our young people are likely to serve in any war, no matter how justified, should be directly proportional as to how they perceive the veterans of earlier wars are treated and appreciated.''

The independent budget puts support by the veterans community as $300 billion short. I say that President Bush's budget and the House Republican Bush budget should be dead on arrival. Let me repeat that. I said that Bush's budget and the House Republican budget as it relates to veterans should be dead on arrival.

On top of all of this, this budget tells the Veteran's Affairs Committee, which I am on, to find $800 million in cuts over the next 5 years for savings.

You know, the Republicans practice what I call reverse Robin Hood, robbing from the veterans to give tax cuts to the rich. The President keeps telling us we are at war. Well, put your money where your mouth is.

Mr. SPRATT. Mr. Chairman, I yield 3½ minutes to the gentleman from New Jersey (Mr. MENENDEZ), the House Democratic Caucus Chairman.

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

Mr. MENENDEZ. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPRATT) for yielding me this time and for his work in developing a budget for all Americans. Every year the administration and Congress are taxed with developing a budget that reflects our Nation's priorities in spending, priorities that reflect our country's values.

Unfortunately, the budget resolution we have before us, and the values it represents insults the true values of the American people, given the extensive cuts to first responders, community policing, veterans benefits, health care, and education funding.

Under the Republican leadership the entire budget process has become a complete fraud on the American people. This budget adds more than $4 trillion to the deficit in the next 10 years, without even including the enormous costs that have been left out of the budget. It is past time for this House to be honest and restore fiscal responsibility to this process and to the Nation, the same fiscal responsibility that each of our constituents face when they try to balance their household and business budgets.

Unfortunately, this budget shows that the Republican Congress does not share the values of the American people. What type of values would cut funding to the Fire Act Grant Program which helps meet the basic needs of firefighters by 30 percent? Firefighters on the front lines of the war on terror in New Jersey stand to lose $4 million under this resolution, which means they will have less protective clothing, fewer portable radios than they need to protect our citizens.

What type of values would slash funding to the COP program by 95 percent, a program that has put over 4,800 police officers on the street in New Jersey? In doing so, this budget dismantles a critical instrument in New Jersey's fight against crime.

What type of values would raise health costs for many of the over 620,000 veterans in New Jersey, increasing drug copayments and imposing new enrollment fees that will cost veterans more than $2 billion over 5 years and drive more than 200,000 veterans out of the system entirely?

What type of values would cut discretionary health programs by 6 percent and slash Medicaid by billions of dollars?

New Jersey would lose more than $100 million per year in Federal Medicaid funding, enough funding to provide health coverage to 6,400 seniors or 34,000 children. And what type of values would underfund education and, specifically, the No Child Left Behind Act by over $12 billion, creating a 4-year deficit between what was promised and what was actually delivered of $39 billion?

If this budget passes, over 53,000 children in New Jersey will go without promised help in reading and math and 34,000 will no longer be able to enroll in the afterschool programs that not only keep kids safe but also boost academic achievement. That is why the Democratic substitute will restore fiscal responsibility to secure our homeland, provide for America's seniors and veterans, fund education initiatives to guarantee our children's future success in an ever increasingly competitive world and lay the foundation for a society that truly reflects our values and our commitment to a better more prosperous and stronger America.

I urge my colleagues to support the Democratic substitute and vote down the woefully inadequate Republican budget.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from Illinois (Mr. EVANS), a veteran of the United States Marine Corps, the ranking member of the Committee on Veterans' Affairs.

Mr. EVANS. Mr. Chairman, I rise in opposition to H. Con. Res. 95 and in support of both the substitute amendment offered by the gentleman from South Carolina (Mr. SPRATT) and the amendment of the gentleman from Wisconsin (Mr. OBEY). The GOP budget resolution will put the Department of Veterans Affairs programs at least $3.2 billion short to meet the current level of needs to our veterans.

It is not just a matter that VA will not be able to make critical program enhancements for servicemen and women returning from Iraq and Afghanistan. It is even short of meeting current services.

The Bush administration's budget submission for 2006 requested less than half of a 1 percent increase for its health care services. The VA has testified that it requires a 13 to 14 percent increase to sustain services annually. Both the gentleman from Wisconsin (Mr. OBEY) and the gentleman from South Carolina's (Mr. SPRATT) amendments will support increased amounts funding for our veterans.

If we thought it was ridiculous to grant tax cuts to millionaires while the deficit soars, how about cutting veterans' programs in the middle of the war? Are we really going to promote a point of view that instead is deserving of our support by cutting benefits?

Mr. Chairman, I hope not. If we do, we should be ashamed.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ of Pennsylvania. Mr. Chairman, I rise in opposition to the resolution under consideration.

As a former State legislator, I know how important Federal Government investments are. They allow State and local governments to meet our obligations without assuming the responsibility for Federal shortfalls or passing those costs along to local taxpayers. Federal investments acknowledge the shared responsibility for promoting economic growth, meeting health needs and ensuring educational opportunity.

I strongly believe that the Federal Government must recognize its obligations, work within budgetary limits to meet them and to make smart investments focused on the Nation's current and future fiscal well-being. Unfortunately, the budget resolution before us does not meet these simple tests. Instead, it prioritizes tax cuts to the wealthiest Americans and largest corporations over meeting our obligations to average Americans. It fails to live within available revenues and increases future deficits.

I fought for a seat on the Committee on the Budget because my constituents want me to be an advocate for strong fiscal discipline and wise Federal spending. During Committee on the Budget consideration of this budget resolution, I was proud to join my Democratic colleagues in putting forward amendments aimed at refocusing our spending and investments on the

priorities that matter to the everyday lives of all Americans: creating and keeping jobs, supporting community development and providing for a safe and secure homeland. Specifically, I led the effort to better ensure adequate funding for police, first responders and security at our ports.

Democrats and Republicans alike agree that our Nation's top priority is keeping Americans and this Nation safe. After all, nothing else will matter if we cannot protect the people of this country right here at home.

Yet, at the same time, fire departments, police forces, ports and rail stations across the Nation are ramping up efforts to implement safety measures and better prepare for any kind of terrorist incident or extreme emergency. This budget proposes cutting the very programs that will help them meet these responsibilities.

Despite these dire warnings of security at our ports in particular, this budget falls $4.7 billion short of what the Coast Guard estimates it would cost to secure our ports.

Despite the fact that we cannot afford our first responders to be unprepared, this resolution recommends a reduction of $560 million in first responder funding.

Let me say, Mr. Chairman, that we must do better, that we have to make sure that our first responders at our ports meet the obligations to all Americans, that we do all that we can to make sure that our government, the Federal Government, helps our local communities be strong and be safe.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Mr. Chairman, I want to talk about who wins and who loses in the Bush Republican budget.

Three hundred thousand working poor who have children will be cut from the Food Stamp Program. I received a call today from a constituent from Lithonia, Georgia, complaining that her children depend on the food stamps she gets to stretch the family food budget.

LIHEAP is the Low Income Heating Assistance Program that makes sure our working families do not freeze during the winter, and the Republicans propose to cut that program even as heating costs rise.

While the Republicans want us to believe that they really care about our children, the proof is in where they choose to put taxpayers' money.

The Pentagon cannot account for $2.3 trillion. Halliburton walks away with over $100 million undeserved dollars. Secretary Rumsfeld says the U.S. can afford record defense expenditures, while the President proposes to cut all vocational education at the high school level, the Safe and Drug Free Schools program, the Upward Bound program and even dropout prevention. What could be more important to the Education President than to make sure that our young people graduate from high school with an education that has prepared them for life.

Well, I know the answer to that question. Not the mom and pop businesses on Main Street and their families, but the wealthy scions of industry on Wall Street.

Even chairman of the Federal Reserve System, Alan Greenspan, lamented before our committee the growing wealth and education disparities in our country. The Republicans will talk about growth, but they will not talk about how our country is growing apart.

They tell us that homeownership is on the rise, but they will not tell us that three-quarters of white families in this country own their homes while the majority of Asian Americans, Native Americans, Latinos and African Americans remain renters.

According to just about every reputable study, the disparity between black quality of life and white quality of life is not narrowing nearly as fast as we would like it to. In the last 6 years, wealth for white families grew by 37 percent while wealth for families of color fell by 7 percent. These numbers represent real people who have not felt one bit of Republican growth.

□ 1800

Mr. Chairman, too many Americans, especially African Americans and Latinos, cannot afford health care, housing and even a college education.

We have two choices: we can grow together, or we can grow apart. When we invested it in our people like Social Security, the GI bill, civil rights laws, affirmative action, America grew and we all grew together. But now because of the policies coming out of Washington, D.C., today's wealthiest 10 percent own 70 percent of America's wealth. It is clear that Americans are growing apart. The Republican budget ought to provide opportunity for all to experience America's coming prosperity, but it is also clear it does not.

Mr. NUSSLE. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. MARIO DIAZ-BALART), a member of the Committee on the Budget.

(Mr. MARIO DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I have listened to the debate with great interest, and I keep hearing about cuts in the budget. They are not there. All of the specific cuts are just not there. They do not exist in this budget.

What this budget does do, however, is it fulfills our Federal obligations while at the same time it reduces the deficit in half by the year 2009. We all know why we have a deficit. We have a deficit because when President Bush got elected, he inherited a recession. He inherited the burst of the Internet bubble, he inherited Wall Street scandals, and the mother of all economic and all other problems, which is 9/11.

Despite that, because of the Bush policies and economic policies of this House, the economy is doing well again. If it was up to the Democrats, they would have raised taxes massively and destroyed the economy. Luckily we prevailed; the Democrats did not. And, therefore, we reduced taxes and the economy is once again doing well.

But I just heard again tonight the Democrats all concerned about the deficit. Yet let me show Members what the Democrats, who tonight have been talking about how concerned they are about the size of the deficit and spending, what they proposed just a few days ago.

They proposed in committee amendments that would have again increased spending by $67.1 billion, and yet they give us lip service tonight and continuously state they are concerned about the deficit. To borrow a phrase from a very well-known Democratic leader, Democrats are concerned about the deficit, they support reducing the deficit before they are against reducing the deficit. They cannot have it both ways.

We have a deficit that is caused by too much spending. We have to reduce the deficit, so lip service and lip balm is fine; but when push comes to shove, they cannot complain about the deficit and then try to increase spending.

What the budget that the chairman is proposing does, it does address our responsibilities while reducing the deficit and while responsibly spending the taxpayers' money.

I also heard, Mr. President, put your money where your mouth is. It is not our money, it is the taxpayers' money.

That is the big difference. We remember it is not our money. That is why we are not willing to throw it away. It is the taxpayers' money. This budget spends it responsibly. I thank the chairman for this very responsible budget and urge adoption of the budget.

Mr. NUSSLE. Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama (Mr. DAVIS).

Mr. DAVIS of Alabama. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPRATT) for presenting a budget that has a better vision for the American people, and for the gentleman's hard work that he does for the American people.

Mr. Chairman, this is the third year that I have been in the Congress. There has been a similar routine every year I have been here. We debate the budget and our side says it is a statement of our values, and we say it is a statement of who we are. I would add one observation to that. This is a process that tells us a great deal about whether we are who we say we are, because there is an irony that I see with my friends from the other side of the aisle.

As we move into the year and move into the holiday season, we spend a lot of time talking about shared benevolence, but they will pass a budget tomorrow that will cut $5 billion from

food stamps, and only 2 percent of people who are eligible receive food stamps. It is not a program filled with waste and fraud.

A lot of our friends on the other side of the aisle will talk about benevolence and their belief in families and families having strong values, and yet they will vote tomorrow night to cut child care assistance. A lot of our friends on the other side of the aisle will talk about cutting taxes, and yet they will vote tomorrow night to raise taxes on people receiving the earned income tax credit.

And the other side of the aisle will talk about their belief in Social Security and their faith in that program and their refusal to touch it, and then they will cut SSI payments which are a major part of Social Security. A lot of our friends on the other side of the aisle will talk about their commitment to housing, and then they will vote to eliminate one of the most effective housing programs in this country.

And finally, a lot of our friends on the other side of the aisle will talk about their commitment to children and helping families raise their children with the right values, and then they will vote to freeze or leave virtually frozen child care services and day care services.

I am not one who likes to call names, but the word ''hypocrisy'' means you say one thing and you blatantly endorse another set of practices.

This is a debate about exactly who we will ask to sacrifice in this country. There is no question we have asked our veterans to sacrifice an enormous amount, and they belong in a category of their own; but there is another class of Americans who we also ask to sacrifice in this budget. We ask the most vulnerable people, the people in our society who are working and living by the sweat of their brow every day. We ask them to give up so much in this budget, and there is an irony because we have heard it said by the chairman and various other Members on the other side of the aisle, we have heard it said that people want these tax cuts and they will trade these programs off for the prevalence and the prevailing of these tax cuts.

But here is the problem. The average people that will receive the cuts that I described got a tax cut of $28 to $35 a month. That is not an equitable trade-off; that is not a fair trade-off.

I simply end by saying the Spratt budget presents a better vision for the American people and introduces a six-letter word into this debate that we have not heard all day, a word called ''equity.'' That is what separates our approach from theirs.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, colleagues will remember the Biblical story of the prophet Nathan coming to the mighty King David. Nathan told David a story about a rich man who had many sheep but took the one little ewe lamb of a poor man to feed a visiting friend. David flew into a rage at the rich man and proclaimed that anyone who should do such a thing deserved to be put to death for abusing his power and showing so little compassion. Then Nathan turned to David and said, ''You are that man.''

This story should lead us to look into the mirror. Are we in danger of becoming ''that man''? The Republican budget removes support for housing, education, Medicaid, community development, and small business lending. It raises taxes on the poor. And it does all this so the Republicans can afford new tax cuts for the wealthiest among us. If ever there were a moral issue before this Congress, surely it is this one.

One might expect that these cuts would at least result in significant decreases in our deficits, but this is not the case. We continue to face the worst-of-both-worlds scenario in which we suffer both devastating cuts and dangerous increases in the deficit. We continue to borrow from our children to pay for tax cuts, the wars in Iraq and Afghanistan, and the President's Social Security privatization.

As Members of Congress, we have a responsibility to be good stewards of the resources of our government, not simply to look at our immediate desires, but also to the needs of our children and our children's children, including their need to be free of a crippling debt.

Republicans claim to be the party of moral values, but their budget belies that claim. The Democratic alternative maintains current funding levels for our country's critical domestic and security programs while also providing meaningful tax relief for middle-class Americans. Furthermore, the Democratic budget recognizes that fiscal responsibility is also a moral value by reinstating a real pay-as-you-go rule and by balancing our budget within 7 years. The Republican budget, on the other hand, continues to run up record deficits for as far as the eye can see.

Mr. Chairman, the budget process provides each party with a chance to put its money where its mouth is, to act on the rhetoric we all hear around here year round. A budget is a statement of moral priorities. May we do justice to those imperatives in the vote we cast tomorrow.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPRATT) for an opportunity to speak this evening, and I appreciate the work the gentleman has done to provide a balanced approach to meet our requirements in a fiscally responsible manner. I particularly appreciate the work done by the Democrats on the committee to deal with the environmental priorities of America.

I am saddened by a party-line vote that these proposals were rejected to be a part of the proposal brought forward by the majority. This budget is stunningly out of sync with where the typical American is in terms of protecting our environment and our natural resources. From oceans to brownfields, we have found environmental quality to be victim of the obsession of misplaced budget priorities and an obsession with more tax cuts.

In areas of clean water, every independent outside organization, and most of them within government, have identified that we have a serious problem with the Nation's aging water systems required to ensure safe drinking water; yet the President's budget and what we have here today reduces almost $700 million for water quality responsibilities.

In the land and water conservation fund, we are breaking the promise that was negotiated here in the year 2000 where the conservation trust fund was established that should by now by rights, as a result of this bipartisan, bicameral agreement be moving funds in the neighborhood of $2 billion for this fiscal year. But, unfortunately, this budget would turn its back on that responsibility.

Another important element is the land and water conservation fund authorized at almost $1 billion; yet this budget includes only $147 million for actual programs to help preserve parks, forests, wildlife refuges and open space, things that touch people where they live at home, garnering broad bipartisan support. This year the President and the Republicans go even further by eliminating the land and water conservation State grants programs which have provided critical funding to States and local communities to preserve open space and develop recreation facilities.

And one of the most significant broken promises is in the area of conservation in the agriculture sector. One of the elements that was negotiated as part of the farm bill, there were going to be investments in farm conservation; and yet this budget takes something that is so critical to America's farmers, particularly small and medium-sized operations, and cuts more than a half billion dollars from these vital farm bill conservation programs that unite rural America, conservation interests, people who care about natural resources.

There is currently over a $4 billion backlog of producers waiting to participate in these critical farm conservation programs. It is a travesty as far as the environment is concerned; and it is a sad, sad story for America's farmers who deserve better. I strongly urge the rejection of the majority proposal.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume to amplify on what the gentleman from Oregon has stated.

Our budget would be $2.9 billion above theirs for the year 2006 for resources and the environment. That

makes a big difference when it comes to EPA, safe drinking water, the Land and Water Conservation Act; and over 5 years, our budget is $23 billion in resources and environment better than their budget.

□ 1815

Mr. Chairman, I yield 2½ minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. I thank the gentleman from South Carolina for yielding me this time.

Mr. Chairman, I rise in strong opposition to the shameful Republican budget. Yet again the Republican leadership neglects the needs of low and middle income families in order to provide hundreds of billions of dollars in tax cuts to the wealthiest of Americans. We should not be supporting this unfair budget that leaves people without adequate housing, without opportunities for a decent education or job training, and which passes billions of dollars of debt to our children.

I am especially concerned about the Community Development Block Grant. Mr. Chairman, the Community Development Block Grant is something that should have the support of both Democrats and Republicans. This Community Development Block Grant is the only source of funds that some of our small towns and cities have to deal with housing, to deal with programs for senior citizens, at-risk youth or to deal with the infrastructure. Many of the small cities just do not have the money to deal with some of the problems of the sewer systems and roads and other kinds of things. But with the Community Development Block Grant, they have the flexibility. This is a very, very respected program. They have the kind of extensive community planning that brings in all of the community groups and organizations, the 501(c)(3) nonprofit organizations, and they actually go through all of the programs and they decide which of these programs will be funded. To talk about cutting this is very, very cruel. I have received just hundreds of calls from mayors and city council members who say, ''Please, whatever you do, don't cut CDBG.''

Since the President initially proposed consolidating CDBG and other development programs into one grant program, not only have I received all of these letters from members of city councils and mayors, they have basically said without this program, many of their cities will simply collapse.

In addition to these cuts, the President has already proposed to cut public housing by 10 percent, section 811 disabled housing by 50 percent, housing opportunities for persons with AIDS by 14 percent, and other HUD programs. Yet the Republican budget resolution proposed to make even more draconian cuts to this function. We simply cannot afford to do that.

I urge my colleagues to reject the Republican budget and to support a budget that invests in the future of our country. This is shameful and unconscionable that they can even bring this budget to the floor. I ask for a ''no'' vote on the Republican budget and an ''aye'' vote on the Democratic budget.

Mr. NUSSLE. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong support of the budget brought forth by the gentleman from Iowa and the Committee on the Budget. We have not only, I think, the right but the duty as the legislative branch of government to perform the oversight function of the executive branch. As the gentleman from Iowa pointed out before the Committee on Rules yesterday, we really have not done that since 1997. The reality of the matter is that everything has been on automatic pilot basically since 1997 and we not only should, we must perform our oversight duty.

We have heard the word ''draconian'' with regard to supposed cuts being proposed in this budget. I think it is important to look at the facts. What the budget proposed by the Committee on the Budget calls for with regard to what constitutes the most dangerous threat on the horizon to our economic well-being, strength in this country, the great, extraordinary growth in what is referred to as mandatory spending, spending that is built into the law, that the appropriators do not have anything to do with because it is built into the law, this budget initiates a process of review and of study, oversight, so that the growth in what is almost 60 percent of the budget and projected to continue to grow and continue to grow, the growth in the mandatory spending will be reduced from 6.4 percent to 6.3 percent, one-tenth of 1 percent. Not a cut, a reduction in the growth.

We have an obligation to perform oversight, Mr. Chairman. I commend the gentleman from Iowa and the Committee on the Budget as I strongly support this budget. As the chairman of the Subcommittee on Legislative and Budget Process of the Committee on Rules, along with our full committee chairman the gentleman from California (Mr. DREIER) and the rest of the House leadership and the gentleman from Iowa (Mr. NUSSLE), we will be doing our part to carry forth what we consider our legal obligation, oversight. We will be studying the budget process and seeing how it can better be enforced.

This is a responsible budget, it is a reasonable budget, it is one meant to contribute to the continued economic health of the United States. I strongly support it and urge all of my colleagues to do so as well.

Mr. SPRATT. Mr. Chairman, before yielding to the gentleman from Texas (Mr. CUELLAR), I yield myself such time as I may consume because he is going to address education. I would like to make it clear that education is one of those areas in our budget where we have made a decided improvement and have a notable advantage over the Republican resolution.

Our budget resolution rejects their education cuts. Our budget resolution provides $4.5 billion more for next year, 2006, and over the next 5 years $41 billion more than their budget resolution. This kind of funding, this level of funding, cannot only preserve current education programs such as vocational education, funded at $1.3 billion which the President and their resolution would simply exterminate, wipe out, it can also support increases in priority programs like special education. The additional funding we are providing can also help close the gap in funding for No Child Left Behind, $12 billion below this year and next year below where it was authorized to be when the act was passed.

Our budget rejects the reconciliation instructions to the Education Committee calling for $21 billion in savings over 5 years. We do not know where that is coming from. We do not include the President's student loan proposals that would raise loan fees. We do not end the students' ability to consolidate their student loans at fixed interest rates. We do not eliminate Perkins loans, for goodness sake, and we do not force colleges to repay prior Perkins contributions. We do provide the funding to raise the Pell grant, not just $100 every year for 5 years but $100 every year for 10 years. The Bush administration and the gentleman from Iowa (Mr. NUSSLE) and the Republicans claim that is provided for, but that can only be funded in their budget through reconciliation; that is, through taking it out of other student loan programs.

We have a decidedly different approach to education, a much greater emphasis on education. It is one of those things in our budget which we have singled out as deserving of additional funding. Even though we keep everything at the level of current services, a few things we plus-up to the detriment of other things, but education is one of those things we emphasize and plus-up.

Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Mr. Chairman, I believe very strongly in balancing our budget and reducing the deficit, but I think we need to set certain priorities that are important to our families. My hope is that we do this in a bipartisan approach, that we develop a consensus, and I do want to thank the gentleman from Iowa and the committee for allowing us to put some committee report language dealing with education in the budget and with results-oriented budgeting which I believe we need here at this House.

We need to balance the budget, but I think we need to protect our families and we need to make sure that we ensure that we are not trying to fix the

deficit on the backs of the country's working class.

The budget includes the termination of 150 programs. Nearly one in three of them are in education. It eliminates programs essential to our children's futures, such as Even Start, Upward Bound, Talent Search, Gear Up, Perkins loans, Pell grants and LEAP programs. It also does not allow us to give the full funding for special education. It also eliminates certain programs, such as the vocational education, nearly $1.3 billion in cuts. The safe and drug-free schools State programs which are so vital to our communities is eliminated.

Again, I believe in education. In my life, education has been one of the most invaluable tools that has made it possible for me to open up doors, move forward to attain higher goals and make my dreams a possibility. I feel very strongly about financial aid. In fact, I think we need to restore the funding to these vital education programs, especially increasing the $100 maximum Pell grant award. This fulfills the President's request of increasing the maximum Pell grant by $100 without paying for it by taking from other parts of the education budget.

As a member of the Committee on the Budget, I think we should ensure that the Federal Government investment is available to fulfill our commitment to helping low income students get into and graduate from college. College enrollment is slated to grow by almost 19 percent between now and 2015. This group increasingly will be comprised of full-time, nontraditional students, college age, first generation, low income and minority students. Most of these will likely need and will qualify for student financial aid.

My test for considering any budget proposal is whether it will make our families stronger. This budget proposal in my opinion does not make our families stronger. I urge our colleagues to vote in favor of strengthening and protecting our young children by protecting education.

Mr. Chairman, again, I hope we do this in a bipartisan approach and find a consensus.

Mr. NUSSLE. Mr. Chairman, I yield myself 5 minutes.

First let me compliment my friend from Texas (Mr. CUELLAR), a new member of the committee. I appreciate his service. We have worked together on a number of issues. But let me give a slightly different tack from what he was suggesting with regard to our record on education because I think it is important for us to see what has come before.

First, with regard to education totals, as you can see, we have grown on an average of 9 percent a year for the last 5 years. There are not many programs around Washington that have grown that fast. Homeland security is the only other department that has grown at that rate. Nine percent. This is the total we have spent for education.

Again, is it enough? You might say no. Could we always spend more? Of course. But I want to put it in perspective. Nine percent annual growth over the last 5 years.

Title I, the main program that affects No Child Left Behind, has grown 10 percent per year since 2000 and was funded at $12 billion for fiscal year 2005. That annual growth, again, every year has gone up. Pell grants has grown 10 percent per year since 2000 and $12.4 billion in this fiscal year. No Child Left Behind has grown at 40 percent under President Bush. I understand there will always be this debate that programs are authorized at one level and then they are appropriated at yet another level. Everyone around here knows this, but it is a game that we play with our constituents. There is almost no program that is funded at its authorized level. That is not a floor. It is a ceiling. That is always the way it has been approached in Congress.

Special education, a program that I feel a personal affinity toward and it was a personal goal and leadership that I took with regard to special education to our States and to our schools and to our classrooms and for our kids with special needs, I am proud of what we have done. These green charts do not mean anything compared to what it has meant in the lives of the kids that are receiving a quality education and it has unlocked opportunity for them that is boundless. That is because we have invested some resources there.

I just want to end with this. It is not only about the money. We come down here with these green bar charts as if to say, if I spend this much it means that I don't care and if I spend this much it means that I care a little more, or here I am caring a little bit more now. Watch out, here I am caring some more. It is getting higher. I am caring even more.

□ 1830

And the more we spend, the more we care. And the more we invest, the more we care. And we measure by green charts the compassion, the caring, the value, as if money alone is the only measure.

I have got to tell my colleagues something. Take special education. Go talk to any one of their teachers back home in the special education classroom and ask them whether they have seen these increases in their classrooms. Do the Members know what is going on, Mr. Chairman? The States are taking that money, and it is not getting through their bureaucracy. We are getting this money out of Washington, but it is not getting to the classroom teacher teaching our child.

So their chart may look a little bit bigger; our chart may look a little bit bigger, and our charts look great, and if I care at $5 and they care at $6, maybe they care $1 more, and we get into all of this. And we are not looking at the results. We need to look at the results of these programs and find out whether they are getting to the kids in the classrooms. And I have got to tell my colleagues right now it is not. So we have got to provide the oversight. It cannot just be about the money.

And that is the last chart I want to show. For all of the chest beating about education and the priority, see that little red line of the total amount spent on education in our country? That is what the Federal Government kicks in. We are talking, on any given day, like about 6 percent. The people who are really doing the work here are our local school boards, our local State legislators, our local parents and community leaders. They are kicking in all this amount right here. That is what is being kicked in. It is this little red part that we all of a sudden think is so important and that we beat our chests about.

The Federal Government is not going to solve education, Mr. Chairman. Not with a big red line or a little red line or with this money or that amount of money. It is not about the money. It is about results. We have got to focus on results in education, and this budget accomplishes that.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank the gentleman for yielding me this time.

I have a great deal of respect for the chairman of the Committee on the Budget. He is a friend of mine. He has got a tough job, trying to bring forth a budget priority that reflects his caucus's wishes in that.

But let us set the facts straight here. The Democratic alternative does a lot better when it comes to support of the education programs than our Republican counterpart. We also in our budget proposal reinstitute the pay-as-you-go rules so that if we are proposing a spending increase or a tax cut in one area, we are going to find an offset in the budget to pay for it. Their budget does not do it.

Our budget is also out for 10 years that shows that we come to balance by 2012. Their budget is a 5-year proposal. And the reason they do not do it at 10 years is because their deficits explode in the second 5 years. But their budget has also hidden the true and real cuts that are occurring in their education programs, ones that affect real people, real students in real-life conditions and will not help improve the condition of education or access to higher education, which we desperately need in this country.

Their budget proposal actually calls for eliminating $4.3 billion worth of education programs in the next fiscal year alone. They completely wipe out vocational education, the Federal commitment to that. They completely wipe out all the Federal education technology programs that exist. They wipe out the Safe and Drug-Free Schools Grant program. They also get rid of TRIO and GEAR UP, targeting low-income students who want to go on to

post-secondary education opportunities. They wipe out Even Start Family Literacy programs. And their proposals also hurt students by raising fees for student loans for higher education, ending students' ability to consolidate those loans at a lower fixed rate interest, and not only eliminating the Perkins loan program, as the gentleman from South Carolina (Mr. SPRATT) indicated, but also forcing colleges to repay prior Federal Perkins contributions.

The Democratic alternative is better than that. We restore these funding cuts as well as $4.5 billion in the next fiscal year alone. Talk to any administrator, any teacher throughout the country wrestling with implementing the unfunded Federal mandate called No Child Left Behind, and they will say what these requirements are doing to their school districts with the lack of funding to back up those requirements. Talk to special education teachers, and they will say how the lack of education commitment at the Federal level, only 18.6 percent of the 40 percent cost share that we promised for special education funding is pitting student against student in our public classrooms throughout the country.

We can do a better job. The Democratic alternative does do a better job, while staying true to fiscal discipline and fiscal responsibility by reinstituting the pay-as-you-go rules that worked very well in the 1990s and led us to 4 years of budget surpluses, while also maintaining a crucial investment in education programs.

As a Member of the Committee on Education and the Workforce, I am heading to China in a couple of days in order to visit their colleges and universities. Guess what? China and India are making a major education investment in the future of their countries. They are graduating more engineering students than we are today. They are emphasizing the math and science and engineering programs while we are starting to cut back in these crucial education areas. Do people want a recipe for economic disaster? The Republican budget and their lack of commitment for education is a sure way of getting us there.

Mr. NUSSLE. Mr. Chairman, I yield myself such time as I may consume.

For the purposes of entering into a colloquy, I yield to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I thank the gentleman for yielding to me.

Over the past decade, funding for NASA's Aeronautics Research has declined by more than half, to about $900 million. The President's budget proposes to cut aeronautics research by 20 percent over the next 5 years.

I am concerned that the United States is losing critical expertise in aeronautics research and development. This degradation will have a tragic impact on military and civilian aviation, which contributes significantly to our national defense and our economy. I believe that the President's funding levels for aeronautics programs should be reassessed and that the House should give priority to restoring these vital programs.

Will the gentleman commit to bring to the conference report language that will clarify that the resolution makes no assumption regarding the President's proposed funding level for NASA's Aeronautics Research programs?

Mr. NUSSLE. Mr. Chairman, reclaiming my time, the answer is yes to start with. First and foremost, I appreciate her leadership and concern about the research programs that we have for NASA. She does an excellent job there, and we really appreciate the leadership she takes in that.

The gentlewoman knows that the resolution, while it tracks the President's overall number, it does not make any specific decisions about the different funding levels that we have in some of these major categories. It goes actually back to what the gentleman was saying on education. We cannot find in the budget any of what the gentleman from Wisconsin just talked about in education. It is a great speech, but we cannot find it in the budget. And the same is true with so much of this.

So the Committee on Appropriations is the one that is going to make these determinations. The same is true for NASA. And we appreciate that her advocacy and mine is going to have to be brought to bear as we work on that.

So that being the case, I do commit to the gentlewoman to bring back from the conference language clarifying that the budget does not make these specific assumptions regarding the President's proposed level for these programs and urging that the levels for NASA should be reassessed. There is no question that R&D is important, and I know the appropriators agree with that. I know the gentlewoman from Virginia agrees with that. I agree with that, and I have no doubt that they will bring back a bill with that in mind.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I thank the gentlewoman for his answer.

Mr. NUSSLE. Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. NEAL), a former mayor, to talk about community development programs in our budget resolution versus theirs.

Mr. NEAL of Massachusetts. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPRATT) for yielding me this time.

Mr. Chairman, I would ask the Members on the Republican side of the aisle this evening to find one Republican mayor in America, one, who favors what they are about to do to the Community Development Block Grant program.

The Community Development Block Grant program has been extraordinarily successful. It has had broad bipartisan support for as long as I can remember. And we ask, how did that come about? It came about because there was a Republican President named Richard Nixon who created what he believed to be the new federalism, and there were overwhelming majorities of Democrats in the Congress who accepted that leadership with this simple idea, that, yes, Washington, because from time to time they exacerbate problems at the local level, and if that was to be the case, how would we funnel some resources to the local government but allow, and listen to this because it is a critical aspect of the Community Development Block Grant program, local decision-making, meaning that the problems that confront Seattle, Washington might be different from those that confront Birmingham, Alabama, that might be different from those that confront Portland, Maine, from those that might confront Dallas, Texas. An extraordinary principle, the national principle.

So what does this Congress decide to do with this extraordinarily popular and successful initiative? They are going to cut it. They are going to cut it back. I do not think we can find a Republican Governor in America who supports what they are about to do with the Community Development Block Grant program.

And what is it used for? Overwhelmingly, it is used for housing. The number of substandard units of housing in America that have been brought back to life because of CDBG allocations is most impressive. And then let us throw in the next part of what CDBG does. It provides ample opportunity for economic development. They might expedite the paving of a roadway to an industrial park so that there can be new business growth and new job opportunities in cities and towns across America.

And what else might they do with it? There are all kinds of public parks across this country that have succeeded because of Community Development Block Grant programs. Some of them in the lowest income neighborhoods of America. And do my colleagues know what else? Some of them in great middle-income neighborhoods across this Nation as well.

As a member of the alumni association that is exceedingly small in this Congress, called Former Mayors, I might point out that if we assembled mayors across America, the United States Conference of Mayors, we would be hard pressed to go into that room and find one mayor who supports what they are about to do to the most popular domestic urban program called Community Development Block Grant money.

Mr. NUSSLE. Mr. Chairman, I yield myself 1 minute.

In response to my friend from Massachusetts, he is right and I agree with

him. Let us get that in the RECORD right now. There are those moments in time. In fact, he was not here for our colloquy earlier; so let me just report to him. I am sure I am not going to get his vote, but I will report to him anyway. We agree with the local control aspects of CDBG. There are so many on our side, including myself and so many others, who agree that this is local control, local decision-making, getting this back to communities.

In the budget that we have, we did not take the President's assumption with regard to CDBG. We do not necessarily foreclose the ability to look at the program and make improvements. But we plussed-up the function for CDBG by $1.1 billion, and we increased it for that purpose; and we also did not make any assumption with regard to the President's new proposal of the Strengthening America's Communities Block Grant or transferring the program from HUD, Housing and Urban Development, to the Committee on Energy and Commerce.

The bottom line is there are many things that we will disagree with on budgets, and like I said, I doubt I am going to get the gentleman's vote, but I do think we have a bipartisan commitment to this. It is one area that I know we will continue to work on. And there may be other disagreements, but this is an area that we have worked on together.

I commend the gentleman for his leadership, and we are providing that leadership as well. And we hope the President can come forward with a little better rationale as to why this program, in particular, needed the changes that he proposed in his budget. If there are reforms that are needed, then let us reform the program. We will work together. If there are bad apples spoiling it for the rest of the bunch, then let us get rid of those bad apples. Let us figure that out. But let us not throw the baby out with the bath water. I agree with the gentleman.

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

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

I take the chairman of the committee, my good friend, at his word; but I have to point out the language of the resolution does increase the allocation for Community Development and Regional Development programs by $1.1 billion more than the President requests. But it is still $1.5 billion below this year's level adjusted for inflation.

What we have done in our resolution is to make amply clear that the CDBG will survive intact and will be fully funded, not suffer some crippling cut, as we have provided $9 billion more than their resolution for Community Development programs over 5 years. That will guarantee, virtually, if the committees are willing, that the CDBG and other important Regional Development and Community Development programs will not have to be cut.

Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. EMANUEL).

□ 1845

Mr. EMANUEL. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in opposition to the budget resolution and in support of the Democratic substitute. In the last 3 years, the Republican Congress has enacted three tax cuts, resulting in the three largest deficits in history, all the while on top of the record $400-plus billion deficits and $2.4 trillion of additional debt. This budget does not account for the $300 billion of the Iraqi-Afghanistan war, the $800 billion for the prescription drug benefit they passed, and the $1.9 trillion needed to privatize Social Security.

If this is an example of what a conservative philosophy is, we cannot afford this fiscal mess any more, and the one thing we can always say about the Republican budget is we will be forever in your debt.

The CBO, the Congressional Budget Office, has attested to all of these figures, but none of them are honestly reflected in this resolution.

But while leaving a sea of red ink for future generations, what does this budget do to the middle class, who are facing rises costs in health care and college tuition? This budget makes it all the more difficult for the middle class to afford their health care and college education. This budget cuts the health care professional training by $300 million, it cuts community health by $289 million, it cuts extended health care facilities for veterans by $105 million, and it eliminates the Preventive Health Care Block Grants. It also underfunds the National Institutes of Health and Maternal and Child Health Care Block Grants.

It is a fascinating approach to investing in America's future. Who knew when George Bush declared he was against nation building, it was America he was talking about?

We need a new direction and a new set of economic policies to put the middle class families and their economic interests at the heart of our economic policies. To think that the policies or the stewardship of the Republican Congress over the last 4 years has led to $2.4 trillion in additional debt, three consecutive years of the largest deficits in the history of the country, and all under the rubric of being a conservative, it is a fascinating approach, and all the while we are cutting health care, investments in America, cutting college tuition assistance to middle class families, opening doors to their future, it is a fascinating approach nobody has ever really thought of as a way to build America's future as one that is brighter.

Mr. NUSSLE. Mr. Chairman, I yield myself such time as I may consume to just respond and say it is fascinating. It is fascinating how we got into this situation. And if you heard the gentleman who just spoke, if you wondered whether or not he maybe had been reading the newspaper and may be forgetting all of the things that have been happening to our country over the last going on 4 years, you might wonder if anyone has been paying attention, because he is correct.

On September 10, 2001, we were running a surplus. There is no question that that was a good thing, something was very positive about that. But, unfortunately, we learned the very next morning that we had a homeland security deficit, that we had a national defense deficit. Our economy was already in a recession, and we found out we had an economic growth deficit. So even though there was more cash in the Federal Treasury than we were using, and you can call that a surplus, that did not mean we were meeting the needs of our country. There were many other challenges that we had to meet, and that next morning we found out.

And all of the votes, all of the spending votes, I will go back to the record, all of the spending votes that the gentleman was just talking about under our management, the gentleman from Illinois voted for; voting for our troops, voting for homeland security, voting for education. I will go back to each one of those appropriations bills and the gentleman from Illinois voted for each one of those. The only one he does not like, if you take away all of the clutter, is he wants to increase taxes. He did not like that part. But all of the spending he voted for.

So, let us just boil it down: There are people who want to increase taxes, and that is fine, and there are people who want to control spending, and that is also fine. But it is not all of this mismanagement.

People say Republicans did all of this mismanagement. I think Osama bin Laden had a lot more to do with where we are today with the deficit than anybody else, than anybody else.

Mr. Chairman, the purpose of me taking this time was just to remind everybody that it was not just Republicans that were here voting for those things, and there were probably a lot of reasons why we got into this situation that had nothing to do with JIM NUSSLE or the gentleman from Illinois (Mr. EMANUEL). It probably had more to do with Osama bin Laden than just about anybody else.

Mr. Chairman, I yield 3 minutes to my friend the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, democracy is sweeping the world and we should be proud that our country has become the greatest force for dignity of men and women in history. But if you look back at history, at past democracies, you will see that many collapsed because they voted by majority to go into debt. Athenians and the French republics, the budding democracies in Latin America, all collapsed in debt, which led to dictatorship. But that should

never happen here. This is a hard line budget, because the threat to freedom is also overspending, debt and instability.

In America, the Federal Government made a basic promise in the 19th century to provide for the common defense. In an age including the War on Terror, this promise to defend America is very expensive. It is expensive to send armies to Afghanistan or to stand watch across the demilitarized zone in Korea. But we must do this, and we must fully support Americans in uniform.

In the 20th century, the Federal Government made a second promise, to ensure retirement security for Americans who worked hard and played by the rules. The Social Security and Medicare programs face real challenges as the baby-boom generation retires. We are now expecting the number of people under Social Security and Medicare to rise from 40 million to 90 million.

Social Security recipients used to live, when Roosevelt created the program, an average of only 11 months, but now people are on Social Security on average 22 years. So the size of meeting the retirement security promise is extremely large, in fact beyond the current means of this government.

We are commanded to be fiscal conservatives to meet the needs of our common defense and the 20th century's promise of retirement security. We cannot start new programs, because we should honor these promises first.

Some say we should borrow more, but we already borrow too much and we have seen past democracies drown in debt. Some would like us to raise taxes, killing economic growth, but we cannot kill economic growth. Our growing economy right now is already yielding more tax revenue to meet the Nation's needs, but for the foreseeable future those new dollars should be used to support Americans in uniform and to already honor the retirement security promises that the Federal Government has made.

Our chairman has done a good job, a budget that stands for restraint, that continues the course of a free people being free, that grows our economy. We could say yes to everyone. We could say yes, and then we would be much more popular in the short run. But in the long run there would be more debt, a smaller economy, a smaller future for our children.

I am for less debt, rather than more. I am for more economic growth, rather than less. I am for honoring the basic promises the Federal Government has made to provide for the common defense and the retirement security of older Americans.

That should not be done on borrowed money, on borrowed time. It should be done with a growing economy. It is under this restraint, with this discipline, that this budget comes before the House, and we should honor that work.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, the Republican budget that we are considering assumes funding for the Community Development Block Grant Programs that for this coming year is $1.5 billion below last year's level adjusted for inflation. And while it may be reassuring to some to hear the words of the chairman of the Committee on the Budget tell us that they like local control of Community Development Block Grants, they seem to like it $1.5 billion less than they did last year. And when they tell us that they like Community Development Block Grants so much that they are funding it more than President Bush proposes, that just means they are poking it with one fist instead of with two, because his is a really draconian cut, and they have made it just a little less painful than what he proposes to do.

Community Development Block Grant is a mouthful, but in a little town like Freer, Texas, it is concerned with holes, the holes of abandoned septic systems where several children have drowned, and they do not have a reliable sewer system there, so they have used the Community Development Block Grant Program for the health and safety of that community.

In McAllen, Texas, in Austin, Texas, it is the principal source of funding to help with affordable housing for seniors, for those with disabilities, for poor people, to have a chance to share in rehabilitated housing, some new housing.

In many of these communities, the dollars are going to food banks, they are going to assist in a variety of social programs that are stretched and strained that municipalities could not do without Community Development Block Grant projects.

The reason we are faced with this kind of challenge, as with the other challenges in this budget, it does not have anything to do with Osama bin Laden; it has to do with the decisions that were made down the street on Pennsylvania Avenue and that were implemented by this Republican Congress.

Indeed, with the budget that we are considering tonight, this administration says to those who are poor, who are uninsured, essentially what Leona Helmsley said, that only the little people pay taxes. Well, this administration thinks that only the little people, like the folks in Freer, Texas, only the little people ought to bear the burden of its fiscal irresponsibility.

We have never had a more fiscally irresponsible administration than the one we have in office today, that has driven the deficit to the highest level in American history and then turns to poor people in Freer, Texas, to kids that are trying to get a decent education, to our veterans, and says you bear the burden. You dig us out of this hole we dug into with your little shovels to make up for the big shovels where we shoveled out all the revenue to those at the top of the economic ladder.

It is unfair, and that is why this budget ought to be rejected.

Mr. NUSSLE. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky (Mr. DAVIS).

Mr. DAVIS of Kentucky. Mr. Chairman, I found the rhetoric on the budget particularly interesting over the course of a wide variety of issues. One near and dear to my heart is the issue of veterans care. I can speak to this issue with a great deal of authority that very few of my colleagues in this body can as a member of the American Legion, a member of the 82nd Airborne Division Association, a member of the Army Ranger Association and a member of the Association of Graduates of the United States Military Academy.

Being both a former enlisted solider and an officer who served here and abroad, I am concerned that we keep our commitment to our veterans, those who have laid their lives on the line and in many cases borne a great price to pay for the freedoms that we have here to have this dialogue.

Unfortunately, there is a tremendous amount of misinformation that is going around the public right now, I found this unfortunately being passed out to veterans in my own district, that completely disregards the facts in favor of what I would consider a shameless play at political power.

The facts speak to themselves. As a former numbers person, I would like to point out that in the chart that we referenced, that spending per veteran has increased dramatically. Indeed, total veterans spending in the 2006 budget is $68.9 billion. There are considerable monthly payments for veterans, and the budget provides $31.7 billion, an increase of $877 million, for veterans' medical care and other discretionary spending.

These increases in this budget carry on a commitment to our Nation's veterans that, over the past 11 years, has been reflected in veterans spending since 1995 when Republicans took control of Congress.

We can see that the rhetoric from the past is hollow from when there was a Democratic majority in this body and also a Democratic administration.

What we have seen since Republicans took control of the House is a steady increase, particularly after President Bush was elected, in making sure that our veterans' needs were cared for. Spending for veterans' medical care has increased 85 percent, from $16.2 billion to $29.9 billion. Indeed, the number of veterans receiving care has increased from 2.5 million veterans to 4.8 million, a 92 percent increase.

□ 1900

The facts speak for themselves. And, again, the shameless rhetoric is hollow.

Education benefits, under the Montgomery GI bill, have more than doubled during this same period and total per veteran spending has increased by nearly 103 percent.

I respect our national leadership. I respect the leadership of our party, the leadership in this Congress who has led the way, not with hollow words, but with straightforward actions to take care of the veterans in this United States who I am proud to represent.

Since we took control of Congress in 1995, we have made tremendous strides in improving benefits for our Nation's 25 million veterans, and we will continue to do that into the future with new strides in technology, reaching out to cover those who have legitimate needs who have served our country and served in harm's way.

Moreover, the Republican Congress has expanded eligibility for medical care in 1996 and 1999. That has increased the number significantly. In the end, this budget provides significant relief for veterans who have served. I am proud to support it. I stand with our leadership; I stand with the veterans in this Congress who are rightfully supporting this budget.

Mr. SPRATT. Mr. Chairman, do I have 18½ minutes remaining?

The Acting CHAIRMAN (Mr. COLE of Oklahoma). The gentleman is correct.

Mr. SPRATT. Mr. Chairman, I would like to yield 15 minutes to the gentleman from North Carolina (Mr. WATT), chairman of the Congressional Black Caucus, for purposes of control.

The Acting CHAIRMAN. The Chair may not entertain that request in the Committee of the Whole.

Mr. NUSSLE. Mr. Chairman, before the gentleman yields time, if I might yield 5 minutes to a Member, and then I would also be willing to contribute a little bit of time to the debate here.

Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN), a member of the committee.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, it is a pleasure to be here on the floor speaking on this subject since some may know I left this place for 16 years, and coming back to the floor of the House and having an opportunity to serve on the Budget Committee has given me a perspective that I did not have before. Being away from this place for 16 years gave me a little bit of a bird's eye view of how the rest of the public views what we do here. And I just must say that during the several years that I was embarking on my endeavor to return to this House, I was constantly reminded by the people that I came into contact with in my district as to the spending spree they believe the Congress has gone on and been involved in over the last number of years. The amount of discretionary spending that we have had in terms of its increase is remarkable.

I wish they could go back 16 years from when I left this wonderful institution back in 1989 to show what we are talking about. This chart merely goes back to 1994, but it shows us spending $513 billion in 1994, and we are talking about now stretching our way to $900 billion.

I was in my office watching some of this debate, and I heard what appeared to me to be crocodile tears expressed by some on the other side about how much we are cutting. And I guess only in this institution is a little restraint in the amount that we are spending in addition to what we have spent in the past considered a cut. Where I come from, cut is not a four letter word. Most American citizens, most of the people in my district believe that if you spent too much, maybe you ought to look on the side of spending restraint.

The response we got in committee time and time again from the other side was, why do we not just raise taxes? And I cannot even calculate the increase in taxes they suggested to cover all the programs they want.

As part of the requirements under the budget act, the Budget Committee gives an opportunity for any Member in the House to appear for 10 minutes to talk about any particular matter within the province of the Budget Committee. And I was privileged to accept that duty for perhaps the last hour. And I remember those coming up to talk about the Community Development Block Grant program. They even were effective in citing a quotation from the mayor of the town in which I was born, someone whom I know.

And in response to that, I said, I think it is a worthy program, but could you please tell me, if we do not cut this, where we should find the money to fund it? And the response I received was, that is not our job; that is somebody else's job. And that is the problem with the Congress, at least as I see it. It is always somebody else's job.

But the job of the Budget Committee is to bring us, I think, some fiscal sanity by suggesting with some enforcement mechanisms, numbers within which we will live, which is no different than what we do in our daily lives and our family lives.

And all I can say is, having been gone from this place for 16 years, the image that I obtained from people on the outside looking in is, frankly, not that we have been very restraining in terms of our spending. The average person would, I think, stand with their mouth agape at some of the conversation that has been on this floor. We are not really restraining ourselves very badly when you look at the numbers that we have seen here. Only in Washington, D.C. could a restraint on increased spending be considered a cut.

That may be very simplistic, Mr. Chairman. I am sorry for being simplistic; but I have been away from this place for a long time, and where I come from, again, cut is not a four letter word. And I would just ask, if people could understand, if other Members could have the chance I had to leave this place for 16 years and come back and see the change, people coming to us asking for spending, no longer requesting it, but coming with the expectation that it is an entitlement in the area of discretionary spending. It is so different than what it was 16 years ago. It is, as we used to say, the difference between night and day.

I want to thank the gentleman, the chairman of this committee, for leading our committee and bringing forward a product which will put us on the path towards restraint, the type of restraint that not only is necessary but is expected by the folks back home.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. WATT), the chairman of the Congressional Black Caucus, so he can discuss the alternative that the CBC is offering.

Mr. WATT. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPRATT) for yielding me time.

At some point tomorrow, the Congressional Black Caucus will be introducing an alternative budget which we will discuss in detail. Unfortunately, we have been allotted only 20 minutes on our side to discuss the details of that proposed, budget and I am delighted that the Committee on the Budget has seen fit to provide us a little bit more time this evening to discuss some of the benefits we believe will enure if the Congressional Black Caucus Budget is adopted.

We will be asking the Members of our House of Representatives to make some basic choices because we believe that a budget is about making choices. There are two choices in particular we will be asking them to consider: Would you rather provide a tax cut to people who make more than $200,000 per year, or would you rather spend approximately $30 billion dollars that you would save if you did not provide that tax cut on a series of things that would benefit our community and have a substantial potential of closing some of the disparities and gaps that have existed for years and years between African American citizens and white citizens in this country?

The second question we will be asking will be: Would you rather spend $7.9 billion on a ballistic missile defense program which has been tested time after time after time and has failed all of those tests, or would you rather spend that $7.8 billion on providing more security to our troops, body armor, personnel support equipment, and other protective gear for our troops, and providing more benefits to our veterans in this country?

This is a basic choice that we at this point need to debate. Our budget that we will be submitting and detailing tomorrow morning when we offer the Congressional Black Caucus substitute budget will ask Congress, What are your priorities?

That is what budget-making is about. And there is no trickery here. It is

straightforward, and we will be asking our Members to make those choices.

Mr. SPRATT. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Chairman, I thank my colleague and good friend for yielding me time.

Mr. Chairman, today I rise to support the Congressional Black Caucus fiscal year 2006 budget substitute which has three main focuses.

First and foremost, it restores fiscal responsibility to the Federal budget process. Secondly, it keeps our Nation's promises to our veterans and provides the equipment and materials needed to support our men and women on active duty. Thirdly, this budget funds efforts to close gaps and eliminate disparities in America's communities and among its citizens.

We restore fiscal responsibility by closing tax loopholes and eliminating the repeal of the limitation on itemized deductions, the phase-out of personal exemptions scheduled to take place between 2006 and 2010. We get rid of abusive shelters and tax incentives for offshoring jobs. This budget reduces the deficit by $167 billion over the House majority's budget over the next 5 years which reduces our interest payments by $27 billion.

Mr. Chairman, our colleagues on the other side are fond of talking about supporting and respecting our troops, but they do not put their money where their mouths are. The Republican budget resolution mandates almost $800 million in cuts to veterans mandatory programs. These are reductions in disability compensation, pension benefits, education benefits, and death benefits.

The President also proposes to increase fees and drug payments on veterans. The CBC budget increases funding for veterans by $4.65 billion. We restore veterans health care, enhance survivor benefits, medical and prosthetic research, long term care, and mental health care.

Mr. Chairman, under the issue of education, the President's budget eliminates 48 education programs that receive $4.3 billion this year. The CBC budget increases funding for education by $23.9 billion. It fully funds No Child Left Behind. It provides $2.5 billion for school construction, increases vocational educational job training, increases Pell grants by $450 million, increases Head Start by funding by $2 billion.

Mr. Chairman, unlike the President, we are not playing budgetary games. We increase funding for Pell grants by tapping into new revenue.

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The President, on the other hand, has increased funding for Pell grants by taking needed funds from programs such as the school lunch program for low-income children.

Mr. Chairman, there is no greater betrayal or broken promise to the American people than that which can be found in the President's budget for rural America.

The President recommends cutting agricultural programs by $9 billion over 5 years, and the Republican budget has suggested cutting the program by only $5 billion.

On the other hand, the CBC budget increases funding for programs that benefit rural communities by more than $3 billion. We increase funding for agricultural issues by more than $300 million; increase funding for community and resource development by more than $1.5 billion, Community Development Block Grants by $1.1 billion.

In addition, the Republican budget cuts funding for 17 different community and economic development programs that provide housing, water and sewer improvements and small business loans.

Mr. Chairman, in this budget we maintain tax cuts for wage earners making less than $200,000 a year, and we roll back cuts on the top 2 percent of Americans, and by doing so, we have saved almost $47 billion that we have used to invest in the human assets of this country, the American people.

I thank my colleague so much for yielding me the time.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, first, let me just thank the gentleman for yielding me the time and for his leadership; also to the gentleman from North Carolina (Mr. WATT), the Chairman of our Congressional Black Caucus, and to the gentleman from Virginia (Mr. SCOTT) for their leadership in spearheading this very responsible alternative budget.

The CBC budget is not only fiscally responsible but it also reduces our Federal deficit by $167 billion. It rescinds the 2001 and 2003 tax cuts for individuals making more than $200,000. It closes tax loopholes and it drastically reduces funding for the Ballistic Missile Defense Program by about $7.8 billion.

The Republican budget, quite frankly, fails to live up to any standard of morality that requires us to care for the least of these. From port security to health care, the Republican budget falls short on every count. On the other hand, the Congressional Black Caucus budget shows how national security priorities must include the economic security of all Americans. A strong America cannot have desperate, vulnerable people.

As a Member representing one of the largest ports in the country, it is clear to me that there needs to be significant increases in port security funding. The CBC budget provides $500 million more for port and container security. At a time when our ports remain one of our most vulnerable targets, allocating funds for container security is essential. Unfortunately, the Republican budget fails to adequately support homeland security priorities.

Our budget strengthens economic security priorities by easing disparities in housing and health care for example.

The President's budget eliminated the Community Development Block Grant program which provides financial assistance towards improving housing and economic conditions in low- and moderate-income neighborhoods. That is why I am very proud to support the CBC budget that provides $1.12 billion more than the Republican budget to the CDBG initiative. The President's budget also eliminated the Brownfields Redevelopment Program, but our budget adds $24 billion. The Brownfields Redevelopment Initiative provides important incentives for hazardous site cleanup and redevelopment. It is crucial to the health and safety of our communities, especially our children.

The CBC budget also provides an additional $880 million for Section 8 housing and $500 million more for HOPE VI. All of these programs are crucial to ensuring the economic security of the most vulnerable Americans. The CBC budget also restores approximately $50 million in funding to the Public Housing Drug Elimination Program. It allocates $490 million to the Minority Health Initiative and $500 million for Community Health Centers. These programs are vital to providing primary health care for our minority communities.

Mr. Chairman, the Republican budget punishes people. It punishes them by making them choose between their health or their housing. The CBC budget allows people to have access to both.

The Republican budget erodes our economic security. It weakens our community. It leaves our infrastructure crumbling. The Republican support of outdated weapons systems, wasteful defense programs, reckless tax cuts, and irresponsible deficit spending relegates economic security priorities to the back burner.

I urge my colleagues to join me in supporting the Congressional Black Caucus budget.

Mr. SPRATT. Mr. Chairman, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished ranking member for the time. I thank the chairman for yielding the additional time, and I do rise as well to thank the ranking member for a very creative, a very important statement on the alternative budget offered by the Democrats, and I look forward to supporting that vision that really helps to balance the budget and bring us back on line and also keep us in line with Social Security, which I will discuss, does more for education, and of course we do not forget the veterans.

Just as an anecdotal story, we were in the Committee on the Judiciary earlier today looking at the bankruptcy

bill, and there were several amendments that had to do with veterans' catastrophic health conditions, and unfortunately, in the bankruptcy bill markup we did not succeed in supporting veterans, those of us who supported that, particularly Democrats. So I rise to as well support the Democratic alternative over the Republican budget—because both the CBC Budget and the Democratic Budget supports people.

I want to spend some time on the Congressional Black Caucus budget and really focus on why this is so very important, what it means for us to rise on the floor of the House and to argue a certain focus, and I thank the gentleman from North Carolina (Mr. WATT) for leading us in this direction and, of course, the gentleman from Virginia (Mr. SCOTT), who will offer this amendment tomorrow.

Let me start out by saying something that I am not making up, but let me just hold up a sheet of paper that shows that the President's mark, the administration's mark, his first thought was to cut $60 billion out of Medicaid. There is some plussing up, $15 billion, and so someone said there is a net of $44 billion in cuts because we have got a little increase, but let me just say the intent of the administration was to cut $60 billion out of Medicaid. That goes to the very heart of health care for the uninsured, the disabled, those in nursing homes, and we are to pass a budget with that kind of insult, if you will, to the needs of Americans around this Nation?

In addition, the budget that was offered cut the community block grants $1.5 billion, and here is where the Congressional Black Caucus budget comes into play.

We understand the need to protect the troops. We have provided dollars for armor. In fact, Mr. Chairman, we have provided some $6.7 billion, or $75 million for body armor, $10 million for ammunition for the Marine Corps and small arms for Army, $1 billion for building maintenance and $5 million for studying instances of waste, but at the same time we provide $1.12 billion back into the Community Block Grant Program which helped to reinvest in our local communities and helped to provide for affordable housing. We believe in investing in America. The community is the most important element of this budget process, the rural community, the urban community, and that is what the Congressional Black Caucus does.

So we restore the Medicaid funds. We ensure that in restoring those Community Block Grant funds we answer the question.

In the President's budget, child care funding, losses in purchasing power, billions of constant dollars, we will see in that budget the inability, up to 2010, to be able to provide real child care for those who need it, and if there is anything that I get asked about when I go home, it is the parents, single parents and young parents, with low income who cannot afford to provide child care, and as we can see the purchasing power will go down, down, down up to 2010, and we will not have the ability to purchase child care in America for those who actually need it.

So the Congressional Black Caucus recognizes that and provides that funding. In addition we also, if you will, take care of Social Security.

In the President's mark, there is a mention of a Social Security transition cost, but there is no accounting for it. There is no money for it. So the Congressional Black Caucus budget takes into account affordable housing, Medicaid, the needs of our troops, investment in security and as well a provision for the Border Patrol agents and the Customs agents.

It is a comprehensive budget. It is a budget that should be passed. The Congressional Black Caucus budget is a budget for all of us to support.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today being very disturbed with the direction that the Republican Proposed Budget and this Administration is taking our great nation. The prime reason for my concern is the national budget which stands before this body today. The Nussle budget clearly does not improve upon the severely flawed Bush Administration budget. The needs of average Americans are still ignored. The interests of a wealthy few outweigh the needs of an entire nation in this budget. I say this not out of partisanship, but from a statement of the facts. I want to highlight a few areas in this budget that are particularly egregious.

This President and the majority party in this body have spent so much time talking about their record on education and as hard as I try I can not see what they have to be proud of. It is one thing to address areas of critical need with rhetoric, but to advocate a policy and then not fund it sufficiently is plain irresponsible. This budget eliminates 48 education programs that receive $4.3 billion this year. These eliminations include wiping out $1.3 billion for all vocational education programs, $522 million for all education technology programs, and $29 million for all civic education programs. The budget eliminates other large programs including the Even Start family literacy program ($225 million) and state grants for safe and drug-free schools and communities ($437 million). The President's budget cuts 2006 funding for the Department of Education by $1.3 billion below the amount needed to maintain purchasing power at the current level, and by $530 million below the 2005 enacted level of $56.6 billion. This is the first time since 1989 that an Administration has submitted a budget that cuts the Department's funding. This Administration and the majority in this Congress promised to leave no child behind, but clearly they have reneged on their promise.

Our brave American veterans are another group who were outraged by the President's budget and will unfortunately be disappointed with the Republican House Budget. I hear so much in this body from the majority party about the greatness of our Armed Forces, and their right, but again its just empty rhetoric on their part. Those brave men and women fighting on the front lines in our War Against Terror will come back home and find that the Republican Party looks at them differently once they become veterans. Almost all veterans need some form of health care, some will need drastic care for the rest of their lives because of the sacrifice they made in war, but the Republican Budget continues to turn a blind eye to their needs. The fact is that $3.2 billion more than the current budget proposal is needed just to maintain the current level of health care programs for veterans.

The entire Department of Veterans Affairs is going to suffer because of the Republican agenda. I have heard from veterans groups throughout my district in Houston and I am sure each Member of this body has heard from groups in their own district because veterans are one group that come from all parts of this nation. These brave veterans have told me their stories of how they are suffering now with the current state of Veterans Affairs, I am going to have trouble telling them that not only will things continue to stay bad but if this budget passes this body things will only continue to get worse. That is not what our returning soldiers from Iraq and Afghanistan should have to look forward to, a future where their needs are not only unprovided for, but are in fact ignored.

Education and Veterans Affairs are not the only two areas where Republican budget fails Americans. The truth is there are many other programs and services vital to our nation that are at risk because of the Republican agenda. At this point, an average American may be asking why the Republican leadership finds it necessary to cut so many fundamental programs. The answer is simple, yet disturbing; the majority is cutting important programs in order to finance all their irresponsible tax cuts. They will continue to make the argument that tax cuts provide stimulus for our economy, but millions of unemployed Americans will tell you otherwise. In fact the Congressional Budget Office itself said "tax legislation will probably have a net negative effect on saving, investment, and capital accumulation over the next 10 years."

While the Republican leadership continues its offensive for irresponsible tax policies they allow our national deficit to grow increasingly larger. When President Bush came into office he inherited a budget surplus of $236 billion in 2000. Now, however, this Administration has raided those surpluses and its fiscally irresponsible tax policies have driven the country ever deeper into debt. A $5.6 trillion ten-year projected surplus for the period 2002–2011 has been converted into a projected deficit for the same period of $3.9 trillion—a reversal of $9.5 trillion. Much like the President's budget, the resolution before us omits the longer-term costs of either the war in Iraq or fixing the AMT, yet still tries to make claims of reducing the deficit. It's clear that the Republican Party is hiding from the American people. This President and this majority in Congress have yet to advocate a fiscal policy that helps average Americans. Special interests have become king in this budget at the price of sound fiscal policies.

This body was made to stand for the will of all Americans; if we allow this budget proposal to take effect we will have failed our mandate. I for one will not stand by silently; I have a duty to my constituents and indeed to all Americans to work for their well being and I will continue to honor that duty.

Mr. NUSSLE. Mr. Chairman, I yield myself as much time as I may consume to just respond gently, firmly in some respects to some of the characterizations I disagree with of the budget that I am presenting and the Republicans are presenting.

I definitely respect the Congressional Black Caucus in their effort to put together a budget. I admire anybody who tries to go through this process and comes out of the other end with an actual work product that they can come to the floor to defend.

So, as a result of that, I am pleased to yield time so that they can present that budget.

Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD) so that we can continue this discussion.

Mr. BUTTERFIELD. Mr. Chairman, first, I want to thank the chairman for yielding these 4 minutes to me. One of the hazards of being one of the lowest in seniority on this side of the aisle is that we run out of time so quickly. So I thank the chairman for yielding this time. I want to thank the ranking member for the work he has done in the process.

Mr. Chairman, I represent North Carolina's 1st District. We are the 15th poorest district in America. We are working very hard to lift our communities in meaningful ways and it is difficult.

The one area in which we are succeeding is in the area of making higher educational opportunities more available to minority and low-income students. I am so proud of the fact that we are beginning to eliminate the educational disparity that exists between black, white and brown.

One program, Mr. Chairman, that has significantly contributed to this success is the TRIO program. TRIO programs are working. This program is serving 6,200 young people in my district, a total of 17 projects. Across the country, more than 870,000 low-income Americans are being served.

TRIO has a Talent Search Program which serves young people in grades 6 through 12. In addition to counseling, participants receive information about college admissions requirements, scholarships and various student financial aid programs. This early intervention program helps people from families with incomes under $24,000 to better understand their educational opportunities and options. Over 387,000 Americans are enrolled in 471 Talent Search programs. The President's budget and the Republican budget eliminates these programs entirely.

TRIO has an Upward Bound Program which helps young students to prepare for higher education. Participants receive instruction in literature, composition, mathematics and science on college campuses after school, on Saturdays and during the summer. Currently, 770 programs are in operation throughout the country. This program, Mr. Chairman, is scheduled for extinction.

The alternative Congressional Black Caucus budget is a responsible document, and I want to thank the gentleman from North Carolina (Mr. WATT) and the gentleman from Virginia (Mr. SCOTT) for the work that they have done in developing this great document. This budget restores funding for TRIO. It reduces spending while maintaining strong funding for national defense and homeland security.

Mr. Chairman, I urge my colleagues to oppose the Republican budget and to vote for the Congressional Black Caucus budget as this budget restores funding for the TRIO program which is a very, very deserving program.

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Mr. NUSSLE. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT) to close the debate.

Mr. WATT. Mr. Chairman, I thank the gentleman from South Carolina (Mr. SPRATT) and the gentleman from Iowa (Chairman NUSSLE) for providing the Congressional Black Caucus a little extra time to talk about the CBC budget, and I want to summarize what our proposed budget which we will be introducing tomorrow will do.

It will roll back the tax cuts on people with adjusted gross incomes that exceed $200,000 per year. Most of the revenue raised in the CBC budget will be used to address disparities in America's communities. A substantial portion is reserved to reduce the deficit.

On the military side, we would roll back $7.8 billion in ballistic missile defense spending leaving using $1 billion for research to continue regarding the ballistic missile defense system. All of these funds are spent on other defense items to support our troops, homeland security needs, and veterans program and benefits. The total for defense, homeland security, and veterans is equal to the Republican budget.

The bottom line is that the CBC budget addresses critical domestic challenges and supports our troops. The CBC budget reduces the deficit by $167 billion compared to the House majority's budget over the next 5 years. This fiscal responsibility is rewarded by a reduction of $27 billion in interest payments, compared to the House majority's budget over that 5-year period. We will have a responsible budget, and I look forward to having the support of our colleagues in this body and look forward to discussing the proposed CBC budget in more detail tomorrow when our substitute is presented to the House.

Mr. SPRATT. Mr. Chairman, I yield myself the balance of my time for the purpose of closing general debate.

Mr. Chairman, we have put before the House a substitute resolution as an alternative to the resolution supported by the Republicans and reported by the committee.

What does our resolution do? First of all, in the realm of fiscal discipline, we would reimpose a rule found to work and work well during the 1990s, a rule that was first implemented by a bill signed into law by President Bush, the first President Bush, in 1990 as part of the Bush budget summit agreement, which laid the foundation for the phenomenal success in the 1990s when we finally moved the budget out of intractable deficits into a surplus in 1998 and into a monumental surplus of $236 billion in the year 2000.

Part of the budget process changes that helped us achieve those impressive results was a rule called pay-as-you-go, which simply stipulates that before anyone can increase an entitlement or mandatory spending program, add to its benefits, they have to either pay for the benefits by an identified revenue source, or they have to offset the increased expenditure by decreasing expenditures elsewhere.

In addition, it provides when anyone wants to cut taxes, when we have a deficit, must offset the tax cut so it will not contribute to the deficit; it will not further enlarge the problem on the bottom line. So we first of all would reinstate the PAYGO rule. As I said earlier, this is not just some notion we have concocted. Three times Chairman Alan Greenspan of the Federal Reserve has testified before the Committee on the Budget that he would reinstate the PAYGO rule and he would apply it to expiring tax cuts that are renewed.

On the spending side of the ledger, we have brought spending back to current services, in many cases restoring deep cuts made by the Republicans. We have brought it back to current services, but we have held it at that level. Current services is basically today's spending level carried forward with inflation.

What do we do by instituting those two practices? What do we accomplish? Well, our budget moves to balance in the year 2012, which the gentleman from Iowa (Chairman NUSSLE) cannot say with respect to his budget resolution.

Secondly, we incur less in deficits each year and over the 10-year period of time that we run out our numbers, even though we provide current services funding.

Thirdly, we protect Medicare and Medicaid. The Republicans would cut Medicaid by $60 billion. I met with Governors, Republicans and Democrats, who have told us a cut of that magnitude would be devastating and we should not cut Medicaid by any significant amount so that when the program is revised, it has to be revised in pursuit of some arbitrary savings number.

Finally, we match funding for defense, function 050, dollar for dollar the same as their resolution. We match funding for international affairs, function 150. There is no difference between us there, but we have made some changes in our budget resolution which recommends that resources within the defense budget be shifted to personnel benefits and in particular to see that the $400,000 life insurance increase just

provided in the supplemental will be carried forward and that the $100,000 increase in death gratuities will also be carried forward and funded in the future.

So we have a budget resolution with many positive features to it, but also with fiscal discipline. A signature element is that in the year 2012 it gets to balance, but it gets there with balanced priorities.

Mr. NUSSLE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, first let me say to the gentleman from South Carolina (Mr. SPRATT), there is absolutely no one on the Democratic side that I admire more than the gentleman and the partnership we have in working on these budgets. This is the culmination when we come to the floor and have these debates, and I really respect the way he handled the debate. We appreciate that.

We disagree how we are going to accomplish the goals that our Nation needs to set, but we know the goals are pretty important. We have to keep the country strong. There is no question about that. It is really nonnegotiable. There is not a constituent I talk to that would suggest at this point in time in our history we do not want to protect the country. Our borders, everything from terrorism to illegals and drugs and all sorts of things coming into the country, we have to protect the country, number one.

Number two, we have to make sure that the economy keeps growing. That should not be an item up for negotiation. It is so important that families have the resources to deal with the challenges that they face every single day.

We come out here and talk about other people's money very easily on the floor of the House, what the taxpayers send us in order to solve problems; but we really do need to be mindful of the fact that the most important budget that we ought to be focused on is the budget decided and discussed and sweated over and argued about around kitchen tables across the country. That is such an important budget.

We worry about education here, but parents do that every night after their kids go to bed. We worry about health care here, but seniors do that every night when they are laying in a bed in a nursing home. We worry about creating jobs, but small business people do that every night in the quiet of their closed shop. They try and make sure their cash register all added up.

It is funny, I have heard people say we should not worry about the error rate in the food stamp program, which is now 6 percent. Mr. Chairman, 6 cents on every dollar in this country in food stamps is wasted. We say that is an improvement because it is down from 19 percent. The interesting and fascinating thing about that is if a small business person ended the night, closed that shop door and turned the open sign around to closed and rang up the cash register and they were missing six pennies, they would stay all night to find it, all night long to find those six pennies that did not add up in their cash register. But we say, oh, that is an improvement. Amazing. It really is amazing. That is what I turn to first.

This is the record of Federal Government spending over the last 10 years. In these numbers is what I was talking about, the concern of education, the concern of homeland security, the concern of national defense, the concern of job training, the concern of our environment, the concern of transportation, the concern of research and development. All of the concerns that we have talked about are embodied in numbers because in Washington we define compassion from one year to the next, solutions from one year to the next of spending more.

We have all seen that. If I spend just a little bit more from one year to the next year, I must care, I must be solving problems, I must be dealing with real solutions. If I just spend a little bit more money, I will solve all of the problems in the country. Every problem that every family ever addressed around their kitchen table can be solved with just a little bit more Washington spending. That is the fallacy of what we are debating tonight, and that is that if we believe, truly believe that all we have to do is take more money to Washington in the form of taxes and define and design and develop just one or two more programs that hires a number of more bureaucrats, that builds maybe a few more office buildings to be filled with those bureaucrats, and they drive in from Virginia or Maryland or wherever they drive in from, so that they care more about what is going on than the families back home, if we really believe that is solving problems, then Members are going to have a budget to vote for.

It spends more money, it increases taxes, and it purports to solve problems. Unfortunately, we are not solving those problems by doing that. My favorite saying that I heard on the floor, and I do not remember who said it, a long time ago, if you always do what you always did, you will always get what you always got.

If Members think about it, we have been trying to solve problems in Washington with more spending for quite some time now, and those problems do not seem to go away. Last year we decided to put the brakes on spending. We said yes, we have had the excuse of September 11, of the war on terror, of needing to deal with homeland security and needing to deal with our economy; but it is time to be done with all of that. And so what we did was we said let us put the brakes on spending just a little bit.

What happened? When the economy grows and when we control spending, just like the Republican budgets in the late 1990s when we got back to balance, and President Clinton can take credit for anything he wants, that is fine. But everyone who has studied government knows that the buck stops here when it comes to spending. When it comes to fiscal responsibility and article I of the Constitution, we are the ones in charge of the budget. Members know that.

As a result, last year with fiscal discipline and a growing economy, we were able to reduce the deficit 20 percent in 1 year. That is good news, but we need to build on that.

□ 1945

What our budget does is it says, let us continue to build on that success every year with more and more deficit reduction. That is what we accomplish with the spending discipline within this budget. We say not only should we hold the line on discretionary spending, that is the spending we will argue about every day out here during the appropriations process. We want to actually reduce some spending there. We want to have the first reduction in non-security spending since Ronald Reagan was in town back in 1980. That is good news. We also know that we have to start tackling what we call the mandatory spending, or the automatic spending. And so we accomplish that because we know that mandatory spending, that is this yellow part, the part here that back in 1995 was half the budget and now is more than half the budget and is growing to even more than half the budget, almost two-thirds of the budget if we do not start controlling our spending in these accounts.

I want to give you an example of what we would have to do. As much as there will be all sorts of discussion today, and there has been, and tomorrow about Medicaid, you cannot find the word Medicaid in the budget. The reason is because what we do is we say the committees of jurisdiction, in this instance the Committee on Energy and Commerce, should be given responsibility to look through the programs and see if they cannot only find savings but reform the program, to do a better job of delivering the product to the people who need it. If it is true that people sit up at night worrying about how they are going to pay their bills, how they are going to meet their health care needs, then let us help them figure that out. But let us not continue to do a program that every single Governor would admit is unsustainable. We have got quotes from here to the end of the day from Governors who have written us that have said, This program cannot continue. It cannot continue.

All right. So what do we have? We have one budget on the Democratic side. We actually, I think, will have two or three budgets on the Democratic side that do nothing with regard to Medicaid. No reforms. No changes. Let us continue to always do what we have always done, and that is continue what has been what some people say is fraudulent transfers that are going on at the State level, where Governors

and State legislators are put in a position where they actually have to figure out how to game the system, how to manipulate the system so that they can get more money from the Federal Government. I have heard of situations that colleagues of mine have told me from around the country where we actually have a situation where kids, teenagers who are eligible for foster care, good kids, good teenagers, that are difficult to find families for so that they can integrate and become part of a family again, but the State, a couple of States in particular, what they have done is they have devised a way to lock those kids into mental health residential treatment centers. Why? So they can get more money from the Federal Government. If you are a foster parent or you are someone who is thinking about adopting, opening up your heart, your family, your home to a child, to a kid, to a teenager and giving them a life, try doing that with a stigma of having mental health problems, of having challenges in that regard, because of the stigma of being part of that State program, not because they were helping the kid but because they wanted more money. We are hurting people with some of these programs.

I realize if you measure your compassion from one year to the next with spending, I cared at $92 billion this year. Oops, there I went and I cared a little bit more that year. Then I cared at $101 billion. Then I really cared at $108 billion. Boy, my caring and compassion is going up. That is not how we should measure it. We should measure it on results. Are these programs working? Are they helping families? Are they helping kids? Are they helping communities? Are they solving the problem that Medicaid ought to be solving for people with long-term health care concerns, people with disabilities, people who require indigent care? That is what we ought to be asking.

What do we do in this budget? We say, Commerce Committee, go to work. Invite the Governors to come to Washington to give us their proposal. The gentleman from South Carolina (Mr. SPRATT) and I sat in a room with Governors where they said, ''Don't arbitrarily let the number drive the policy.'' That is exactly right. The number should not drive policy. This number should not drive policy any more than it ought to determine compassion. But there is only one way to get the Governors to come back to Washington. They were here the first time. The only way to get them back the second time is to have a process that requires reform and that is exactly what this budget does. It says, by September, we want you to come back with ideas for reform. Just as a result of this, they have committed to come back by June with a reform proposal that the Governors are going to offer that we can work together with the administration to try and come to a solution and try to come to some agreement on. That is a positive step forward. That helps us with a program that most people think is unsustainable and that helps us solve the problem of making sure that this goes to people who cannot help themselves.

What does the so-called reduction in growth look like? We have heard all the complaints on the floor today. One would think we were just eliminating the Medicaid program. I want to show you the chart of what this looks like after we are all done. This is what the Governors would complain about. This is what some of the advocates are complaining about. In other words, we are asking for just a little sliver, just slow down the growth. But it is growing every year. Every year it grows. We are just asking for a little bit of change, just a little bit of reform, make the program work better, less it help seniors, let it help people with disabilities, make sure it is solving the problem for families that do not have the resources to meet their health care needs. Let us also instill some personal responsibility. Do not just hand it out and give people first dollar Cadillac coverage without saying in return, Folks, you have got to be healthier, you have got to practice prevention, you have got to be personally responsible. That is what reform can give you and a budget without that reform will not give you.

I understand that between today and tomorrow we have got a big decision to make. The decision as it boils down to me is very simple. If you believe that taxing a little bit more, taking a little bit more out to Washington from all of these hardworking families across the country and hiring more bureaucrats and inventing more programs and trying to solve more of these problems from Washington, if you believe that is the solution, you need to vote for the Spratt budget. You need to vote for the Democrat alternative budget because that is what it does. It says increase taxes, increase spending and you will begin to solve these problems.

But there is an alternative and it is the majority. What the majority is saying, Stop the madness. It is the spending. We have got to get the spending under control. We know the other body left to their own devices may not do it on their own. We have already seen in a kind of a disappointing way that they have not really stepped up the way the President has and how we believe the way I have.

In closing, let me just say that we will be able to give, I believe, our kids and our grandkids the opportunity of a debt-free world if we begin with a small step again this year. I ask Members to support the majority budget.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. ENGLISH) and the gentlewoman from New York (Mrs. MALONEY) each will control 30 minutes on the subject of economic goals and policies.

The Chair recognizes the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

It is a real privilege to rise tonight to take on the role of discussing the statutorily required Humphrey-Hawkins side of this debate; that is, to consider how this budget fits into the overall economic policy of the United States.

We have heard so far a very engaging debate, and may I say, the chairman of the Committee on the Budget has done an extraordinary job of defending the details of this budget. He has been powerful and persuasive and intelligent and, I think, has made a compelling case. The argument that we are going to make in the next hour has to do more with how this fits into the overall economic priorities of the United States. This in my view is perhaps one of the most important reasons for passing this budget, because as we look at where America is today, as we look at the economic challenges we are facing, it is clear that we need to have a strong and responsible fiscal policy that encourages economic growth, that controls spending, and by controlling spending brings down our deficit over time, reassures capital markets and sends the message that the American economy continues to be the safest place in the world to invest. If we continue on the path directed by this budget resolution, we have an opportunity, I think, to lay the groundwork for an unprecedented expansion and to create opportunity and economic growth in the American economy that is so badly needed in many of our communities, including many parts of my district.

There is no question, Mr. Chairman, that the challenges we are facing today are substantial, the deficit is a serious problem and the proposed remedy contained in this budget resolution involves some very strong medicine and, for many individual Members of the House, some very, very difficult policy decisions. We need to pass this resolution because the broad parameters of spending that are the real budget resolution, the blueprint that is the substance of this budget resolution is precisely the vehicle we need to move in the right direction to make sure that we control spending and create the opportunity to continue the economic expansion which is only now just beginning.

Over the past few years, America has gone through a challenging time economically. Nowhere is that more evident than in my district, but at the same time there are very encouraging signs. We know that we have been running a deficit. We know we have been running a deficit because, first of all, understandably, we have been in the throes of a recession and we have never run a surplus during a recession. Second of all, we have never run a surplus in wartime. And even as we have been undergoing a very difficult episode, a combination of a slowdown which

began during the last administration coupled with the substantial damage to our economy that occurred in the wake of 9/11, at the same time we have had to take on a war on terrorism that was not of our choosing. The combination of these two factors, the loss of revenue because of the slowdown of the economy and at the same time the challenge of meeting the war on terrorism have been a substantial drain on our resources. Yet our underlying economy continues to be sound and clearly we have a path that we can pursue that brings us back toward a balanced budget and providing the kind of policy in place that will continue to meet the needs of America.

This budget resolution is precisely what we need. We recognize that an uncontrolled deficit can put pressure on interest rates, increasing the cost of borrowing and putting the brakes on economic growth and investment. Without economic growth, we are not going to be able to generate the revenue to get back to a balanced budget. We also recognize that a lax fiscal policy could further weaken the U.S. dollar in global markets and undermine its standing as the reserve currency of the world economic system. This has been one of the core advantages that America has retained relative to our global competition. That is why the decision we make with this budget is going to be so very, very important.

This budget is a blueprint for injecting spending restraint while encouraging economic growth and stability. Its adoption will signal to the financial markets that a fiscally conservative Congress once more is prepared to sally forth to make difficult decisions necessary to control the Federal deficit and maintain our economy on a growth path. This budget vehicle provides fiscal discipline that will strengthen investor confidence in the renascent economy and act as a powerful tonic to continue on the path of economic growth. It provides for controlling spending without raising taxes, which is precisely the formula that has worked for us and can continue to work for us.

Mr. Chairman, we recognize that we need to maintain a pro-growth tax policy. That is essential to move America toward a balanced budget. This budget resolution allows us to continue and make permanent the successful tax policies that have allowed us to grow the economy. What it does in a nutshell is it cuts the deficit in half over a 5-year period. Perhaps more importantly, Mr. Chairman, it shrinks over time the national debt relative to the economy. That is the burden on the national economy that the capital markets understand. If we have a national debt that is growing relative to the economy, it will roil capital markets over time if it grows excessively. But what matters to the economy is not the absolute size of the debt, it is the size of the debt relative to the economy.

□ 2000

If we can continue to grow the economy and grow the economy faster than the national debt, then that will be a source of confidence and a source of growth in the economy. Mr. Chairman, that is precisely what this budget resolution does in a sound, responsible way. It maintains a strong commitment to economic growth and pro-growth tax policy by controlling discretionary and mandatory spending.

Mr. Chairman, I will have further remarks in support of this resolution.

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

Mrs. MALONEY. Mr. Chairman, I yield myself such time as I may consume.

As a member of the Joint Economic Committee, I am pleased to speak on the economic goals and policies reflected in the budget.

When it comes to the economy, this is a record-setting administration. The problem is, the administration is setting records for debt and deficits. We now have the largest debt, the largest budget deficit, and the largest trade deficit in the history of our Nation. Republicans have become the party of debt and deficits.

Even worse, the administration continues to repeat the same economic mantras even as experience continues to prove them wrong and more wrong.

This administration has turned a surplus projected in January of 2001 to be almost $400 billion by 2004 into a budget deficit of over $400 billion. And, Mr. Chairman, there is no end in sight. The budget deficit for last month set another record as the first time the budget deficit has gone over $100 billion in a single month in the history of our country. The administration has raised the debt limit three times to a record $7.6 trillion, which means $26,000 of debt is owed for every man, woman, and child in America.

This week the lead story is our Nation's trade deficit; and to no one's surprise, this deficit is breaking records too. Data released today by the Department of Commerce shows that the trade deficit in 2004 was at an all-time high, nearly $666 billion, 5.7 percent of our GDP. Another unfortunate record. The all-time monthly trade deficit of more than $59 billion was set in November, and the total for January was just barely shy of setting a new record.

The administration keeps saying that the ever-weaker dollar will correct our trade deficit for the last several years, and this has proven to be wrong. Our deficits are soaring because it is the policy of this administration to spend money we do not have and to borrow from foreign sources to cover ourselves.

Since the administration is content importing money lent by foreign banks to cover the cost of foreign goods, we are increasingly at the mercy of our overseas benefactors. As of January, foreign governments own $1.2 trillion of our public debt, the highest it has ever been. What if one day they decide to stop propping up our spend-and-borrow habit? We had a tiny taste of that recently when South Korea hinted that they would not buy more dollars and the markets trembled.

America is the greatest economic engine in the world. We should never build our economic system on a foundation of foreign loans. Any day that foundation could become a house of cards. There is absolutely no evidence in the budget resolution before us in the House or in the policies of this budget that the majority understands or even cares about these risks to our economy.

This budget uses smoke and mirrors to give the allusion of cutting the deficit in half, but it leaves out necessary actions such as fixing the alternative minimum tax, which is hurting the middle class more and more and must be dealt with sooner rather than later.

This budget is also mean spirited. In order to preserve the Republican tax cuts, the budget cuts programs for Americans who are struggling just to make it in what for them is a very difficult economy.

Mr. Chairman, this President continues to have the worst job record since President Hoover and the Great Depression. Even worse, the gains the economy has made benefit the bottom line of large corporations at the expense of ordinary hard-working Americans. The gap between the haves and have-nots is growing, and that should be of great concern to everyone in America.

The administration continues to say the economy is recovering, but how good a recovery can it be if ordinary American families can buy less and less with their paychecks? Over the period of job gains since May of 2003, the average hourly earnings of workers in nonfarm industries has actually fallen by .6 percent after inflation.

The administration's budget does not even address the biggest and largest budget buster of them all: the President's plan to privatize Social Security. As a new study by the Joint Economic Committee Democratic staff shows, the President's plan for private accounts would create $5 trillion of new debt in the first 20 years, but it would do absolutely nothing to address Social Security's solvency and would do nothing to increase national saving. In fact, it would weaken the solvency of Social Security and probably reduce national saving, exactly the opposite of what is needed.

Mr. Chairman, I think the President's plan for Social Security is a perfect example of what is wrong with the economic goals and policies of this administration. It manufactures a false crisis around a real, but manageable, problem and then offers a proposal that makes things worse without even addressing the original problem. As I have seen in my own town meetings, Americans understand that privatization of Social Security is a bad idea.

We need honest budgeting and an honest economic policy if we are to foster true economic prosperity to ordinary hard-working Americans.

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

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I yield 7 minutes to the distinguished gentleman from Texas (Mr. PAUL), a fellow member of the Joint Economic Committee.

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

Mr. PAUL. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I appreciate very much this opportunity to talk about the budget. In listening to the debate today on both sides of the aisle, there has been a lot of expression of concern about the deficit; and, of course, I am very concerned about the deficit as well.

But I would like to make a suggestion that we are not facing primarily a budgetary crisis or a budgetary problem. I see this more as a philosophic problem, dealing more with the philosophy of government rather than thinking that we can tinker with the budget, dealing with this as a tactical problem when really it is a strategic problem. So as long as we endorse the type of government that we have and there is a willingness for the people as well the Congress to finance it, we are going to continue with this process and the frustrations are going to grow because it is just not likely that these deficits will shrink.

And the gentleman from Pennsylvania rightly pointed out the concerns this might have in the financial markets. I am hoping that his optimism pans out because, indeed, if they do not, there could be some ramifications from these expanding deficits and what it means to our dollar.

But I would like to suggest that in dealing with the budget itself, I see only one problem that we have. And that problem to me is the budget is too big, and I would like to shrink the budget. I have toyed with the idea over the years to introduce and offer a constitutional budget to the House floor. That would not be too difficult because the budget would be so much smaller. It would mean essentially that if one is a strict constitutionalist that they would cut the budget approximately 80 percent.

What would that mean to the economy? It would be a boost because we would be injecting $2 trillion back into the economy, allowing the people to spend their own money. But being pretty realistic, I know that is not likely to happen or be offered or even be able to present that on the House floor. Besides, it could be rather embarrassing to bring something like that to the floor. Not so much embarrassing to me, because I am accustomed to voting in a small group of people on many occasions; but it could be embarrassing to others because, for the most part, most Members would not even conceive of the idea of having a strict interpretation of the Constitution and severely limiting the budget. So we would not want to put everybody on record for that.

The other day I heard an interview with one of our Members, and he was asked about a particular program about where the authority came from in the Constitution for that program. And his answer was very straightforward; and he explained that in the Constitution there was no prohibition against that program, so therefore it was permitted. In his mind, as it is in the minds of many Members of Congress, if there is no strict prohibition, it is permitted.

And that is just absolutely opposite of what was intended by the authors of the Constitution that we would only be able to do those things which are explicitly permitted in the Congress, and they are spelled out rather clearly in article I, section 8.

And then we are given the permission to write the laws that are necessary and proper to implement those powers that are delegated to us. Those powers that are not delegated are reserved to the States and to the people. So it means that those things that are not prohibited are permitted, but I would say that the conventional wisdom today is that people accept the notion that we can do anything that we want as long as it is not prohibited by the Constitution.

I think this improper understanding and following of the Constitution has brought us closer to a major crisis in this country, a crisis of our personal liberties, a crisis in our foreign policy, as well as a crisis in our budgeting.

But it is not simply the ignoring of the Constitution that I think is our problem. I think our other problem is our country and our people and our Congresses and our Senators have accepted the notion of faith in government, faith in the State, that the State can provide these great services and do it efficiently.

Really, there are only two areas that would have to be cut if we were to strive for a constitutional budget. There are only two things that we would have to cut, and it would be welfare and warfare. And then we would get back to some fundamentals. During World War I, a gentleman by the name of Randolph Bourne wrote a pamphlet called ''War is the Health of the State,'' and I truly believe that. When we are at war, we are more likely to sacrifice our liberties; and, of course, we spend more money that we really have. I would like to suggest a corollary, that peace is the foundation of liberty because that is what the goal of all government should be: the preservation of liberty.

We have endorsed a program with this interpretation that spending is going to be endlessly increased, and we have devised a system whereby we have ignored the constraints through monetary policy by not only are we taxing too much and borrowing too much; we have now since 1971 endorsed a monetary system that if we come up short we just print the money. And I would suggest to the gentlewoman that one of the reasons why the workers' purchasing power is going down is we print too many dollars and they are the ones who are most likely and first to suffer from inflation.

And it is the philosophy of government and our philosophy on money that encourages these problems. And the current account deficits and this huge foreign indebtedness that are encouraged by our ability to maintain a reserve currency, it is going to lead to a crisis where this spending will have to come in check.

□ 2015

And that is why the gentleman from Pennsylvania is quite correct that we should be concerned about how the financial markets look at what we do. And hopefully we will be able to deal with this in a budgetary way and institute some restraints. But quite frankly I am a bit pessimistic about that. This program that we follow and this philosophy we followed prompted our Federal Reserve to create $620 billion in order to finance the system. That is the reason that the dollar becomes less valuable, because we just print too many to accommodate the politicians and the people who enjoy the excessive spending.

Mrs. MALONEY. Mr. Chairman, I yield 6 minutes to the gentleman from New York (Mr. HINCHEY), a member of the committee and a very outstanding colleague.

Mr. HINCHEY. I thank the gentlewoman from New York for yielding me the time. Mr. Chairman, this budget of course is a clear statement of the economic objectives of the people who have put it together, and it is illustrative of where they want this country to be over the course of the next year.

In understanding that, it is important for us to look back at previous budgets that they have constructed and the effect that those budgets have had on the economy of our country.

We have here in Washington today, and have for the last 4 years, a monolithic government. In other words, the Republican Party controls both Houses of the Congress, the House and the Senate, and the White House. So they are in complete control of the budget operation, how we take in money, and how we spend it, allegedly, on behalf of the American people.

Let us just take a look at the effects of their budgets and economic policies over the course of the last several years. First of all, the economy has endured the most protracted job slump since the 1930s. Last year we had some increase in jobs. Government payrolls, in fact, have expanded. And it is interesting, because our colleagues in the

Republican Party talk about shrinking government. But what their budget policies have managed to do is to expand government.

At the same time, there were 544,000 fewer private nonfarm payroll jobs and 2.8 million fewer manufacturing jobs. Their budget policies have cost us nearly 3 million manufacturing jobs over the last several years.

The official unemployment rate is now 5.4 percent. But many more people than that would like to go to work if there was an opportunity for them to do so. When you include the 5 million people who have stopped looking but who would take a job if one were available to them and the 4.3 million people who have been forced to settle for part-time employment, when you consider all of those, the unemployment rate jumps to 9.3 percent.

Four years ago America enjoyed a $5.6 trillion 10-year projected budget surplus. Today our country is facing a $3.3 trillion 10-year projected budget deficit. That is a heroic accomplishment over the last 5 years by these Republican budgets, nearly $9 trillion in negative results.

The public debt has almost doubled and will probably reach $5 trillion before the end of this year, all of that as a result of these budgets, and this particular budget that we are addressing tonight continues these same policies.

One consequence of the low national savings associated with large budget deficits is that we are running now a very large trade deficit. In January, for example, the last month for which we have figures, it was $58.3 billion in trade deficit just for the month of January.

Last year we accomplished a record trade deficit. The trade deficit for the year 2004 was a record $617 billion. This budget continues those same policies. But those deficits are unsustainable. Our economy will not survive if we continue along the same road.

American workers are becoming more productive, but that productivity as a result of these budgets is not showing up in their wages. Private nonfarm industries' wages have fallen .6 percent, after being adjusted for inflation.

This year, this past year alone, typical households will make $1,500 less than they did 4 years ago as a result of the economic policies reflected in this and the previous budgets of the Republican Party.

Since November 2001, output per hour has increased from the average worker by an average of 3.9 percent per year. Over that same period, the hourly wages and benefits of the workers producing that increased output has increased by only 1.6 percent per year.

The current account deficit, which measures the amount we have to borrow from the rest of the world to finance our international trade imbalance, reached a record of over $600 billion. Increasingly, foreign central banks purchase U.S. treasury securities, and that means that we are increasingly deeper and deeper in debt to other foreign countries. That is also a result of these budgets. If foreigners become nervous about the falling value of the dollar, they could stop buying our treasury debt, which would cause the dollar to plunge. The consequence could be an international financial crisis, sharply higher inflation and interest rates, and also stop any economic recovery.

So the debate today on this budget resolution is critically important. The question is, are we going to continue the policies that have put us in this very difficult position where we find ourselves today as a result of the previous four budgets passed by this monolithic government, or are we finally going to wake up, realize the consequences of these policies and begin to take a new course? That vote will come tomorrow.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I reserve the balance of my time.

Mrs. MALONEY. Mr. Chairman, I yield 6 minutes to the gentleman from Maryland (Mr. CUMMINGS), the immediate past Chair of the Congressional Black Caucus.

Mr. CUMMINGS. Mr. Chairman, I thank the gentlewoman for yielding me time. As a member of the Joint Economic Committee, I rise today to speak on the economic policies of the budget resolution.

Mr. Chairman, both the Bush and Republican budgets suffer from the same infirmities, fiscal irresponsibility and self-serving and out-of-touch priorities. Both are wholly inadequate to meet the needs of our Nation and will pass along mounting deficits and debts to generations yet unborn.

First, the 5-year Republican budget will result in a deficit of $376 billion in 2006, $44 million over the President's projection.

The Republicans' budget proposal also has many cost omissions, because they know that their deficit numbers explode after 5 years. As such, this budget does not take into account the cost of fixing the AMT, which will cost at least $642 billion. It does not take into account the $774 billion needed to pay for the President's much-talked about but yet unveiled Social Security privatization plan.

I suppose the Republican budget proposal deserves a little credit for hiking its deficit projection as it at least includes $50 million in 2006 for the wars in Afghanistan and in Iraq. The President's budget proposal contained zero dollars. As a matter of fact, it reported that the costs could not be known. However, both figures are fantasy. The realistic figure over the next 10 years, in addition to the $80 billion that we just passed in the supplemental, is likely to be $384 billion.

To pay for its misguided policies, the House budget resolution cuts nondefense discretionary spending by $12 billion below the amount needed in fiscal 2006 just to maintain current spending levels, and it cuts spending on mandatory domestic programs by $8 billion.

To add insult to injury, the Republican budget provides $18 billion in additional tax cuts. These misguided tax cuts will actually cost much more when the tax cuts actually expire in 2010. In fact, 97 percent of these tax cuts will benefit taxpayers with incomes above $200,000. I think most reasonable people can agree that these priorities are not America's priorities.

While little good can be said about the Bush administration's budget, it at least provides detailed information on the programs it seeks to cut. The House resolution shrouds its cuts in darkness, leaving the American people to wonder what vital programs will find their way to the chopping block next.

Both the Republican and Bush budget proposals are travesties. When the Bush administration took office, the Nation was experiencing record surpluses. It has managed to turn a $521 billion surplus into a $367 billion deficit.

In contrast, the Spratt alternative budget, as well as the Congressional Black Caucus alternative budget that we will consider tomorrow, focus national spending on priorities that benefit all Americans and get us on the road to economic recovery. They do this by funding key domestic priorities which address the needs of working families while fully supporting the national defense and protection of our homeland and preserving Medicaid, Social Security, pension programs and student loans.

Let me speak particularly about the budget developed by the Congressional Black Caucus which corrects the irresponsible fiscal and economic policies contained in the House budget resolution by supporting existing programs that are essential to closing disparities, creating opportunities and helping our citizens build their future. It will get our country on the road to recovery, while funding meaningful national priorities for our children, for our seniors, for our veterans and for our communities.

Importantly, the Congressional Black Caucus budget supports these priorities, while also meeting our obligation to our troops in Iraq and in Afghanistan.

The CBC budget funds community development programs, including restoring funding to the Community Development Block Grant Program and supporting increased funding for elderly and disabled housing programs.

The Congressional Black Caucus budget will also restore funding for veterans' health care, rather than imposing new copayments on them for essential services and prescription drugs.

Importantly, the Congressional Black Caucus budget will reduce the budget deficit by $167 billion during the next 5 years below the deficit that will be produced by the House budget resolution.

Mr. Chairman, the Republican budget cuts educational, housing and health programs for our children, while bequeathing to them a public debt that has increased by $1.268 trillion over the last 4 years and that will exceed $4.6 trillion even before we begin fiscal year 2006.

□ 2030

These actions are not only irresponsible, they are unconscionable. In the end, one can only conclude that the Republican budget balances itself on the backs of Americans who can least afford it.

I urge the administration to reconsider its ill-conceived economic policies. The Congressional Black Caucus budget is the ultimate expression of our national priorities; and our priorities must be our children, our families, our elderly and our veterans and, of course, our soldiers.

Mrs. MALONEY. Mr. Chairman, I yield 4 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Chairman, I rise to speak in support of the Congressional Black Caucus alternative budget this evening.

This budget would not only add funding to close the glaring and shameful disparities which have existed too long for African Americans, but it is fiscally responsible. Our budget would provide additional protection for our troops today and provide more funding to honor the debt to our Nation's veterans, including those who are returning as we speak. It also protects us at home by adding funding to address unacceptable deficiencies in homeland security.

But our investment in homeland security goes beyond the important funds we provide for first responders, for fighting bio-terrorism, and providing interoperable communications. Our homeland security also depends on a well-educated citizenry, and so we fully fund Leave No Child Behind, TRIO programs as well as increased Pell grants.

Our homeland security depends on a healthy citizenry. The Congressional Black Caucus budget restores much of the funding for minority AIDS, Health Professions Training, and the Office of Minority Health, as well as provides funding to help close gaps in the Caribbean and Africa. And, Mr. Chairman, we do all of that and reduce the deficit by an additional $167 billion over 5 years; $167 billion more than the majority budget resolution does.

The Congressional Black Caucus budget would make us more economically secure.

Mr. Chairman, the CBC alternative budget, like the Congressional Black Caucus itself, speaks to the conscience, not only of the Congress but to the conscience of our country. It is a budget that reflects our values and seeks to create not just a stronger America but also a better America.

The Congressional Black Caucus alternative budget is a morally and fiscally responsible budget, and I urge all of my colleagues to support it when it comes to the floor tomorrow.

Mrs. MALONEY. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentlewoman from New York (Mrs. MALONEY) has 9 minutes remaining. The gentleman from Pennsylvania (Mr. ENGLISH) has 15 minutes remaining.

Mrs. MALONEY. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina (Mr. WATT), the Chair of the Congressional Black Caucus.

Mr. WATT. Mr. Chairman, I thank the gentlewoman for yielding me time.

Let me just go through some of the things that the Congressional Black Caucus budget will do in various areas. We are planning to submit this budget tomorrow, and we will be adding an additional $1 billion in the international affairs category for foreign aid to Africa and the Caribbean, Global AIDS Initiative in the State Department, Public Health and Preventable Illness initiatives.

We will be adding half a billion dollars in general science, space and technology in the following areas: NASA Research and Development, NASA Space Shuttle Safety, restore research and development funding for the National Science Foundation, Department of Energy. We will be adding an additional $50 million in the natural resources and environment, historically black colleges and university preservation program.

We will be adding $300 million in the agriculture budget in support of the 1890 land-grant historically black colleges and universities, expanded food and nutrition education programs, the U.S. Department of Agriculture Office of Civil Rights. And we will be restoring and modifying some of the Draconian cuts in agriculture programs that affect minorities in particular.

We will be adding $1 billion in commerce and housing credit for SBA loan programs, the 7(a) program, Microloan, and New Market Venture programs, adult training and dislocated worker programs, Manufacturing Extension Partnerships, home ownership initiatives.

We will be adding $150 million in transportation, most of which will go to Amtrak. We will be adding $1.5 billion to community and regional development to restore the cuts that have been proposed by the President in the Community Development Block Grants, increased funding for Brownfields Economic Development, Empowerment Zones, community development, financial institutions, economic development assistance.

We will be adding $23.9 billion in education and training with which we will fully fund the No Child Left Behind. That is $12 billion to fully fund No Child Left Behind.

We will be adding $50 million to elementary and secondary school counseling, vocational training, job training, adult education, Pell grants, Head Start, Individuals With Disabilities, IDEA, Historically Black Colleges and Universities, Hispanic Serving Institutions, TRIO, Gaining Early Awareness of Readiness. That is the GEAR-UP program, restoring that. Perkins loans, impact aid.

In the area of health we will be adding $1 billion. In the area of Administration of Justice we will be adding $1 billion. And over on the defense side we are going to be adding money for body armor, personal support equipment, and other protective gear for our troops, ammunition for the Marine Corps, small arms for the Army. We will be adding $4.65 billion for veterans programs, veterans health care, survivor benefit plans, disabled veterans plans, prosthetic needs for veterans, VA medical and prosthetic research, mental health care for veterans. And we will be adding $2 billion in homeland security for rail security and port security.

Now, you are wondering how can the Congressional Black Caucus do all of this? It is simple. Simply roll back the tax cut on people who make above $200,000 a year. And all we are saying to our Members in this body is that these things that I have just described are much higher priorities. Even to people that I know who make more than $200,000 a year, they think these things are higher priorities than getting a little extra tax cut. And I just entreat my Members to please support the Congressional Black Caucus budget. It is a sane budget. It is good.

Mrs. MALONEY. Mr. Chairman, I yield the balance of my time to the gentleman from South Carolina (Mr. SPRATT).

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

Mr. SPRATT. Mr. Chairman, when Lem Keyserling wrote the Full Employment Act of 1946, he was an ardent Keynesian, and he believed that the government had a major role to play in stimulating an economy, in seeking to maintain full employment. And if he believed that theoretically, he believed it even more deeply after the war when the enormous demand generated by the war for once made this a full employment economy. The whole country supported the concept.

Keynes believed in deficit financing when the economy was stuck in a liquidity trap and could not get loose. But he did not believe in the kind of deficit financing that we are running today. I think he would be appalled both by the current account deficit which we are running, $618 billion, more than most economists thought was sustainable. It exceeds 5 percent of the GDP. And certainly I do not think he would find at all pleasing to his understanding of economics a budget deficit expected this year to be $427 billion. Not even Maynard Keynes would look approvingly on that.

We have come so far from the year 2000 when after 6 or 7 straight years of

fiscal discipline, we finally put the budget in surplus, a surplus of $236 billion. We had a meeting on the Democratic side of the Committee on the Budget with Mr. Greenspan about what is the best approach we should take to this surplus that we find ourselves enjoying. And it was agreed among everyone there and among Democrats and Republicans in the House that one thing surely we should do since we now have the resources to do it is no longer borrow and spend the Social Security trust fund, the surplus in it.

Indeed, our proposal was that we use this surplus in the future instead of funding new debt and buying new government bonds, instead going into the open market, buying outstanding Treasury bonds and that way reducing the Treasury debt held by the public, increasing net national savings which woefully deficient and lowering the cost of capital and boosting the economy.

It was the first and best step we could take towards shoring up Social Security and making it solvent. It was a truly conservative idea, and we urged it upon the Bush administration when they came into office. But they took a much, much different, almost opposite, path, and that is, big tax cuts tilted toward wealthy Americans.

We did not deal then with our long-range liabilities to Social Security as we could have for the first time in a long time, and today we are suffering the consequence of that. We are dealing with second-best proposals.

What do we have instead? Well, instead of being here on this pinnacle with a $236 billion deficit surplus, we are down here with a $427 billion deficit this year, according to CBO.

Now, the President has told us he has plans and a budget that will cut this deficit in half over a period of about 5 years. But when we put back into his budget everything we know is likely to be incurred as a cost, whether it is the costs of Iraq and Afghanistan, whether it is the cost of fixing the AMT, the deficit that we are dealing with today does not get better. It does not go away. It does not go down; it gets bigger. And by the end of our timeframe, 2015, we have a deficit of $621 billion.

Read the CBO analysis of the President's budget. By the end of that timeframe, we accumulated 5.135 trillion additional dollars as part of the national debt. That surely cannot be the kind of economy that Lem Keyserling or Maynard Keynes had in mind.

Look at this very simple table here, and it tells you a world of facts about what has happened over the last 4 years. Three times in 4 years this Congress at the request of President Bush in order to accommodate his budget had to raise the debt ceiling of the United States three times by $2.234 trillion.

At the present rate, we are adding $1 trillion to our national debt every year, every 18 months, $1 trillion every 18 to 20 months to our national debt. Nobody in his right mind thinks that that course can be sustained. And yet look at the Bush budget again. It only promises in our estimation more and more debt, not less debt.

How do we get away with this? No country in the world could have the kind of current account deficit we have or certainly have the kind of budget deficit that we mitigate the effects of it. Do not feel, do not see the consequences, and therefore do not feel compelled to do anything serious about it. We sell much of our debt to foreigners and that mitigates the effect.

These are not good vital signs for the economy of the United States. And surely one of the things we should be about now is the adoption of a resolution which will take us back to where we were in the year 2000, back to surpluses because we need to be saving, not spending as the baby boomers begin to retire.

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Mr. ENGLISH of Pennsylvania. Mr. Chairman, I yield myself the balance of my time.

I am particularly grateful for the opportunity to be here to make this presentation as required under law by Humphrey-Hawkins because I think it is very important perhaps that the record be set straight.

Any Member of the House who is serious about controlling the deficit, about maintaining the forward movement in the economy, growing jobs, and the social justice that could only come through economic growth should be prepared to strongly support this budget resolution.

Mr. Chairman, a couple of points I think need to be made in response to the interesting presentations that were made on the other side.

First of all, on the issue of jobs. We have heard the criticism that our friends on the other side of the aisle try to blame President Bush for an economic slowdown that he inherited from the Clinton administration that was exacerbated by 9/11. The truth is economic policies that have been adopted by this Congress, working with the administration, have been successful in helping the U.S. economy rebound from the recession into a sustained expansion, with strong growth in the gross domestic product and payroll jobs.

Despite all of the problems that this President inherited, the tax relief policies of the past 4 years that our friends on the other side of the aisle are striving to sabotage have helped to restore economic growth and job creation.

During 2004, real GDP grew 4.4 percent, the strongest annual performance in 5 years, one of the strongest growth performances of the past 20 years, belying the glooming forecast we have heard on the other side.

Private forecasters' projections for real GDP growth for this year are being revised upward. Growth for 2005 is expected to be at a 3.7 percent robust rate. More Americans, Mr. Chairman, are working today than at anytime in our Nation's history, and employment is at a record level of more than 140 million. The unemployment rate in February was 5.4 percent, lower than the averages for each of the last three decades. Payroll employment rose by 2.2 million jobs during 2004. It is up by more than 3 million jobs since May of 2003. Last month, we saw employment gains of 262,000 jobs, more than a quarter of a million new jobs in the month of February alone. This suggests that there is clearly forward motion in the economy.

Mr. Chairman, let us compare that to some of our trading partners. Those who last year invoked the Great Depression in describing recent economic conditions have been, after all, often favoring policies that would increase government intervention in the economy. Yet some of those countries where those sorts of policies are applied are not doing as well as we are.

Economic growth in Europe is generally slower than that of the United States. The unemployment rate in Europe is much higher than in the U.S. In January of 2005, Europe had an unemployment rate of 8.8 percent, substantially higher than our U.S. level of 5.4 percent.

The fact is, by following on a path of high growth and low taxes, we are moving the economy in the right direction, and ultimately, if we are prepared to put in place fiscal policies that restrain the deficit, that will allow us to grow the economy in the right direction.

I have heard a couple of extraordinary claims on the floor of the House that we are facing a record debt. I suppose that is true if we look at this in a purely static, green eyeshade perspective, but what really matters with the national debt, as I said before, is its size relative to the economy. The fact remains the national debt today is significantly lower, relative to the economy, than it was in the early 1990s when their party controlled Congress and controlled the reins of spending.

We have heard about record deficits, but here again we propose in our budget resolution to cut the deficits in half relative to the size of the economy. That will send the right message to global markets.

We have heard a little bit tonight about the trade deficit, and I must say that is something where I have some sympathy with the critics. Our trade deficit is much too high, but those who are making these claims tonight perhaps should be questioning whether they supported the Clinton-era trade policies that this administration inherited and put us firmly on the path to large trade deficits.

We have also heard from the other side that they are concerned that there is not enough room in this budget to deal with the problem of the AMT. As cochairman of the Zero AMT Caucus, I have to be sympathetic with their raising the issue, but the fact remains eliminating the AMT is only going to

be possible as part of fundamental tax reform. This budget put lays in place, creates the groundwork for us to go forward later this year and take a look at fundamental tax reform.

We also, notwithstanding this budget, have every opportunity to move forward later this year and consider the issue of Social Security solvency. I believe that the President is right to raise this issue. Anyone who has studied this issue carefully has to concede that for the long-term health of the Social Security system we have a choice of either going forward with a laissez-faire approach that has long been advocated on the other side and ultimately have to see truly draconian cuts as a result, or if we act now we can put in place reforms that will allow us to preserve existing benefits, also provide a solid retirement for the next generation and do so by improving the rate of return within the Social Security system. Nothing in this budget resolution is inconsistent with that initiative.

I am very, very pleased to address the concerns raised by the gentleman from New York about the supposed monolithic government in the Congress that has worked with a Republican administration to do some things that the gentleman finds distasteful. The fact is our economic policies and our economic challenges today are at least partially the result of the gridlock that existed before the last election in which the Senate was at least not able to move forward on key issues like a stimulus bill, like an energy bill, like tort reform, that directly speak to our economic health because of the gridlock implicit in the rules that gave the minority a veto over many of these provisions. Monolithic government is not the issue. The issue here is whether we can move forward and get to a balanced budget ultimately. Our resolution clearly is the one strongest able to do that.

We continue to grow the economy without raising taxes, which clearly is the agenda on the other side, raising taxes that would slam the brakes on economic growth.

At the same time, it is obvious from the laundry list we have heard tonight if the other side were in the majority we would be contemplating a saturnalia of new spending. I can think of a lot of things that I would love to spend money on in the Federal budget, but the fact remains we need to set tough priorities if we are going to get back to a balanced budget. Our spending resolution does just that.

What we provide is low taxes, controlling Federal spending and ultimately the prospect of falling deficits and low debt and ultimately the right economic direction for this country, a true blueprint for economic growth, expansion and opportunity.

With that, I urge all of my colleagues to support the Republican budget resolution. Regardless of any concern about any particular program, we need to move forward with the broad outline of spending that this resolution fairly lays out and put it in place so that we are able to get to a balanced budget over time as we reassure capital markets that we are truly committed to controlling spending without raising taxes.

Mr. RUSH. Mr. Chairman, as a member of both the Congressional Black Caucus and the Energy and Commerce Committee, I rise in support of both the Democrat alternative and of the Congressional Black Caucus alternative to H. Con. Res. 95, the First Concurrent Resolution on the Budget. The CBC alternative offers to the American people and to this Congress a rational budget that is fiscally sound and morally responsible. The CBC alternative budget invests federal resources in the programs that benefit the constituencies of all of the Members of this House: education, health care, economic opportunity, retirement security and homeland security. And the CBC alternative budget makes these investments while reducing the federal deficit—which has spiraled out of control and out of sight over the last four years—by an additional $4.0 billion.

The Congressional Black Caucus budget alternative focuses on closing the disparities that exist in America's communities and invests in the future of this nation by fully funding the No Child Left Behind Act at Fiscal Year 2006 authorization levels, expanding the Head Start Programs, doubling the funding for Historically Black Colleges and Universities and Hispanic serving institutions and increasing the size of the Pell Grant allotment for college students.

The CBC alternative restores much-needed federal dollars to the Minority Health Initiative and for Community Health Centers that provide critical health services to urban-based congressional districts like mine and rural-based congressional districts as well. The CBC alternative also increases funding for law enforcement initiatives such as juvenile justice programs and prisoner reentry programs that are so critical to facilitating successful reentry into society by ex-offenders.

The Congressional Black Caucus Substitute invests in education and funding for the minority health initiative. The Congressional Black Caucus Substitute invests in our nation's veterans by restoring the cuts the President's budget proposed in veterans' health care and providing enhanced survivor benefits, medical and prosthetic research, long term care and mental health care.

To meet the needs of America and its citizens, the CBC changes some of the components of the President's tax program, and directs those revenues to making our troops safe in the battlefield and our citizens safe here at home. Mr. Chairman, the CBC's budget is America's hope for tomorrow.

Mr. Chairman, I urge my colleagues to join me in support of the CBC alternative budget.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

The text of H. Con. Res. 95 is as follows:

H. CON. RES. 95

*Resolved by the House of Representatives (the Senate concurring),*

**SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006.**

The Congress declares that the concurrent resolution on the budget for fiscal year 2006 is hereby established and that the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010 are set forth.

**TITLE I—RECOMMENDED LEVELS AND AMOUNTS**

**SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.**

The following budgetary levels are appropriate for each of fiscal years 2005 through 2010:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2005: $1,483,971,000,000.
Fiscal year 2006: $1,589,905,000,000.
Fiscal year 2007: $1,693,266,000,000.
Fiscal year 2008: $1,824,251,000,000.
Fiscal year 2009: $1,928,663,000,000.
Fiscal year 2010: $2,043,903,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be reduced are as follows:

Fiscal year 2005: $53,000,000.
Fiscal year 2006: $16,622,000,000.
Fiscal year 2007: $24,414,000,000.
Fiscal year 2008: $4,927,000,000.
Fiscal year 2009: $8,570,000,000.
Fiscal year 2010: $9,063,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2005: $2,070,357,000,000.
Fiscal year 2006: $2,135,290,000,000.
Fiscal year 2007: $2,199,074,000,000.
Fiscal year 2008: $2,314,562,000,000.
Fiscal year 2009: $2,430,359,000,000.
Fiscal year 2010: $2,257,892,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2005: $2,052,551,000,000.
Fiscal year 2006: $2,154,404,000,000.
Fiscal year 2007: $2,206,300,000,000.
Fiscal year 2008: $2,298,338,000,000.
Fiscal year 2009: $2,402,719,000,000.
Fiscal year 2010: $2,507,365,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2005: $568,580,000,000.
Fiscal year 2006: $564,499,000,000.
Fiscal year 2007: $513,034,000,000.
Fiscal year 2008: $474,087,000,000.
Fiscal year 2009: $474,056,000,000.
Fiscal year 2010: $463,462,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2005: $4,685,000,000,000.
Fiscal year 2006: $5,071,000,000,000.
Fiscal year 2007: $5,389,000,000,000.
Fiscal year 2008: $5,649,000,000,000.
Fiscal year 2009: $5,891,000,000,000.
Fiscal year 2010: $6,105,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2005: $7,958,000,000,000.
Fiscal year 2006: $8,635,000,000,000.
Fiscal year 2007: $9,264,000,000,000.
Fiscal year 2008: $9,862,000,000,000.
Fiscal year 2009: $10,464,000,000,000.
Fiscal year 2010: $11,060,000,000,000.

**SEC. 102. MAJOR FUNCTIONAL CATEGORIES.**

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2005 through 2010 for each major functional category are:

(1) National Defense (050):

Fiscal year 2005:

(A) New budget authority, $500,621,000,000.

(B) Outlays, $497,196,000,000.

Fiscal year 2006:
(A) New budget authority, $441,562,000,000.
(B) Outlays, $475,603,000,000.
Fiscal year 2007:
(A) New budget authority, $465,260,000,000.
(B) Outlays, $460,673,000,000.
Fiscal year 2008:
(A) New budget authority, $483,730,000,000.
(B) Outlays, $471,003,000,000.
Fiscal year 2009:
(A) New budget authority, $503,763,000,000.
(B) Outlays, $489,220,000,000.
Fiscal year 2010:
(A) New budget authority, $513,904,000,000.
(B) Outlays, $505,908,000,000.
(2) International Affairs (150):
Fiscal year 2005:
(A) New budget authority, $32,085,000,000.
(B) Outlays, $32,166,000,000.
Fiscal year 2006:
(A) New budget authority, $31,718,000,000.
(B) Outlays, $35,097,000,000.
Fiscal year 2007:
(A) New budget authority, $34,835,000,000.
(B) Outlays, $33,359,000,000.
Fiscal year 2008:
(A) New budget authority, $35,197,000,000.
(B) Outlays, $32,397,000,000.
Fiscal year 2009:
(A) New budget authority, $35,237,000,000.
(B) Outlays, $32,115,000,000.
Fiscal year 2010:
(A) New budget authority, $34,928,000,000.
(B) Outlays, $31,643,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2005:
(A) New budget authority, $24,413,000,000.
(B) Outlays, $23,594,000,000.
Fiscal year 2006:
(A) New budget authority, $24,735,000,000.
(B) Outlays, $23,894,000,000.
Fiscal year 2007:
(A) New budget authority, $25,171,000,000.
(B) Outlays, $24,610,000,000.
Fiscal year 2008:
(A) New budget authority, $25,545,000,000.
(B) Outlays, $24,922,000,000.
Fiscal year 2009:
(A) New budget authority, $25,851,000,000.
(B) Outlays, $25,242,000,000.
Fiscal year 2010:
(A) New budget authority, $26,162,000,000.
(B) Outlays, $25,565,000,000.
(4) Energy (270):
Fiscal year 2005:
(A) New budget authority, $2,564,000,000.
(B) Outlays, $794,000,000.
Fiscal year 2006:
(A) New budget authority, $3,147,000,000.
(B) Outlays, $2,027,000,000.
Fiscal year 2007:
(A) New budget authority, $2,362,000,000.
(B) Outlays, $1,212,000,000.
Fiscal year 2008:
(A) New budget authority, $2,445,000,000.
(B) Outlays, $551,000,000.
Fiscal year 2009:
(A) New budget authority, $2,056,000,000.
(B) Outlays, $652,000,000.
Fiscal year 2010:
(A) New budget authority, $1,754,000,000.
(B) Outlays, $543,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2005:
(A) New budget authority, $32,527,000,000
(B) Outlays, $31,168,000,000.
Fiscal year 2006:
(A) New budget authority, $30,513,000,000.
(B) Outlays, $32,276,000,000.
Fiscal year 2007:
(A) New budget authority, $30,883,000,000.
(B) Outlays, $32,046,000,000.
Fiscal year 2008:
(A) New budget authority, $30,952,000,000.
(B) Outlays, $32,402,000,000.
Fiscal year 2009:
(A) New budget authority, $31,706,000,000.
(B) Outlays, $32,663,000,000.
Fiscal year 2010:
(A) New budget authority, $31,248,000,000.
(B) Outlays, $32,254,000,000.
(6) Agriculture (350):
Fiscal year 2005:
(A) New budget authority, $30,151,000,000.
(B) Outlays, $28,550,000,000.
Fiscal year 2006:
(A) New budget authority, $29,480,000,000.
(B) Outlays, $28,507,000,000.
Fiscal year 2007:
(A) New budget authority, $27,190,000,000.
(B) Outlays, $25,999,000,000.
Fiscal year 2008:
(A) New budget authority, $25,334,000,000.
(B) Outlays, $24,281,000,000.
Fiscal year 2009:
(A) New budget authority, $25,691,000,000.
(B) Outlays, $24,796,000,000.
Fiscal year 2010:
(A) New budget authority, $25,417,000,000.
(B) Outlays, $24,687,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2005:
(A) New budget authority, $16,804,000,000.
(B) Outlays, $11,302,000,000.
Fiscal year 2006:
(A) New budget authority, $10,772,000,000.
(B) Outlays, $5,562,000,000.
Fiscal year 2007:
(A) New budget authority, $10,074,000,000.
(B) Outlays, $4,929,000,000.
Fiscal year 2008:
(A) New budget authority, $10,040,000,000.
(B) Outlays, $4,250,000,000.
Fiscal year 2009:
(A) New budget authority, $10,667,000,000.
(B) Outlays, $3,768,000,000.
Fiscal year 2010:
(A) New budget authority, $14,565,000,000.
(B) Outlays, $6,393,000,000.
(8) Transportation (400):
Fiscal year 2005:
(A) New budget authority, $72,506,000,000.
(B) Outlays, $67,703,000,000.
Fiscal year 2006:
(A) New budget authority, $70,007,000,000.
(B) Outlays, $70,393,000,000.
Fiscal year 2007:
(A) New budget authority, $70,130,000,000.
(B) Outlays, $72,421,000,000.
Fiscal year 2008:
(A) New budget authority, $70,501,000,000.
(B) Outlays, $74,167,000,000.
Fiscal year 2009:
(A) New budget authority, $70,911,000,000.
(B) Outlays, $75,500,000,000.
Fiscal year 2010:
(A) New budget authority, $72,254,000,000.
(B) Outlays, $77,356,000,000.
(9) Community and Regional Development (450):
Fiscal year 2005:
(A) New budget authority, $23,007,000,000.
(B) Outlays, $20,756,000,000.
Fiscal year 2006:
(A) New budget authority, $14,179,000,000.
(B) Outlays, $18,461,000,000.
Fiscal year 2007:
(A) New budget authority, $14,196,000,000.
(B) Outlays, $17,413,000,000.
Fiscal year 2008:
(A) New budget authority, $14,283,000,000.
(B) Outlays, $15,727,000,000.
Fiscal year 2009:
(A) New budget authority, $14,421,000,000.
(B) Outlays, $14,491,000,000.
Fiscal year 2010:
(A) New budget authority, $14,441,000,000.
(B) Outlays, $14,140,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2005:
(A) New budget authority, $94,001,000,000.
(B) Outlays, $92,798,000,000.
Fiscal year 2006:
(A) New budget authority, $91,978,000,000.
(B) Outlays, $90,981,000,000.
Fiscal year 2007:
(A) New budget authority, $89,925,000,000.
(B) Outlays, $90,360,000,000.
Fiscal year 2008:
(A) New budget authority, $89,980,000,000.
(B) Outlays, $88,864,000,000.
Fiscal year 2009:
(A) New budget authority, $90,194,000,000.
(B) Outlays, $88,363,000,000.
Fiscal year 2010:
(A) New budget authority, $89,652,000,000.
(B) Outlays, $88,181,000,000.
(11) Health (550):
Fiscal year 2005:
(A) New budget authority, $257,469,000,000.
(B) Outlays, $252,770,000,000.
Fiscal year 2006:
(A) New budget authority, $262,151,000,000.
(B) Outlays, $262,513,000,000.
Fiscal year 2007:
(A) New budget authority, $275,220,000,000.
(B) Outlays, $274,801,000,000.
Fiscal year 2008:
(A) New budget authority, $295,010,000,000.
(B) Outlays, $293,810,000,000.
Fiscal year 2009:
(A) New budget authority, $317,113,000,000.
(B) Outlays, $313,625,000,000.
Fiscal year 2010:
(A) New budget authority, $336,523,000,000.
(B) Outlays, $335,574,000,000.
(12) Medicare (570):
Fiscal year 2005:
(A) New budget authority, $292,587,000,000.
(B) Outlays, $293,587,000,000.
Fiscal year 2006:
(A) New budget authority, $331,181,000,000.
(B) Outlays, $330,944,000,000.
Fiscal year 2007:
(A) New budget authority, $371,875,000,000.
(B) Outlays, $372,167,000,000.
Fiscal year 2008:
(A) New budget authority, $395,312,000,000.
(B) Outlays, $395,364,000,000.
Fiscal year 2009:
(A) New budget authority, $420,234,000,000.
(B) Outlays, $419,828,000,000.
Fiscal year 2010:
(A) New budget authority, $448,111,000,000.
(B) Outlays, $448,442,000,000.
(13) Income Security (600):
Fiscal year 2005:
(A) New budget authority, $339,057,000,000.
(B) Outlays, $347,754,000,000.
Fiscal year 2006:
(A) New budget authority, $347,218,000,000.
(B) Outlays, $354,055,000,000.
Fiscal year 2007:
(A) New budget authority, $352,416,000,000.
(B) Outlays, $359,566,000,000.
Fiscal year 2008:
(A) New budget authority, $365,343,000,000.
(B) Outlays, $370,830,000,000.
Fiscal year 2009:
(A) New budget authority, $374,529,000,000.
(B) Outlays, $378,609,000,000.
Fiscal year 2010:
(A) New budget authority, $383,590,000,000.
(B) Outlays, $386,978,000,000.
(14) Social Security (650):
Fiscal year 2005:
(A) New budget authority, $15,849,000,000.
(B) Outlays, $15,849,000,000.
Fiscal year 2006:
(A) New budget authority, $15,891,000,000.
(B) Outlays, $15,891,000,000.
Fiscal year 2007:
(A) New budget authority, $17,704,000,000.
(B) Outlays, $17,704,000,000.
Fiscal year 2008:
(A) New budget authority, $19,768,000,000.
(B) Outlays, $19,768,000,000.
Fiscal year 2009:
(A) New budget authority, $21,743,000,000.
(B) Outlays, $21,743,000,000.
Fiscal year 2010:

(A) New budget authority, $24,029,000,000.
(B) Outlays, $24,029,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2005:
(A) New budget authority, $69,448,000,000.
(B) Outlays, $68,873,000,000.
Fiscal year 2006:
(A) New budget authority, $68,881,000,000.
(B) Outlays, $68,148,000,000.
Fiscal year 2007:
(A) New budget authority, $66,321,000,000.
(B) Outlays, $66,014,000,000.
Fiscal year 2008:
(A) New budget authority, $69,448,000,000.
(B) Outlays, $69,258,000,000.
Fiscal year 2009:
(A) New budget authority, $69,961,000,000.
(B) Outlays, $69,672,000,000.
Fiscal year 2010:
(A) New budget authority, $70,059,000,000.
(B) Outlays, $69,787,000,000.
(16) Administration of Justice (750):
Fiscal year 2005:
(A) New budget authority, $39,817,000,000.
(B) Outlays, $39,501,000,000.
Fiscal year 2006:
(A) New budget authority, $40,840,000,000.
(B) Outlays, $42,268,000,000.
Fiscal year 2007:
(A) New budget authority, $41,390,000,000.
(B) Outlays, $42,463,000,000.
Fiscal year 2008:
(A) New budget authority, $42,031,000,000.
(B) Outlays, $42,650,000,000.
Fiscal year 2009:
(A) New budget authority, $42,602,000,000.
(B) Outlays, $42,779,000,000.
Fiscal year 2010:
(A) New budget authority, $42,860,000,000.
(B) Outlays, $42,803,000,000.
(17) General Government (800):
Fiscal year 2005:
(A) New budget authority, $16,748,000,000.
(B) Outlays, $17,656,000,000.
Fiscal year 2006:
(A) New budget authority, $18,017,000,000.
(B) Outlays, $18,308,000,000.
Fiscal year 2007:
(A) New budget authority, $17,956,000,000.
(B) Outlays, $17,999,000,000.
Fiscal year 2008:
(A) New budget authority, $17,570,000,000.
(B) Outlays, $17,555,000,000.
Fiscal year 2009:
(A) New budget authority, $17,587,000,000.
(B) Outlays, $17,378,000,000.
Fiscal year 2010:
(A) New budget authority, $17,408,000,000.
(B) Outlays, $17,216,000,000.
(18) Net Interest (900):
Fiscal year 2005:
(A) New budget authority, $267,942,000,000.
(B) Outlays, $267,942,000,000.
Fiscal year 2006:
(A) New budget authority, $310,479,000,000.
(B) Outlays, $310,479,000,000.
Fiscal year 2007:
(A) New budget authority, $359,797,000,000.
(B) Outlays, $359,797,000,000.
Fiscal year 2008:
(A) New budget authority, $397,194,000,000.
(B) Outlays, $397,194,000,000.
Fiscal year 2009:
(A) New budget authority, $426,162,000,000.
(B) Outlays, $426,162,000,000.
Fiscal year 2010:
(A) New budget authority, $453,172,000,000.
(B) Outlays, $453,172,000,000.
(19) Allowances (920):
Fiscal year 2005:
(A) New budget authority, −$3,135,000,000.
(B) Outlays, −$3,304,000,000.
Fiscal year 2006:
(A) New budget authority, $47,903,000,000.
(B) Outlays, $24,359,000,000.
Fiscal year 2007:
(A) New budget authority, −$10,368,000,000.
(B) Outlays, −$2,845,000,000.
Fiscal year 2008:
(A) New budget authority, −$9,641,000,000.
(B) Outlays, −$10,363,000,000.
Fiscal year 2009:
(A) New budget authority, −$9,193,000,000.
(B) Outlays, −$13,636,000,000.
Fiscal year 2010:
(A) New budget authority, −$8,738,000,000.
(B) Outlays, −$14,484,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2005:
(A) New budget authority, −$54,104,000,000.
(B) Outlays, −$54,104,000,000.
Fiscal year 2006:
(A) New budget authority, −$55,362,000,000.
(B) Outlays, −$55,362,000,000.
Fiscal year 2007:
(A) New budget authority, −$63,263,000,000.
(B) Outlays, −$64,388,000,000.
Fiscal year 2008:
(A) New budget authority, −$65,480,000,000.
(B) Outlays, −$66,292,000,000.
Fiscal year 2009:
(A) New budget authority, −$60,876,000,000.
(B) Outlays, −$60,251,000,000.
Fiscal year 2010:
(A) New budget authority, −$63,447,000,000.
(B) Outlays, −$62,822,000,000.

## TITLE II—RECONCILIATION AND REPORT SUBMISSIONS

### SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS TO SLOW THE GROWTH IN MANDATORY SPENDING AND TO ACHIEVE DEFICIT REDUCTION.—(1) Not later than September 16, 2005, the House committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON AGRICULTURE.—The House Committee on Agriculture shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $797,000,000 in outlays for fiscal year 2006 and $5,278,000,000 in outlays for the period of fiscal years 2006 through 2010.

(B) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The House Committee on Education and the Workforce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $2,097,000,000 in outlays for fiscal year 2006 and $21,410,000,000 in outlays for the period of fiscal years 2006 through 2010.

(C) COMMITTEE ON ENERGY AND COMMERCE.—The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $630,000,000 in outlays for fiscal year 2006 and $20,002,000,000 in outlays for the period of fiscal years 2006 through 2010.

(D) COMMITTEE ON FINANCIAL SERVICES.—The House Committee on Financial Services shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $30,000,000 in outlays for fiscal year 2006 and $270,000,000 in outlays for the period of fiscal years 2006 through 2010.

(E) COMMITTEE ON THE JUDICIARY.—The House Committee on the Judiciary shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $123,000,000 in outlays for fiscal year 2006 and $603,000,000 in outlays for the period of fiscal years 2006 through 2010.

(F) COMMITTEE ON RESOURCES.—The House Committee on Resources shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $96,000,000 in outlays for fiscal year 2006 and $1,413,000,000 in outlays for the period of fiscal years 2006 through 2010.

(G) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—The House Committee on Transportation and Infrastructure shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $12,000,000 in outlays for fiscal year 2006 and $103,000,000 in outlays for the period of fiscal years 2006 through 2010.

(H) COMMITTEE ON VETERANS' AFFAIRS.—The House Committee on Veterans' Affairs shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $155,000,000 in outlays for fiscal year 2006 and $798,000,000 in outlays for the period of fiscal years 2006 through 2010.

(I) COMMITTEE ON WAYS AND MEANS.—The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to reduce the deficit by $3,907,000,000 for fiscal year 2006 and $18,680,000,000 for the period of fiscal years 2006 through 2010.

(b) SUBMISSION PROVIDING FOR CHANGES IN REVENUE.—The House Committee on Ways and Means shall report a reconciliation bill not later than June 24, 2005, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than $16,623,000,000 for fiscal year 2006 and by not more than $45,000,000,000 for the period of fiscal years 2006 through 2010.

(c)(1) Upon the submission to the Committee on the Budget of the House of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(b) of the Congressional Budget Act of 1974, the chairman of that committee may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(2) Upon the submission to the House of a conference report recommending a reconciliation bill or resolution in which a committee has complied with its reconciliation instructions solely by virtue of this section, the chairman of the Committee on the Budget of the House may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(3) Allocations and aggregates revised pursuant to this subsection shall be considered to be allocations and aggregates established by the concurrent resolution on the budget pursuant to section 301 of such Act.

## TITLE III—CONTINGENCY PROCEDURE

### SEC. 301. CONTINGENCY PROCEDURE FOR SURFACE TRANSPORTATION.

(a) IN GENERAL.—If the Committee on Transportation and Infrastructure of the House reports legislation, or if an amendment thereto is offered or a conference report thereon is submitted, that provides new budget authority for the budget accounts or portions thereof in the highway and transit categories as defined in sections 250(c)(4)(B) and (C) of the Balanced Budget and Emergency Deficit Control Act of 1985 in excess of the following amounts:

(1) for fiscal year 2005: $42,806,000,000,
(2) for fiscal year 2006: $45,899,100,000,
(3) for fiscal year 2007: $47,828,700,000,
(4) for fiscal year 2008: $49,715,400,000, or
(5) for fiscal year 2009: $51,743,500,000,

the chairman of the Committee on the Budget may adjust the appropriate budget aggregates and increase the allocation of new budget authority to such committee for fiscal year 2005 and for the period of fiscal

years 2005 through 2009 to the extent such excess is offset by a reduction in mandatory outlays from the Highway Trust Fund or an increase in receipts appropriated to such fund for the applicable fiscal year caused by such legislation or any previously enacted legislation.

(b) ADJUSTMENT FOR OUTLAYS.—For fiscal year 2006, in the House, if a bill or joint resolution is reported, or if an amendment thereto is offered or a conference report thereon is submitted, that changes obligation limitations such that the total limitations are in excess of $42,792,000,000 for fiscal year 2006 for programs, projects, and activities within the highway and transit categories as defined in sections 250(c)(4)(B) and (C) of the Balanced Budget and Emergency Deficit Control Act of 1985, and if legislation has been enacted that satisfies the conditions set forth in subsection (a) for such fiscal year, the chairman of the Committee on the Budget may increase the allocation of outlays and appropriate aggregates for such fiscal year for the committee reporting such measure by the amount of outlays that corresponds to such excess obligation limitations, but not to exceed the amount of such excess that was offset pursuant to subsection (a).

## TITLE IV—BUDGET ENFORCEMENT

### SEC. 401. EMERGENCY LEGISLATION.

(a) EXEMPTION OF OVERSEAS CONTINGENCY OPERATIONS.—(1) In the House, if any bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, that makes supplemental appropriations for fiscal year 2005 or fiscal year 2006 for contingency operations related to the global war on terrorism, then the new budget authority, new entitlement authority, outlays, and receipts resulting therefrom shall not count for purposes of sections 302, 303, 311, and 401 of the Congressional Budget Act of 1974 for the provisions of such measure that are designated pursuant to this subsection as making appropriations for such contingency operations.

(2) Amounts included in this resolution for the purpose set forth in paragraph (1) shall be considered to be current law for purposes of the preparation of the current level of budget authority and outlays and the appropriate levels shall be adjusted upon the enactment of such bill.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—In the House, if a bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, that designates a provision as an emergency requirement pursuant to this section, then the new budget authority, new entitlement authority, outlays, and receipts resulting therefrom shall not count for purposes of sections 302, 303, 311, and 401 of the Congressional Budget Act of 1974.

(c) DESIGNATIONS.—

(1) GUIDANCE.—In the House, if a provision of legislation is designated as an emergency requirement under subsection (b), the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in paragraph (2). If such legislation is to be considered by the House without being reported, then the committee shall cause the explanation to be published in the Congressional Record in advance of floor consideration.

(2) CRITERIA.—

(A) IN GENERAL.—Any such provision is an emergency requirement if the underlying situation poses a threat to life, property, or national security and is—

(i) sudden, quickly coming into being, and not building up over time;

(ii) an urgent, pressing, and compelling need requiring immediate action;

(iii) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(iv) not permanent, temporary in nature.

(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

### SEC. 402. COMPLIANCE WITH SECTION 13301 OF THE BUDGET ENFORCEMENT ACT OF 1990.

(a) IN GENERAL.—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 and section 13301 of the Budget Enforcement Act of 1990, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration.

(b) SPECIAL RULE.—In the House, for purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts provided for the Social Security Administration.

### SEC. 403. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the appropriate Committee on the Budget; and

(2) such chairman may make any other necessary adjustments to such levels to carry out this resolution.

### SEC. 404. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—(1) In the House, except as provided in subsection (b), an advance appropriation may not be reported in a bill or joint resolution making a general appropriation or continuing appropriation, and may not be in order as an amendment thereto.

(2) Managers on the part of the House may not agree to a Senate amendment that would violate paragraph (1) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(b) LIMITATION.—In the House, an advance appropriation may be provided for fiscal year 2007 or 2008 for programs, projects, activities or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $23,568,000,000 in new budget authority.

(c) DEFINITION.—In this subsection, the term ''advance appropriation'' means any discretionary new budget authority in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2006 that first becomes available for any fiscal year after 2006.

### SEC. 405. SPECIAL RULE IN THE HOUSE FOR CERTAIN SECTION 302(b) SUBALLOCATIONS.

In the House, the Committee on Appropriations may make a separate suballocation for general appropriations for the legislative branch for the first fiscal year of this resolution. Such suballocation shall be deemed to be made under section 302(b) of the Congressional Budget Act of 1974 and shall be treated as such a suballocation for all purposes under section 302 of such Act.

### SEC. 406. SPECIAL PROCEDURES TO ACHIEVE SAVINGS IN MANDATORY SPENDING THROUGH FY2014.

(a) FINDINGS.—The Congress finds that—

(1) the share of the budget consumed by mandatory spending have been growing since the mid-1970s, and now is about 54 percent;

(2) this portion of the budget is continuing to grow, crowding out other priorities and threatening overall budget control;

(3) mandatory spending is intrinsically difficult to control;

(4) these programs are subject to a variety of factors outside the control of Congress, such as demographics, economic conditions, and medical prices;

(5) Congress should make an effort at least every other year, to review mandatory spending; and

(6) the reconciliation process set forth in the Congressional Budget Act of 1974 is a viable tool to reduce the rate of growth in mandatory spending.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that concurrent resolutions on the budget for fiscal years 2007 through 2010 should include reconciliation instructions to committees, every other year, pursuant to section 310(a) of the Congressional Budget Act of 1974 to achieve significant savings in mandatory spending.

The CHAIRMAN. Pursuant to the rule and the order of the House, no amendment to the concurrent resolution is in order except the amendments printed in House Report 109–19. Each amendment may be offered only in the order printed in the report, except for amendment No. 2, may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Pursuant to the order of the House of today, it is now in order to consider amendment No. 2 printed in House report 109–19.

AMENDMENT NO. 2 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 2 in the nature of a substitute offered by Mr. HENSARLING:

Strike all after the resolving clause and insert the following:

### SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006.

(a) DECLARATION.—The Congress declares that the concurrent resolution on the budget

for fiscal year 2006 is hereby established and that the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010 are hereby set forth.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2006.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Major functional categories.

TITLE II—RECONCILIATION AND REPORT SUBMISSIONS

Sec. 201. Reconciliation in the House of Representatives.
Sec. 202. Submission of report on savings to be used for members of the Armed Forces in Iraq and Afghanistan.

TITLE III—RESERVE FUNDS AND CONTINGENCY PROCEDURE

Sec. 301. Rainy Day Fund for nonmilitary emergencies.
Sec. 302. Contingency procedure for surface transportation.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Point of Order Protection.
Sec. 402. Restrictions on advance appropriations.
Sec. 403. Automatic votes on expensive legislation.
Sec. 404. Turn off the Gephardt Rule.
Sec. 405. Restriction on the use of emergency spending.
Sec. 406. Compliance with section 13301 of the Budget Enforcement Act of 1990.
Sec. 407. Action pursuant to section 302(b)(1) of the Congressional Budget Act of 1974.
Sec. 408. Changes in allocations and aggregates resulting from realistic scoring of measures affecting revenues.
Sec. 409. Prohibition in using revenue increases to comply with budget allocation and aggregates.
Sec. 410. Application and effect of changes in allocations and aggregates.
Sec. 411. Entitlement safeguard.
Sec. 412. Budget Protection Mandatory Account.
Sec. 413. Budget Protection Discretionary Account.

TITLE V—SENSE OF THE HOUSE

Sec. 501. Sense of the House on spending accountability.
Sec. 502. Sense of the House on entitlement reform.
Sec. 503. Sense of the House regarding the abolishment of obsolete agencies and Federal sunset proposals.
Sec. 504. Sense of the House regarding the goals of this concurrent resolution and the elimination of certain programs.

## TITLE I—RECOMMENDED LEVELS AND AMOUNTS

### SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2005 through 2010:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2005: $1,483,971,000,000.
Fiscal year 2006: $1,589,905,000,000.
Fiscal year 2007: $1,693,266,000,000.
Fiscal year 2008: $1,824,251,000,000.
Fiscal year 2009: $1,928,663,000,000.
Fiscal year 2010: $2,043,903,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be reduced are as follows:

Fiscal year 2005: $53,000,000.
Fiscal year 2006: $16,622,000,000.
Fiscal year 2007: $24,414,000,000.
Fiscal year 2008: $4,927,000,000.
Fiscal year 2009: $8,570,000,000.
Fiscal year 2010: $9,063,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2005: $2,070,357,000,000.
Fiscal year 2006: $2,125,130,000,000.
Fiscal year 2007: $2,185,198,000,000.
Fiscal year 2008: $2,291,682,000,000.
Fiscal year 2009: $2,404,965,000,000.
Fiscal year 2010: $2,497,636,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2005: $2,052,551,000,000.
Fiscal year 2006: $2,143,613,000,000.
Fiscal year 2007: $2,192,270,000,000.
Fiscal year 2008: $2,275,421,000,000.
Fiscal year 2009: $2,377,265,000,000.
Fiscal year 2010: $2,476,988,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2005: $568,580,000,000.
Fiscal year 2006: $553,708,000,000.
Fiscal year 2007: $499,004,000,000.
Fiscal year 2008: $451,170,000,000.
Fiscal year 2009: $448,602,000,000.
Fiscal year 2010: $433,085,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2005: $4,685,000,000,000.
Fiscal year 2006: $5,060,705,000,000.
Fiscal year 2007: $5,374,742,000,000.
Fiscal year 2008: $5,626,285,000,000.
Fiscal year 2009: $5,865,547,000,000.
Fiscal year 2010: $6,074,877,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2005: $7,958,232,000,000.
Fiscal year 2006: $8,623,729,000,000.
Fiscal year 2007: $9,249,860,000,000.
Fiscal year 2008: $9,839,054,000,000.
Fiscal year 2009: $10,438,512,000,000.
Fiscal year 2010: $11,029,815,000,000.

### SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2005 through 2010 for each major functional category are as follows:

(1) National Defense (050):
Fiscal year 2005:
(A) New budget authority, $500,621,000,000.
(B) Outlays, $497,196,000,000.
Fiscal year 2006:
(A) New budget authority, $441,562,000,000.
(B) Outlays, $475,603,000,000.
Fiscal year 2007:
(A) New budget authority, $465,260,000,000.
(B) Outlays, $460,673,000,000.
Fiscal year 2008:
(A) New budget authority, $483,730,000,000.
(B) Outlays, $471,003,000,000.
Fiscal year 2009:
(A) New budget authority, $503,763,000,000.
(B) Outlays, $489,220,000,000.
Fiscal year 2010:
(A) New budget authority, $513,904,000,000.
(B) Outlays, $505,908,000,000.

(2) Homeland Security (100):
Fiscal year 2005:
(A) New budget authority, $30,896,000,000.
(B) Outlays, $25,830,000,000.
Fiscal year 2006:
(A) New budget authority, $29,323,000,000.
(B) Outlays, $28,186,000,000.
Fiscal year 2007:
(A) New budget authority, $29,673,000.
(B) Outlays, $30,029,000,000.
Fiscal year 2008:
(A) New budget authority, $30,081,000,000.
(B) Outlays, $31,244,000,000.
Fiscal year 2009:
(A) New budget authority, $32,910,000,000.
(B) Outlays, $31,200,000,000.
Fiscal year 2010:
(A) New budget authority, $31,404,000,000.
(B) Outlays, $31,703,000,000.

(3) International Affairs (150):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

(4) General Science, Space, and Technology (250):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.

(5) Energy (270):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:

(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(6) Natural Resources and Environment (300):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(7) Agriculture (350):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(8) Commerce and Housing Credit (370):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(9) Transportation (400):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(10) Community and Regional Development (450):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(11) Education, Training, Employment, and Social Services (500):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(12) Health (550):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(13) Medicare (570):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(14) Income Security (600):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(15) Social Security (650):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(16) Veterans Benefits and Services (700):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(17) Administration of Justice (750):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(18) General Government (800):
Fiscal year 2005:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2006:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2007:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2008:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2009:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
Fiscal year 2010:
(A) New budget authority, an amount to be derived from function 920.
(B) Outlays, an amount to be derived from function 920.
(19) Net Interest (900):
Fiscal year 2005:
(A) New budget authority, $276,942,000,000.
(B) Outlays, $276,942,000,000.
Fiscal year 2006:
(A) New budget authority, $310,247,000,000.
(B) Outlays, $310,247,000,000.
Fiscal year 2007:
(A) New budget authority, $358,951,000,000.
(B) Outlays, $358,951,000,000.
Fiscal year 2008:
(A) New budget authority, $395,414,000,000.
(B) Outlays, $395,414,000,000.
Fiscal year 2009:
(A) New budget authority, $423,169,000,000.
(B) Outlays, $423,169,000,000.
Fiscal year 2010:
(A) New budget authority, $448,789,000,000.
(B) Outlays, $448,789,000,000.
(20) Allowances (920):
Fiscal year 2005:
(A) New budget authority, $1,325,002,000,000.
(B) Outlays, $1,315,687,000,000.
Fiscal year 2006:
(A) New budget authority, $1,399,360,000,000.
(B) Outlays, $1,384,939,000,000.
Fiscal year 2007:
(A) New budget authority, $1,394,577,000,000.
(B) Outlays, $1,407,005,000,000.
Fiscal year 2008:
(A) New budget authority, $1,477,937,000,000.
(B) Outlays, $1,444,052,000,000.
Fiscal year 2009:
(A) New budget authority, $1,505,999,000,000.
(B) Outlays, $1,493,927,000,000.
Fiscal year 2010:
(A) New budget authority, $1,566,983,000,000.
(B) Outlays, $1,553,407,000,000.
(21) Undistributed Offsetting Receipts (950):
Fiscal year 2005:
(A) New budget authority, −$54,104,000,000.
(B) Outlays, −$54,104,000,000.
Fiscal year 2006:
(A) New budget authority, −$55,362,000,000.
(B) Outlays, −$55,362,000,000.
Fiscal year 2007:
(A) New budget authority, −$63,263,000,000.
(B) Outlays, −$64,388,000,000.
Fiscal year 2008:
(A) New budget authority, −$65,480,000,000.
(B) Outlays, −$66,292,000,000.
Fiscal year 2009:
(A) New budget authority, −$60,876,000,000.
(B) Outlays, −$60,251,000,000.
Fiscal year 2010:
(A) New budget authority, −$63,447,000,000.
(B) Outlays, −$62,822,000,000.

## TITLE II—RECONCILIATION AND REPORT SUBMISSIONS

### SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS PROVIDING FOR THE ELIMINATION OF WASTE, FRAUD, AND ABUSE IN MANDATORY PROGRAMS.—(1) Not later than July 15, 2005, the House committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON AGRICULTURE.—The House Committee on Agriculture shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $893,000,000 in outlays for fiscal year 2006 and $5,959,000,000 in outlays for the period of fiscal years 2006 through 2010.

(B) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The House Committee on Education and the Workforce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $2,128,000,000 in outlays for fiscal year 2006 and $21,803,000,000 in outlays for the period of fiscal years 2006 through 2010.

(C) COMMITTEE ON ENERGY AND COMMERCE.—The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $1,419,000,000 in outlays for fiscal year 2006

and $30,725,000,000 in outlays for the period of fiscal years 2006 through 2010.

(D) COMMITTEE ON FINANCIAL SERVICES.—The House Committee on Financial Services shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $30,000,000 in new budget authority for fiscal year 2006 and $270,000,000 in new budget authority for the period of fiscal years 2006 through 2010.

(E) COMMITTEE ON GOVERNMENT REFORM.—The House Committee on Government Reform shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $268,000,000 in outlays for fiscal year 2006 and $3,164,000,000 in outlays for the period of fiscal years 2006 through 2010.

(F) COMMITTEE ON HOUSE ADMINISTRATION.—The House Committee on House Administration shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $57,000,000 in outlays for fiscal year 2006 and $2,673,000,000 in outlays for the period of fiscal years 2006 through 2010.

(G) COMMITTEE ON INTERNATIONAL RELATIONS.—The House Committee on International Relations shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $45,000,000 in outlays for fiscal year 2006 and $504,000,000 in outlays for the period of fiscal years 2006 through 2010.

(H) COMMITTEE ON THE JUDICIARY.—The House Committee on the Judiciary shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $144,000,000 in outlays for fiscal year 2006 and $826,000,000 in outlays for the period of fiscal years 2006 through 2010.

(I) COMMITTEE ON RESOURCES.—The House Committee on Resources shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $114,000,000 in outlays for fiscal year 2006 and $1,598,000,000 in outlays for the period of fiscal years 2006 through 2010.

(J) COMMITTEE ON SCIENCE.—The House Committee on Science shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $303,000,000 in outlays for fiscal year 2006 and $3,864,000,000 in outlays for the period of fiscal years 2006 through 2010.

(K) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—The House Committee on Transportation and Infrastructure shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $65,000,000 in outlays for fiscal year 2006 and $690,000,000 in outlays for the period of fiscal years 2006 through 2010.

(L) COMMITTEE ON VETERANS' AFFAIRS.—The House Committee on Veterans' Affairs shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $155,000,000 in outlays for fiscal year 2006 and $798,000,000 in outlays for the period of fiscal years 2006 through 2010.

(M) COMMITTEE ON WAYS AND MEANS.—The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $6,534,000,000 in outlays for fiscal year 2006 and $52,391,000,000 in outlays for the period of fiscal years 2006 through 2010.

(N) SPECIAL RULE.—The chairman of the Committee on the Budget may take into account legislation enacted after the adoption of this resolution that is determined to reduce the deficit and may make applicable adjustments in reconciliation instructions, allocations, and budget aggregates and may also make adjustments in reconciliation instructions to protect earned benefit programs.

(b) SUBMISSION PROVIDING FOR CHANGES IN REVENUE.—The House Committee on Ways and Means shall report a reconciliation bill not later than June 24, 2005, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than $17,700,000,000 for fiscal year 2006 and by not more than $105,900,000,000 for the period of fiscal years 2006 through 2010.

(c)(1) Upon the submission to the Committee on the Budget of the House of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(b) of the Congressional Budget Act of 1974, the chairman of that committee may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(2) Upon the submission to the House of a conference report recommending a reconciliation bill or resolution in which a committee has complied with its reconciliation instructions solely by virtue of this section, the chairman of the Committee on the Budget of the House may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(3) Allocations and aggregates revised pursuant to this subsection shall be considered to be allocations and aggregates established by the concurrent resolution on the budget pursuant to section 301 of such Act.

**SEC. 202. SUBMISSION OF REPORT ON DEFENSE SAVINGS.**

In the House, not later than May 15, 2005, the Committee on Armed Services shall submit to the Committee on the Budget its findings that identify $2,000,000,000 in savings from (1) activities that are determined to be of a low priority to the successful execution of current military operations; or (2) activities that are determined to be wasteful or unnecessary to national defense. Funds identified should be reallocated to programs and activities that directly contribute to enhancing the combat capabilities of the U.S. military forces with an emphasis on force protection, munitions, and surveillance capabilities. For purposes of this subsection, the report by the Committee on Armed Services shall be inserted in the Congressional Record by the chairman of the Committee on the Budget not later than May 21, 2005.

## TITLE III—RESERVE FUNDS AND CONTINGENCY PROCEDURE

**SEC. 301. RAINY DAY FUND FOR NON-MILITARY EMERGENCIES.**

In the House of Representatives and the Senate, if the Committee on Appropriations reports a bill or joint resolution, or if an amendment thereto is offered or a conference report thereon is submitted, that provides new budget authority (and outlays flowing therefrom) for nonmilitary emergencies, then the chairman of the Committee on the Budget of that House shall make the appropriate revisions to the allocations and other levels in this resolution by the amount provided by that measure for that purpose, but the total adjustment for all measures considered under this section shall not exceed $20,000,000,000 in new budget authority for fiscal year 2006 and outlays flowing therefrom.

**SEC. 302. CONTINGENCY PROCEDURE FOR SURFACE TRANSPORTATION.**

(a) IN GENERAL.—If the Committee on Transportation and Infrastructure of the House reports legislation, or if an amendment thereto is offered or a conference report thereon is submitted, that provides new budget authority for the budget accounts or portions thereof in the highway and transit categories as defined in sections 250(c)(4)(B) and (C) of the Balanced Budget and Emergency Deficit Control Act of 1985 in excess of the following amounts:

(1) for fiscal year 2005: $42,806,000,000,
(2) for fiscal year 2006: $45,899,100,000,
(3) for fiscal year 2007: $47,828,700,000,
(4) for fiscal year 2008: $49,715,400,000, or
(5) for fiscal year 2009: $51,743,500,000,

the chairman of the Committee on the Budget may adjust the appropriate budget aggregates and increase the allocation of new budget authority to such committee for fiscal year 2005 and for the period of fiscal years 2005 through 2009 to the extent such excess is offset by a reduction in mandatory outlays from the Highway Trust Fund or an increase in receipts appropriated to such fund for the applicable fiscal year caused by such legislation or any previously enacted legislation.

(b) ADJUSTMENT FOR OUTLAYS.—For fiscal year 2006, in the House, if a bill or joint resolution is reported, or if an amendment thereto is offered or a conference report thereon is submitted, that changes obligation limitations such that the total limitations are in excess of $42,792,000,000 for fiscal year 2006 for programs, projects, and activities within the highway and transit categories as defined in sections 250(c)(4)(B) and (C) of the Balanced Budget and Emergency Deficit Control Act of 1985, and if legislation has been enacted that satisfies the conditions set forth in subsection (a) for such fiscal year, the chairman of the Committee on the Budget may increase the allocation of outlays and appropriate aggregates for such fiscal year for the committee reporting such measure by the amount of outlays that corresponds to such excess obligation limitations, but not to exceed the amount of such excess that was offset pursuant to subsection (a).

## TITLE IV—BUDGET ENFORCEMENT

**SEC. 401. POINT OF ORDER PROTECTION.**

(a) IN GENERAL.—(1) A report by the Committee on Rules on a rule or order that would waive section 302(f) or 303(a) (other than paragraph (2)) of the Congressional Budget Act of 1974 may not be called up for consideration (over the objection of any Member) except when so determined by a vote of a majority of the Members duly chosen and sworn, a quorum being present.

(2) A question of consideration under this paragraph shall be debatable for 20 minutes equally divided by a proponent and opponent of the question but shall otherwise be decided without intervening motion except one that the House adjourn.

(3) This paragraph does not apply to any rule providing for consideration of any legislation the title of which is as follows: ''A bill to preserve Social Security.''

(b) WAIVER PROHIBITION.—The Committee on Rules may not report a rule or order proposing a waiver of subsection (a).

**SEC. 402. RESTRICTIONS ON ADVANCE APPROPRIATIONS.**

(a) IN GENERAL.—(1) In the House, except as provided in subsection (b), an advance appropriation may not be reported in a bill or joint resolution making a general appropriation or continuing appropriation, and may not be in order as an amendment thereto.

(2) Managers on the part of the House may not agree to a Senate amendment that would violate paragraph (1) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(b) EXCEPTION.—In the House, an advance appropriation may be provided for fiscal year 2007 and fiscal years 2008 for programs,

projects, activities or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading 'Accounts Identified for Advance Appropriations' in an aggregate amount not to exceed $23,568,000,000 in new budget authority.

(c) DEFINITION.—In this section, the term ''advance appropriation'' means any discretionary new budget authority in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2006 that first becomes available for any fiscal year after 2006.

**SEC. 403. AUTOMATIC VOTES ON EXPENSIVE LEGISLATION.**

In the House, the yeas and nays shall be considered as ordered when the Speaker puts the question on passage of a bill or joint resolution, or on adoption of conference report, which authorizes or provides new budget authority of not less $50,000,000. The Speaker may not entertain a unanimous consent request or motion to suspend this section.

**SEC. 404. TURN OFF THE GEPHARDT RULE.**

Rule XXVII shall not apply with respect to the adoption by the Congress of a concurrent resolution on the budget for fiscal year 2006.

**SEC. 405. EMERGENCY SPENDING.**

(a) EXEMPTION OF OVERSEAS CONTINGENCY OPERATIONS.—In the House, if a bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, that makes supplemental appropriations for fiscal year 2006 for contingency operations related to the global war on terrorism, then the new budget authority, new entitlement authority, outlays, and receipts resulting therefrom shall not count for purposes of sections 302, 303, and 401 of the Congressional Budget Act of 1974 for the provisions of such measure that are designated pursuant to this subsection as making appropriations for such contingency operations.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—In the House, if a bill or joint resolution is reported, or an amendment is offered thereto or a conference report is filed thereon, that designates a provision as an emergency requirement pursuant to this section, then the new budget authority, new entitlement authority, outlays, and receipts resulting therefrom shall not count for purposes of sections 302, 303, 311, and 401 of the Congressional Budget Act of 1974.

(c) DESIGNATIONS.—

(1) GUIDANCE.—In the House, if a provision of legislation is designated as an emergency requirement under subsection (b), the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in paragraph (2). If such legislation is to be considered by the House without being reported, then the committee shall cause the explanation to be published in the Congressional Record in advance of floor consideration.

(2) CRITERIA.—

(A) IN GENERAL.—Any such provision is an emergency requirement if the underlying situation poses a threat to life, property, or national security and is—

(i) sudden, quickly coming into being, and not building up over time;

(ii) an urgent, pressing, and compelling need requiring immediate action;

(iii) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(iv) not permanent, temporary in nature.

(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(d) ENFORCEMENT.—It shall not be in order in the House of Representatives to consider any bill, joint resolution, amendment or conference report that contains an emergency designation unless that designation meets the criteria set out in subsection (c)(2).

(e) ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES.—It shall not be in order in the House of Representatives to consider a rule or order that waives the application of subsection (d).

(f) DISPOSITION OF POINTS OF ORDER IN THE HOUSE.—As disposition of a point of order under subsection (d) or subsection (e), the Chair shall put the question of consideration with respect to the proposition that is the subject of the point of order. A question of consideration under this section shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent of the point of order, but shall otherwise be decided without intervening motion except one that the House adjourn or that the Committee of the Whole rise, as the case may be.

**SEC. 406. COMPLIANCE WITH SECTION 13301 OF THE BUDGET ENFORCEMENT ACT OF 1990.**

(a) IN GENERAL.—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 and section 13301 of the Budget Enforcement Act of 1990, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration.

(b) SPECIAL RULE.—In the House, for purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts provided for the Social Security Administration.

**SEC. 407. ACTION PURSUANT TO SECTION 302(b)(1) OF THE CONGRESSIONAL BUDGET ACT.**

(a) COMPLIANCE.—When complying with Section 302(b)(1) of the Congressional Budget Act of 1974, the Committee on Appropriations of each House shall consult with the Committee on Appropriations of the other House to ensure that the allocation of budget outlays and new budget authority among each Committee's subcommittees are identical.

(b) REPORT.—The Committee on Appropriations of each House shall report to its House when it determines that the report made by the Committee pursuant to Section 302(b) of the Congressional Budget Act of 1974 and the report made by the Committee on Appropriations of the other House pursuant to the same provision contain identical allocations of budget outlays and new budget authority among each Committee's subcommittees.

(c) POINT OF ORDER.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report providing new discretionary budget authority for Fiscal Year 2006 allocated to the Committee on Appropriations unless and until the Committee on Appropriations of that House has made the report required under paragraph (b) of this Section.

**SEC. 408. CHANGES IN ALLOCATIONS AND AGGREGATES RESULTING FROM REALISTIC SCORING OF MEASURES AFFECTING REVENUES.**

(a) Whenever the House considers a bill, joint resolution, amendment, motion or conference report, including measures filed in compliance with section 201(b) or 201(c), that propose to change federal revenues, the impact of such measure on federal revenues shall be calculated by the Joint Committee on Taxation in a manner that takes into account—

(1) the impact of the proposed revenue changes on—

(A) Gross Domestic Product, including the growth rate for the Gross Domestic Product;

(B) total domestic employment;

(C) gross private domestic investment;

(D) general price index;

(E) interest rates; and

(F) other economic variables;

(2) the impact on Federal Revenue of the changes in economic variables analyzed under subpart (1) of this paragraph.

(b) the Chairman of the Committee on the Budget may make any necessary changes to allocations and aggregates in order to conform this concurrent resolution with the determinations made by the Joint Committee on Taxation pursuant to paragraph (a) of this Section.

**SEC. 409. PROHIBITION ON USING REVENUE INCREASES TO COMPLY WITH BUDGET ALLOCATIONS AND AGGREGATES.**

(a) For the purpose of enforcing this concurrent resolution in the House, the Chairman of the Committee on the Budget shall not take into account the provisions of any piece of legislation which propose to increase revenue or offsetting collections if the net effect of the bill is to increase the level of revenue or offsetting collections beyond the level assumed in this concurrent resolution.

(b) Paragraph (a) of this section shall not apply to any provision of a piece of legislation that proposes a new or increased fee for the receipt of a defined benefit or service (including insurance coverage) by the person or entity paying the fee.

**SEC. 410. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.**

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the appropriate Committee on the Budget; and

(2) such chairman may make any other necessary adjustments to such levels to carry out this resolution.

**SEC. 411. ENTITLEMENT SAFEGUARD.**

(a) It shall not be in order in the House of Representatives to consider an direct spending legislation that would increase an on-budget deficit or decrease an on-budget surplus as provided by paragraph (e) for any applicable time period.

(b) For purposes of this clause, the term ''applicable time period'' means any of the following periods:

(1) The period of the first 5 fiscal years covered by the most recently adopted concurrent resolution on the budget.

(2) The period of the 5 fiscal years following first 5 years covered in the most recently adopted concurrent resolution on the budget.

(c) For purposes of this section and except as provided in paragraph (d), the term ''direct-spending legislation'' means any bill,

joint resolution, amendment, or conference report that affects direct spending as that term is defined by, and interpreted for purposes of, the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) For purposes of this section, the term ''direct-spending legislation'' does not include—

(1) any legislation the title of which is as follows: ''A bill to preserve Social Security.''; or

(2) any legislation that would cause a net increase in aggregate direct spending of less than $100,000,000 for any applicable time period.

(e) If direct spending legislation increases the on-budget deficit or decreases an on-budget surpluses when taken individually, it must also increase the on-budget deficit or decrease the on-budget surplus when taken together with all direct spending legislation enacted since the beginning of the calendar year not accounted for in the baseline assumed for the most recent concurrent resolution on the budget, except that direct spending effects resulting in net deficit reduction enacted pursuant to reconciliation instructions since the beginning of that same calendar year shall not be available.

(f) This section may be waived by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(g) For purposes of this section, the levels of budget authority and outlays for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget.

(h) The Committee on Rules may not report a rule or order proposing a waiver of paragraph (a).

**SEC. 412. BUDGET PROTECTION MANDATORY ACCOUNT.**

(a)(1) The chairman of the Committee on the Budget shall maintain an account to be known as the ''Budget Protection Mandatory Account''. The Account shall be divided into entries corresponding to the allocations under section 302(a) of the Congressional Budget Act of 1974 in the most recently adopted concurrent resolution on the budget, except that it shall not include the Committee on Appropriations.

(2) Each entry shall consist only of amounts credited to it under subsection (b). No entry of a negative amount shall be made.

(b)(1) Upon the engrossment of a House bill or joint resolution or a House amendment to a Senate bill or joint resolution (other than an appropriation bill), the chairman of the Committee on the Budget shall—

(A) credit the applicable entries of the Budget Protection Mandatory Account by the amounts specified in subparagraph (2); and

(B) reduce the applicable 302(a) allocations by the amount specified in subparagraph (2).

(2) Each amount specified in subparagraph (A) shall be the net reduction in mandatory budget authority (either under current law or proposed by the bill or joint resolution under consideration) provided by each amendment that was adopted in the House to the bill or joint resolution.

(c)(1) If an amendment includes a provision described in subparagraph (2), the chairman of the Committee on the Budget shall, upon the engrossment of a House bill or joint resolution or a House amendment to a Senate bill or joint resolution, other than an appropriation bill, reduce the level of total revenues set forth in the applicable concurrent resolution on the budget for the fiscal year or for the total of that first fiscal year and the ensuing fiscal years in an amount equal to the net reduction in mandatory authority (either under current law or proposed by a bill or joint resolution under consideration) provided by each amendment adopted by the House to the bill or joint resolution. Such adjustment shall be in addition to the adjustments described in subsection (b).

(2)(A) The provision specified in subparagraph (1) is as follows: ''The amount of mandatory budget authority reduced by this amendment may be used to offset a decrease in revenues.''

(B) All points of order are waived against an amendment including the text specified in subparagraph (A) provided the amendment is otherwise in order.

(d) As used in this rule, the term—

(1) ''appropriation bill'' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of fiscal year 2006 or any subsequent fiscal year, as the case may be.

(2) ''mandatory budget authority'' means any entitlement authority as defined by, and interpreted for purposes of, the Congressional Budget Act of 1974.

(e) During the consideration of any bill or joint resolution, the chairman of the Committee on the Budget shall maintain a running tally, which shall be available to all Members, of the amendments adopted reflecting increases and decreases of budget authority in the bill or joint resolution.

**SEC. 413. BUDGET DISCRETIONARY ACCOUNTS.**

(a)(1) The chairman of the Committee on the Budget shall maintain an account to be known as the ''Budget Protection Discretionary Account'';. The Account shall be divided into entries corresponding to the allocation to the Committee on Appropriations, and the committee's suballocations, under section 302(a) and 302(b) of the Congressional Budget Act of 1974.

(2) Each entry shall consist only of amounts credited to it under subsection (b). No entry of a negative amount shall be made.

(b)(1) Upon the engrossment of a House appropriations bill, the chairman of the Committee on the Budget shall—

(A) credit the applicable entries of the Budget Protection Discretionary Account by the amounts specified in subparagraph (2).

(B) reduce the applicable 302(a) and (b) allocations by the amount specified in subparagraph (2).

(2) Each amount specified in subparagraph (A) shall be the net reduction in discretionary budget authority provided by each amendment adopted by the House to the bill or joint resolution.

(c)(1) If an amendment includes a provision described in subparagraph (2), the chairman of the Committee on the Budget shall, upon the engrossment of a House appropriations bill, reduce the level of total revenues set forth in the applicable concurrent resolution on the budget for the fiscal year or for the total of that first fiscal year and the ensuing fiscal years in an amount equal to the net reduction in discretionary budget authority provided by each amendment that was adopted by the House to the bill or joint resolution. Such adjustment shall be in addition to the adjustments described in subsection (b).

(2)(A) The provision specified in subparagraph (1) is as follows: ''The amount of discretionary budget authority reduced by this amendment may be used to offset a decrease in revenues.''

(B) All points of order are waived against an amendment including the text specified in subparagraph (A) provided the amendment is otherwise in order.

(d) As used in this rule, the term ''appropriation bill'' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of fiscal year 2006 or any subsequent fiscal year, as the case may be.

(e) During the consideration of any bill or joint resolution, the chairman of the Committee on the Budget shall maintain a running tally, which shall be available to all Members, of the amendments adopted reflecting increases and decreases of budget authority in the bill or joint resolution.

## TITLE V—SENSE OF THE HOUSE

**SEC. 501. SENSE OF THE HOUSE ON SPENDING ACCOUNTABILITY.**

It is the sense of the House that—

(1) authorizing committees should actively engage in oversight utilizing—

(A) the plans and goals submitted by executive agencies pursuant to the Government Performance and Results Act of 1993; and

(B) the performance evaluations submitted by such agencies (that are based upon the Program Assessment Rating Tool which is designed to improve agency performance);in order to enact legislation to eliminate waste, fraud, and abuse to ensure the efficient use of taxpayer dollars;

(2) all Federal programs should be periodically reauthorized and funding for unauthorized programs should be level-funded in fiscal year 2006 unless there is a compelling justification;

(3) committees should submit written justifications for earmarks and should consider not funding those most egregiously inconsistent with national policy;

(4) the fiscal year 2006 budget resolution should be vigorously enforced and legislation should be enacted establishing statutory limits on appropriations and a PAY-AS-YOU-GO rule for new and expanded entitlement programs; and

(5) Congress should make every effort to offset nonwar-related supplemental appropriations.

**SEC. 502. SENSE OF THE HOUSE ON ENTITLEMENT REFORM.**

(a) FINDINGS.—The House finds that welfare was successfully reformed through the application of work requirements, education and training opportunity, and time limits on eligibility.

(b) SENSE OF THE HOUSE.—It is the sense of the House that authorizing committees should—

(1) systematically review all means-tested entitlement programs and track beneficiary participation across programs and time;

(2) enact legislation to develop common eligibility requirements for means-tested entitlement programs;

(3) enact legislation to accurately rename means-tested entitlement programs;

(4) enact legislation to coordinate program benefits in order to limit to a reasonable period of time the Government dependency of means-tested entitlement program participants;

(5) evaluate the costs of, and justifications for, nonmeans-tested, nonretirement-related entitlement programs; and

(6) identify and utilize resources that have conducted cost-benefit analyses of participants in multiple means- and nonmeans-tested entitlement programs to understand their cumulative costs and collective benefits.

**SEC. 503. SENSE OF HOUSE REGARDING THE ABOLISHMENT OF OBSOLETE AGENCIES AND FEDERAL SUNSET PROPOSALS.**

(a) The House finds the following:

(1) The National Commission on the Public Service's recent report, ''Urgent Business For America: Revitalizing The Federal Government For The 21st Century,'' states that government missions are so widely dispersed among so many agencies that no coherent management is possible. The report also states that fragmentation leaves many gaps,

inconsistencies, and inefficiencies in government oversight and results in an unacceptable level of public health protection.

(2) According to the Commission, there are: more than 35 food safety laws administered by 12 different federal agencies; 541 clean air, water, and waste programs in 29 federal agencies; 50 different programs to aid the homeless in eight different Federal agencies; and 27 teen pregnancy programs operated in nine Federal agencies; and 90 early childhood programs scattered among 11 Federal agencies.

(3) According to the General Accounting Office (GAO), there are 163 programs with a job training or employment function, 64 welfare programs of a similar nature, and more than 500 urban aid programs.

(4) GAO also indicates 13 agencies coordinate 342 economic development programs, but there is very little or no coordination between them. This situation has created a bureaucracy so complex that many local communities stop applying for economic assistance. At the same time, the GAO reports that these programs often serve as nothing more than funnels for pork, have ''no significant effect'' on the economy, and cost as much as $_____ to create each job.

(5) In 1976, Colorado became the first state to implement a sunset mechanism. Today, about half of the Nation's States have some sort of sunset mechanism in effect to monitor their legislative branch agencies. On the Federal level, the United States Senate in 1978 overwhelmingly passed legislation to sunset most of the Government agencies by a vote of 87–1.

(6) In Texas, ''sunsetting'' has eliminated 44 agencies and saved the taxpayers $_____ million compared with expenditures of $ million for the Sunset Commission. Based on these estimates, for every dollar spent on the Sunset process, the State has received about $ in return.

(b) It is the Sense of the House that legislation providing for the orderly abolishment of obsolete Agencies and providing a federal sunset for government programs should be enacted during this Congress.

**SEC. 504. SENSE OF THE HOUSE REGARDING THE GOALS OF THIS CONCURRENT RESOLUTION AND THE ELIMINATION OF CERTAIN PROGRAMS.**

(a) The House of Representatives finds the following:

(1) The concurrent resolution on the budget for fiscal year 2006 should achieve the following key goals:

(A) Ensure adequate funding is available for essential government programs, in particular defense and homeland security.

(B) Foster greater economic growth and increased domestic employment by eliminating those provisions in the tax code that discourage economic growth and job creation and by extending existing tax relief provisions so as to prevent an automatic tax increase.

(C) Bring the Federal budget back into balance as soon as possible.

(2) The Government spends billions of dollars each year on programs and projects that are of marginal value to the country as a whole.

(3) Funding for these lower priority programs should be viewed in light of the goals of this concurrent resolution and whether or not continued funding of these programs advances or hinders the achievement of these goals.

(4) This concurrent resolution assumes that funding for many lower priority programs will be reduced or eliminated in order increase funding for defense and homeland security while at the same time controlling overall spending.

(b) It is the Sense of the House of Representatives that the following programs should be eliminated:

(1) Title X Family Planning.

(2) Corporation for Public Broadcasting.

(3) National Endowment for the Arts.

(4) Legal Services Corporation.

(5) the Advanced Technology Program.

The CHAIRMAN. Pursuant to House Resolution 154, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, spending is out of control in the Nation's capital, and if we do not work to control this spending, we will leave our children and grandchildren a legacy of debt, a legacy of a lower standard of living, a legacy of more government, of less freedom, of less opportunity.

Many people in this Chamber have risen tonight to say that we are not spending enough money. I think we should take a look at the facts.

Number one, Mr. Chairman, we are now spending over $20,000 for American families. For the first time since World War II are we spending this much money. For only the fourth time in the history of our Nation, and if we look back just 10 years, almost every government agency has grown by a huge multiple overinflation.

International affairs is up 93 percent; agriculture up 165 percent; transportation, 78 percent; education, 95 percent, and the list goes on and on and on. We have been growing government at twice the rate of inflation and 50 percent faster than the family budget.

We believe that these growth rates are unsustainable and let us just not look at the past. Let us look at the future.

According to the Congressional Budget Office, over the next decade Social Security is due to grow by 5.5 percent a year, Medicaid by almost 8 percent a year and Medicare by 9 percent a year. We have an explosion of government spending, and yet many in this Chamber want to spend even more, at the expense of American families.

Where is this leading us? Mr. Chairman, most recently, the Chairman of the Federal Reserve Alan Greenspan said, As a Nation we may have already made promises to coming generations of retirees that we will be unable to fulfill.

According to the General Accounting Office, Social Security faces a serious and growing solvency and sustainability challenge that is growing as time passes.

According to the Director of the Office of Management and Budget, referring to Social Security, such chronic and growing obligations in the Social Security program are properly understood by the American public, including investors, as a sign that the program is out of balance and headed for bankruptcy.

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According to the trustees of the Social Security and Medicare trust funds, ''We do not believe the currently projected long run growth rates of Social Security and Medicare are sustainable under current financing arrangements.'' The Comptroller General of the General Accountability Office said, ''How this is resolved could effect not only our economic security but our national security. We are headed to a future where we will have to either double Federal taxes or cut Federal spending by 50 percent.'' Let me repeat that. We are headed to a future where we will have to double Federal taxes or cut Federal spending by 50 percent.

Mr. Chairman, that is why it is so critical that today, not tomorrow, not next week, that we do something, something to begin to control spending in the United States Congress.

First, I want to congratulate the gentleman from Iowa (Chairman NUSSLE) of the Committee on the Budget for bringing forth to this body a truly historic budget, the most fiscally responsible budget we have seen since the Reagan era, a budget that is serious about protecting the family budget from the Federal budget.

But a combination of hope and fear has propelled me, on behalf of the Republican Study Committee, to offer an alternative budget. The hope is, as historic as the gentleman's budget is, maybe given the seriousness of the challenge we have, maybe we can do just a little bit better on spending discipline. My fear is, as great as the budget is that the gentleman from Iowa (Chairman NUSSLE) has brought to this House, I want it to be a real budget. I want to ensure that we have the mechanisms in place to ensure that we enforce the spending discipline.

How does this particular budget differ from the committee budget? There are a number of similarities, but let me describe a couple of differences. Whereas in the chairman's budget we have a discretionary savings of a little less than 1 percent, this budget would achieve savings of roughly 2 percent. It would further double the reconciliation savings in the Nussle budget. And finally, it includes a number of enforcement mechanisms to ensure that we can live with this budget, that the budget is something more than a suggestion, the budget is something more than a goal or an aspiration, that it is actually a limit on spending, that we draw a line in the sand and say we are going to take this much money away from American families and say this is it, we are going to live within our budgets.

Mr. Chairman, budgets tend to be about priorities; and, indeed, this budget, the Republican Study Committee budget, is about priorities. We have a priority of saving Social Security, and we congratulate our President for bringing this issue to the American people. I believe when the American people focus on Social Security, what

they will realize is that government has been part of the problem. They have raided the Social Security trust fund 59 times. Government took the money away from Social Security; government should give the money back.

How does government give the money back? Government can grow at a slower rate than it has in the past. The second theme of this budget, the second priority of this budget, is we believe we have to protect the family budget from the Federal budget. Is there really a compelling reason as families have to get around their kitchen table and have to make tough decisions that we in Congress cannot do the same thing? We do not believe that the Federal budget should grow faster than the family budget, and this budget achieves that goal.

Finally, we believe a budget ought to be a limit on spending. We ought to decide, subject to emergency spending that we understand, that we ought to draw a line in the sand and say this is all we care to take away from the American people; and when we tell the American people this is our budget, then this is the budget that we will live with.

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

Mr. NUSSLE. Mr. Chairman, I claim the time in opposition, and I ask unanimous consent that the gentleman from South Carolina (Mr. SPRATT) be permitted to control 10 minutes, or half of the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Chairman NUSSLE) for 10 minutes.

Mr. NUSSLE. Mr. Chairman, I yield myself such time as I may consume.

I will vote against this budget, and let me say why. It is because of my responsibility and duty to protect the base bill, the base resolution, the product that was worked and crafted in a very genuine way through the committee process, one that has the support of our majority, one that has the support of our leadership, one that has the support of our chairman, and one that I dare say has, and I believe has, the support of my friends who bring forth the budget resolution tonight.

As I said before when the Congressional Black Caucus came forth, anyone who has the guts to come out here with their own budget I have to applaud. I may oppose it, but I have to applaud it because I know what it takes to put together a budget. Whether the alternative budget has one person who supports it or 80 Members or 218 Members to support it, I commend the coalition for coming forth with their budget. I said the same to the Congressional Black Caucus because they have done this in a very responsible way every year I have been in Congress and for many year before. I really mean that. Anyone who is willing to put the sweat equity into it gets my admiration.

I reluctantly oppose this alternative because if given the opportunity to have a perfect world could we, should we work for more spending control? Yes, there is no question. For all of the haranguing that happens out here about the cuts, we know there are a lot more weeds in the garden we could pull; we know there is more reform that we could drive. We know we could work harder and probably find more spending to control.

We have some practicalities, however. One is we have some committees that have to do the work of achieving those reforms. I have worked with each one of those committees and the committee chairmen to arrange the agreements which bring the base resolution here today; and I respect that process, and I will support that process.

In addition, we have a President who is for really I think the first time since I have been in Congress willing to step up during a very challenging time in our Nation's history when we are at war and say even though it would be easy to use the war as an excuse and not worry about what is happening on the domestic side, the President of the United States has said we are going to control spending, work on the entitlement programs, and try to reform the programs and to meet the needs out there.

The fact that the RSC comes forward with a budget that goes a little further, as I say, I respect that; but I do not think that we are going to get the support behind it that we need in order to get it done. At the end of the day, that is what we need. We need the budget to pass so we have something to enforce.

I want to speak to that briefly because as congressional watchers may have seen or misinterpreted, the intramural discussion that went on and fighting that may have seemed to be happening between friends and colleagues, I interpret what the RSC was doing, the Republican Study Committee was doing with regard to enforcement to be the exact right attitude to have. That is if you are going to do the work of having a budget, then let us enforce it.

The good news from my standpoint is last year when we were not able to get a budget through both bodies, the House took the version we passed, we deemed it, and we enforced it. We stuck to it. At the final analysis of the Congressional Budget Office when all of the smoke cleared and they finally were able to close all of the books, you know what we blew that budget by, a $2.4 trillion budget, and we missed it by $400 million.

Now Members could say we missed it, but I would say for not having a budget in both the House and Senate and not having the budget being the force of law with the President, I would say that is a pretty good track record and one that I give a lot of credit to our Speaker, in particular, for having accomplished. I give them much credit not only on the work product of coming forward with a budget, but also their desire to enforce it. I stand ready to work shoulder to shoulder and side by side with them as we not only get that budget done, but enforce the budget the rest of the year. I commend them on their work product, and I reluctantly will vote against their budget.

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

Mr. SPRATT. Mr. Chairman, I yield 5 minutes to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I thank the ranking member for his kindness in providing time for me and also the chairman for providing the time he has provided to other Congressional Black Caucus members.

Mr. Chairman, I am both pleased and proud today on the alternative budget that we, the Congressional Black Caucus, have crafted. It is a sensible and fiscally responsible budget that takes into consideration the needs of the average working American. This budget does not cater to the wealthy, but addresses the needs of ordinary Americans coping with the daily economic challenges that they face such as education, jobs, and housing. In short, Mr. Chairman, the CBC alternative budget works toward eliminating disparities in housing, small businesses, economic, educational, and other disparities created by the administration's fiscal year 2006 budget.

First, as we all know, a sound education is a stepping stone to economic opportunity, success, and prosperity. The CBC alternative budget has a comprehensive approach to education and training by increasing funding for education and training programs by $23.9 billion over the majority budget. It provides funds for school construction, fully funds No Child Left Behind, and provides critical funding for Head Start, Gaining Early Awareness and Readiness Programs, and Individuals with Disabilities Education Act, or IDEA. For those in college, the CBC budget appropriates $450 million for Pell grants. In addition, the CBC budget funds the Perkins loan programs, job training, and vocational education programs that are critical in today's global economy.

Our young people, particularly African Americans, are lagging in education when compared to other groups. This budget aims to close the achievement gap here at home while making our students more competitive worldwide. The CBC understands that Federal support for community and regional development helps promote growth in economically distressed urban and rural areas. To remedy these economic disparities, the CBC budget ensures that the community development block grant programs will continue to improve housing conditions in low- to moderate-income neighborhoods.

Our budget adds $1.5 billion to CDBG grants and improves housing conditions for moderate-income families. I cannot emphasize enough the importance of CDBG grants. They assist cities and counties with creating jobs, increasing economic development opportunities, and expanding homeownership. CDBG provides for these services in a way that recognizes the unique needs of distressed areas in rural, urban, and suburban communities. It is the signature program for cities and counties to stimulate local economies. I know that from experience because I once served as the mayor pro tempore on the city council for Carson, California.

In 2004, CDBG assisted 168,938 households across America with their housing needs, including financial assistance, construction, rehabilitation, and other improvements. At least 95 percent of the funds support activities benefiting low- and moderate-income families.

The alternative CBC budget also allocates funding to the Small Business Administration and the Manufacturing Extension Partnership and provides additional funding for adult training and dislocated workers programs. By supporting these programs, the CBC is working to close the existing economic disparities in the United States and to help entrepreneurs and ordinary Americans realize the American Dream.

The CBC alternative budget also allocates additional funding for enforcement initiatives such as juvenile justice and prison reentry programs. The CBC understands we need to protect the homeland, and our budget adds $2 billion to meet urgent homeland security needs that face our Nation. The alternative budget therefore devotes additional resources for guarding against terrorist attacks through our rail and ports, including cargo screening that prevents nuclear or radiological weapons from entering the United States.

It also supports essential funding for the Centers for Disease Control to help us prepare for a possible biological attack. The CBC alternative budget ensures that cities, towns, and hamlets will receive the resources that are urgently needed to protect our citizens, resources that are absolutely needed for our cities and towns.

We can accomplish this, all of these priorities, by reducing the tax cuts from 2001 and 2003 from an individual's adjusted gross income that exceeds $200,000 and closing tax loopholes. I urge all of my colleagues to support this budget.

□ 2115

Mr. HENSARLING. Mr. Chairman, I yield 3½ minutes to the gentleman from New Jersey (Mr. GARRETT), a member of the Budget Committee and a budget leader within the Republican Study Committee.

Mr. GARRETT of New Jersey. Mr. Chairman, before I begin, let me just say that in addition to rising in support of this amendment budget, I also rise to support the efforts of the gentleman from Iowa (Chairman NUSSLE) that he has done to move us in the right direction with the budget that he has released.

It was just a short time ago that I had the opportunity to finish reading a book by Chuck Colson which is entitled ''How Now Shall We Live''. And it is a title that is an intriguing title. It is a question that we really should all ask ourselves all the time. How shall we conduct ourselves in our private lives, in our lives with our families and our lives in our community, in our lives in our society, and it is really a question that every Member of Congress should be asking ourselves every day as we come down to the floor.

Now, with families, how shall we live. Well, we ask our families to do a simple thing, to live within our means. Families have many ways that we can be spending our money, on trips, on schools, on property, on houses and fancy cars. But at the end of the day, a responsible family knows it has to spend no more than it takes in at the end of the year and must live within its means because if it does not what will the family be doing but simply passing that financial burden on to their children and their grandchildren.

So Congress really has to set an example, and I guess you could say in a way we have been setting an example for years. But we have been setting a terrible example for families for years, and it is about time that we set a good one.

I serve on the Budget Committee, and if you ever come to those meetings you will see, from the other side of the aisle especially, their ways to live within our means is to increase the means by increasing the revenue by raising taxes, and they just did it last week again.

I have never had anyone explain to me how we improve the economy by taking more money out of the family budget and sending it down here to Washington so that we can spend it. So raising taxes obviously is not the answer to living within our means. It is spending less.

Just like families who have lots of things that we can spend money on, Congress has lots of things that we can spend money on and if you come to the budget meetings you will see. Every agency, every department, every program that comes before us, they all say the same thing basically, that they want more money to spend.

As a matter of fact, if you sat on a budget hearing last year you saw the gentleman from Minnesota (Mr. GUTKNECHT), who, where we put charts up on all the time of these various things, spending requests and what have you, the gentleman from Minnesota asked a question. He said, could you put up a chart behind us of all the agencies, all the programs, all the departments that have ever come before us to ask for their program, for their department to spend less money. And we all looked at the chart, and there was nothing on the chart, because no one ever asks for less money in Washington because we know we always spend more.

So I am rising in support of the bill sponsored by the gentleman from Texas (Mr. HENSARLING) because it moves us in that right direction. It moves us in the direction of spending within our means. And how does it do it? Not really hard at all. One of the things it does is it limits our spending on nonsecurity discretionary by reducing the spending by 2 percent. 2 percent. Many families have to do that all the time. It is not a heavy lift to reduce our spending in that area. We should be able to do the same thing.

The second area is by reducing the growth in mandatory spending from 6.4 to 6.1 percent. We are still increasing spending there by almost twice the increase in the inflation rate, but we are just lowering the curve a little bit.

So how now shall Congress live? We shall live as families have to live, within their means. And this bill sponsored by the gentleman from Texas (Mr. HENSARLING) does do that.

Mr. SPRATT. Mr. Chairman, I yield a minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, it is very interesting listening to my colleagues make a presentation on their budget. And I would ask them really the real question, this is not about what Congress would do. This is about the needs of the American people.

It is interesting that if there was a serious intent about a budget that really was fair and did not burden the children of the future, we would not be adopting both the gentleman from Iowa's budget and the gentleman from Texas' budget, $1.5 trillion in new tax cuts over the next 10 years as proposed by the President and taking every single penny from Social Security.

The budget that is on the floor right now does nothing to close the disparities between African Americans, Hispanics and others less fortunate than others in the United States of America.

The Congressional Black Caucus budget, fair, balanced, closing the deficit, protecting our troops, but it understands protecting Medicaid and education funds and health care funds and homeland security.

The budget that is on the floor today now supports a trillion dollars plus in tax cuts and does nothing for catastrophic possibilities that may happen, such as a terrorist attack. This is the wrong direction to go. The Congressional Black Caucus closes the disparities and supports the investment in the American people.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE), one of the most fiscally responsible Members of Congress.

Mr. FLAKE. Mr. Chairman, I want to thank the gentleman from Texas for helping put together this package and for all the work that he has done on behalf of the Republican Study Committee and for all of my colleagues there that have worked so hard on this alternative budget.

I want to also commend the gentleman from Iowa (Mr. NUSSLE) for the budget that is presented here. It makes cuts of .7 percent in nondefense discretionary.

Finally, we are actually doing what families would do when a large deficit looms in the future, though we need to do far more than that. This budget would cut 2 percent. When you look at what lies ahead, when you look at the unfunded liabilities that lie ahead, this is kid stuff. We are going to have to do much, much more in the future. If we are inching toward bankruptcy in Social Security, we are flat running toward it with Medicare. And when you look at the liabilities there, we added $7 trillion in unfunded liabilities with the Medicare prescription drug bill, for example, that we are going to have to somehow deal with, that our kids and grandkids are going to have to somehow deal with.

We have got to get ahold of this deficit. The problem is not tax cuts. That is part of the solution. We need more revenue coming in. You do that by cutting taxes. We have seen that time and time again. The problem here is spending. There is a culture of spending in this institution that is just difficult to stop. This alternative budget makes some progress toward that end, but I again want to stress this is kid stuff compared to what we are going to have to do in the coming years to get a handle on this culture of spending.

I commend my colleagues for putting this forward. I urge this House to support it.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to respond to an observation the gentleman from Texas (Mr. HENSARLING) made that this was the most fiscally responsible budget since the Reagan years. I was surprised, first of all, that he chose the Reagan years as a frame of reference. Those are the years that the mushroom deficits first appeared. We had deficits of $200 billion, 5.6 percent of GDP in the early 1980s. It took us 15 years to get to those deficits. That would not be the kind of model that I would choose. If you want something to model a budget after, then there is a much more recent and much more valid model and that is what we did in 1990, 1993 and 1997.

In 1990, both sides sat down, President Bush took part in the negotiations through his staff and we came to the first agreement for the settlement of the budget deficit. The Bush balanced budget agreement of 1990 and 1991, laid the foundation for what we accomplished in the 1990s. In 1993, we did the Clinton budget. In 1997, we finished it up with the Balanced Budget Act. All of those acts contained three elements, the PAYGO rule which we are proposing to reinstate, caps on discretionary spending backed up by sequestration, and a multiyear 5-year budget, not just a 1-year budget but a 5-year budget with goals to attain each year. That is what is lacking here, the budget process, the budget discipline, the budget plan.

If you want to see where this budget is likely to lead us, I would like to say once again that everybody should look in his mail and he or she will find an analysis of the President's budgetary proposals for fiscal year 2006. This is essentially the President's budget with a few changes to it, but it is basically his budget. As I have said, you only have to read two pages. You come to table 1.1 and you look in the far right-hand column and you will see the total debt accumulation according to CBO that will be incurred if we follow the President's budget through 2015. That total is $5.135 trillion and that is before anything for fixing the alternative minimum tax which CBO tells us is going to cost at least $640 billion, and before anything is added to the cost side of the ledger for the war in Iraq. This is where we are going if we adopt this budget, right back where we were in 1980 with the budget that the gentleman from Texas (Mr. HENSARLING) said he admired so much as fiscally responsible.

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

Mr. HENSARLING. Mr. Chairman, growing government and putting us on a path to doubling taxes on the American people meets nobody's definition of fiscal responsibility.

Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. CHOCOLA), a real leader on budget enforcement in this Congress.

Mr. CHOCOLA. Mr. Chairman, I thank the gentleman for yielding time and I thank the gentleman from Texas for his leadership on this very important issue which I think is one of the most important issues that our Nation faces in the long term.

Mr. Chairman, I rise in support of the Hensarling amendment. I do so because of a lot of reasons. I do so because the amendment in this budget is about simplification. It changes our budget functions from 19 that are really unrelated to the way we spend money around here to four simple budget functions, defense, homeland security, nondefense discretionary and mandatory spending, making the budget much simpler and easier to understand. It is about honesty. It creates a rainy day fund where we actually budget for emergencies. Every single year we spend Federal money on emergencies but we never budget for them. It seems to me if we know we are going to spend money, we ought to be honest and we ought to budget for it. It also is about accountability. It makes all of us more accountable because it has mechanisms on how we can enforce the budget which I think is the least we can do is pass a budget and stick by it and do what we say we are going to do to the American people. But most of all it is about fiscal responsibility. It starts the process of moving from the measurement of success on how much we spend to how well we spend. It does so in a way, as has been pointed out, it reduces nondefense discretionary spending by 2 percent, it reduces the size of growth in government in mandatory spending by just a little bit, and there will be those that say this is very draconian. But it reminds me of a lot long ago when I was in the private sector and I was in other budget process meetings, I would sit down with general managers of the business and I would say, your expense budget is reduced and maybe it is reduced by as much as 10 percent. You might expect the world was going to come to an end, we were going to lose all our customers, we were going to lose all our employees, but every single year the fact of the matter was that at the end of the year after we reduced our expense budget and we measured how well we spend not by how much we spend, we grew our market share, we served our customers better, our employees were more secure in their employment because our company was stronger and more successful. In other words, we learned how to do more with less and we were better off for it.

I think that government should be no exception because no family and no business is an exception to the challenges that we face. This budget gets us on the path of being able to meet those challenges in a very responsible way. I thank the gentleman for his leadership.

Mr. SPRATT. Mr. Chairman, I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. MCHENRY), an outstanding freshman Member.

Mr. MCHENRY. Mr. Chairman, I want to first start by thanking the gentleman from Texas for offering this budget alternative. I think it is a fiscally conservative, sane budget and I think it is much needed here in Washington, D.C. Furthermore, I would like to thank the gentleman from Iowa (Mr. NUSSLE), the chairman of the Committee on the Budget, for putting forward a very strong, fiscally conservative, reasonable budget for the American people that is not just good for our priorities here in Washington, D.C., like funding national defense, like funding homeland security, but it is also a good way to rein in government spending and eliminate government programs that have gotten out of control and maybe are not responsive to individual taxpayers.

□ 2130

So I compliment our chairman in that regard.

But, Mr. Chairman, the reason why I address the House tonight is because

we have a better alternative, a much more fiscally alternative budget put before us by the gentleman from Texas. This budget would further reduce spending, would further rein in government growth, and would take on the mandatory spending programs that are going to bankrupt our country.

What the gentleman from Texas does with this alternative budget is rein in government spending and mandatory programs further, further reduce nondiscretionary spending, while at the same time funding the President's budget when it comes to defense and homeland security, two top priorities of this Congress. But, additionally, it continues the tax cuts. It continues returning the taxpayers' money to them at home.

So I think it is important that we keep all those notions in mind as we vote for this budget. I encourage those on the other side of the aisle who ask for more fiscal discipline to come on over and vote for this budget because it is a reasonable thing to do, the right thing to do. It is the right thing to do for the taxpayers, the right thing to do for the American people; and I encourage them to vote for the budget.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. PENCE), one of the outstanding conservative leaders of this Congress, the chairman of the 100-member Republican Study Committee.

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

Mr. PENCE. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise to commend the gentleman from Texas (Mr. HENSARLING), who is a man of principle and a man of personal courage, in his quest to restore fiscal discipline to Washington, D.C. In just a few short years, the gentleman from Texas (Mr. HENSARLING) has emerged as a national leader on fiscal restraint in Washington, D.C., and it is an honor for me to be associated with his handiwork in support of the Hensarling amendment.

I too join in the chorus of those conservatives who have spoken tonight in commendation of the gentleman from Iowa (Chairman NUSSLE), who has, in fact, produced the most conservative budget since the historic years of the Reagan administration. And the gentleman from Iowa (Mr. NUSSLE), who history may be calling him to other duties sometime soon, will leave a lasting and indelible mark on the budget at the Federal level, and we are grateful for his principled leadership and support as well.

I do support the Hensarling amendment, though, which today was endorsed by the 350,000-member National Taxpayers Union, Americans for Tax Reform, just to name a few, because it is long past time for Congress to put our fiscal house in order.

The OMB estimates the total fiscal outlays in 2005 will be a stunning 33 percent higher than outlays as recently as fiscal year 2001. We have seen extraordinary growth in various departments, including spending in the Department of Education, which has grown at almost twice the rate of even military spending. Spending at the Labor Department will have risen 26 percent during the same period.

The RSC budget, known as the Hensarling amendment, would provide for needed restraint by reducing nondefense-related discretionary spending by 2 percent and calling for $57 billion more in savings than the Committee on the Budget's budget; but better yet, the RSC's budget would dramatically enhance the possibility that Members will adhere to the spending levels set out in the budget resolution by providing bold initiatives in process reform, point of order protection, forcing Congress to define emergency spending and account for it in the budget, creating budget protection accounts that would allow spending cuts to be directed toward deficit reduction or tax relief, just to name a few proposals.

The RSC budget is an opportunity for Members of Congress to vote for the President's number on defense and homeland security and a little bit less than the Committee on the Budget's number on everything else. Voting for the RSC budget is voting for finding more savings in the largest category of Federal spending, mandatory spending. And voting for the RSC budget is voting for a way to enforce the budget that the House passes and to embrace a series of budget process reforms, which, if they are not successful in the Hensarling amendment, may yet be entertained by the 109th Congress in the months and days ahead.

I strongly support the gentleman from Texas (Mr. HENSARLING), his courage, his principle; and I urge support of all of my colleagues of the Hensarling amendment.

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of my time.

For some people, Mr. Chairman, we just cannot get enough government. But we are drowning in a sea of red ink already.

This is not a debate about how much we are going to spend on health care and education and housing. This is a debate about who is going to do the spending. We believe families should do the spending. We believe good things come from freedom, from opportunity, and freedom for families to choose the health care that is right for them, to choose the education opportunities for their children that are right for them, to find the best job in a competitive market economy. We cannot have unlimited government and unlimited opportunity. The Republican Study Committee believes in unlimited opportunity.

Mr. Chairman, we urge the adoption of this amendment; but should it fail, please, we ask the House to vote for the Nussle budget.

Mr. NUSSLE. Mr. Chairman, I yield myself such time as I may consume.

As I said before, I rise with reluctant opposition. What the RSC has done is bold; it is worth consideration. It will be part of the consideration as we go through the process, I am sure, throughout the rest of the year as well as we consider the budgets in years to come. But I would ask, as the author of the amendment just did, that while consideration be given that we adopt the underlying bill. And, therefore, I oppose the amendment, but with a great amount of respect and admiration for the work that has been done.

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

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. HENSARLING) will be postponed.

Mr. NUSSLE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. DRAKE) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, had come to no resolution thereon.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1334, PROTECTION OF INCAPACITATED PERSONS ACT OF 2005

Mr. GINGREY, from the Committee on Rules, submitted a privileged report (Rept. No. 109–20) on the resolution (H. Res. 162) providing for consideration of the bill (H.R. 1334) to amend title 28, United States Code, to provide for the removal to Federal court of certain State court cases involving the rights of incapacitated persons, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. GINGREY, from the Committee on Rules, submitted a privileged report

(Rept. No. 109–21) on the resolution (H. Res. 163) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, 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, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow.

## PROTECTION OF INCAPACITATED PERSONS ACT OF 2005

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1332) to amend title 28, United States Code, to provide for the removal to Federal court of certain State court cases involving the rights of incapacitated persons, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1332

*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 ''Protection of Incapacitated Persons Act of 2005''.

**SEC. 2. REMOVAL OF CERTAIN CASES TO FEDERAL COURT TO PROTECT THE RIGHTS OF INCAPACITATED PERSONS.**

(a) RIGHT OF REMOVAL.—Chapter 89 of title 28, United States Code, is amended by adding at the end the following:

**''§ 1453. Protection of rights of incapacitated persons**

''(a) Notwithstanding any other provision of this chapter, not later than 30 days after available State remedies have been exhausted, an incapacitated person, or the next friend of an incapacitated person, may remove any claim or cause of action described in subsection (b) to the United States district court for the district in which the claim or cause of action arose, or was heard.

''(b) The claim or cause of action referred to in subsection (a) is one in which the State court authorizes or directs the withholding or withdrawal of food or fluids or medical treatment necessary to sustain the incapacitated person's life, but does not include a claim or cause of action in which no party disputes, and the court finds, that the incapacitated person, while having capacity, had executed a written advance directive valid under applicable law that clearly authorized the withholding or withdrawal of food or fluids or medical treatment in the applicable circumstances.

''(c) In hearing and determining a claim or cause of action removed under this section, the court shall only consider whether authorizing or directing the withholding or withdrawal of food or fluids or medical treatment necessary to sustain the incapacitated person's life constitutes a deprivation of any right, privilege, or immunity secured by the Constitution or laws of the United States.

''(d) The United States district court shall determine de novo any claim or cause of action considered under subsection (c), and no bar or limitation based on abstention, res judicata, collateral estoppel, procedural default, or any other doctrine of issue or claim preclusion shall apply.

''(e) As used in this section—

''(1) the term 'incapacitated person' means a born individual who is presently incapable of making relevant decisions concerning the provision, withholding, or withdrawal of food, fluids or medical treatment under applicable law; and

''(2) the term 'next friend' means an individual who has some significant relationship with the real party in interest, and includes a parent.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 89 of title 28, United States Code, is amended by adding at the end the following new item:

''1453. Protection of rights of incapacitated persons.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1332, the bill currently under consideration.

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

There was no objection.

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

Madam Speaker, I rise today in support of H.R. 1332, the Protection of Incapacitated Persons Act of 2005, which I introduced today with the gentleman from Florida (Mr. WELDON).

Madam Speaker, the Florida courts are poised to determine that Terri Schiavo will have her feeding tube removed on Friday. This legislation will protect Ms. Schiavo from starving to death by allowing her to have a Federal court consider her case anew, unrestricted by the findings of the State court.

H.R. 1332 authorizes the removal of cases in State court to U.S. Federal court to vindicate the Federal rights of incapacitated persons under the United States Constitution or any Federal law. Such proceedings would be authorized after an incapacitated person has exhausted available State remedies and the relevant papers must be filed in Federal court within 30 days after the exhaustion of available State remedies.

What is going on in Florida regarding Terri Schiavo is nothing short of inhumane. She is facing what amounts to a death sentence, ensuring that she will slowly starve to death over a matter of weeks. Terri Schiavo, a woman who smiles and cries and who is not on a respirator or any other 24-hour-a-day medical equipment, has committed no crime; and she has done nothing wrong. Yet the Florida courts seem bent on setting an extremely dangerous precedent by saying that we must stop feeding someone who cannot feed herself. Who is next? The disabled or those late in life? This legislation is humane and the right thing, not only to protect Terri Schiavo, but also to reinforce the law's commitment to justice and compassion for all, even the most vulnerable.

The bill applies to anyone who might find themselves in Terri Schiavo's situation, namely, those who are in an incapacitated state and facing a court order authorizing ''the withdrawal or withholding of food or fluids or medical treatment necessary to sustain the incapacitated person's life.'' The bill applies only to incapacitated persons, not to convicted criminals or those facing the death penalty, for example.

Furthermore, it applies only to those who have not executed in advance a written directive, commonly known as a living will, that clearly authorizes the withholding or withdrawal of food, water, and medical treatment in the event the person becomes incapacitated.

What Terri Schiavo and all disabled people deserve in contested cases is for justice to tilt toward life. When a person's intentions regarding whether to receive lifesaving treatment are unclear, the clear choice is to provide an innocent person with the opportunity to have a Federal court provide a ''double-check'' for life under Federal law, unencumbered by the decisions of a State court. A measure of a Nation's commitment to innocent life is measured in its laws by the extent to which the laws go to save it. This bill takes that extra step, not just for Terri Schiavo but for all of us. And I urge every Member of this House to take that step with me and overwhelmingly pass this bill.

Madam Speaker, I reserve the balance of my time.

□ 2145

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

Madam Speaker, I rise to oppose this bill because it is a dangerously reckless way to deal with some very serious issues.

The Committee on the Judiciary was supposed to have a hearing to examine this legislation, or rather another piece of legislation on this subject. This bill was introduced only a few hours ago. That hearing today was canceled and then we were told that this bill would be brought up.

We are dealing with some of the most difficult issues likely to come before this Congress, end of life issues, discerning the wishes of those unable to speak for themselves, ensuring due process and a fair and careful fact finding process.

Does this legislation do the job, or does it make matters worse? Has anyone looked closely at this bill? Have we

had a hearing? Have we had a markup? Has anyone had a chance to look at the competence of its drafting, at the effects of its language? No.

There is no way to make these judgments easy, even when the expressed desires of the patients are clear and unambiguous. Where there is disagreement on the medical facts or on the wishes of the patient, these cases can be heart rending, and sometimes bitter, beyond the comprehension of those who have been fortunate enough not to have to make those decisions.

Unfortunately, we have no choice. Even a decision to do nothing is a decision with consequences. Someone eventually will have to make that decision, either the patient or someone on behalf of the patient. In a dispute, a court must make the final call. I am grateful that burden has not fallen on my shoulders.

So what does this bill do? It would place the Federal judge and then Federal appellate judges in the middle of a case, after State courts, doctors, family members, counselors and clergy have struggled with that case perhaps for years. After everything is over, everything determined, everything adjudicated, and the participants finally sighing a sigh of relief that it is over, then a Federal judge jumps in.

It does not deal just with feeding tubes. It would allow intervention in any decision affecting any kind of medical care. Read the bill. It even says that the cause of action does not include a claim or cause of action in which no party disputes and the courts find that the incapacitated person while having capacity executed a written directive, et cetera.

What does that mean? It means that after someone writes a living will and says I do not want to be resuscitated, or do not use painful treatment beyond a certain point or whatever, and after the courts in that State have found that that is what happened, that that is what the person meant and that those instructions are to be followed, some busybody from outside can now come in and start the process all over again, notwithstanding the fact finding in the State courts, because we do not trust State courts any more. We do not trust the elected State courts, we want the unelected Federal judges that we normally excoriate in this Chamber. Now suddenly they are trustworthy and we want to come and say they should start a whole new proceeding after everything is over and drag the case on, to the anguish of the family members, for another few years.

This bill allows a large number of people, not just the spouse or a relative, to intervene in these cases, years into the proceeding, or even after everyone thought the proceeding was finished. Even if the incapacitated person has executed a written advance directive, any party can drag the matter into Federal court simply by ''disagreeing.'' That is what the bill says.

Do we have no respect for families? Do we have no respect for the carefully established procedures our State legislatures and courts have set up to wrestle with these difficult situations? Do we have no interest in writing a law for the whole country that might actually do the job right?

Unfortunately, the leadership is determined to vote on this important life or death issue without giving the Members of this House the opportunity to actually look at the issue or even read the bill or to think about it.

These things should not be done in haste tonight. That may be par for the course these days, but it is irresponsible and shows real contempt for the families who will have to live with this.

If you think this is the only way to prevent the disconnection of Terri Schaivo's feeding tube, that we should not legislate this way, we should give Members the opportunity to read bills, we should not ride roughshod over State judiciaries, but here we have an emergency because the case is coming down right away in Florida, consider this: The Florida legislature is considering its own legislation on this matter. There is no need to enact radical legislation unconsidered for the whole country just for this one case. Florida, for better or worse, is addressing it.

We should take back this bill and look at it carefully. People should at least read it. We should hold hearings. We should get expert witnesses. We should tighten up the drafting so that not any busybody can come and insert himself or herself into a family's anguish. We owe American families that much.

I urge that this bill not be passed tonight, and that we stop, look, listen and think.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Madam Speaker, I rise in strong support of the Protection of Incapacitated Persons Act of 2005, and I rise at this late hour to commend the author of this legislation, the distinguished chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER). I also offer commendation to its lead cosponsor, the gentleman from Florida (Mr. WELDON).

Without the vision and the compassion of this chairman and this physician-turned Congressman, we would not be here tonight, and in all likelihood Terri Schiavo's life would begin to end this Friday when her feeding tubes are removed.

As the gentleman from Wisconsin (Mr. SENSENBRENNER) just said, a nation's commitment to life can be judged by the way it treats its most vulnerable. The courts in Florida at this very hour are poised to have Terri Schiavo's feeding tubes removed Friday. But in a stroke of rhetorical and legislative brilliance, the gentleman from Wisconsin (Chairman SENSENBRENNER) has instead offered, instead of removing her feeding tubes, that Congress will make it possible to remove her case to Federal court.

Under the protection of the Incapacitated Persons Act of 2005, individuals in an incapacitated state would have the opportunity to have their cases removed to the Federal courts. The District Court's consideration is restricted to determining whether the State court's ruling violates any right, privilege or immunity secured by the Constitution.

I must say I am a bit befuddled by the gentleman from New York's objections to this bill. It seems to me that many of our colleagues on the left are often content, and rightly so, to have the Federal courts defend the constitutional rights of Americans, and here in the case of one of our most vulnerable citizens, the arguments are lost on me as to why as to securing those constitutional rights the Federal District Court would not be the proper jurisdiction.

And with this I close: The Bible tells us we have three duties; to do justice, to love kindness, to walk humbly with our God. This is a deeply meaningful moment to this Member of Congress. I am grateful to the gentleman from Florida (Mr. WELDON) for his leadership. I am profoundly grateful to the gentleman from Wisconsin (Chairman SENSENBRENNER) for his compassion and his vision in bringing this bill to the floor. In so doing, the gentleman from Wisconsin (Mr. SENSENBRENNER) brings justice and kindness to the law in this extraordinary case and comes alongside the family of Terri Schiavo to say the American people hear you and are anxious to bring you relief.

Mr. NADLER. Madam Speaker, I yield 5 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this measure this evening.

I must note in passing as I was listening to my colleague from Indiana I know speak from the heart, but I find irony that he talks about perceived inconsistencies by people on our side of the aisle.

I note that this is the same majority party that would seek to deny the Supreme Court the authority to be able to deal with matters that relate to marriage. They think that that is not appropriate for the Federal court. They do not trust the Supreme Court to deal with these personal issues. But if they are thinking that they can continue with efforts to have government interfere with some of the most painful, personal areas, then they are willing to cast aside consistency and move forward.

I have watched as a Member of this Chamber a consistent effort to try and

interpose some people's version of what they sincerely believe from the heart, and I respect that.

But I have watched, for instance, in my State, where citizens have struggled with these sensitive issues of end of life. I come from Oregon. I have watched Oregonians struggle with a question of profound significance of how we are going to deal with end-of-life questions; who is going to have control, where is government going to intervene and how far are we going to extend it.

I have watched for 4 years as the Bush administration has engaged in an assault against the decision of the voters of Oregon, not unelected bureaucrats, not unelected judges. Oregonians, not once, but twice, decided to be the first State in the Union that was going to try and deal with these sensitive personal issues openly and honestly. Because I will tell you that in every State of the Union, every day, decisions are made by physicians and families that end up shortening life, maybe even terminating life.

The difference is in Oregon, that is the first State where we decided we are actually going to have a legal framework that deals with this, that provides guidance. The assisted suicide that we have requires not one but two doctors to work with citizens, to be able to provide a framework, finding among other things that they are at the end of their life, the last 6 months, and that they are not doing this out of an act of desperation or depression.

In fact, there is pretty pervasive evidence that by having this framework and giving people control, there are probably fewer suicides, because people have a sense that they control their own destiny, and that armed with this and a prescription that would end their life, many of them choose not to move forward.

But we have watched the assault against the decision of Oregonians, approved by the voters, by the Bush administration through the courts, that to this point has been thwarted. We found people in this Chamber who have seen fit to criminalize the practice of medicine by injecting the decision of prosecutors to determine the intent of physicians in these most personal of matters. Thus far, at least, it has been resisted.

Well, Madam Speaker, the assault by ideologues and the intolerants who would impose government on these most personal decisions continues. We have seen it in Florida. This is a case in Florida we have all been following, where the politicians repeatedly have been seeking to intervene over the objection of the husband in this case.

The courts in Florida have seen fit to render judgment, but it is not good enough for folks. They want to go ahead over the objection of the parties involved, and they want to remove this to the Federal courts. As I pointed out, the same people that wanted to deny the authority of the Federal courts to deal with issues; for example, of marriage, to interfere with decisions with which they disagree.

You may not be from Oregon or Florida, but make no mistake, this is a drumbeat to take away the authority of citizens to deal with these most personal of matters. No one will be safe if we allow this path to continue. Families, local courts, voters, are going to be overruled by people in their zeal to tell others how to lead their lives.

I strongly urge that this misguided proposal be rejected.

Mr. SENSENBRENNER. Madam Speaker, I yield 3½ minutes to the gentleman from Florida (Mr. WELDON), the principal cosponsor of this resolution.

□ 2200

Mr. WELDON of Florida. Madam Speaker, I thank the gentleman for yielding me time.

I practiced medicine for 15 years prior to my election to this body; and, unfortunately, I personally had to get involved on many instances in cases like this. And I would just share with Members there were instances where I did support families' wishes to withdraw food and water. For me, the dividing line always was, are you prolonging the death? Are you prolonging suffering or are you prolonging life?

The case that has precipitated this piece of legislation does not involve a dying person. It does not involve a person with a terminal disease. It is not a person in a vegetative state. She has an active EEG. She has eyes that respond, a face that tries to smile. She tries to vocalize.

In my opinion, this legislation that the chairman has brought forward is essentially the same thing as the bill I introduced last week. My legal remedy was a habeas corpus method of dealing with it. The chairman has, I believe, actually come up with a better solution; the removal act I think is a better way to deal with this.

I would just simply point out to all of my colleagues, we do not actually in this bill make a determination that her feeding tube will stay in. It simply allows a Federal review to make sure her rights under the Constitution are properly protected, the right to due process, the right to equal protection, and as well her right to life.

The annals of medical history are filled with numerous cases of people in these semi-comatose states who come out of it. And as we all know, the mother and father and the brothers and sisters desperately do not want her to be starved to death and that the original guardian in this case found the testimony of the husband that she, Terri, had prior voiced no life sustaining measures should she ever be in this condition. His testimony was not credible.

Let me tell Members, I have been there; and when people have voiced a sentiment that they do not want heroic measures should they ever be in this type of condition, it is brought up immediately. It is not brought up 7 years later. The person comes in, they have had a stroke, a car wreck and you hear immediately from the family members, Uncle Joe or grandma said if they were ever like this, she would not want life-sustaining measures. You do not have a 7-year pause in this case.

Just to close, we do not actually say this woman will continue to get her feedings. All we simply say is there will be a review; and I think there desperately needs to be a review. This is unprecedented for a judge to order the withdrawal of food and water from somebody. It has never been done before to my knowledge. And then to order that the family members cannot put a glass of water up to her mouth, this constitutes, in my opinion, cruel and unusual punishment.

I commend the chairman for what he has done.

Mr. NADLER. Madam Speaker, I yield 5 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the distinguished ranking member on the Subcommittee on the Constitution of the Committee on the Judiciary, both for his very thoughtful presentation and as well for the difficult position that we are in in highlighting the difficult position we are in to say to my friends on the other side of the aisle and proponents of this legislation that I too do not want to see Miss Schiavo lose her life or begin to lose her life Friday with the termination of any sort of assistance. But we find ourselves in a very complex and difficult posture.

One might argue that the more appropriate vehicle for this particular case is a private relief bill that we believe may be offered in the other body because this is certainly not a poster case for any sort of right way to handle this very tragic circumstance.

I agree with the gentleman from Florida (Mr. WELDON) that if you had had evidence that someone articulated their desire to not be in this condition, it seems that you would have brought this at an earlier time.

I think what draws me to this particular legislation and wishing that we had been able to do, as the gentleman from New York (Mr. NADLER) has suggested, and that is to have a full hearing on this matter, is to be able to answer these very difficult questions.

I think what draws me to this initiative is the fact that it does point to the fact that there is no written document, and there is an oral representation by someone that Miss Schiavo does not want to remain in this condition. The written document qualification is, I think, an important aspect of the initiative, and it has merit, and it gives the bill certainly more credibility.

Where I have difficulty, of course, is the definition of ''next friend.'' I think

it is too broad. It lends itself to the criticisms of my colleagues, which is, who is defined as such. We appreciate the passion of the parents of this young woman. I think they have legitimate standing. But ''next friend'' defined as an individual who has some significant relationship, does that mean a church member and family members are fighting against it?

So more thought on this particular bill as it expands itself to incapacitated persons is what I think that we would have needed. I think also we have a circumstance as to whether or not this does mean that you would interfere in all kinds of medical procedures as opposed to this unique and special circumstance. Is a person incapacitated temporarily or for a long period of time? If it is a temporary incapacitation, meaning they have come in with a terrible tragic accident and may have the ability to recover, what does that mean in terms of this particular initiative? Does it then come in at that point or is it a long-term incapacitation?

The idea that someone could argue or could utilize the courts, in this instance the courts in the State of Florida, to act on their desires to eliminate the feeding of an individual to me is abhorrent. But I hope that this legislation would not then be the precedent for interference in a woman's right to choose, and I think this is a difficulty when you jump the legislative process and come from a written legislative initiative and then come to the floor of the House with no opportunity to ask the hard questions and to answer the hard questions as well.

I would hope that the Private Relief Bill that is proposed in the other body is a route that is taken. I believe a bill that is as broad as this one needs a full hearing, and I believe that this also cries out for bipartisanship.

All of us feel the pain that the parents of this young woman are experiencing. All of us feel the pain of the dilemma of the decision-making as to what should happen. And all of us sense that there is a greater opportunity for her, meaning that she should have the opportunity, or many of us feel that she should have the opportunity, to live. I do. But I am certainly concerned that we would put it in this format with no opportunity for a full hearing, no opportunity for amendment, and no opportunity to fully understand the broadness of this legislative initiative.

I think the Federal court and the constitutional provisions have a great deal of merit. I think that this particular party has the right to have their constitutional rights assessed. I would hope that all of us would have that right.

There are those who choose to die and those who choose to live. It would be far better to have done so in a broader way.

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

Madam Speaker, the gentlewoman from Texas (Ms. JACKSON-LEE) has said that the Private Relief Bill is the way to go rather than the legislation that is before us. If the Private Relief Bill were introduced or came over from the Senate, Terri Schiavo would be dead before we could consider it.

I would draw the Members' attention to rule XIII clause 1(a)(3) of the rules of the House of Representatives that says that the Private Calendar is provided in clause 5 of rule XV to which shall be referred all private bills and all private resolutions.

There is no exception to that.

And rule XV clause 5 says that the private calendar shall be called only on the first Tuesday of every month, and at the Speaker's discretion, in addition, the third Tuesday of the month.

Furthermore, clause 5 of rule XV says that the Speaker may not entertain a reservation of the right to object to the consideration of the bill or resolution under this clause.

That means that private bills go through without debate.

And furthermore, under the clause that I have just cited, two Members may object to the private bill in which case it is recommitted to the committee.

So if only two Members are opposed to a private bill and come to the floor and object, that kills it once and for all.

Now, those are the procedural hurdles against the private bill coming up. And that is why the only way to deal with this issue in a timely manner is through public legislation such as the bill that is currently under consideration.

Madam Speaker, I yield 2½ minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Madam Speaker, I thank the gentleman for yielding me time.

The genius of our federalist democracy is that it maximizes the power of people to govern themselves by explicitly requiring that those decisions that can be made at the local level are within the purview of local government. Those decisions that can be managed at a State level are within the purview of the State government, and that only in exceptional cases can Federal power override the power of State and local governments.

This is a very tragic situation. It is a difficult and serious issue. It is one that every State legislature has struggled with. And the laws in our different States are different because the people across our large and diverse democracy differ on some of these issues.

I personally believe that the reason America is still vital and strong is because we are a federalist democracy, and we do have this wonderful vitality and differences in how we govern ourselves at the State level.

For 7 or 8 years this has been a tragic and disputed case in Florida. It has been through the Florida court system. It has had review. And we are setting the precedent in this bill of creating a Federal option when people do not like what the laws they made for their own State deliver to them.

Under our system, they should just change those laws, and they had time to do that. It does not make me happy to speak against this bill. I am not on the committee. I have not had background in it, but I know from talking to many Members on the floor that this is a matter of very deep concern to them. They are very concerned about what we are doing here tonight, and I just want to put on the record not only has this bill had no hearings but Members had no notice. And many Members will be very surprised tomorrow morning to find out that we passed this bill in suspension.

That is an insult to democracy on such an important issue that I regret that this has come to the floor and I personally oppose it.

Mr. NADLER. Madam Speaker, I yield 5 minutes to the distinguished gentlewoman from the State of Florida (Ms. WASSERMAN SCHULTZ).

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

Ms. WASSERMAN SCHULTZ. Madam Speaker, I thank the gentleman from New York (Mr. NADLER) for yielding me time.

□ 2215

I stand here as a Member representing the great State of Florida and as someone who served in the Florida Senate when this gut-wrenching issue was debated intensely almost 2 years ago, where we determined that Terri Schaivo would be allowed to have her feeding tube be reinserted by order of the Governor, who had decided that he was going to be able to usurp a court decision. That was ultimately ruled unconstitutional and for very good reason.

There is no doubt that this is a family tragedy. In fact, this is just about the most personal and heart-wrenching of all matters that could arise in any family, but this is a family matter, where there is no room for the Federal Government in this case or in any case that a family has to make the most personal of decisions when dealing with an end-of-life decision.

This case in particular related to Terri Schaivo has been through 10 court decisions, 10 court reviews, and each time the courts have sided with Terri's husband and Terri Schaivo's wishes, where they have ruled that she made it clear that she would not have wished to remain in a persistent vegetative state.

There is no reason on earth why the U.S. government should step in to circumvent the wishes of one dying woman, and the gentleman from Florida, my colleague from the great State of Florida, maintains that Terri is not in a persistent vegetative state. Yet, doctors who have examined her, and I

would imagine that my colleague from the State of Florida has not examined Ms. Schaivo, doctors who have examined her have consistently said that she is in a persistent vegetative state. In fact, it is only physicians who the Schindlers have employed who have said she is not, and they have reviewed her via videotape. The doctors that have actually examined Ms. Schaivo have determined that she in a persistent vegetative state.

The courts independently arrived at the decision that they believe that Terri wished to never remain in a persistent vegetative state. They interviewed her husband, her sister-in-law and friends of the family, but the decision that they reached was based on the testimony independently retrieved from her brother, from her sister-in-law and friends. They all testified that Terri had made her intentions clear.

The court and the doctors that examined Ms. Schaivo found that she has no cerebral cortex; that the reactions and responses that we have seen on TV dozens of time, that she seems to respond to her parents when they talk to her, that those are all reflexive, that they are not direct responses to interaction with people.

The doctors have examined her, again have examined her, that have reviewed her records, that have reviewed her MRIs have said that she is in a persistent vegetative state.

This is a horrible case. No matter what the facts are, it is a horrible case, but Terri Schaivo made her wishes clear, and we should not interject this body, the Federal Government, the United States Congress, into a personal family matter.

We are taking one set of facts for one family, which is the tragedy of one family and applying it to tens of thousands of families who have or will have loved ones in nursing homes, in hospice facilities or even those being kept alive by their families in their own homes. We are reaching all the way into very personal family cases in communities all across the country, and we are trying to apply a one-size-fits-all solution to all of them. That is totally inappropriate, and I think if we ask just about any family in America whether they think it would be okay if the United States Congress made an end-of-life decision for their loved ones, they would resoundingly say no.

I find it particularly hypocritical that those that talk about the defense of marriage now want to interject the Federal Government between a husband and his wife on what was a personal family matter. I ask that we think about how we would feel if, God forbid, our own loved one were in a persistent vegetative state and were in the circumstances and faced the circumstances that Terri Schaivo does. Would we want the United States Congress making the decision or would we want to be involved in that decision ourselves solely on our own?

I think that most families would resoundingly say that they want to make that decision. There but for the grace of God go I.

Mr. SENSENBRENNER. Madam Speaker, I yield 1 minute to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Madam Speaker, I thank the chairman of the Committee on the Judiciary for yielding me time, and for bringing this bill, H.R. 1334, the Protection of Incapacitated Persons Act, to the floor, and I thank the gentleman from Florida (Mr. WELDON), my physician colleague, as coauthor of this bill.

I think part of the question here is whether or not Terri Schaivo is truly in a persistent vegetative state. I practiced medicine for 26 years, and in my opinion, no, I have not examined Ms. Schaivo, but I trust my colleague the gentleman from Florida (Mr. WELDON). I agree that she is not in a persistent vegetative state. The pictures of her, we have seen them on television, the balloon that she followed with her eyes, the smiles, the recognition of her family.

I think this lady deserves the right to live, and as a physician Member of this body, I feel very compelled to stand up here and passionately support this bill, and I hope my colleagues on the other side will join us because I think it is the right thing to do.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Madam Speaker, this House has seen plenty of outrage, but this is the most outrageous thing I have ever seen.

You come with a bill that is not on the calendar. You pop it out in the middle of the night, when all the Members are down at the White House on the Republican side having dinner with the President. You try and change what is going on in a court because you do not like what is going on in a court.

How do you know what is going to come out of those courts in Florida? Oh, no, let us put it up in a Federal court or let us change everything.

The Members on the other side of this aisle do not believe in process. You do not believe in government by law. You believe in raw power. If you have power, you can bring anything out here at any time and run it through here without any debate and no hearings and no anything. You ought to be ashamed of yourself that you have no shame, that you would come on this floor like this with a bill that is as complicated as this and do it without a single moment of hearing. It is a disgrace.

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

Madam Speaker, I would just refer the membership to the text of the bill on the top of page 3, which says, and I read it, ''In hearing and determining a claim or cause of action removed under this section, the court shall only consider whether authorizing or directing the withholding or withdrawal of food or fluids or medical treatment necessary to sustain the incapacitated person's life constitutes a deprivation of any right, privilege or immunity secured by the Constitution or laws of the United States.''

Now, in every civil rights lawsuit that was removed to Federal court, the Federal court applied privileges and immunities and protections provided by the Constitution of the United States or Federal law, and all this bill does is to allow the same type of review on whether someone's Federal rights are deprived by action of the State court in the Federal court.

If we did not do this in the civil rights revolution of the 1960s, this country would be a lot different place and a lot worse place than it is today. It was Federal judges that applied Federal law in those cases, and if it was good enough to apply them in the civil rights cases of the 1960s, why is it not good enough to deprive a person who is incapacitated the same type of Federal judicial review on their Federal rights in a Federal court?

We should not deprive an incapacitated person of a judicial review in a Federal court of their Federal civil rights, and that is why this bill ought to pass.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, the phrase that the distinguished chairman just read is a catch-all phrase. If a person thinks a court in a State is depriving someone of civil rights they can go into Federal court under a section 1983 action and say that there is an alleged deprivation of Federal rights under current law.

This is far broader. What we have heard from the distinguished gentlewoman from Florida about the facts of the case are compelling, but I would remind everybody this bill is way beyond the facts of this case.

It establishes for any interested person, someone who has a significant relationship with the incapacitated person, whatever that means, no definition, a right to come in, overturn what the courts have decided, overturn what the family has decided, what she has decided and subject that family to the agony of perhaps years of further litigation.

Maybe that has to be done in some cases, I do not know, but this kind of slapdash legislative procedure with no hearing, no consideration, no real understanding of what this bill does in cases far beyond Terri Schaivo should not be on this House floor tonight, and I urge a ''no'' vote.

Mr. SENSENBRENNER. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Madam Speaker, I thank the Chair for allowing me to

speak on this important bill tonight. I thank my colleague from Florida for bringing this issue before us tonight. Truly time is of a critical nature in this case.

Madam Speaker, all I would offer at this point is we would not be here discussing this bill if this patient had written down advance directives prior to her illness, and that is an important point that is being lost in this debate. This bill does nothing to undo a living will or an advanced directive.

An advance directive is available to any of us. A person does not need a lawyer to have one. They can go on the Internet, type in living will under their search engine and they will get a variety of options a person can complete themselves, leave with their family physician, their care giver, their hospital. I would urge people to consider filling out and filing an advance directive well in advance of any such illness and save families, spare families the difficulties that we have seen evidenced in this case.

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

Madam Speaker, I agree with the gentleman from New York (Mr. NADLER) that this is a complicated bill, and it is an unusual procedure that we are bringing this matter before the House of Representatives tonight. However, if we do not deal with this issue, by the time we get around to having hearings and markups and debates and perhaps a conference committee this woman will have died, and that is why I think it shows the compassion of this House of Representatives and those who are supporting this bill to allow a Federal court to view whether or not this woman's civil rights, secured by the Constitution and laws of the United States, have been violated. I think she is entitled to have that kind of a Federal review before a final decision is made on whether to allow her to starve to death or to die of dehydration, and that is why we are here tonight.

It shows that the Congress can be compassionate, and it shows that we can deal with issues promptly, rather than saying oops, maybe something could have been done in the Federal court in a review of her Federal civil rights, but it is too late because she passed away.

Please pass the bill.

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

The SPEAKER pro tempore (Mrs. DRAKE). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1332, 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.

□ 2230

## THE JOURNAL

The SPEAKER pro tempore (Mrs. DRAKE). Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

## 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.

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

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

## EXCHANGE OF SPECIAL ORDER TIME

Mr. MCDERMOTT. Madam Speaker, I ask unanimous consent to use the time of the gentleman from Ohio (Mr. BROWN).

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

There was no objection.

## APPOINTMENT OF PAUL WOLFOWITZ AS PRESIDENT OF THE WORLD BANK

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

Mr. MCDERMOTT. Madam Speaker, having watched that last bill, I continually am surprised in this House that I think I have seen everything, and then I see another one like this one tonight. But on the television today we saw an even more amazing thing. We saw the architect of the Iraq war and all the problems that still remain, the killings, the massacring of civilians, the instability of the government, the inability for them to pick their leadership, their inability to give security to the people of Iraq, we see that every day on the television. It is all the creation of a man named Paul Wolfowitz and his friend, Mr. Rumsfeld, the Secretary of War. The two of them together have put together this disaster that we now face.

Now, one would think that, given the failure of the planning and all of what went on in the Iraq war, you would be about to see the end of Mr. Wolfowitz one way or another. But history has some really interesting things in it.

Some of you may remember the Vietnam War. There was an architect for the Vietnam War. His name was Robert McNamara. Robert McNamara led us into the swamp; 58,000 people died. Tons and tons of folks died on the Vietnamese side. We wasted money. We put ourselves deeply in debt. And when it was over, Lyndon Johnson made him the head of the World Bank. Who would think that today the President of the United States would reward a man who has created the mess in Iraq with the job of being the head of the World Bank?

Now, what does the World Bank do? At the end of the Second World War we set up four institutions. We set up the World Bank, the United Nations. We set up the International Monetary Fund. They were all to stabilize what was going on economically and tie us together in trade.

And we take a man who is an avowed American imperialist, who believes in establishing hegemony across the whole world on the base of military power. That is really what the neocons believe. And the President says, you know, this is just the kind of guy we need at the head of the World Bank.

What does the World Bank do? Well, if a country wants to build a dam or they want to do some road improvement projects or they want to do some AIDS prevention or some AIDS treatment, they come to the World Bank and ask for loans. Imagine the world coming to the feet of Paul Wolfowitz and trying to get him to understand about rebuilding. This is a man who has flattened Afghanistan and flattened Iraq, has come in here and asked for $80 billion again and again and again, even today, 80 more billion dollars, and they still do not have the water running and the sewage moving, and they do not have electricity, and they do not have the basic requirements of a civil society in Iraq. And he comes in here, now to be the head of the World Bank. We are going to give him billions of dollars to hand out to the world to rebuild the very mess that he created. What in the world is the President thinking?

I suppose he thinks, well, maybe, you know, Paul created all those problems over there, bombed everything and led our neocon ideas, that if we could just get enough power, we just bomb enough, you could have a city like Fallujah in Iraq. It is a city of about 400,000 people. It is flat. Just like we did in the Second World War to Dresden, and we did with the atomic bomb in Hiroshima and Nagasaki. He flattened that city.

Well, that was to save it, you know, because they were so resistant in that city to American democracy that the only solution Paul Wolfowitz and his confreres in the department of war could think of was to bomb it flat. And now he is the World Bank president, and he will be letting the loans to put Fallujah back on its feet. Man, I have seen everything.

The SPEAKER pro tempore (Mrs. DRAKE). Under a previous order of the

House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

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

## ORDER OF BUSINESS

Mr. OSBORNE. Madam Speaker, I ask unanimous consent to take my Special Order at this time.

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

There was no objection.

## ALCOHOL AND NCAA ADVERTISING IS A BAD MIX

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

Mr. OSBORNE. Madam Speaker, I do know Paul Wolfowitz and I guess I do not recognize the Paul Wolfowitz I know in comparison with the recent remarks. I hope people will evaluate him on what he has accomplished, which I think is rather substantial.

Madam Speaker, this weekend the NCAA basketball tournament begins. The tournament advertising provides millions of dollars to fund the NCAA. It is the primary source of funds for the NCAA. In 2003, alcohol producers spent $52 million on 4,747 beer commercials on college sports. Nearly one-half of the $52 million spent on alcohol advertising in 2003 was spent on the basketball tournament. Alcohol is the primary product marketed on NCAA sports broadcasts today.

I think this is a bad idea. Why? Number one, this advertising violates the NCAA's own bylaws. The NCAA bylaws, according to their handbook, are as follows: ''Advertising policy of the association are designed to exclude those advertisements that do not appear to be in the best interest of higher education.''

The leading cause of death on college campuses is alcohol related; 1,400 college students die each year from alcohol-related injuries. We have lost 1,500 in Iraq in 2 years, and we agonize over those deaths. We have 1,400 annually that die on college campuses. More than 70,000 students are victims of alcohol-related sexual assault, 500,000 students are injured under the influence of alcohol each year, and two of five college students currently are binge drinkers and sometimes are problem drinkers.

It does not seem to me that it is very logical that we would have the major social problem on college campuses be alcohol, and on the other hand turn around and use our athletic teams to promote alcohol advertising. It seems inconsistent, and it does seem to be in my mind at least to violate the bylaws of the NCAA.

Furthermore, the average young person today starts consuming alcohol at age 13, not 23, not 21. Age 13. So this has some tremendous implications I would like to discuss a little bit further because even though we are concerned about alcohol consumption on college campuses, and this is very damaging, I am even more concerned about alcohol consumption of teenagers because kids identify with athletes. Kids like sports. They see athletes on the television screen and in the stadium, and they want to be like the athletes, and there is a subtle connection between what they see on the courts and on the field and what they see on the commercials, which usually are young people, attractive people having a good time involved in alcohol-related activities. Therefore, there is a definite lure and a movement to move those kids toward consumption of alcohol.

The younger children are when they start to drink, the more alcoholism results. In other words, a young person who starts using alcohol at age 15 or earlier is 400 percent more likely to become alcohol-dependent than someone who starts consuming alcohol when they are the legal drinking age of 21. This causes tremendous devastation of these young people.

Also the younger you are when you start consuming alcohol, the more cognitive dysfunction occurs. Hence the second graph I would like to point out here. These are images of a teen, of teen brain activity performing memory tests. This is a 15-year-old male nondrinker. The brain is firing pretty well. This is a 15-year-old male heavy drinker. This is a young person not under the influence of alcohol, but someone who uses alcohol regularly and is a heavy drinker. You can see the differences in cognitive function. You can see the differences, the problem-solving ability that would be changed in these cases.

So our young people are having a difficult time because of alcohol. At the present time it is estimated that there are 3 million teenagers who are full-blown alcoholics. And those addicted to other kinds of drugs would number probably in the hundreds of thousands. It is a huge problem, much more weighted toward alcohol consumption.

Also alcohol kills six times more young people than all illicit drugs combined. So methamphetamine, cocaine, heroin, we can lump them all together, and alcohol kills six times more young people than all of those drugs combined. Also, under-age drinking costs the United States $53 billion annually, a huge cost.

So I think that we should really rethink this policy of the NCAA. There is no question that under-age drinking is still going to occur even if that advertising policy were to change.

Madam Speaker, I would say in conclusion that alcohol advertising on NCAA sports, number one, appears to violate the NCAA's own bylaws. And, secondly, such advertising promotes alcohol consumption on the college campus and also on the junior high school and on the high school campus. This is certainly very negative as far as our country is concerned.

I hope my colleagues will join me in simply urging through a resolution that the NCAA cease and desist this practice of alcohol advertising on amateur sports, particularly NCAA sports, because it does appear to be in violation of their own bylaws.

□ 2245

The SPEAKER pro tempore (Mrs. DRAKE). Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

## TRIBUTE TO DR. MELVIN E. BANKS

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

Mr. RUSH. Madam Speaker, I rise tonight to recognize Dr. Melvin E. Banks of Chicago, Illinois, on his company's 35th anniversary. Dr. Banks is the owner of Urban Ministries, Incorporated, which is the largest African American owned and operated Christian publishing and media company.

At the age of 12, Dr. Banks discovered the Lord and his subsequent calling after sharing his testimony on the back roads of Birmingham, Alabama. At that time an elderly gentleman overheard his testimony and provided the young Banks with a Bible verse that would have significant impact on his future pursuits. Hosea 4:6 states, ''My people are destroyed for lack of knowledge.'' Upon hearing those words, Dr. Banks knew immediately that God's purpose for his life was to help spread knowledge of the gospel from an African American perspective.

After founding Urban Ministries in 1970, Dr. Banks and his small staff operated out of the basement of his home for 12 years. As Dr. Banks' faith grew, so did his media ministry. In 1982, Urban Ministries occupied the second floor of a building located at 1439 West 103rd street in Chicago, Illinois. Guided by a vision that others did not see, Dr. Banks moved Urban Ministries in 1996 to its current 46,000 square foot headquarters in the Chicagoland area.

Today, Urban Ministries serves over 40,000 Sunday school teachers throughout the United States, Haiti, the Bahamas, Nigeria and South Africa. Under Dr. Banks' leadership, souls have been touched and prayers have been answered as Urban Ministries moves closer to its goal of reaching every black Christian church with Christian education products and services.

Mr. Speaker, Dr. Banks holds a Bachelor's Degree from Moody Bible Institute as well as undergraduate, graduate and postgraduate degrees from Wheaton College in Illinois.

So on this day, I congratulate Dr. Banks on this momentous milestone in his company's history. My fellow colleagues, please join me in extending best wishes to Dr. Banks on 35 years of success and for another 35 years of success that surely will be approaching.

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

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

## CHILD PREDATOR ACT OF 2005

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

Mr. POE. Madam Speaker, media stories about sex crimes against children are presently being reported at an alarming rate in the United States. These crimes are also some of the most underreported of criminal acts. Last month in Colorado, an ex-convict for sexual assault of a child, a child predator, continued his dastardly deeds against kids and assaulted several children. This child molester was able to slither and sneak into a quiet Colorado community and prey on the innocent children because of registration loopholes in current law.

One of the victim's grandmothers said, ''People have the right to know where sex offenders are living. The police should know. The public should know.'' We know the number one thing child predators desire is to remain anonymous. Those days are over. No longer can ex-convicts for child sexual assault move in and out of our neighborhoods without us knowing who they are. While some States have registration laws for convicted child predators, when those criminals move across State lines, they slip through the system.

We know that the recidivism rate of a convicted child molester is extremely high. When many leave the penitentiary, they continue their evil ways against our greatest natural resource, our children.

So today, Madam Speaker, I am introducing my first bill, the Child Predator Act of 2005, to hold these outlaws accountable and impose tougher sentences for child predators who reoffend. This act closes loopholes in the present law and places tools in the hands of parents who want to safeguard their children from these people. This legislation amends the Wetterling Act of 1994 in six ways.

First, the Child Predator Act defines the term ''child predator'' as a person who has been convicted of a sexual offense against a victim who is a minor if the offense is sexual in nature and the minor is 13 years of age or younger.

Second, child predators must report change of residence within 10 days of a move.

Third, the Child Predator Act requires community notification. Child predators would have to notify, at a minimum, schools, public housing and at least two media outlets such as newspapers, television stations or radio stations covering that community.

Fourth, child predators who knowingly fail to register would be charged with a Federal felony.

Fifth, the Child Predator Act would also mandate a national registration database. This would be available on a free access Internet Web site.

Finally, the Child Predator Act would require prominent designation of a convicted offender as a child predator.

The National Center For Missing and Exploited Children confirms that the sexual victimization of children is overwhelming in magnitude, yet largely unrecognized and underreported in the United States. Statistics reveal that one in five girls and one in 10 boys are sexually exploited before they reach adulthood. Less than 35 percent of those child sexual assaults are reported to authorities.

While through previous legislation we have significantly reduced the prevalence of this terrible and real nightmare to children, we must stay the course. We must remain ever vigilant and keep in this fight. Child predators, like their criminal counterparts in other arenas, are innovative. They stalk neighborhoods, playgrounds, Cub Scout dens, houses of worship, and as of late they exploit the Internet to target youngsters.

Madam Speaker, we must put child predators on notice and let them know once and for all that we will not tolerate this continuing victimization of children. I wish to extend an invitation for Members of this body to consider enlisting in the Victims Rights Caucus that I recently founded and cochair with the gentlewoman from Florida (Ms. HARRIS).

During my 22 years as a felony court judge in Houston, Texas, I have seen scores of victims come through my courtroom. Ironically, as large a contingent that victims are, they are one of the most underrepresented groups in the United States. This session of Congress, in cooperation with my fellow representatives, I hope to change this.

We must always remember that victims do not choose to be victims. As L.H. Harrington of the President's task force on victims of crime once said, ''Somewhere along the way, the criminal justice system began to serve lawyers, judges and defendants. Victims are treated with institutionalized disinterest. The neglect of crime victims is a national disgrace.''

Madam Speaker, to be a victim is an unforgettable nightmare but to become a victim at the hands of the criminal justice system is an unforgivable travesty. The first duty of government is to protect its citizens. We as a people are not judged by the way we treat the rich, famous and influential but by the way we treat the weak, the innocent, the children.

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

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

## NO DEMOCRACY IN THE PEOPLE'S HOUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Madam Speaker, we have just concluded our legislative day. A number of incidences and legislative initiatives have been addressed that I would like to comment on in this opportunity that I have during this special order.

We just completed our discussion dealing with incapacitated persons. I do want to remind my colleagues that the issue is not to ignore the tragedy of the case in Florida, it is to recognize the broadness of the responsibility of the Members of the United States Congress. The point that I made earlier, that I wish to clarify, is that I too would not like to see this loss of life if there is some alternative. But I did suggest that because this legislation that has just passed the floor of the House would have had a better approach, which is to have a full hearing before the Committee on the Judiciary and other committees of jurisdiction, that the same relief could have been given to this distressed situation by offering a private relief bill.

The opposition noted that a private relief bill would take a long time through the legislative process. Let me remind my Republican colleagues who are in the majority that rules could have been waived to move a private relief bill forward expeditiously as quickly as any bill that we have just put on the floor. So it is certainly a misstatement for anyone to rise to the floor of the House and suggest that an action of a private relief bill could not have brought relief and that the party in question in Florida might be dead before that occurred when they know full well that this House is controlled by Republicans and if they desired to move a private relief bill forward quickly, it could have been done.

And then, Madam Speaker, I want to quickly comment on a bill that appeared before us in the Committee on the Judiciary where not one single Democratic amendment was accepted.

In fact, the Republican majority made it very clear that they had a perfect bill from the Senate and they really did not want to do anything in the Committee on the Judiciary. So when amendments were offered by Democrats to protect veterans, it was denied. When amendments were offered

by Democrats to increase the allowance for private and parochial schools that might be exempted when someone filed for bankruptcy, it was disallowed. When we asked to protect those who are paying the tuition of their children, it was disallowed. When we asked for relief dealing with identity theft debts, when someone would steal your credit cards, debt would pile up and all of a sudden you might have to pay that for some ridiculous reason, we asked for relief in that instance, it was denied.

When we asked for relief for those who were sexually assaulted and therefore we did not want the liability to be extinguished when someone went into the bankruptcy court, it was denied. It was denied that if you received dollars through a natural disaster such as the terrible flooding and hurricanes in Florida and you wanted to protect those dollars that you got from a natural disaster against a bankruptcy filing, it was denied.

Frankly, the democracy in this body has simply been denied. Democracy has shut down. This is a one-party government, one party in the administration, one party in the House, one party in the Senate, and there is no room for democracy. What a shame on us that we would push democracy in Afghanistan and Iraq and around the world, places that I have been, and we simply cannot have democracy in this body on behalf of the American people.

Let me also suggest that I am looking forward to responding to the request by Supreme Court Justice Rehnquist by offering a court security act for 2005 which responds to Justice Rehnquist and other Supreme Court Justices asking for more protection of judges and courthouses in America. It is a travesty that we would have the terrible, tragic act in Atlanta and the killing of the relatives of a judge in Illinois. It is time now to provide resources, training and, of course, security mechanisms to ensure that justice does occur, justice by way of protecting our courts and our court systems and all the parties who go into our court system for fairness and justice. I hope my colleagues will join me when I file the Securing American Courts Act of 2005. We owe our justice system that.

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The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-McDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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## THIRTYSOMETHING CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for half the time until midnight as the designee of the minority leader.

Mr. MEEK of Florida. Madam Speaker, I just want to say that it is an honor again to address the House and the American people, also. I am sharing this hour today with the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), also. It is a pleasure to be here on the floor with her one more time.

Ms. WASSERMAN SCHULTZ. Once again it is a pleasure to be here with you.

Mr. MEEK of Florida. Madam Speaker, if I may take just a moment to talk about a friend of ours and a pillar in Florida. Mr. Bill Lehman, Congressman William Lehman went on to glory today. He served our country well. He was blessed to be here for some 91 years. He passed away with his family by his side. He served in the 17th Congressional District, Madam Speaker, from the time of 1973 to 1992 with great distinction.

□ 2300

He was one of the longest serving, if not the longest serving, chairmen of the Transportation Subcommittee of the Committee on Appropriations and did good works while he was here. A quiet man but a man that enjoyed to have a good time, and we will appropriately honor him with an hour here on the floor, designated by the gentlewoman from California (Ms. PELOSI), Democratic leader, at a later date, with reflections of friends that served with him in the Congress and also those Members who knew him well. And we send our prayers and appreciation to his family for allowing him to serve this great government of ours and play his role in democracy as the annals will reflect.

Madam Speaker, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Speaker, I thank the gentleman for yielding to me. My colleague from Florida is always so eloquent, and one of the things that has struck me from the time I have been privileged to serve in the Congress, for about 10 weeks now, is that we really stand on the shoulders of giants in this Chamber and there are precious few that fall into that category and that deserve that accolade. And Congressman Lehman was most definitely one of them.

I am privileged to represent a good portion of his district. I can only hope, as I am sure the gentleman can because he also represents a portion of his former district, that both he and I and our colleagues from South Florida can even begin to fill his shoes. Certainly it is our responsibility to carry on his legacy, and I know that is what we will strive to do every day on this floor, and I look forward to the hour that will be devoted to his life.

Mr. MEEK of Florida. Madam Speaker, I appreciate the opportunity. Not only I, but former Congresswoman Carrie Meek, the three of us had an opportunity to take a picture together. Congressman Lehman, in 1972, in the newly created 17th Congressional District, he ran for it. As the gentlewoman knows, he served in local government also and ran for that seat and won. So we are the only three that have served in the 17th Congressional District, and that was a good time. We have an opportunity to celebrate not only his life, but we will have an opportunity to celebrate his spirit for years to come. And I know that he is there with his good friend, Dante Fascell, and they are talking about old times when they used to run this House.

Ms. WASSERMAN SCHULTZ. That is right, Madam Speaker. And if the gentleman will continue to yield, the one thing I want to add is that for those who did not know Congressman Lehman, his name was far more widely known because there are far too numerous to mention car dealerships across Florida and, quite honestly, Congressman Lehman was a leader in transportation for good reason, because there are thousands and thousands of drivers who began their driving careers thanks to Mr. Lehman and his family. And he has been not just a pillar of the community but a giant when it comes to transportation, and I think that should not be lost on this body.

Mr. MEEK of Florida. Madam Speaker, I thank the gentlewoman for her comments; and like I said, we will honor him appropriately on this great House floor.

Madam Speaker, I just want to once again thank the gentlewoman from California (Ms. PELOSI) for allowing us to represent the minority side here tonight and also to all of the leadership on the Democratic side. And being a Member of the House, it is always a great honor and privilege to come to the floor. So many Members before us have had this opportunity.

The 30-something Working Group that was created, and we have to talk about this every time because we have to make sure that Members understand that we are here to come to this floor to share good information and to make sure the American people know exactly what we are doing for them and also in some instances what we are doing to them, and I think it is very important that we remember that.

We have been talking a lot about Social Security lately, but tonight we are going to talk about the deficit. And I want to once again commend those groups that are out there on the Social Security front, before we get into the budget, that have been out there working very hard.

The President today made some comments from the White House. One thing that he did say, and I am glad that he has decided to come with the American people, was that privatization of Social Security will not resolve the Social Security issue. Some may say crisis; I say issue because Social Security is going to be solvent for the next 47 years, providing 100 percent of the benefits to the American people as they enjoy today, the 48 million Americans who celebrate benefits from Social Security, including survivor benefits that individuals that are receiving from those individuals that have passed on and have left something for their children.

Social Security will not end tomorrow. So I said we are going to be here on the budget. But it is interesting, when we start talking about the budget, that none of the philosophy or principles, because there is no plan, is not reflected in the budget. So we will talk about that a little bit more. But I want to just say that Democrats believe that for every issue that is facing our Nation, it is our responsibility to ensure the policies that we pursue are consistent with the values that we cherish. These guiding principles are particularly crucial when it comes to our children and the future generations.

The Bush administration budget and the Republican leadership budget fall short of protecting or investing in our children, in our young people. It is fiscally reckless, adding trillions to the deficit over the next 10 years, but we teach our children to save and be fiscally responsible.

It is morally irresponsible to slash health care programs that are for young people and seniors, I must add, in my opinion. Education and youth development programs that provide our children opportunities to achieve the American Dream are crucial.

In Proverbs it tells us to ''train up a child in the way he should go and when he is old, he will not depart from it.'' I think that it is important that we hold that as a value and cherish that here in this House. If the lessons to our children and young people are reflected in the House Republican budget, then we have failed them and ourselves and the future of the democracy.

We have only about 20 more minutes to talk, but we are going to share some of the values of the Democratic budget versus the Republican budget. And I must say there are some individuals that are well intended on the majority side, I must add; but they are being overwhelmed by individuals who are willing to fight for others and not fight for all. So I think it is important that we share the facts here tonight.

And I would love to here some of the gentlewoman's opening comments, and hopefully we can get into some of these charts we have so that we can share with the American people what is happening here in this House.

Ms. WASSERMAN SCHULTZ. Absolutely, Madam Speaker. And I think it has to be said that the gentleman has been an incredible leader in co-chairing with our colleague from Ohio this 30-something Working Group. We are really here to talk to our generation, to talk to the American people in our generation about the policy decisions that are made here in Washington and how it affects them.

I think the gentleman is right. I think we have a number of well-intentioned colleagues on the other side. But, unfortunately, this train is being driven by the right. It is being driven by the right wing of the Republican Congress. They are driving the train here, and the moderate voice is just completely snuffed out. Absolutely snuffed out.

And I think we should spend a little bit of time talking about how the Bush administration's budget affects education because a lot has been said and the President has touted this Pell grant increase as being so fantastic and how he has really made a commitment to expanding access to higher education. When we sift through the facts and the reality as to how he gets to that $100 increase in Pell grants, it is really astonishing that they would claim it is an increase.

Essentially, when he was campaigning in 2000, the President pledged to make college more affordable and accessible by increasing the maximum Pell grant for college freshmen to $5,100.

□ 2310

He broke his promise once again. Once again, he says one thing and does another. They talk about numbers over here, and they are much higher or much lower, the opposite of what they promise, again and again.

Since 2001, just to give the facts, the cost of attending a four year public college has increased by more than $2,300. And what was President Bush's response? To increase the maximum Pell Grant by $10 to $4,150 in 2006. But that would only pay for 4 percent of the college cost increases since 2001.

The way he finances this Pell Grant increase is by cutting, essentially decimating, many, many other student aid programs. We have a chart here that I will move over and try to walk you through.

Essentially the Bush budget completely eliminates the Perkins loan program, a $66 million cut. If that proposal is enacted, more than 670,000 borrowers in 2006 alone would lose out on loan forgiveness if they choose to serve this country by becoming teachers, law enforcement officers or serve in the military. It totally eliminates that program.

The Bush budget forces millions of low and middle income students to pay thousands more for their college loans, because they eliminate the current low fixed consolidation benefits. According to the nonpartisan, their numbers, Congressional Research Service, this change will force the typical student borrower to pay about $5,500 more in college loans.

The President also, in order to give you a measly $100 increase in your Pell Grants, he also completely eliminates the funds for Gear Up, for Upward Bound and for the Talent Search programs. These programs ensure that high risk students succeed in high school and move on to college. If the President has his way, nearly 1.3 million students, 70 percent of whom are minorities, will lose the support they need to make it to college.

This is how we are improving access to higher education in the Bush budget. It is just astonishing.

Mr. MEEK of Florida. Well, reclaiming my time, I am so glad that the gentlewoman pointed that out, because I think it is important that the Members pay very close attention to what is happening. I think not only do we have the constitutional responsibility, but we have the responsibility to the people that elected us in our districts to make sure we are not followers, but leaders in this process.

I can tell you I take no pleasure, Madam Speaker, to be a part of a Congress that oversees the highest deficit in this history of the Republic. I must say at no other time in this country's history we have had the deficit that we have right now in, and it is very unfortunate that this is going to be passed on to not only my children and grandchildren, but definitely those that are yet unborn.

The gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and I are both parents. In many instances our children are going to be okay because of who we are and why we are here. But I can tell you that my constituents, and I know your constituents, did not say, well, I want to send you all to Congress so you can have better health care than I have, so that your children will have better opportunities than my children have. They sent us here to make sure we do not hand their children a bad deal. Because the goal of any parent or grandparent is to make sure that their children and grandchildren have a better opportunity than what they had.

I have a chart here that I want to share with the Members. As you can see, this is what has happened as relates to the backsliding here into the deficit ditch. This deficit went from a surplus, I must add, during the Clinton years when he started, and this House I must add, balanced the budget without one Republican vote, I must add, balanced the budget, and we were into surplus, some $263 billion in the surplus.

Now we have found ourselves in a downward spiral since this administration and this emboldened Republican

majority here in this House has taken us to some $4 trillion projected deficit. I think it is important that we understand that this is real money, these are just not numbers, and it is taking our children even further down.

I have another chart here, and I am going to talk rather quickly because I know we have to move on here. This is what is going on as relates to the interest payments on the deficit, on the debt, and I think that it is only getting worse.

As you can see here, in the 2004 budget, money that is being spent, we are spending more money on paying down the debt, and this number here is actually in the billions, I must add, some $150 billion in the 2004 budget. But better yet, here in education we are spending less than we are spending on taking down the debt.

Also as you start looking at the environment here in purple, we are spending far less than we are spending in paying off the debt because of irresponsible spending. And if you go further over, our veterans, our patriots, so many of us talk about them. I am on the Committee on Armed Services, we have a lot of chest beating going on in that committee about who loves the troops and who does not love the troops, and who loves veterans and who does not love veterans, and folks start talking about the tattoos on their chest that they love the troops and all of this.

But I can tell you one thing as it relates to our spending in the 2004 budget, it does not reflect our values. I was talking about Proverbs a little bit more, but I will come back to that a little later.

I think it is important for us to also look at the amounts spent by 2010 if we continue onto this track. This big red mountain here is not education, it is not the environment, it is not transportation, it is not spending money on our veterans, making sure that we hold up our end of the deal that we said we would provide to them if they serve our country. No, it is the debt. It is the Federal debt as the way we see it now and the way it will be seen up until 2010.

I think it is also important for you to see education and where it stands as it relates to the debt and environment and veterans and so on.

Ms. WASSERMAN SCHULTZ. If the gentleman will yield on the debt, I want to just follow up with what you are saying about debt. If we can come on over to this chart, this talks about how the debt actually impacts families. Because debt, when you talk about trillions, one thing I noticed about this job that we have that our constituents so graciously gave us, is that when you start talking about billions and trillions of dollars, people's eyes start to glaze over. I have learned the difference between a billion and a trillion, and it is a lot of money. And what this debt means is a lot of money to the average family of four.

Going up the scale here with the ever-increasing debt that the Bush budgets have put on us, we are now going to reach, in 2004, the Bush budget raises the debt tax, which is basically what the debt costs every family of four in America, right now it is costing every family in America almost $4,400.

You go up the scale with the Bush budget proposal, and we are not even talking about Social Security, we are talking about what we have got right here, right now, not even talking about privatizing Social Security. By 2015, each family of four would have $10,500 that they essentially would responsibility for in terms of a debt tax and how much the debt was going to cost them.

That is where we have gone in this country. We are just going to keep adding and adding and weighing people down. What happens with our generation, on the front page of the South Florida Sun Sentinel the other day, I was flying up here, and the front page talked about ''Generation Debt.''

Our generation is Generation Debt, because we are not the generation of savers. Our parents and our grandparents were the generation of savers, but we are not. So we are already shouldering a tremendous amount, way more than we should, in personal debt. On top of that, the President heaps this on top of us also, and it is just wrong.

If you are going to talk about what we are doing here, you have to talk about jobs and technology and how that is going to affect our generation.

The number one issue for young people right now, for our generation, is finding a job. We supposedly have this fantastic reemergence of the economy, but job creation is still totally flat.

The current unemployment rate for individuals 16 to 19 is 17 percent. And, more and more, those young people need a job. We are not just talking about a paper route anymore, we are talking about kids who are 16 to 19 years old who need to earn a salary to help pay the family's bills. If they do not have a job, then their family is falling down flat. And the President's budget contains absolutely no job growth stimulation proposals, it squanders $1.6 trillion on tax breaks to people who do not need them.

Job training: We have no proposals for job training. In fact, the President cuts job training in his budget. He consolidates it into a single block grant, and then cuts the funding for these programs, for job training programs, by $146 million.

He eliminates the Advanced Technology Program, and I am trying to speed along also, which funds research and emerging technologies.

His budget slashes by nearly 60 percent the funds from the Manufacturing Extension Partnership Program, which is a program that helps small manufacturers with new technologies.

And lastly, our generation cares about the Internet. There are so many opportunities in expanding access to high speed Internet. This President has proposed to slash broadband assistance guaranteed loans by $190 million, and he has called for the total elimination of broadband telecommunications grants.

Are they thinking about our folks? They are clearly not. They have no interest in what is going to happen to the generation coming behind the one that already has theirs.

□ 2320

That is what we have got to do. We have got to make sure we can refocus the attention that is paid to our generation because no one is thinking about us.

Mr. MEEK of Florida. I can tell the gentlewoman that tomorrow on this floor Members will not only vote on the Republican budget but will also vote on the Democratic budget that we have put forth, and I must say that our budget will balance out in the next 10 years.

There has been so much cake and ice cream given out in the last 4 years and from the majority side. I want us to confuse Members and start talking about the President. The President proposed the budget of course, but we come up with our own budget. And I can tell you if you think the President's budget is bad, you need to look at the majority-side budget.

I can tell you some of my friends are Republicans and I can tell you this, here in the House, some of them are fiscal conservatives but they do not want to make a career decision as it relates to their position in this House to vote against their very own budget.

I will also tell you this, if one is a fiscal conservative there is no way in the world they can vote for that budget. I am very proud of the work that the gentleman from South Carolina (Mr. SPRATT) and others have done on the budget. In our Democratic budget we have given $1.6 billion more than the Republican budget for veterans health care and also for other programs for 2006, and $17 billion more over the next 5 years. The Democratic budget also reversed the $798 million cut to veteran affairs which helped veterans and their families.

I must also share, not only with the Members, 77 percent of the troops that are in Iraq and Afghanistan are under the age of 30 years old. These young people should be paid the attention that the Congress should reflect their future and their families' future, and I think that is important.

I do not want to get too far away because I want to make sure people truly understand this because I know there are about 100 charts in this Chamber. I can tell you for every chart we have, we not only have the source, this is from the Treasury International Capital System from the House Committee on the Budget, the Democratic staff.

This is what foreign countries like China and others, what they pay for our debt. We go to them. We ask them

for money. They buy our bonds and they pay our debt. Now we are 44 percent indebted to foreign countries. And you can see how it has risen since the majority party has been emboldened by having the President in the White House. First it was 30 percent in 2000. In 2001 it was 30 percent. In 2002 it was 34 percent. In 2003, 37 percent; and 2004, 44 percent and climbing. There is no decline. There is no effort to bring a decline now.

Ms. WASSERMAN SCHULTZ. There is a name for that.

Mr. MEEK of Florida. What is the name?

Ms. WASSERMAN SCHULTZ. Borrow and spend.

Mr. MEEK of Florida. That is very interesting because I heard some folks in here talking about borrowing and spending and blaming us. There is more spending that is going on, but it has not just been about the war. It has been about irresponsible policy-making here.

I want to say we want to thank those that contact us via e-mail. We receive quite a bit of e-mail from not only the American people, but also even within this Capitol complex. If you want to e-mail us at 30somethingdems@mail.house.gov, we would appreciate it.

If you want to learn more not only about Social Security but about the Democratic budget, you can go on to Democraticleader.house.gov/30something. But you can go on the Democratic leader's Web site and get what we are doing here and what we are proposing.

I think it is also important for us to talk about. One may say, why are you all talking about what the Republican budget, what they are doing to the American people?

The reason why we are talking about it is because we are not in the majority. We fought all day on this floor, 5 hours of amendments, 5 hours of debate to fight on behalf of the everyday worker and retired American in this country. And if we were in the majority, it would be totally different. Those numbers I gave on veterans, the veterans would have what they need. The true budget balancing will happen in 10 years. We have made Social Security, the issue of privatization, we can tell the President to stop spending the taxpayers' money and burning Federal jet fuel, because it is not going to happen.

So until we are able to get the majority, then we will not be able to do some of the things we are doing; but we will fight to the bitter end to make sure that we protect American people and their values.

Ms. WASSERMAN SCHULTZ. In the last several weeks I have tried to talk about the impact on women that the Bush administration's policies have had. For example, there are 20 million women in this country without health insurance and millions more who can barely afford to pay their premiums; but this budget does nothing to hold down health care costs. It slashes Medicaid by a total of $45 billion over the next 10 years. That is a devastating cut on women and children because women account for over 70 percent of adult Medicaid beneficiaries.

In terms of violence against women, the President's budget cuts the Violence Against Women Act programs by $19 million; child care, the budget freezes funding for the Maternal and Child Health block grant and eliminates the Universal Newborn Screening Program.

Now, I have a 19-month-old. You have young children. I have passed legislation in Florida that ensured that we expanded screening for genetic anomalies and problems in newborns, and this Bush budget reverses all of that progress.

If we do not make sure we screen newborns for hearing problems, then we will have learning disabilities that are directly related to hearing abnormalities and without any excuse. But we have got to make sure that we think about children and families when prioritizing and that is what we could do. And the proof is in the pudding that we do not.

Mr. MEEK of Florida. Does the gentlewoman have something else to talk about?

Ms. WASSERMAN SCHULTZ. I also wanted to talk a little bit about health care because one of the most important issues that we have in this country is the skyrocketing cost of health care.

We have 45 million Americans who do not have health insurance. That means when they are sick, they cannot go to the doctor and they have to let their health care problems spiral out of control until they have to go to the emergency room to get the problem solved. And young Americans, our generation, are the most likely group to be insured. We think we are invincible. We think we are not going to have to worry about having health insurance and going to the doctor, so we go without. But more often we also cannot afford it.

Thirty percent of young adults age 18 to 24 have no health insurance at all. Compare that with 18 percent of adults who are 35 to 44 and only 1 percent of seniors. So the health care crisis disproportionately affects our generation, and there is nothing in the Bush budget to improve that. Where is this President's leadership on expanding access to health care?

When I go down the street, when I go to the supermarket at home, when I go to street festivals, people stop me in the street. I have heard the gentleman talk about people stopping him in the street and talking about issues that are important to them. The thing that they stop me on the most often is education and health care.

They say, if my baby girl or my baby boy is sick, I have no health insurance and I cannot get them shots. If they have a cold, I cannot bring them to the doctor. I have to wait until the problem is bad enough to bring them to the emergency room, and no mother or father should have to suffer through something like that.

This President needs to exercise some leadership in this budget on how to solve this problem and he has not. It is an abdication of leadership.

Mr. MEEK of Florida. I want to close and touch a little on CDBG, which is the Community Development Block Grants.

The Republican budget cuts funding for Community Development Block Grants by $8 billion over the next 5 years. These cuts will likely fall on Community Development Block Grants which the Republicans have proposed to eliminate, I must add eliminate. These cuts will have a significant negative impact on the ability of State and local governments to be able to provide housing and community development needs.

Last year, 1.6 billion of CDBG dollars were used for housing, and the result of that was 120,000 homeowners received assistance for rehabbing or working on their homes; and 11,000 families became first-time home buyers, and 19,000 rental units were being rehabbed.

The proposed CDBG cuts will have a particularly severe impact on the resources provided by housing and job training, domestic violence prevention, child care assistance, homeless assistance, small business development, and other services.

The Democratic budget provides $2 billion more than the Republican budget for 2006 and $9 billion for over the next 5 years. Community and regional development will be eliminated and the downward spiral of these block grants will be detrimental to so many communities.

I want to say to the city and county mayors, you need to call your Congressman and your Congresswoman and the Members of the other body and the administration and say the cutting of what we need will hurt our communities.

□ 2330

## SOCIAL SECURITY

The SPEAKER pro tempore (Mrs. DRAKE). Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Kentucky (Mrs. NORTHUP) is recognized for the remaining time until midnight as the designee of the majority leader.

### GENERAL LEAVE

Mrs. NORTHUP. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Kentucky?

There was no objection.

Mrs. NORTHUP. Madam Speaker, I rise tonight to highlight an important

issue that has been the topic of much discussion across the country, Social Security. The Republicans in Congress have joined together to form teams to highlight important issues facing our Nation today, and I am proud to serve as the chairman of the Retirement Security team and to be joined by a number of my colleagues to discuss this important topic tonight.

First, I would like to invite the gentlewoman from Tennessee (Mrs. BLACKBURN), my colleague, to share with us some of her perspectives on Social Security and how we address those challenges.

Mrs. BLACKBURN. Madam Speaker, I thank the gentlewoman from Kentucky for yielding and allowing me to participate in this debate.

Madam Speaker, as we begin tonight, I tell my colleagues I just have to comment, listening to my colleagues from across the aisle, one would think if they were listening to this great debate that we are having here that they believe everything depends on the government; the panacea has to be the government; the solution to the problems, it has all got to be the government.

As we talk about Social Security, we want to welcome them and invite them to come participate in the debate, but I find it so interesting. They do not bring new ideas to this debate, and they keep saying let us let the government tend to it, but they do not want to talk about the importance of developing an ownership society. They do not want to talk about giving power to the people.

I always wonder when I hear someone say government is the solution, government has got the solution, leave it to government, let them work it out, let us grow a bigger government. I think about Ronald Reagan and how he always said it is all about the people. It is all about the people. That is where the solutions lie.

Whatever the debate is, whatever our colleagues across the aisle, whatever their view is on Social Security reform, I would hope that no one will oppose a discussion on this issue.

We are brought here to Washington, those of us that are elected, and we come to Congress to participate in big issues that are going to impact individuals' lives and the American people's lives. It is true that our country has a range of problems that we are facing right now, but I think it is fair to say and I think that my colleague would agree with me that strengthening and stabilizing Social Security is at the top of that list.

I would invite our colleagues from across the aisle to join us in this debate, bring some ideas and to participate in how we should look at Social Security for future generations. I think it is very unfortunate that so many across the aisle are following the lead of the gentlewoman from California (Ms. PELOSI), the minority leader, and nearly every Democrat in the House has chosen to stifle debate, rather than to engage in it, and I think that is not leadership. It is really obstructionism.

Madam Speaker, about a week ago, President Bush visited Memphis, Tennessee, which is just outside of my district, and I would have liked to have been there and been a part of that, but things did not quite work out that way for me on last Friday. That did not stop the Democratic National Committee from attacking both the President and me in a statewide radio ad.

Their ad was misleading at best, and it essentially said that we should not even debate reform. They are essentially saying that we should bury our head in the sand and ignore the problem until it just goes on and runs over us. I can tell my colleagues, the DNC attack ad generated two calls. Only two calls to my Shelby County, Memphis, area office in opposition to any type reform. They spent all their money, 70 stations, State-wide, and we got two negative calls. Fifty calls from people who said I think we can talk about Social Security reform but let us not squash the discussion.

In fact, I have an e-mail from a man in Collierville, which is in Shelby County near Memphis, and he says: I was listening to WREC radio today and heard a rather obnoxious DNC commercial telling me to contact you to vote against the President's effort to modify Social Security. I am contacting you but rather to encourage you to work with the President to pass a reform.

On the day of the President's visit, a front page article in the local news section of the Nashville Tennessean read, Bush trip puts Democrats' focus on Blackburn. President in Memphis for next stop in Social Security debate. All this because we want to have a discussion. We want to talk about a very real problem and what we are going to do about it.

Now, is it not amazing, here in America, here in the United States House of Representatives, here in Congress, when you want to lead on a discussion and bring to the attention of the American people something that is a problem, then it makes you a political target. That is absolutely incredible. Facing a problem, addressing and defining a problem and then working to find a solution, that is what is called leadership.

Since last fall, I have been holding town hall meetings and discussions across my district, and we have been talking about Social Security reform in these. We are letting constituents know the process that we are going through and how we are searching for the right thing, the right steps to take, and I will not sugarcoat things here. Some people are absolutely opposed to the discussion. They will not consider the idea of reform, any kind of reform, but that is not the norm. I found that most people are not only willing to discuss reform, but they have their own ideas of what we should do, and that tells me something. People are thinking about this issue.

The Democrats in the House are unwilling, really unwilling to discuss the topic. They refuse to come to the table and say, okay, let us see what we can do to fix this problem. They are out of touch with mainstream America. They were out of touch in the last election cycle, and they remain out of touch today.

I have brought with me today, Madam Speaker, a handful of the thousands of e-mails that I have received to share with you.

Here is one from a gentleman in Arlington, Tennessee. It is also in Shelby County, down near Memphis, and he says: While I agree privatization accounts should not be the number one focus, they are a significant factor in this issues reform. Please accept the correspondence as a vote in favor of President Bush's proposal. He goes on and details some of the things that he likes and does not like about what he is hearing.

On the other side, I have got one from a woman in Nashville, Tennessee: I am opposed to the privatization of Social Security. I am in favor of reform, but there are many people who could pay more into Social Security or maybe take less out.

Another man from Collierville, Tennessee: Can you help pass Social Security reform? I would appreciate the opportunity to invest a percentage of my Social Security payments.

Does that not sound like a pretty good debate. These people are not afraid to discuss it. America is discussing the issue. We would like to think that the Democrats would also.

We have several bills in the House and the Senate that are proposing different reforms, and I want Tennesseans to know that I am going to continue to review these ideas, to talk with them about the bills that are being brought forward, and we will continue to support committee action on a range of proposals.

Some of the e-mails that I have received ask why we are doing this now, why we cannot just put it off for another decade. It is similar to refinancing your house. You refinance your home mortgage today and get a much lower interest rate than you could probably 10 years from now. Why would you wait when conditions will never be better than they are now? Well, that is where with what we have to do with Social Security. Conditions for reform will not get any better than they are now. It makes no sense to wait.

□ 2340

Last week I wrote an op-ed that ran in the Memphis Commercial Appeal newspaper where I talked about four indisputable facts regarding Social Security that we should all be able to agree on regardless of our party affiliation or ideology. Those facts are these: in 1950, there were 16 workers paying into Social Security for every one retiree. Today there are only 3.3

workers for every retiree, and by the time my two children who are in their mid-twenties retire, there will only be two workers for every retiree. We have 13 years when the Social Security will begin taking in less money than it pays out to retirees.

It is time for us to move forward. We know that the American people are engaged in this debate. We know that they are participating in this debate. I have had a survey on my Web site running for a week now, and I have had a tremendous response to this. I will tell my colleagues on the other side of the aisle, they had better start taking part in this very real, very lively discussion because there is a widespread view that we should do something and do it now. The only people willing to work on this are the Republicans and the Republican leadership in Congress.

It is a disservice to our Nation that our colleagues across the aisle do not want to participate. It is not why we were sent here to Congress.

Mrs. NORTHUP. Madam Speaker, I want to thank the gentlewoman from Tennessee (Mrs. BLACKBURN) who has been such a leader in our conference and is so eager to participate in this conversation.

There is a lot of misinformation about Social Security that is being promulgated across this country, but I think the most important facts that we can share with our constituents is that of every program and every idea that has been put forward, nobody wants to change anything for today's seniors, and there is a good reason for that.

For today's seniors, there are enough workers in the system that their Social Security check is protected. They are going to be fine. For those people that are about to retire, there are enough workers and enough money in the system to protect them. But for younger workers who are going to bear the responsibility for those who retire before them, there will not be enough workers to provide for their Social Security check. So what we want is to allow younger workers to begin to build their own nest egg so they can prepare for their own retirement as they shoulder the responsibility for those that retire before them.

Madam Speaker, I welcome the gentleman from Indiana (Mr. CHOCOLA) and thank the gentleman for being part of this discussion tonight. I know the gentleman is involved in talking about Social Security in his community. Please discuss some of what you hear and some of the misconceptions.

Mr. CHOCOLA. Madam Speaker, I thank the gentlewoman for her leadership on this issue. She is a tremendous leader and a clear voice in the House on this issue.

The President has recently been in my district, and I thank the President for his leadership on this issue as well, and for him taking on one of the most important issues we face as a Nation today and critical to future generations of Americans.

The President understands that we solve problems through leadership and leaders do not pass along problems to future Presidents or future generations. It was an extraordinary event when the President was in South Bend, Indiana, at Notre Dame, which I know is an institution very dear to the gentlewoman's heart, and the numbers who engaged in the dialogue on this issue were astounding.

There were over 8,000 people at the Joyce Center at Notre Dame. They came to listen to the President talk about this issue. And there were 200 people outside of the Joyce Center that were protesting the President. I would say that is a pretty good ratio. That reflects the common sense of the American people. They understand we have a problem.

Mrs. NORTHUP. Madam Speaker, that is very reflective of the numbers in my district. There were about 2,000 inside listening to the President. There were a number of organizations that tried to stir up a lot of activity outside to protest. There were about 100 people outside protesting.

That morning AARP had held their own roundtable, their own town hall meeting in order to share why they thought the President was wrong on this issue. They of course have massive organization, a huge mailing list, and they actually got 40 people to their town hall meeting. So I think people know that the organizations that are saying there is no problem and we should not be doing anything about it, whether it is to seniors as in seniors that are retired or seniors as in seniors in college that might be found on the Notre Dame campus, both of those groups are eager to talk about it and be part of the discussion.

Mr. CHOCOLA. Madam Speaker, that is absolutely true. I think one of the reasons that the President got reelected and I think one of the reasons the gentlewoman has been reelected in a very competitive district is people appreciate leadership. It is easy to be against things, but we are elected as public servants to be for solutions; and the harder the issue, the more responsibility we have to step up to the plate and solve the problems that we face as a Nation.

What I heard the President say when he was in South Bend is we have a problem. We can call it a crisis, whatever we want; but it is clearly and undeniable challenge, and I think the American people understand that.

I heard the President say it is not the seniors' problem. If you are retired or near retirement, your benefits are safe and secure and you are going to get everything you have earned, and all options are on the table. This is a debate that should be engaged in by all. The President said it does not matter if it is a Republican idea, a Democrat idea, any good idea will be embraced and be part of the solution.

I think it is important that we focus on the facts. Recently, I sat in a hearing of the Committee on Ways and Means where David Walker who is the Comptroller General of the United States, a former trustee of Social Security, and he made a pretty profound statement that we need to focus on nonpartisan facts and a bipartisan solution. I think it is important that we all engage in this debate to find a solution that benefits every single generation.

He talked about the Social Security trust fund. In his words, the trust fund has no economic value. He called it an accounting device. One of the earliest lessons I learned in business was that balance sheets and income statements are fiction, and cash flow is reality. That is a challenge that we face is in the short term we have a cash flow problem. In the medium and long term, we have a solvency problem, and that is what we are talking about and that is what we have to solve.

Mrs. NORTHUP. Madam Speaker, sometimes I use the analogy of the American family. Adults in that family come home from work, and from every single paycheck if they put $100 in a cookie jar for their children's college education, and then they borrow to buy a car, buy clothes, go on vacation, whatever they used it for, when the child is 18, they would have a cookie jar full of IOUs. And there is still the bill for the college tuition and no money in the cookie jar. That is essentially what has happened.

Social Security was a pay-as-you-go system. Whatever came in, whether it was taken out as part of your payroll tax or part of your income tax or part of your FICA, it went into the general treasury. Those dollars paid old age benefits and paid for services that the government provided.

So none of the dollars have been saved. Maybe many of us wish, especially those of us about to retire, wish this was not a tough or impending crisis, wish back when it was established in 1945 and subsequently that they had truly put the money aside in a trust fund and it had been earning interest. But that was not done back then and it has not been done, and so we need to wrestle with the facts.

We have some good ideas. We have some ideas that will make this a good system that will be there for our children. We know it will be there for our moms and dads. My mom is 82. Obviously, I want to make sure that everything is fine for her. And I want to make sure that for those about to retire, the trust they have had in the system that they be reassured that their benefits are secure.

□ 2350

But when we talk about it as a crisis, I will use another analogy and say it is like jumping off an 80-story building. As you pass the 40th floor, you can say, well, nothing bad has happened yet, but clearly intervention is needed. And intervention is needed today in Social Security.

Mr. CHOCOLA. I do think facts are very important in this debate. We need to focus on the facts because the facts are what is going to lead us to a solution. Unfortunately, our friends on the other side of the aisle really do not offer any solutions. They just criticize principles that the President has offered and others have offered. They call some of these principles a risky scheme. They say that we are putting Social Security at risk. But the reality is the riskiest thing we can do is nothing. The riskiest thing we can do is ignore this problem and pass it on to future generations and really suffer, I think, very negative consequences.

These are certain things we know. We know that the system cannot pay the benefits that are promised. If we do nothing, we know that there will be a benefit cut to future retirees of about 27 percent. We know that we have a $10.4 trillion unfunded liability. That is in present dollars. That is, if we had $10.4 trillion, and that is with a T, in the bank today earning interest that we could fund the unfunded liabilities. If we had to pay every year, it is something like $27 trillion that we have in unfunded liability. Just to put that in perspective, the current national debt is just over $7 trillion. So the unfunded liability that we know that we have to face in the future is four times the size of the national debt today. People say, well, if we would find a solution that would require us to make transition financing or transition costs, that might be $1 trillion or $2 trillion. The reality is that is not additional debt. If the Federal Government accounted like every business in America, and I will not get in the weeds here and talk about accrual accounting, but if the Federal Government recognized its unfunded liabilities like every business does, we would already have that on the books. It would already be part of our national debt. So finding a way to move some of these costs up is not additional debt, it simply, as the gentlewoman from Tennessee said, is prepaying our mortgage. It is finding a way to spend money now to reduce our real costs in the future and preserve the system, make it stronger and make sure it is here for every generation.

It has been one of the greatest programs in our Nation's history. It has served our seniors well. We need to make sure that the system is there to continue to serve future generations just as well as it is serving our seniors today.

Mrs. NORTHUP. It is amazing that people talk about this being a risky solution when, in fact, the riskiest thing we could do is to do nothing. The fact is that as we wait, each year it grows worse. In fact, right now because Social Security is bringing in a surplus, we still have a few years left where we could use those dollars to help fund a transition. For every year we wait, we lose one of these years that we are in surplus and we pick up at the other end of the 75-year spectrum that we are looking at, a year where we have $600 billion of additional unfunded liability. So we not only give a year of transition up, we gain a year where we have huge, impossible-to-meet deficits and unfunded liabilities.

I came to the House 8 years ago. There has not ever been a leader in the White House and certainly resolving this problem is going to take all the leadership potential that we have in this country and we need the White House. There has never been a leader in the White House that was willing to roll up their sleeves and to say, Let's work our way through this, let's bring everybody to the table, let's put all the ideas on the table and certainly a solution is going to take multiple ideas and maybe more than just one idea, personalized accounts or whatever. But if we had done this right when I first came to Congress back in 1996, before I understood how serious and how quickly the situation was deteriorating for future generations, I think if we had addressed the problem then, we would have gotten 8 more years of surpluses and certainly those surpluses before we had the war on terror, before we had some of the other challenges, and we would not be where we are today if we had addressed those. And so to wait even one more year is going to make the situation more costly, more difficult, we are going to lose a year of surplus that could help finance this transition. That looks like a crisis to me.

Mr. CHOCOLA. I think it is certainly a crisis depending on your time frame and certainly our seniors today are fine, those about to retire are fine, but those retiring in the future will face this crisis if we do not act now. Those that say that there is no problem, that there is no need to act until the year 2042 when the trust fund is exhausted really need to answer the question, how are they going to pay the benefits? If they would come to the floor or they would offer their solution by saying, well, if we raise payroll taxes by 50 percent, maybe we could address this crisis and they may be right. But the reality is that more Americans pay payroll taxes than they do income taxes. When you want less of something, increase taxes on it. When you increase taxes on jobs, it would be devastating to our economy, it would be devastating to many low- and middle-income families.

I think it is critical that we find a package of good ideas, and personal accounts may be one of those good ideas, but the people that want to raise taxes have to, I think, face up to the devastating effects that they would have on our economy and our families and they also have to face up to the fact that we have already raised taxes since Social Security was put into place 22 times. Each one of those times it did not solve the problem. If you add in when we raised the cap on earnings, which is currently $90,000, the total goes up to 39 times. And so it is critical that we find this package of good ideas that not only solves the problem today but permanently solves the problem so future Members of this body do not have to come down and engage in this debate and say why we failed to act and did not live up to our responsibility as elected officials.

Mrs. NORTHUP. We know that we could not possibly tax our way out of these problems, we could not raise taxes enough and have a viable economy left if we tried to solve the Social Security problem with tax increases. We can look across the ocean to economies, for example, France where they did not address the Social Security problem, the Social Security challenge that they have there and because now the cost of those senior survivor benefits are so high in France, their economy is crumbling under the weight of those costs. In fact, no matter what solution we have, we depend on growth in this economy to fund the transition. And so we have to have two things. We have to have a plan to save and strengthen Social Security for our children. It is safe for today's seniors but for our children, to make it safe and secure and solvent for them, and we need a growing economy so that they can have those good jobs, so that they can build the personal accounts while they meet the Social Security needs for those that were in the workforce before them. And so growth and a new plan to enhance the Social Security for future generations are both needed. We cannot trade a growing economy in order to strengthen Social Security, because raising taxes would have a chilling effect on our economy and at the same time it would only be a very short-term fix.

I think these conversations, conversations with the American people, conversations with our constituents when we go back home and conversations between each other are helping us grow to better understand, better analyze the problem and to put forth good ideas. I am excited about the ideas that are being put forth. They are not scary to me. They are exciting.

I yield to the gentleman from Indiana to share with us his closing thoughts.

Mr. CHOCOLA. Again I would like to thank the gentlewoman for her courageous leadership on this, willing to take the risk of leadership to solve important problems for our Nation. I, too, hear when I am at home doing town hall meetings, why do we not put the money aside, why do we not spend it on general fund items like Congress has been doing for 60 years now. There is a mechanism to make sure that the money can only be used for Social Security benefits. That mechanism is called personal accounts. When you allow people to set aside part of their payroll taxes into a personal account, that they have some discretion on how that money is invested in a very safe and secure investment. That money is theirs. It cannot be used for any other

purpose and it is going back to a term that has been used in the past, a personal lockbox for every individual.

Again, I thank the gentlewoman for her leadership. This is a debate that will be ongoing and one that is critical to the future of our Nation.

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

## COMMUNICATION FROM CHIEF OF STAFF OF THE HONORABLE PETE SESSIONS, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mrs. DRAKE) laid before the House the following communication from Charles Bauer, Chief of Staff of the Honorable PETE SESSIONS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*March 8, 2005.*

Hon. J. DENNIS HASTERT,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the 3rd Judicial District Court of Henderson County, Texas, for testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

CHARLES BAUER,
*Chief of Staff.*

## COMMUNICATION FROM OUTREACH COORDINATOR OF THE HONORABLE PETE SESSIONS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Flo Helton, Outreach Coordinator of the Honorable PETE SESSIONS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*March 8, 2005.*

Hon. J. DENNIS HASTERT,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the 3rd Judicial District Court of Henderson County, Texas, for testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

FLO HELTON,
*Outreach Coordinator.*

## COMMUNICATION FROM THE HONORABLE PETE SESSIONS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable PETE SESSIONS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*March 15, 2005.*

Hon. J. DENNIS HASTERT,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the 3rd Judicial District Court of Henderson County, Texas, for testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

PETE SESSIONS,
*Member of Congress.*

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. OSBORNE, for 5 minutes, today.

Mr. POE, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today and March 17 and 18.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

## ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1160. An act to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2005, and for other purposes.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 384. An act to extend the existence of the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group for two years.

## ADJOURNMENT

Mrs. NORTHUP. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Thursday, March 17, 2005, at 10 a.m.

## EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for speaker-authorized official travel during the fourth quarter of 2004 and the first quarter of 2005, pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. VANESSA GRIDDINE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 9 AND NOV. 16, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Vanessa Griddine | 11/9 | 11/11 | Austria | 236.07 | 305.00 | | | | | | 305.00 |
| | 11/11 | 11/14 | Italy | 1,548.00 | 2,000.00 | | | | | | 2,000.00 |
| | 11/14 | 11/16 | Russia | 20,850 | 728.00 | | | | | | 728.00 |
| Committee total | | | | | 3,033.00 | | | | | | 3,033.00 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

VANESSA GRIDDINE.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. MARGARET PETERLIN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 23 AND NOV. 28, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Margaret Peterlin | 11/28 | 11/30 | Austria, Kosovo, Greece | | 2,210.00 | | (3) | | | | 2,210.00 |
| Committee total | | | | | 2,210.00 | | | | | | 2,210.00 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

MARGARET PETERLIN, Jan. 2, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. VANESSA GRIDDINE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 2 AND DEC. 17, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Vanessa Griddine | 12/2 | 12/4 | Lithuania | | 510.00 | | | | (4) | | 510.00 |
| | 12/4 | 12/7 | Bulgaria | | 271.00 | | | | | | 271.00 |
| | 12/7 | 12/10 | Morocco | | 978.00 | | | | | | 978.00 |
| | 12/10 | 12/11 | Tunisia | | 232.00 | | | | | | 232.00 |
| | 12/11 | 12/13 | Algeria | | 214.00 | | | | | | 214.00 |
| | 12/13 | 12/17 | Italy | | 2,550.00 | | | | | | 2,550.00 |
| Committee total | | | | | 4,755.00 | | | | | | 4,755.00 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[4] Business center.

VANESSA GRIDDINE.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. VANESSA GRIDDINE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 23 AND DEC 28, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Vanessa Griddine | 12/23 | 12/28 | Ukraine | | 1,236.00 | | | | | | 1,236.00 |
| Committee total | | | | | 1,236.00 | | | | | | 1,236.00 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

VANESSA GRIDDINE, Jan. 28, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. ALCEE HASTINGS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 9 AND NOV. 16, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Hon. Alcee Hastings | 11/9 | 11/11 | Austria | 236.07 | 305.00 | | | | | | 305.00 |
| | 11/11 | 11/14 | Italy | 1,548.00 | 2,000.00 | | | | | | 2,000.00 |
| | 11/14 | 11/16 | Russia | 20,850 | 728.00 | | | | | | 728.00 |
| Committee total | | | | | 3,033.00 | | | | | | 3,033.00 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ALCEE L. HASTINGS, Chairman, Jan. 26, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. ALCEE HASTINGS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 4 AND DEC. 17, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Hon. Alcee Hastings | 12/2 | 12/4 | Lithuania | | 510.00 | | | | | | 510.00 |
| | 12/4 | 12/7 | Bulgaria | | 271.00 | | | | | | 271.00 |
| | 12/7 | 12/10 | Morocco | | 978.00 | | | | | | 978.00 |
| | 12/10 | 12/11 | Tunisia | 280.02 | 232.00 | | | | | | 232.00 |
| | 12/11 | 12/13 | Algeria | | 214.00 | | | | | | 214.00 |
| | 12/13 | 12/17 | Italy | 1,922.00 | 2,550.00 | | | | | | 2,550.00 |
| Committee totals | | | | | 4,755.00 | | | | | | 4,755.00 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ALCEE L. HASTINGS, Chairman, Jan. 26, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. ALCEE HASTINGS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 23 AND DEC. 28, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Hon. Alcee Hastings | 12/23 | 12/28 | Ukraine | | 1,236.00 | | | | | | 1,236.00 |

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. ALCEE HASTINGS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 23 AND DEC. 28, 2004—Continued

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Committee total | | | | | 1,236.00 | | | | | | 1,236.00 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ALCEE L. HASTINGS, Chairman, Jan. 25, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. JANICE McKINNEY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 23 AND FEB. 27, 2005

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Janice McKinney | 2/23 | 2/27 | United Kingdom | | 1,118.18 | | 6,087.33 | | | | 7,205.51 |
| Committee total | | | | | 1,118.18 | | 6,087.33 | | | | 7,205.51 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

J. DENNIS HASTERT, Chairman, Mar. 3, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO VIETNAM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 8 AND JAN. 14, 2005

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Hon. Darrell Issa | 1/8 | 1/14 | Vietnam | | 781.00 | | 2,077.65 | | | | 2,858.65 |
| Sam Stratman | 1/8 | 1/14 | Vietnam | | 781.00 | | 4,192.00 | | | | 4,973.00 |
| Committee total | | | | | 1,562.00 | | 6,269.65 | | | | 7,831.65 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DARRELL E. ISSA, Chairman, Feb. 2, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Hon. John Boehner [5] | 11/23 | 11/28 | Austria, Kosovo & Greece | | | | | | | | |
| Committee total | | | | | | | | | | | |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[5] Expenses not yet available.

JOHN A. BOEHNER, Chairman, Feb. 23, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Hon. Ed Whitfield | 11/3 | 11/7 | Turkey | | 0.00 | | 671.76 | | 516.00 | | 1,187.76 |
| Hon. Darrell Issa | 11/21 | 11/24 | Czech Republic | | 500.00 | | 6,683.00 | | | | 7,183.00 |
| | 12/1 | 12/4 | Thailand | | 1,137.00 | | 0.00 | | | | 1,137.00 |
| | 12/16 | 12/18 | Austria | | 642.00 | | 0.00 | | | | 642.00 |
| | 12/18 | 12/20 | Ukraine | | 599.50 | | 0.00 | | | | 599.50 |
| | 12/20 | 12/21 | Ireland | | 486.00 | | 0.00 | | | | 486.00 |
| Hon. Joe Barton | 12/11 | 12/15 | Argentina | | 1,149.00 | | 2,661.30 | | | | 3,810.30 |
| Michael Goo | 11/21 | 11/27 | Czech Republic | | 2,160.00 | | 4,911.78 | | | | 7,071.78 |
| Bruce Harris | 11/21 | 11/27 | Czech Republic | | 2,160.00 | | 4,911.78 | | | | 7,071.78 |
| Mark Menezes | 12/11 | 12/16 | Argentina | | 1,540.00 | | 473.45 | | | | 2,013.45 |
| James Barnette | 12/13 | 12/17 | Argentina | | 1,540.00 | | 4,782.00 | | | | 6,322.00 |
| Michael Goo | 12/10 | 12/20 | Argentina | | 2,156.00 | | 1,052.00 | | | | 3,208.00 |
| Chris Knauer | 12/5 | 12/7 | England | | 914.00 | | 813.74 | | | | 1,727.74 |
| | 12/7 | 12/8 | Netherlands | | 417.00 | | | | | | 417.00 |
| | 12/8 | 12/11 | France | | 1,386.00 | | | | 129.74 | | 1,515.74 |
| Margaret Caravelli | 11/20 | 11/27 | Czech Republic | | 2,160.00 | | 5,700.78 | | | | 7,860.78 |
| Kurt Bilas | 11/20 | 11/25 | Czech Republic | | 2,136.00 | | 4,258.57 | | | | 6,394.57 |
| Richard Frandsen | 10/25 | 10/29 | Switzerland | | 2,107.84 | | 920.70 | | | | 3,028.54 |
| Paige Anderson | 11/21 | 11/27 | Czech Republic | | 1,860.00 | | 4,258.57 | | | | 6,118.57 |
| Hon. John Shimkus | 10/12 | 10/13 | Qatar | | 327.00 | | | | | | 327.00 |
| | 10/13 | 10/15 | Iraq | | | | | | | | |
| | 10/15 | 10/16 | Germany | | 264.00 | | | | | | 264.00 |
| Hon. Mike Rogers | 12/16 | 12/16 | Belgium | | | | | | | | |
| | 12/16 | 12/19 | Luxembourg | | 396.00 | | | | | | 396.00 |
| Committee total | | | | | 26,037.34 | | 42,099.43 | | | | 68,136.77 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOE BARTON, Chairman, Mar. 3, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Kenya Bennett | 11/30 | 12/1 | Berlin | | | | | | | | |
| | 12/1 | 12/3 | Amsterdam | | | | | | | | |
| | 12/3 | 12/5 | Warsaw | | | | | | | | |
| | 12/5 | 12/7 | Rome | | | | 5,665.43 | | | | 5,665.43 |
| Hon. F. James Sensenbrenner, Jr. | 12/8 | 12/11 | Canada | | 246.00 | | 1,128.34 | | | | 1,128.34 |
| Philip Kiko | 12/8 | 12/11 | Canada | | 246.00 | | 1,128.34 | | | | 1,128.34 |
| Committee total | | | | | 492.00 | | 7,922.11 | | | | 8,414.11 |

[1] Per diem constitues lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

F. JAMES SENSENBRENNER, JR., Chairman, Feb. 4, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Hon. Bill Pascrell, Jr. | 10/12 | 10/13 | Qatar | | 330.00 | | (3) | | | | 330.00 |
| Hon. Bill Shuster | 10/12 | 10/13 | Qatar | | 330.00 | | (3) | | | | 330.00 |
| Hon. Todd Platts | 10/12 | 10/13 | Qatar | | 330.00 | | (3) | | | | 330.00 |
| Hon. Bill Pascrell, Jr. | 10/13 | 10/13 | Iraq | | | | (3) | | | | |
| Hon. Bill Shuster | 10/13 | 10/13 | Iraq | | | | (3) | | | | |
| Hon. Todd Platts | 10/13 | 10/13 | Iraq | | | | (3) | | | | |
| Hon. Bill Pascrell, Jr. | 10/14 | 10/15 | Germany | | 270.00 | | (3) | | | | 270.00 |
| Hon. Bill Shuster | 10/14 | 10/15 | Germany | | 270.00 | | (3) | | | | 270.00 |
| Hon. Todd Platts | 10/14 | 10/15 | Germany | | 270.00 | | (3) | | | | 270.00 |
| Hon. John Mica | 10/15 | 10/20 | Italy | | 1,962.00 | | 5,585.75 | | | | 7,547.75 |
| Hon. Lincoln Davis | 12/07 | 12/10 | Pakistan | | 777.00 | | | | | | 777.00 |
| Hon. Chris Chocola | 12/07 | 12/10 | Pakistan | | 777.00 | | | | | | 777.00 |
| Hon. Lincoln Davis | 12/11 | 12/12 | Afghanistan | | 90.00 | | | | | | 90.00 |
| Hon. Chris Chocola | 12/11 | 12/12 | Afghanistan | | 90.00 | | | | | | 90.00 |
| Hon. Lincoln Davis | 12/12 | 12/13 | Uzbekistan | | 228.00 | | | | | | 228.00 |
| Hon. Chris Chocola | 12/12 | 12/13 | Uzbekistan | | 228.00 | | 8,086.88 | | | | 8,314.88 |
| Hon. Lincoln Davis | 12/13 | 12/14 | Germany | | 382.00 | | 7,751.32 | | | | 8,133.32 |
| Committee total | | | | | 6,334.00 | | 21,423,95 | | | | 27,757.95 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

DON YOUNG, Chairman, Feb. 16, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2004

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| Hon. Peter Hoekstra | 11/6 | 11/7 | Middle East | | 225.00 | | (3) | | | | |
| | 11/7 | 11/9 | Middle East | | 540.75 | | (3) | | | | |
| | 11/9 | 11/10 | Middle East | | 148.00 | | (3) | | | | |
| | 11/10 | 11/11 | Middle East | | 238.00 | | (3) | | | | |
| | 11/11 | 11/12 | Europe | | 253.00 | | (3) | | | | 1,404.75 |
| Hon. Jo Ann Davis | 11/6 | 11/7 | Middle East | | 225.00 | | (3) | | | | |
| | 11/7 | 11/9 | Middle East | | 540.75 | | (3) | | | | |
| | 11/9 | 11/10 | Middle East | | 148.00 | | (3) | | | | |
| | 11/10 | 11/11 | Middle East | | 238.00 | | (3) | | | | |
| | 11/11 | 11/12 | Europe | | 253.00 | | (3) | | | | 1,404.75 |
| Hon. Mac Thornberry | 11/6 | 11/7 | Middle East | | 225.00 | | (3) | | | | |
| | 11/7 | 11/9 | Middle East | | 540.75 | | (3) | | | | |
| | 11/9 | 11/10 | Middle East | | 148.00 | | (3) | | | | |
| | 11/10 | 11/11 | Middle East | | 238.00 | | (3) | | | | |
| | 11/11 | 11/12 | Europe | | 253.00 | | (3) | | | | 1,404.75 |
| Hon. Leonard Boswell | 11/6 | 11/7 | Middle East | | 225.00 | | (3) | | | | |
| | 11/7 | 11/9 | Middle East | | 540.75 | | (3) | | | | |
| | 11/9 | 11/10 | Middle East | | 148.00 | | (3) | | | | |
| | 11/10 | 11/11 | Middle East | | 238.00 | | (3) | | | | |
| | 11/11 | 11/12 | Europe | | 253.00 | | (3) | | | | 1,404.75 |
| Hon. C.A. Ruppersberger | 11/6 | 11/7 | Middle East | | 225.00 | | (3) | | | | |
| | 11/7 | 11/9 | Middle East | | 540.75 | | (3) | | | | |
| | 11/9 | 11/10 | Middle East | | 148.00 | | (3) | | | | |
| | 11/10 | 11/11 | Middle East | | 238.00 | | (3) | | | | |
| | 11/11 | 11/12 | Europe | | 253.00 | | (3) | | | | 1,404.75 |
| Hon. Jane Harman | 11/6 | 11/7 | Middle East | | 225.00 | | (3) | | | | |
| | 11/7 | 11/9 | Middle East | | 540.75 | | (3) | | | | |
| | 11/9 | 11/10 | Middle East | | 148.00 | | (3) | | | | |
| | 11/10 | 11/12 | Middle East | | 628.00 | | (3) | | | | 5,886.29 |
| Commercial aircraft transportation | | | | | | | 4,344.54 | | | | |
| Kevin Schmidt | 11/6 | 11/7 | Middle East | | 225.00 | | (3) | | | | |
| | 11/7 | 11/9 | Middle East | | 540.75 | | (3) | | | | |
| | 11/9 | 11/10 | Middle East | | 148.00 | | (3) | | | | |
| | 11/10 | 11/11 | Middle East | | 238.00 | | (3) | | | | |
| | 11/11 | 11/12 | Europe | | 253.00 | | (3) | | | | 1,404.75 |
| Kathleen Reilly | 11/6 | 11/7 | Middle East | | 225.00 | | (3) | | | | |
| | 11/7 | 11/9 | Middle East | | 540.75 | | (3) | | | | |
| | 11/9 | 11/10 | Middle East | | 148.00 | | (3) | | | | |
| | 11/10 | 11/11 | Middle East | | 238.00 | | (3) | | | | |
| | 11/11 | 11/12 | Europe | | 253.00 | | (3) | | | | 1,404.75 |
| Marcel Lettre | 11/6 | 11/7 | Middle East | | 225.00 | | (3) | | | | |
| | 11/7 | 11/9 | Middle East | | 540.75 | | (3) | | | | |
| | 11/9 | 11/10 | Middle East | | 148.00 | | (3) | | | | |
| | 11/10 | 11/11 | Middle East | | 238.00 | | (3) | | | | |
| | 11/11 | 11/12 | Europe | | 253.00 | | (3) | | | | 1,404.75 |
| John Keefe | 11/6 | 11/7 | Middle East | | 225.00 | | (3) | | | | |
| | 11/7 | 11/9 | Middle East | | 540.75 | | (3) | | | | |

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2004—Continued

| Name of Member or employee | Date | | Country | Per diem [1] | | Transportation | | Other purposes | | Total | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Arrival | Departure | | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] | Foreign currency | U.S. dollar equivalent or U.S. currency [2] |
| | 11/9 | 11/10 | Middle East | | 148.00 | | (3) | | | | |
| | 11/10 | 11/12 | Middle East | | 628.00 | | (3) | | | | 5,886.29 |
| Commercial aircraft transportation | | | | | | | 4,344.54 | | | | |
| Wyndee Parker | 12/8 | 12/10 | North Africa | | 326.00 | | | | | | |
| | 12/10 | 12/11 | North Africa | | 182.00 | | | | | | |
| | 12/11 | 12/12 | North Africa | | 214.00 | | | | | | |
| | 12/12 | 12/15 | North Africa | | 1,530.00 | | | | | | |
| Commercial aircraft transportation | | | | | | | 6,023.21 | | | | 8,275.21 |
| Hon. Peter Hoekstra | 12/12 | 12/15 | Europe | | 294.75 | | | | | | |
| Commercial aircraft transportation | | | | | | | 6,838.31 | | | | 7,133.06 |
| Michael Merrmans | 12/12 | 12/15 | Europe | | 294.75 | | | | | | |
| Commercial aircraft transportation | | | | | | | 6,155.81 | | | | 6,450.56 |
| Michael Ennis | 12/12 | 12/15 | Europe | | 294.75 | | | | | | |
| Commercial aircraft transportation | | | | | | | 6,155.81 | | | | 6,450.56 |
| Kevin Schmidt | 12/12 | 12/14 | South America | | 566.00 | | | | | | |
| | 12/14 | 12/16 | South America | | 450.00 | | | | | | |
| Commercial aircraft transportation | | | | | | | 3,038.04 | | | | 4,054.04 |
| David Barth | 12/12 | 12/14 | South America | | 566.00 | | | | | | |
| | 12/14 | 12/16 | South America | | 450.00 | | | | | | |
| Commercial aircraft transportation | | | | | | | 2,538.04 | | | | 3,554.04 |
| Robert Myhill | 12/12 | 12/14 | South America | | 566.00 | | | | | | |
| | 12/14 | 12/16 | South America | | 450.00 | | | | | | |
| Commercial aircraft transportation | | | | | | | 3,143.04 | | | | 4,159.04 |
| Hon. Bud Cramer | 12/27 | 12/29 | Europe | | 676.00 | | | | | | |
| | 12/29 | 12/30 | Europe | | 242.00 | | | | | | |
| | 12/30 | 01/3 | Europe | | 1,428.00 | | | | | | |
| Commercial aircraft transportation | | | | | | | 6,568.56 | | | | 8,914.56 |
| Committee totals | | | | | 5,394.00 | | 15,287.68 | | | | 7,2001.65 |

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

PETER HOEKSTRA, Chairman.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1227. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Fenbuconazole; Time-Limited Pesticide Tolerance [OPP-2004-0410; FRL-7699-2] received March 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1228. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Clofentezine; Pesticide Tolerance [OPP-2005-0022; FRL-7699-8] received March 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1229. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Captain Dan W. Davenport, United States Navy, to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

1230. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received February 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1231. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received February 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1232. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received February 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1233. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Kern County Air Pollution Control District [CA 311-0471a; FRL-7878-3] received March 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1234. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Idaho: Incorporation by Reference of Approved State Hazardous Waste Management Program [FRL-7877-4] received March 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1235. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plan for Designated Facilities and Pollutants; Nashville, Tennessee [R04-OAR-2004-TN- 0003-200428(a); FRL-7881-7] received March 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1236. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants, Commonwealth of Pennsylvania; Delegation of Authority [R03-OAR-2005-PA-0001; FRL-7880-4] received March 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1237. 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; Arizona [AZ104-0083; FRL-7875-2] received March 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1238. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Revised Format for Materials Being Incorporated by Reference for South Dakota [R08-OAR-2005-SD-0001; FRL-7878-6] received March 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1239. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Redesignation of the City Weirton Including the Clay and Butler Magisterial Districts SO2 Nonattainment Area and Approval of the Maintenance Plan; Correction [R03-OAR-2004-WV-0002; FRL-7882-4] received March 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1240. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Notice of Availability of Class Deviation; Assistance Agreement Competition-Related Disputes Resolution Procedures [FRL-7863-3] received January 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1241. 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: Washington; Yakima PM-10 Nonattainment Area Limited Maintenance Plan [WA-04-006; FRL-7866-4] received January 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1242. 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: Washington; Yakima County Nonattainment

Area Boundary Revision [WA-04-005; FRL-7866-3] received January 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1243. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1244. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting pursuant to the Taiwan Relations Act, agreements concluded within the last sixty days, pursuant to 22 U.S.C. 3311(a); to the Committee on International Relations.

1245. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Performance and Accountability Report for FY 2004, as required by the Government Performance and Results Act and the Accountability of Tax Dollars Act of 2002; to the Committee on Government Reform.

1246. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1247. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1248. A letter from the Chairman, Federal Maritime Commission, transmitting in accordance with OMB Circular No. A-11, Part 2, the Final Annual Performance Plan for FY 2006; to the Committee on Government Reform.

1249. A letter from the Executive Director, National Council on Disability, transmitting the Council's Annual Performance Report to the President and Congress Fiscal Year 2003, as required by the Government Performance and Results Act, pursuant to 31 U.S.C. 1116; to the Committee on Government Reform.

1250. A letter from the Chairman, Tennessee Valley Authority, transmitting the report in compliance with the Government in the Sunshine Act for Calendar Year 2004, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

1251. A letter from the Director, National Oceanic and Atmospheric Administration, transmitting the 2004 report on the Apportionment of Membership on the Regional Fishery Management Councils pursuant to section 302 (b)(2)(B) of the Magnuson-Stevens Fishery Conservation and Management Act; to the Committee on Resources.

1252. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a copy of a report required by Section 202(a)(1)(C) of Pub. L. 107-273, the ''21st Century Department of Justice Appropriations Authorization Act,'' related to certain settlements and injunctive relief; to the Committee on the Judiciary.

1253. A letter from the Administrator, FAA, Department of Transportation, transmitting the Capital Investment Plan (CIP) for fiscal years 2006-2010, pursuant to 49 U.S.C. app. 2203(b)(1); to the Committee on Transportation and Infrastructure.

1254. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River Mile 838.9 to Mile 830.0, Caruthersville, AR [COTP Memphis-04-003] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1255. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Wolf River Chute, Mile 1.0 to Mile 3.0, Memphis, TN [COTP Memphis-04-004] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1256. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; McCellan-Kerr Arkansas River Mile 0.0 to 1.0, Benzal, AR [COTP Memphis-04-005] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1257. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; McCellan-Kerr Arkansas River Mile 118.8 to 119.5, North Little Rock, AR [COTP Memphis-04-007] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1258. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; McCellan-Kerr Arkansas River Mile 118.0 to 118.5, Little Rock, AR [COTP Memphis 04-008] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1259. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; West Point, Yorktown, VA. [CGD05-04-187] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1260. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Spa Creek, Annapolis, MD [CGD05-04-192] (RIN: 1625-AA08) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1261. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks Display, Ferry Bar Channel, Baltimore Harbor, MD. [CGD05-04-194] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1262. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Delaware River, Phildelphia, PA and Camden, NJ [CGD05-04-195] (RIN: 1625-AA08) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1263. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Emergency Safety Zone; Thimble Shoal Channel, Virginia Beach, VA [CGD05-04-205] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1264. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Elizabeth River, Norfolk, Virginia [CGD05-04-213] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1265. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Elizabeth River, Portsmouth, Virginia [CGD05-04-222] (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1266. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Great American Duck Derby, Intracoastal Waterway, Delray Beach, Florida. [CGD07-04-119] (RIN: 1625-AA08) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1267. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; World Championship Super Boat Race, Deerfield Beach, Florida [CGD07-04-121] (RIN: 1625-AA08) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1268. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; 2004 Holiday Boat Parade of the Palm Beaches, Riviera Beach, Florida. [CGD07-04-141] (RIN: 1625-AA08) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1269. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations: 2004 Boca Raton Holiday Boat Parade, Riviera Beach, FL. [CGD07-04-142] (RIN: 1625-AA08) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1270. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations, Holiday Parade of Boats; Charleston, SC. [CGD07-04-144] (RIN: 1625-AA08) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1271. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Port Arkansas Channel — Tule Lake, TX [CGD08-05-011] received March 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1272. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gippsland Aeronautics Pty. Ltd. Model GA8 Airplanes [Docket No. FAA-2004-19442; Directorate Identifier 2004-CE-31-AD; Amendment 39-13956; AD 2005-01-11] (RIN: 2120-AA64) received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1273. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211 Series Turbofan Engines [Docket No. 2000-NE-13-AD; Amendment 39-13950; AD 2005-02-05] (RIN: 2120-AA64) received March 8, 2005,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1274. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney JT8D-209, -217, -217A, -217C, and -219 Series Turbofan Engines [Docket No. 98-ANE-80-AD; Amendment 39-13948; AD 2005-02-03] (RIN: 2120-AA64) received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1275. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasiliera de Aeronautica S.A. (EMBRAER) Model EMB-135BJ Series Airplanes [Docket No. FAA-2004-19526; Directorate Identifier 2004-NM-140-AD; Amendment 39-13952; AD 2005-02-07] (RIN: 2120-AA64) received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1276. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model MD-11 and MD-11F Airplanes Equipped with Pratt & Whitney PW4000 Series Engines [Docket No. FAA-2004-19449; Directorate Identifier 2004-NM-07-AD; Amendment 39-13951; AD 2005-02-06] (RIN: 2120-AA64) received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1277. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Series Airplanes Equipped With Rolls Royce Model RB211 Engines [Docket No. 2003-NM-252-AD; Amendment 39-13955; AD 2005-02-10] (RIN: 2120-AA64) received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1278. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model MD-11 and MD-11F Airplanes [Docket No. FAA-2004-19262; Directorate Identifier 2004-NM-54-AD; Amendment 39-13953; AD 2005-02-08] (RIN: 2120-AA64) received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1279. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2000-NM-70-AD; Amendment 39-13954; AD 2005-02-09] (RIN: 2120-AA64) received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1280. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200, -300, and -300F Series Airplanes [Docket No. FAA-2004-19201; Directorate Identifier 2003-NM-100-AD; Amendment 39-13959; AD 2005-03-03] (RIN: 2120-AA64) received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1281. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2001-NM-279-AD; Amendment 39-13957; AD 2005-03-01] (RIN: 2120-AA64) received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1282. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes; and Model 757-200 and -200CB Series Airplanes [Docket No. 2003-NM-221-AD; Amendment 39-13958; AD 2005-03-02] (RIN: 2120-AA64) received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1283. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Corporation, Ltd. Model 750XL Airplanes [Docket No. FAA-2004-19444; Directorate Identifier 2004-CE-33-AD; Amendment 39-13960; AD 2005-03-04] (RIN: 2120-AA64) received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1284. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Transportation Equipment Cleaning Point Source Category [OW-2004-11; FRL-7866-7] (RIN: 2040-AE65) received January 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1285. A letter from the Vice President for Government Affairs, National Railroad Passenger Corporation, transmitting notice that Amtrak fully intends to comply with its legal requirement and will submit its FY06 Legislative and Grant Request shortly, pursuant to 49 U.S.C. 24315(a)(1); 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. GINGREY: Committee on Rules. House Resolution 162. Resolution providing for consideration of the bill (H.R. 1334) to amend title 28, United States Code, to provide for the removal to Federal court of certain State court cases involving the rights of incapacitated persons, and for other purposes (Rept. 109–20). Referred to the House Calendar.

Mr. GINGREY: Committee on Rules. House Resolution 163. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 109–21). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Mr. SIMMONS):

H.R. 1329. A bill to amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act; to the Committee on Resources.

By Mr. SALAZAR:

H.R. 1330. A bill to provide that Social Security contributions are used to protect Social Security solvency by mandating that Trust Fund monies cannot be diverted to create private accounts; to the Committee on Ways and Means.

By Mr. WELLER (for himself and Mr. RANGEL):

H.R. 1331. A bill to provide for a fair and equitable resolution of claims relating to the work opportunity credit; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself, Mr. WELDON of Florida, Mr. DELAY, Mr. CHABOT, Mr. FEENEY, Mr. JENKINS, Mr. CANNON, Mr. KING of Iowa, Mr. BACHUS, Mr. FRANKS of Arizona, Mr. HOSTETTLER, Mr. KELLER, Mr. DANIEL E. LUNGREN of California, and Mr. PENCE):

H.R. 1332. A bill to amend title 28, United States Code, to provide for the removal to Federal court of certain State court cases involving the rights of incapacitated persons, and for other purposes; to the Committee on the Judiciary. considered and passed.

By Ms. HART (for herself, Mr. POMEROY, Mr. BISHOP of Utah, Mr. PLATTS, Mr. SHIMKUS, Mr. MCCOTTER, Mr. ROHRABACHER, Mr. SHUSTER, Mr. NORWOOD, Mr. PAUL, Mr. GARY G. MILLER of California, Mr. BOEHNER, Mr. GERLACH, Mr. YOUNG of Alaska, Mr. ETHERIDGE, Mr. WU, Mr. ROSS, Mr. DICKS, Mr. FORD, Mrs. JO ANN DAVIS of Virginia, Mr. GRIJALVA, Mr. FARR, Mr. KILDEE, Mr. TOWNS, Mr. COOPER, Mr. HINCHEY, Mr. JEFFERSON, Mr. MCNULTY, Ms. ROS-LEHTINEN, Mr. WEINER, Mr. TURNER, Mr. WILSON of South Carolina, Mr. ROGERS of Kentucky, Mr. ALEXANDER, Ms. WOOLSEY, Mr. MARIO DIAZ-BALART of Florida, Ms. KILPATRICK of Michigan, Mr. SOUDER, Mr. BRADLEY of New Hampshire, Mr. LINCOLN DIAZ-BALART of Florida, Mr. ROGERS of Alabama, Mr. LANGEVIN, Mr. HOSTETTLER, Mr. MILLER of North Carolina, Mr. GENE GREEN of Texas, Mr. SCHIFF, Mr. BECERRA, and Mr. PITTS):

H.R. 1333. A bill to amend title XVIII of the Social Security Act to authorize physical therapists to evaluate and treat Medicare beneficiaries without a requirement for a physician referral, and for other purposes; 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. SENSENBRENNER (for himself, Mr. WELDON of Florida, Mr. DELAY, Mr. CHABOT, Mr. FEENEY, Mr. JENKINS, Mr. CANNON, Mr. KING of Iowa, Mr. BACHUS, Mr. FRANKS of Arizona, Mr. HOSTETTLER, Mr. KELLER, Mr. DANIEL E. LUNGREN of California, and Mr. PENCE):

H.R. 1334. A bill to amend title 28, United States Code, to provide for the removal to Federal court of certain State court cases involving the rights of incapacitated persons, and for other purposes; to the Committee on the Judiciary.

By Mr. BURTON of Indiana (for himself and Mr. RAMSTAD):

H.R. 1335. A bill to amend title 5, United States Code, to increase the mandatory retirement age for members of the Capitol Police from 57 to 60 years of age; to the Committee on House Administration, and in addition to the Committee on Government Reform, 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. CUNNINGHAM:

H.R. 1336. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the classification of laser light sources for semiconductor manufacturing; to the Committee on Ways and Means.

By Mrs. JO ANN DAVIS of Virginia (for herself, Mr. SULLIVAN, Mr. SOUDER, Mr. HAYES, Mr. FITZPATRICK of Pennsylvania, Mr. HERGER, Mr. AKIN, Mr. BONILLA, Mr. SMITH of New Jersey, Mr. WHITFIELD, Mr. KUHL of New York, Mr. MCHENRY, Mr. PEARCE, Mr. DUNCAN, Mr. WILSON of South Carolina, Mr. FOSSELLA, Mr. JONES of North Carolina, Mr. WESTMORELAND, Mr. GARRETT of New Jersey, Mr. KLINE, Mr. MCCAUL of Texas, Mr. ISSA, Mr. WICKER, Mr. CASE, Mr. SHAW, Mr. BARTLETT of Maryland, Mr. CANNON, Mr. ISTOOK, Mr. KENNEDY of Minnesota, Mr. GUTKNECHT, Mr. LIPINSKI, Mr. MCINTYRE, Mr. CHOCOLA, Mr. FORBES, and Mr. BOYD):

H.R. 1337. A bill to support certain national youth organizations, including the Boy Scouts of America, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. CROWLEY, Mr. JEFFERSON, Mr. PALLONE, Mr. BRADLEY of New Hampshire, Mr. LARSON of Connecticut, Ms. LEE, Ms. SLAUGHTER, Mr. CONYERS, Mr. GENE GREEN of Texas, Mr. WEXLER, Mr. MICHAUD, Mr. MORAN of Virginia, Mr. ISRAEL, Mr. MCDERMOTT, Mr. FARR, Mr. WAXMAN, Mr. STRICKLAND, Mrs. JONES of Ohio, Mr. LANTOS, Mr. JACKSON of Illinois, and Mr. GONZALEZ):

H.R. 1338. A bill to amend the Higher Education Act of 1965 to permit refinancing of student consolidation loans, increase Pell Grant maximum awards, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. EMERSON:

H.R. 1339. A bill to amend the Trade Sanctions Reform and Export Enhancement Act of 2000 to clarify allowable payment terms for sales of agricultural commodities and products to Cuba; to the Committee on Financial Services, and in addition to the Committees on International Relations, and Agriculture, 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. EVANS:

H.R. 1340. A bill to amend title 38, United States Code, to increase the reporting fee payable by the Secretary of Veterans Affairs to educational institutions for reports or certifications which such educational institutions are required by law or regulation to submit to the Secretary; to the Committee on Veterans' Affairs.

By Mr. FATTAH:

H.R. 1341. A bill to require each State to provide a minimum level of access to health care to all citizens of such State as a condition for participation in Federal health care funding programs; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and 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. GARRETT of New Jersey (for himself and Mr. LOBIONDO):

H.R. 1342. A bill to designate the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the ''Brian P. Parrello Post Office Building''; to the Committee on Government Reform.

By Ms. HERSETH (for herself, Mr. ROSS, Mr. FORD, Mr. SANDERS, Mr. PAYNE, Mr. MCDERMOTT, and Mr. HASTINGS of Florida):

H.R. 1343. A bill to require reimbursement for non-TRICARE health insurance premiums paid by certain members of reserve components during the period the members were not eligible for TRICARE coverage; to the Committee on Armed Services.

By Mrs. JOHNSON of Connecticut (for herself, Mr. LARSON of Connecticut, Mr. SIMMONS, Ms. DELAURO, and Mr. SHAYS):

H.R. 1344. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Resources.

By Mrs. JOHNSON of Connecticut (for herself, Mr. RAMSTAD, Mr. LEWIS of Kentucky, and Mr. HAYWORTH):

H.R. 1345. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Ways and Means.

By Mr. LARSON of Connecticut (for himself, Mr. ABERCROMBIE, Mr. CASE, Mr. DELAHUNT, Ms. DELAURO, Mr. GREEN of Wisconsin, Mr. GRIJALVA, Ms. JACKSON-LEE of Texas, Mr. MCCOTTER, Ms. NORTON, and Mr. PALLONE):

H.R. 1346. A bill to amend title 38, United States Code, to provide for a more equitable geographic allocation of funds appropriated to the Department of Veterans Affairs for medical care; to the Committee on Veterans' Affairs.

By Mr. MORAN of Virginia (for himself, Ms. NORTON, and Mr. TOM DAVIS of Virginia):

H.R. 1347. A bill to provide funding for projects to reduce traffic congestion and improve travel options in the metropolitan Washington region; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 1348. A bill to provide for nuclear disarmament and economic conversion in accordance with District of Columbia Initiative Measure Number 37 of 1992; to the Committee on Armed Services, and in addition to the Committee on 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 Mr. OBERSTAR (for himself and Ms. NORTON):

H.R. 1349. A bill to amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely distressed regions in the Nation; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON of Minnesota:

H.R. 1350. A bill to eliminate the safe-harbor exception for certain packaged pseudoephedrine products used in the manufacture of methamphetamine; to the Committee on Energy and Commerce, 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. POMEROY (for himself, Mr. OSBORNE, Mr. GREEN of Wisconsin, Mr. ANDREWS, Mr. BOEHLERT, Mr. OBERSTAR, Mr. BOSWELL, Ms. HERSETH, Mr. MOORE of Kansas, and Mr. UDALL of Colorado):

H.R. 1351. A bill to amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make their land available for public access under programs administered by States and tribal governments, and for other purposes; to the Committee on Agriculture.

By Ms. SCHWARTZ of Pennsylvania (for herself and Mr. SCHWARZ of Michigan):

H.R. 1352. A bill to amend the Internal Revenue Code of 1986 to allow employers to claim a work opportunity credit for hiring military service personnel returning from service in Iraq or Afghanistan and for hiring their dependents and dependents of deceased personnel; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself, Mr. SESSIONS, and Mr. HOSTETTLER):

H.R. 1353. A bill to amend the Public Health Service Act to increase the provision of scientifically sound information and support services to patients receiving a positive test diagnosis for Down syndrome or other prenatally diagnosed conditions; to the Committee on Energy and Commerce.

By Mr. SIMMONS (for himself, Mrs. JOHNSON of Connecticut, Mr. SHAYS, Ms. DELAURO, and Mr. LARSON of Connecticut):

H.R. 1354. A bill to provide uniform criteria for the administrative acknowledgment and recognition of Indian tribes, and for other purposes; to the Committee on Resources.

By Mr. POE (for himself, Mr. FOLEY, Mr. MCCAUL of Texas, Mr. FRANKS of Arizona, Mr. GENE GREEN of Texas, Mr. WILSON of South Carolina, Mr. DENT, Mr. ALEXANDER, Mr. CULBERSON, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. BRADY of Texas, Mr. GINGREY, Mr. MILLER of Florida, Mr. CANTOR, Mr. WAMP, Mr. ADERHOLT, Mr. HOSTETTLER, Mr. COLE of Oklahoma, Mr. WESTMORELAND, and Mr. BARTLETT of Maryland):

H.R. 1355. A bill to improve the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program by providing new protections for children, and for other purposes; to the Committee on the Judiciary.

By Mr. KOLBE (for himself and Mr. OBERSTAR):

H. Con. Res. 100. Concurrent resolution expressing the sense of Congress that the United States should establish an international education policy to foster mutual understanding among nations, promote a world free of terrorism, further United States foreign policy and national security, enhance United States leadership in the world, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCCOLLUM of Minnesota (for herself and Mr. BLUMENAUER):

H. Con. Res. 101. Concurrent resolution calling upon the President to order an immediate moratorium on the rendition of persons to Syria and all countries that routinely use torture as reported by the Department of State's 2004 Country Reports on Human Rights Practices, and for other purposes; to the Committee on International Relations.

By Mr. SMITH of New Jersey (for himself and Mr. CARDIN):

H. Con. Res. 102. Concurrent resolution urging the appropriate representative of the United States to the 61st session of the United Nations Commission on Human Rights to introduce a resolution calling upon the Government of the Republic of Belarus to cease its human rights violations, and for other purposes; to the Committee on International Relations.

By Mr. NEY (for himself and Ms. MILLENDER-MCDONALD):

H. Res. 159. A resolution providing amounts for the expenses of the Committee on House Administration in the One Hundred Ninth Congress; to the Committee on House Administration.

By Mr. CONYERS (for himself and Mr. PITTS):

H. Res. 160. A resolution condemning the conduct of Chief Minister Narendra Modi for his actions to incite religious persecution and urging the United States to condemn all violations of religious freedom in India; to the Committee on International Relations.

By Mr. MENENDEZ:

H. Res. 161. A resolution electing a certain Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. DAVIS of Illinois:

H. Res. 164. A resolution expressing the sense of the House of Representatives that there should be established a National School-Based Health Centers Month to raise awareness of health services provided by school health centers; to the Committee on Government Reform.

By Mr. HASTINGS of Washington:

H. Res. 165. A resolution providing amounts for the expenses of the Committee on Standards of Official Conduct in the One Hundred Ninth Congress; to the Committee on House Administration.

By Mr. MENENDEZ (for himself, Mrs. MALONEY, and Mr. BILIRAKIS):

H. Res. 166. A resolution urging Turkey to respect the rights and religious freedoms of the Ecumenical Patriarch; to the Committee on International Relations.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. REHBERG, Mr. TOM DAVIS of Virginia, Mr. SMITH of Washington, and Mr. KLINE.

H.R. 20: Mr. WATT.

H.R. 21: Mr. EVANS, Mr. NEAL of Massachusetts, Mr. SERRANO, Ms. WATSON, Mr. KLINE, Mr. SOUDER, Mr. LANTOS, Mr. KIND, and Mr. DAVIS of Florida.

H.R. 22: Mr. SCHIFF.

H.R. 32: Mr. PETERSON of Minnesota and Mr. GOHMERT.

H.R. 37: Mrs. MUSGRAVE.

H.R. 68: Mr. PORTER.

H.R. 97: Mr. CARTER.

H.R. 110: Mr. CUMMINGS.

H.R. 115: Mr. RUPPERSBERGER.

H.R. 127: Mr. KUCINICH, Mr. KENNEDY of Rhode Island, and Mr. SANDERS.

H.R. 136: Mr. ALEXANDER.

H.R. 139: Mrs. MCCARTHY.

H.R. 180: Mr. NORWOOD.

H.R. 213: Ms. WATERS and Ms. BALDWIN.

H.R. 215: Mr. CUMMINGS and Mr. CRAMER.

H.R. 216: Mr. KENNEDY of Minnesota, Mr. MELANCON, Mr. BAKER, Mr. SHIMKUS, and Mr. MCCAUL of Texas.

H.R. 222: Mr. MILLER of Florida.

H.R. 269: Mr. GORDON.

H.R. 280: Mr. MCHUGH.

H.R. 282: Mr. POMBO, Mr. GENE GREEN of Texas, Mr. KUHL of New York, Mr. HERGER, Mr. MELANCON, Ms. GINNY BROWN-WAITE of Florida, Mr. VAN HOLLEN, and Mr. ALEXANDER.

H.R. 303: Mr. CRAMER, Mr. BROWN of Ohio, Ms. SLAUGHTER, and Mr. GONZALEZ.

H.R. 314: Mr. CLAY.

H.R. 328: Mr. KILDEE, Mr. WAMP, Mr. SNYDER, Ms. KAPTUR, and Ms. SCHWARTZ of Pennsylvania.

H.R. 333: Mr. SANDERS and Ms. WASSERMAN SCHULTZ.

H.R. 341: Mr. SHAYS.

H.R. 358: Mr. OBEY.

H.R. 366: Mr. UPTON, Mr. FORTUÑO, Mr. SHIMKUS, Mr. ENGLISH of Pennsylvania, and Mr. BROWN of South Carolina.

H.R. 373: Mr. MOLLOHAN and Mr. PASCRELL.

H.R. 376: Mr. LEWIS of Georgia.

H.R. 421: Mr. MCDERMOTT and Mr. RUSH.

H.R. 480: Mr. RUPPERSBERGER.

H.R. 496: Mr. HINCHEY and Mr. KUCINICH.

H.R. 500: Mr. MARCHANT, Mr. BONNER, Mr. BROWN of South Carolina, Mr. CANTOR, Mr. HENSARLING, Mr. GALLEGLY, and Mrs. BLACKBURN.

H.R. 515: Mr. HIGGINS and Mr. BUTTERFIELD.

H.R. 525: Mr. SULLIVAN, Mr. REHBERG, and Mr. HOBSON.

H.R. 535: Mr. SNYDER and Ms. SCHWARTZ of Pennsylvania.

H.R. 551: Mr. MEEKS of New York, Mr. FARR, Mr. HINCHEY, Mr. GUTIERREZ, Mr. PAUL, Mr. RUSH, Mrs. JONES of Ohio, Mr. GENE GREEN of Texas, Mr. MCGOVERN, and Mr. OBERSTAR.

H.R. 554: Mr. GINGREY.

H.R. 562: Mr. MCCOTTER.

H.R. 583: Mr. GUTIERREZ and Mrs. WILSON of New Mexico.

H.R. 594: Mr. MEEKS of New York.

H.R. 602: Mr. HASTINGS of Florida, Mr. GOODE, and Mr. HONDA.

H.R. 668: Mr. CUMMINGS.

H.R. 669: Mr. SAXTON, Mrs. DAVIS of California, Mr. BOREN, and Mr. HOLT.

H.R. 691: Mr. GILCHREST.

H.R. 700: Ms. GINNY BROWN-WAITE of Florida.

H.R. 731: Mr. DEFAZIO.

H.R. 739: Mr. BOUSTANY.

H.R. 740: Mr. BOUSTANY.

H.R. 741: Mr. BOUSTANY.

H.R. 742: Mr. BOUSTANY.

H.R. 759: Mr. NADLER.

H.R. 766: Mr. MILLER of Florida, Mr. GREEN of Wisconsin, Mr. WELDON of Florida, Mr. HALL, and Mrs. MUSGRAVE.

H.R. 769: Ms. CORRINE BROWN of Florida and Mr. MCCOTTER.

H.R. 772: Mr. HASTINGS of Florida and Mr. BOUCHER.

H.R. 788: Mr. SANDERS, Mr. STRICKLAND, and Mrs. CHRISTENSEN.

H.R. 792: Mr. KUCINICH and Mr. LEWIS of Georgia.

H.R. 793: Mr. BOUSTANY and Mr. WALSH.

H.R. 800: Mr. BUYER, Mr. DANIEL E. LUNGREN of California, Mr. CHABOT, Mr. GUTKNECHT, Mrs. EMERSON, Miss MCMORRIS, Mrs. DRAKE, Mr. DEAL of Georgia, Mr. GALLEGLY, Mr. TIAHRT, Mr. CARDOZA, Mr. CUELLAR, Mr. BACHUS, Mr. CHANDLER, Mr. RYAN of Ohio, Mr. FEENEY, and Mr. DAVIS of Alabama.

H.R. 810: Mr. MATSUI, Mr. HASTINGS of Florida, and Ms. WASSERMAN SCHULTZ.

H.R. 839: Mr. FRANK of Massachusetts, Mr. SHERMAN, Mr. BROWN of Ohio, Mr. FARR, and Mr. COSTELLO.

H.R. 859: Mr. GRAVES and Mr. PRICE of North Carolina.

H.R. 867: Mr. MORAN of Virginia.

H.R. 877: Mr. SIMMONS and Mr. COSTELLO.

H.R. 908: Mr. SOUDER.

H.R. 913: Mr. GOODLATTE and Ms. JACKSON-LEE of Texas.

H.R. 916: Mr. LANGEVIN, Mr. TOWNS, Ms. KAPTUR, Mr. GARY G. MILLER of California, Mr. BARRETT of South Carolina, Mr. WOLF, Mr. ENGEL, Mr. GORDON, Mr. GENE GREEN of Texas, Mr. WAMP, Mr. SHAW, Mr. STARK, Mr. LATOURETTE, Mr. VAN HOLLEN, Mr. TIERNEY, Mr. RUPPERSBERGER, Mrs. MCCARTHY, Mr. FOLEY, and Mr. MCNULTY.

H.R. 923: Mr. GORDON and Mr. RANGEL.

H.R. 934: Mr. DEFAZIO, Mr. PALLONE, Mr. PASTOR, and Mr. EMANUEL.

H.R. 952: Mr. DELAHUNT.

H.R. 983: Mr. MCNULTY, Mr. DEFAZIO, and Mr. CLAY.

H.R. 985: Ms. SCHWARTZ of Pennsylvania, Mr. RUPPERSBERGER, Mr. JONES of North Carolina, Mr. GUTKNECHT, Mrs. LOWEY, Mr. STRICKLAND, and Mr. SHERWOOD.

H.R. 987: Ms. BORDALLO and Mr. HASTINGS of Florida.

H.R. 998: Mr. BOOZMAN, Mr. LEACH, Mr. BONNER, Mr. ABERCROMBIE, Ms. HERSETH, and Mr. GONZALEZ.

H.R. 1001: Mr. CUELLAR.

H.R. 1048: Mr. MILLER of North Carolina, Mr. SCOTT of Georgia, Ms. HOOLEY, and Mrs. CAPPS.

H.R. 1059: Mr. GUTIERREZ.

H.R. 1073: Mr. BOUSTANY.

H.R. 1074: Mr. BOUSTANY.

H.R. 1075: Mr. BOUSTANY.

H.R. 1078: Mr. BROWN of Ohio.

H.R. 1088: Mr. FORTUÑO, Mrs. EMERSON, and Mr. GORDON.

H.R. 1105: Mr. BUTTERFIELD.

H.R. 1125: Mr. MCDERMOTT.

H.R. 1130: Mr. SERRANO, Mr. SANDERS, Mr. GEORGE MILLER of California, Mr. PAYNE, Mrs. JONES of Ohio, Mr. BLUMENAUER, Mr. GRIJALVA, Ms. KAPTUR, Mrs. CHRISTENSEN, Ms. CARSON, Mr. DAVIS of Alabama, Mr. RUSH, Mr. JACKSON of Illinois, Ms. MCCOLLUM of Minnesota, Mr. OWENS, Mr. KUCINICH, and Mr. RANGEL.

H.R. 1185: Mr. CROWLEY and Mr. MEEKS of New York.

H.R. 1204: Mr. RAHALL, Mrs. JOHNSON of Connecticut, Mr. CLEAVER, Mr. LEWIS of Georgia, Mr. HASTINGS of Florida, Mr. WALSH, Ms. BALDWIN, Ms. WOOLSEY, Mr. UDALL of Colorado, Mr. LOBIONDO, Ms. WATERS, and Mr. TANNER.

H.R. 1216: Mr. STRICKLAND.

H.R. 1217: Ms. ESHOO, Mr. ANDREWS, Mr. FILNER, Mr. BOUCHER, Mr. HONDA, Mr. FATTAH, Ms. CARSON, Mr. HIGGINS, and Mr. WAXMAN.

H.R. 1218: Mr. KUCINICH and Mr. BOEHLERT.

H.R. 1226: Mr. DAVIS of Alabama.

H.R. 1227: Mr. WALSH, Ms. SCHWARTZ of Pennsylvania, Ms. DEGETTE, Mr. OLVER, and Mr. LEACH.

H.R. 1238: Mr. CARSON.

H.R. 1245: Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. RANGEL, Mr. MARKEY, Mr. SHAW, Mrs. JONES of Ohio, Mr. CHANDLER, Mr. WATSON, and Ms. NORTON.

H.R. 1248: Mr. BOUSTANY.

H.R. 1277: Mr. CAPUANO and Mr. MEEKS of New York.

H.R. 1290: Ms. BORDALLO and Mr. MCDERMOTT.

H.R. 1298: Mr. JEFFERSON and Mr. MCDERMOTT.

H.R. 1305: Mr. BROWN of Ohio.

H. Con. Res. 34: Mr. CLAY, Mr. VAN HOLLEN, and Ms. MILLENDER-MCDONALD.

H. Con. Res. 42: Mr. MCDERMOTT.

H. Con. Res. 65: Mr. PENCE, Mr. BURTON of Indiana, Mr. WILSON of South Carolina, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FORD, Mr. ADERHOLT, Mr. TANCREDO, Mr. GILLMOR, and Mr. BERMAN.

H. Con. Res. 87: Ms. WOOLSEY, Ms. HARMAN, and Mr. CALVERT.

H. Con. Res. 90: Mrs. WILSON of New Mexico and Mr. MCCOTTER.

H. Con. Res. 96: Mr. WYNN, Mrs. CHRISTENSEN, Mr. THOMPSON of Mississippi, Mr. MCDERMOTT, Mrs. MALONEY.

H. Con. Res. 98: Mr. BROWN of Ohio.

H. Res. 67: Mrs. CHRISTENSEN, Ms. ROYBAL-ALLARD, Mr. NADLER, Mr. CONYERS, Mr. BERMAN, Ms. VELÁZQUEZ, Mr. CROWLEY, Mr. MICHAUD, Mr. DOGGETT, Mr. GENE GREEN of Texas, and Mr. HIGGINS.

H. Res. 84: Mr. LEWIS of Kentucky.

H. Res. 90: Mr. CAPUANO and Mr. SANDERS.

H. Res. 142: Mr. GONZALEZ, Ms. SCHWARTZ of Pennsylvania, and Mr. RUPPERSBERGER.

H. Res. 145: Mr. BOOZMAN and Mr. MILLER of Florida.

H. Res. 148: Mr. CAPUANO, Ms. HARRIS, and Mr. LEWIS of Kentucky.

H. Res. 155: Mr. BAIRD.

## 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. 525: Mr. MEEKS of New York.

## PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

10. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 15 of 2005 petitioning the United States Congress to issue a Congressional Gold Medal to Welles Remy Crowther for his bravery and sacrifice in saving dozens of people from certain death on September 11, 2001, resulting in his own death that day; which was referred to the Committee on Financial Services.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, WEDNESDAY, MARCH 16, 2005 No. 32

# Senate

The Senate met at 9 a.m. and was called to order by the Honorable SAM BROWNBACK, a Senator from the State of Kansas.

PRAYER

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

Let us pray.

O God our help, before we begin the challenges of this day, we pause to acknowledge our need of You. We come to You for refuge. We need You to go with us to order our steps. Help us to shape today's priorities in a way that will please You. Go before us to touch the hearts of people we need to influence.

Guide the Members and officers of this body with Your wisdom. Strengthen them, Lord, as they seek to be faithful stewards of the great opportunities You have given them to serve.

O God of love, all the good things we have are from You. Give us the wisdom to slow down long enough to discover Your plan.

All this we ask in Your powerful Name. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable SAM BROWNBACK 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, March 16, 2005.*

*To the Senate:*

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

TED STEVENS,
*President pro tempore.*

Mr. BROWNBACK 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.

## RECOGNITION OF THE MAJORITY LEADER

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

## SCHEDULE

Mr. FRIST. Mr. President, this morning we will begin consideration of the budget resolution. We have an order in place from last night which sets aside specific debate times in relation to several amendments this morning. We will debate an NIH amendment, to be followed by additional debate on the ANWR amendment, to be followed by further debate on two veterans amendments. At the conclusion of those debates, we will vote on the pending Amtrak amendment and the pending ANWR amendment. We also anticipate that we will reach agreement to vote on some of the other previously discussed amendments. Senators could therefore expect a series of votes to begin sometime between 12:30 and 1 o'clock today.

I thank the chairman and ranking member of the Budget Committee for working out a reasonable approach for the consideration of these issues. Once again, we will continue through the afternoon and evening on additional amendments with votes throughout the session.

I yield the floor.

## CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR THE FISCAL YEAR 2006

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. Con. Res. 18, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 18) setting forth the congressional budget for the United States Government for the fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

Pending:

Byrd Amendment No. 158, to provide adequate funding of $1.4 billion in fiscal year 2006 to preserve a national intercity passenger rail system.

Cantwell Amendment No. 168, to strike section 201(a)(4) relative to the Arctic National Wildlife Refuge.

Akaka Amendment No. 149, to increase veterans medical care by $2.8 billion in 2006.

Ensign Amendment No. 171, to increase veterans medical care by $410,000,000 in fiscal year 2006.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from California, Mrs. FEINSTEIN, is recognized for up to 20 minutes.

Mrs. FEINSTEIN. I thank the Chair.

Mr. President, as we all know, this budget cuts a score of critical domestic programs: food for women and infants; community development block grants for cities, which cities use for vital purposes; and health and education programs for children. That is just a few. It cuts Medicaid by $15 billion over 5 years. It zeros out reimbursements to States and counties of the cost of incarcerating criminal aliens. It is an unfunded mandate in that regard. Yet this budget contains $41.3 million for nuclear weapons initiatives including $8.5 million for a nuclear program that scientists say is impossible to achieve.

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



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The seriousness of the issue and the clear intent of this administration to renew funding this year for this nuclear initiative that was zeroed out by the Congress last year compel me to come to the floor today.

President Bush's fiscal year 2006 budget calls for $8.5 million, including $4 million for the Department of Energy and $4.5 million for the Department of Defense, for the research and development of a nuclear bunker buster, a 100-kiloton weapon called the robust earth nuclear penetrator. The purpose of the research is to determine whether a missile casing on a 100-kiloton warhead can survive a thrust into the earth and take out a hardened and deeply buried military target without spewing millions of cubic feet of radioactive debris into the atmosphere. Scientists know that the laws of physics will not allow that to happen.

It includes $25 million to lower the Nevada test site time-to-test readiness from the current 24 to 36 months to 18 months. This sends a clear signal of an urgent move to begin underground nuclear testing as soon as possible. This is despite the fact that our country has had a moratorium on nuclear testing since 1992. We have had it for more than 13 years.

It also contains $7.8 million for a so-called modern pit facility. This is a facility to build 450 new pits. These are the nuclear triggers for nuclear weapons, the shells in which the fissile material is contained and detonated. This is 450 new pits a year, some of which would be designed for new nuclear weapons.

Currently the United States has approximately 15,000 warheads. Under the Moscow Treaty, the United States is to decrease its strategic nuclear force to 1,700 to 2,200 by 2012. To maintain a 2,200-warhead force at replacement level—and this is important—we would only need to build 50 pits a year, not 450 which is called for in this budget. So why build a new facility unless there are plans underway to develop a new generation of nuclear weapons?

Perhaps because the explosion and use of nuclear weapons took place at the end of World War II, we forget what it is like. I hope people will look at this and see what it is like. This is Hiroshima. This is at the end of World War II. This is a 15-kiloton nuclear weapon, not a 100-kiloton nuclear weapon. This is incomprehensible to me. This is what the Enola Gay dropped on Hiroshima. It cleared bare 4 square miles. It killed immediately 90,000 people. It caused hundreds of thousands of people to die of radiation sickness. Again, why fund this program?

Congress made a strong statement last year. We took out the appropriations for these new nuclear weapons. This defunding was made possible by the leadership of Representative DAVID HOBSON, the chairman of the House Appropriations Energy Committee, who was successful, with our support, in eliminating $27.5 million in funding for this 100-kiloton nuclear bunker buster and $9 million for the advanced weapons concepts initiative. This is a fallacious concept of creating low yield tactical nuclear weapons, under 5 kilotons, to use on a battlefield no less. Who would ever want to send their sons and daughters to any war where the battlefield had nuclear weapons? It also eliminated funding to lower the time-to-test readiness at the Nevada test site to 18 months and limited funding for the Modern Pit Facility to $7 million.

Congress spoke last year. We said: We will not approve appropriations for this program. And yet once again those appropriations have crept into this budget.

I will take a few minutes to make that evident to Members of the Senate. Last year was a consequential victory for those of us who believe very deeply—and I might say passionately—that the United States will not be safer because of this program and that the United States sends the wrong signal to the rest of the world by reopening the nuclear door and beginning the testing and development of a new generation of nuclear weapons.

This year, our message is clear: Don't reopen this nuclear door. Those of us who are appropriators will once again try to remove this funding from the budget.

I am so disappointed to learn that the administration has requested funding again this year for a 100-kiloton nuclear bunker buster, to lower the time-to-test readiness at the Nevada test site to 18 months, and to fund a modern plutonium pit facility that could produce 450 new plutonium pits a year when only 50 are needed.

There should be no doubt that this is the Secretary of Defense's program. He is determined to get it funded. It is that Secretary who requested the Secretary of Energy to place $4 million in the energy budget and $4.5 million in the defense budget. This is very clever. In this way Secretary Rumsfeld hopes to get it done in the defense budget, if he can't through energy appropriations.

I ask that the Senate know that the development of a 100-kiloton robust nuclear earth penetrator is simply not possible without spewing millions of tons of radioactive material and killing large numbers of people.

Secondly, the development of new nuclear weapons will only undermine our antiproliferation efforts and will make our Nation less safe, not more safe.

And thirdly, as a nation, we are sending the wrong message, a message that will only encourage nuclear proliferation by others. In fact, it already has.

The bottom line: There is simply no such thing as a clean or usable 100-kiloton nuclear bunker buster that could destroy a hardened and deeply buried military target without spewing radiation.

Consider this: A 1-kiloton nuclear weapon, detonated 25 to 50 feet underground, would dig a crater the size of Ground Zero in New York and eject 1 million cubic feet of radioactive debris into the air. Given the insurmountable physics problems associated with burrowing a warhead deep into the earth, you would need a weapon with more than 100 kilotons of yield to destroy an underground target at a depth of 1,000 feet. Yet the maximum feasible depth a bunker buster can penetrate is about 35 feet. At that depth, a 100-kiloton bunker buster would scatter 100 million cubic feet of radioactive debris into the atmosphere.

There is no known missile casing that can survive a 1,000-foot thrust into the earth to avoid overwhelming and catastrophic consequences. That is not me saying this, that is science saying this.

Let me give you the words of the head of the National Nuclear Security Administration, if you don't trust me. At the March 2, 2005, House Armed Services Strategic Forces Subcommittee, Congresswoman ELLEN TAUSCHER asked Ambassador Linton Brooks the following question:

> I just want to know, is there any way a [robust nuclear earth penetrator] of any size that we would drop will not produce a huge amount of radioactive debris?

The answer, according to the Ambassador:

> No, there is not.

When Congresswoman TAUSCHER asked him how deep he thought a bunker buster could go, using modern scientific concepts—in other words, here we get to the missile casing—he said:

> . . . a couple of tens of meters maybe. I mean certainly—I really must apologize for my lack of precision, if we in the administration have suggested that it was possible to have a bomb that penetrated far enough to trap all fallout. I don't believe that—I don't believe the laws of physics will ever let that be true.

So here we have the administration saying what we who have opposed this program from the start have said. The laws of physics will never allow the development of a ''clean'' 100-kiloton robust nuclear earth penetrator.

Again, simply stated, there is no casing that will withstand a 1,000-foot thrust into the earth—the depth at which a spewing of radioactivity might be contained. Such an admission begs the question: Why are we even spending a dime on this research? Or as Secretary Rumsfeld said to me in a Defense Appropriations Subcommittee hearing with a shrug, ''Oh, this is just a study.''

Do I believe that answer? Absolutely not. This has never been about a study. It has been about the intent of the administration to develop new nuclear weapons, and I have followed this for a long time now.

This year, this budget funds $8.5 million. In fiscal year 2007, it increases to $17.5 million, including $14 million for the Department of Energy and $3.5 million for the Pentagon.

While the administration is silent this year on how much it plans to

spend on the program in future years, last year they let it all out. Last year's budget request called for spending $485 million on a 100-kiloton nuclear bunker buster over 5 years, which scientists say is impossible to devise. The laws of physics won't allow it, unless you are going to prepare one that is going to spew tons of radioactivity.

Let me, for a moment, mention the policies underlying this initiative. These policies began in 2002 with the document called the Nuclear Posture Review. That document places nuclear weapons as part of the strategic triad for the first time in our history, therefore, blurring the distinction between conventional and nuclear weapons—a very bad policy decision.

Then take National Security Directive 17, which came out later that year, which indicated for the first time in America's history that we would engage in a first use of nuclear weapons—a historic statement. We have never had a no-first-use policy, but we have never said that we would countenance a first use of nuclear weapons. And in National Security Directive 17 we do just that. We say we would engage in a first use of nuclear weapons—again, that is a historic statement—to respond to a chemical or biological attack against certain nations. The Nuclear Posture Review named seven nations against whom we would countenance a nuclear attack. One of those nations legally is a nuclear nation. This is ridiculous and foolish policy, and it jeopardizes the future of all Americans. But what it does also is it encourages other nations to develop their own nuclear weapons, thereby putting American lives and our national security at risk. That is why the North Koreans are moving ahead. They see what we are going to do. They see that we have said we would enter into a first use of nuclear weapons. North Korea is one of the seven nations named. That is what is happening in Iran now. Iran is one of the seven nations named. Other countries are now looking at advanced weapons concepts, based on the fact that we have moved in this direction.

The next nuclear nonproliferation review conference is in May, and it will allow parties to the treaty to measure progress in implementing their obligation and to discuss additional steps to meet the treaty's objectives.

In public statements—this is the hypocrisy—the administration recognizes the importance of the NPT. Last week, President Bush stated that the NPT "represents a key legal barrier to nuclear weapons proliferation and makes a critical contribution to international security," and that "the United States is firmly committed to its obligations under the treaty."

If we are indeed serious about strengthening our nonproliferation efforts and increasing international nuclear security, we should lead in reducing nuclear arsenals; we should lead in preventing nuclear proliferation; and we should know that a production of a 100-kiloton nuclear bunker buster is sheer hypocrisy on our part.

Make no mistake, the rest of the world is watching us and paying close attention to what we do. I believe the United States can take several actions to make better use of our resources and demonstrate our commitment to keeping the world's most dangerous weapons out of the hands of the most dangerous people. We have to strengthen the Nuclear Non-Proliferation Treaty at this May 2005 review conference.

This includes supporting tougher inspections to monitor compliance, more effective controls on sensitive technologies, accelerated programs to safeguard and eliminate nuclear weapon usable materials, and agreement that no state may withdraw from the treaty and escape responsibility for prior violations of the treaty.

We should expand and accelerate Nunn-Lugar threat reduction programs. I hear Senator after Senator saying they support the Nunn-Lugar program. We should provide the necessary resources to improve security and take the rest of the Soviet era nuclear chemical and biological weapons arsenal and infrastructure out of circulation.

Third, we should strengthen the ability of the DOE's global threat reduction initiative to secure and remove nuclear weapons usable material from vulnerable sites around the world.

Last year, Senator DOMENICI and I sponsored an amendment to the 2005 National Defense Authorization Act, which authorized the Secretary of Energy to lead an accelerated, comprehensive worldwide effort to secure, remove, and eliminate the threat by these materials.

Finally, we should improve—this has to do with the bunker buster—our intelligence capabilities in relation to underground targets and expand conventional options to put them at risk. Every underground target has entry and exit, has air vents, presents a way to take them out with conventional weapons. That is what we should be doing instead of exploring, doing research and development of a 100-kiloton nuclear bunker buster, which science says cannot be done without the spewing of millions of tons radiation. History repeats itself.

I yield the floor and suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WYDEN. I ask unanimous consent to speak for—may I have up to 10 minutes? I don't think I will go that long.

Mr. CONRAD. Mr. President, this is out of the amendment time, and there is 45 minutes on our side. We have many speakers. Can the Senator go for 7 minutes?

Mr. WYDEN. That would be gracious. I will try to do that.

Mr. CONRAD. If Senator SPECTER has not appeared by then, we can provide more time.

Mr. WYDEN. I thank my colleague.

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

Mr. WYDEN. Mr. President, those who advocate drilling in the Arctic claim that the drilling is needed to reduce our Nation's dependence on foreign oil. But what is included in the Senate budget resolution doesn't increase U.S. energy security. To the contrary, it is a license to export Alaskan oil outside the United States. With the inflated revenue projections of $2.5 billion from drilling in the Arctic included in the budget, the Federal Government will be forced to sell the oil to the highest bidder to even come close to reaching that amount.

Under the Senate budget, if the highest price is in South America, oil from that wildlife refuge would have to go to South America. If the highest price is in the Far East, Arctic oil would have to go to the Far East. If the highest price is in the Middle East, Arctic oil would have to go to the Middle East.

With the weak dollar, it would be a virtual certainty that the highest price for Arctic oil would be outside our country. It would not reduce our dependence on foreign oil one drop to export Arctic oil overseas, but that is exactly what could happen under the Senate budget resolution.

Now, last Congress, the House, in passing its Energy bill, recognized that drilling in the Arctic wildlife refuge won't help our Nation's energy security if the oil from that drilling is exported overseas. The House-passed Energy bill explicitly prohibited the export of oil from the Arctic wildlife refuge. But the Senate budget resolution fails to include an export prohibition. In fact, it invites exports by assuming revenues that can only be met by requiring the oil to be sold to the highest bidder, at a time when the dollar is weak.

If the goal is energy security, then including the Arctic drilling in the budget resolution in this fashion is the wrong way to go about it. We can get more energy security, and we can get it sooner than from Arctic oil drilling under the Senate budget resolution.

Last week, the President renewed his push for drilling in the Arctic by arguing it would produce nearly 10 million barrels per day. But the President acknowledged that that amount of oil would not be produced until 2025. We can get that much energy security and more, and we can get it now instead of waiting until 2025. We can get that added energy security by changing the current policies on exports of oil and

petroleum and providing the right incentives for producers to develop the billions of barrels of recoverable oil that are in U.S. reserves but are not being developed today.

Right now our country is exporting about 1 million barrels a day of petroleum products. That happens every single day. We could in effect get 1 million barrels a day more oil for our country, 10 percent more energy security, and we could get it right now by ending those exports.

By comparison, the administration's Energy Information Administration says the amount of oil that the President says would be produced in the Arctic would only reduce our Nation's dependence by 3 percent, from 68 percent to 65 percent dependence on foreign oil. I seriously doubt the OPEC cartel will stop its anticompetitive practices because of a tiny increase in Arctic production 20 years from now that even the Energy Administration says would reduce our dependence on foreign oil by 3 percent. Our country can get more than three times that amount of increased energy security and we can get it now rather than 2025 by stopping exports of U.S.-produced petroleum products, and under the unrestricted export language of the Senate budget resolution we could end up with no additional energy security—no additional energy security, absolutely not. We can do much better than a 3-percent increase in energy security. We can do better than the 10-percent increase in security our country would get from eliminating exports. In fact, our country could produce an additional 40 billion barrels of oil, enough to replace all of our country's imports of oil for the next 10 years, and we could get that additional oil from existing reserves that could be produced in our country if the right incentives were provided.

If we want to get serious about energy security, we can start today. We should eliminate the budget resolution's license to export Arctic oil out of our country. We should replace the budget's Arctic oil export license with policies that provide real energy security for our Nation.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The journal clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I note the absence of a quorum with the condition that the time be charged equally against both sides.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The clerk will call the roll.

The journal clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Under the previous order, the Senator from Pennsylvania, Mr. SPECTER, is recognized to offer an amendment relative to NIH on which there will be 45 minutes of debate equally divided in the usual form.

Mr. SPECTER. I thank the Chair.

AMENDMENT NO. 173

I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The journal clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER], for himself and Mr. HARKIN, proposes an amendment numbered 173.

Mr. SPECTER. I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: Increase discretionary health and education funding by $2,000,000,000)

On page 17, line 16, increase the amount by $500,000,000.

On page 17, line 17, increase the amount by $500,000,000.

On page 18, line 16, increase the amount by $1,500,000,000.

On page 18, line 17, increase the amount by $1,500,000,000.

On page 26, line 14, decrease the amount by $2,000,000,000.

On page 26, line 15, decrease the amount by $2,000,000,000.

Mr. SPECTER. Mr. President, at the outset I submit a statement for the record and ask that it be included in its entirety at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPECTER. In order to summarize, since we have a relatively limited period of time, this amendment provides for increasing funding for the Department of Education by $500 million, which would bring it up to level funding, and an addition of $1.5 billion for the National Institutes of Health, and the offset would be across the board from Function 920. This reduction would not cut any programs but simply reduce administrative expenses, travel, and consulting services by .237 percent, which is minuscule in the overall scheme of things, I admit, very minor compared to the importance of having additional funding in education and additional funding in the National Institutes of Health.

NIH has made remarkable advances on an enormous list of very major diseases and they are worth itemizing because each one of these strikes thousands of Americans. They include:

Autism, stroke, obesity, Alzheimer's, Parkinson's, spinal muscular atrophy, scleroderma, ALS, muscular dystrophy, diabetes, osteoporosis, cancers, including breast, cervical and ovarian, lymphoma, multiple myeloma, prostate, pancreatic, colon, head and neck, brain, lung, pediatric renal disorders, multiple sclerosis, deafness and other communication disorders, glaucoma, macular degeneration, sickle cell anemia, heart disease, spinal cord injury, sudden infant death syndrome, arthritis, schizophrenia and other mental disorders, polycystic kidney disease, hepatitis, Cooley's anemia, primary immune deficiency disorders, and the list goes on and on.

As I read them off to itemize them, they are abstractions to people who suffer from these ailments. To families of people who suffer these ailments, they are catastrophic. Take someone who has autism, take someone who has Alzheimer's, this disrupts the family, these ailments are overwhelming. The National Institutes of Health has had increases in this budget on a commitment by this body to double NIH, and we have increased the funding very substantially. But last year and the year before and this year, the funding well has not proceeded as it should. When you talk about a budget of $28 billion for the National Institutes of Health, when you have an overall budget of approximately $2.67 trillion, $28 billion is totally insufficient.

If there is not an increase in funding for the National Institutes of Health, there will be 402 less grants awarded next year than last year. The increase of less than $200 million does not begin to approximate the replacement rate for chemical, biomedical research which is 3.5 percent. We have $1.7 billion which is being applied by NIH to bioterrorism. With all due respect, that ought to come out of homeland security, bioterrorism. It is coming out of the NIH budget because it is a medical issue. If there is not additional funding, these are some of the points of impact on the National Institutes of Health:

They will be unable to test safety of new behavioral treatments for autism; unable to initiate phase 3 to determine the relationship between infection and cardiovascular disease; unable to expand research on early identification preventing procurement impairment of newborns; delay by 1 year more research with industry to develop vaccines for hepatitis C infections; delay the evaluation of promising vaccines in a variety of contexts. It will delay programs for developing computer models for responding to infectious disease outbreaks such as avian flu, as well as bioterrorism attacks—here again these are abstractions, but to the people they hit, they are catastrophic—unable to expand the development of methamphetamine addiction; unable to initiate multicellular studies of aquaimmune hepatitis, and the list goes on and on.

The subject of adequacy of NIH research is one which I thought was of enormous importance before I was

elected to the Senate in 1980, and my initial assignment on Appropriations took me to the Subcommittee on Health and Human Services. I have always been an advocate for increasing NIH funding. Then when I took over the chairmanship of the subcommittee in 1995, in a position to establish priorities, the Senate voted to double NIH funding, but then in the first year following defeated an effort to add $1 billion. Senator HARKIN and I have formed a partnership on a bipartisan basis, and he has had the gavel when the Democrats took over for 17 months in 2001 and when we have had a transfer of the gavel, it has been seamless, he and I and this partnership of established priorities within our subcommittee even when this body did not grant increases to NIH. We have found the money by establishing priorities. But the fact is that opportunity is gone. It is gone because there have been decreases in the other facets of the budget.

The Department of Labor budget has been cut by 3½ percent this year. I don't know how we are going to fund the necessary programs for worker safety. The education budget, believe it or not, has been cut by almost 1 percent, by some $500 million. I will come to that in a moment on the aspect of this amendment which seeks to raise education funding by $500 million. But it is not possible anymore to juggle the books. We cannot juggle the books and find money and priorities to add an additional $1.5 billion to the National Institutes of Health.

My interest in medical research occurred long before I developed a current problem, which has been publicized, with Hodgkin's, and I am glad to say that there is a cure for the particular problem I had. But in many forms of cancer there is no cure. President Nixon declared war on cancer in 1972. Here we are 33 years later, the wealthiest country in the world, the greatest talent in the world on research, and we spend $2.6 trillion. We spend it in many directions which are challenged by many people in our society, but we allocate $28 billion to NIH. And it is totally, totally, totally insufficient, and for families where they suffer from Alzheimer's or heart disease or the long list of maladies I recited, it is simply unacceptable. I know the distinguished chairman of the Budget Committee has enormous problems. I compliment him on taking on what is probably the toughest job in the Senate, to try to find a way to make allocations on the budget.

But among the priorities, I will say that the expression is frequently used, ''none is higher.'' Well, that means it could be tied with a lot of others. But I would say health is highest. If you don't have your health, you can't do anything else. I could give an extended dissertation on that particular proposition because it has struck home to me. Not to overly personalize the matter, but when you go through the regimen for Hodgkin's, they fill your body full of poisons to fight the poisons which are in your body. It is quite a war of the worlds as it battles through you. It underscores the importance of health. For the people who were suffering from the long list I recited, it is the beginning and end of every day.

We ought to win the war on cancer. In the particular institute of a very distinguished doctor, John Glick, who is my oncologist, they had plans for a 57 percent increase in their funding. That was reduced to 42 percent. And that was eliminated. That is symbolic of what is going on across America. That reduction in funding means a lot of pain, a lot of suffering, and a lot of deaths. We have the capacity to do something about it. This $1.5 billion is a modest step.

Now on to education. The President's budget came over with a .9-percent decrease in education funding. It is a little hard for me to understand, given the importance of education. The Governors meet, the industrialists meet, and they decry the inadequacy of education in America. While the Federal Government provides a relatively small percentage of funding, we do have the leadership position.

Just last week, the Senate passed, 99 to 0, the reauthorization of the Perkins Vocational and Technical Education Program, which is a $2 billion program. But on the Education Department budget, this program is zeroed out. It was $2 billion, and we voted for it 99 to nothing. We looked good when we had the authorization vote, but when it comes to putting our money where our mouth is, we are AWOL, we are gone, we are not there.

There is an enormous number of educational programs which have been cut out totally. The GEAR UP program, which has been funded by my subcommittee over the last 6 years, which takes seventh graders and gives them mentoring and puts them on the right course through high school, an enormously important program not only for education but for crime control, where there is really the stark alternative of becoming a juvenile delinquent or becoming an educated America—it is gone.

The list is too long to read.

I ask unanimous consent the full text of these programs which are being cut be printed in the RECORD.

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

EDUCATION DEPARTMENT FY 2006 DISCRETIONARY BUDGET, TERMINATIONS

[Dollars in thousands]

| Program | 2004 appropriation | 2005 appropriation | 2006 request |
|---|---|---|---|
| NCLB | | | |
| Foundations for Learning | 0 | 992 | 0 |
| Close Up Fellowships | 1,481 | 1,469 | 0 |
| Excellence in Economic Education | 1,491 | 1,488 | 0 |
| Women's Educational Equity | 2,962 | 2,956 | 0 |
| School Dropout Prevention | 4,971 | 4,930 | 0 |
| Mental Health Integration in Schools | 0 | 4,960 | 0 |
| Community Technology Centers | 9,941 | 4,960 | 0 |
| Exchanges with Historic Whaling and Trading Partners | 8,450 | 8,630 | 0 |
| Javits Gifted and Talented | 11,111 | 11,022 | 0 |
| Ready to Teach | 14,321 | 14,291 | 0 |
| School Leadership | 12,346 | 14,880 | 0 |
| Foreign Language Assistance | 16,546 | 17,856 | 0 |
| National Writing Project | 17,894 | 20,336 | 0 |
| Star Schools | 20,362 | 20,832 | 0 |
| Civic Education | 28,642 | 29,405 | 0 |
| SDFS Alcohol Abuse Reduction | 29,823 | 32,736 | 0 |
| Elementary School Counseling | 33,799 | 34,720 | 0 |
| Arts in Education | 35,071 | 35,633 | 0 |
| Parental Information and Resource Centers | 41,975 | 41,886 | 0 |
| Smaller Learning Communities | 173,967 | 94,476 | 0 |
| Comprehensive School Reform | 233,614 | 205,344 | 0 |
| Even Start | 246,910 | 225,095 | 0 |
| Safe and Drug-Free Schools State Grants | 440,908 | 437,381 | 0 |
| Educational Technology State Grants | 691,841 | 496,000 | 0 |
| Total, NCLB | 2,078,426 | 1,762,278 | 0 |
| Other K–12 | | | |
| Tech-Prep Demonstration | 4,939 | 4,900 | 0 |
| Occupational and Employment Information | 9,382 | 9,307 | 0 |
| Vocational Education National Programs | 11,852 | 11,757 | 0 |
| Tech-Prep State Grants | 106,665 | 105,812 | 0 |
| Vocational Education State Grants | 1,195,008 | 1,194,331 | 0 |
| Total, Other K–12 | 1,327,846 | 1,326,107 | 0 |
| Postsecondary | | | |
| B.J. Stupak Olympic Scholarships | 988 | 980 | 0 |

EDUCATION DEPARTMENT FY 2006 DISCRETIONARY BUDGET, TERMINATIONS—Continued

[Dollars in thousands]

| Program | 2004 appropriation | 2005 appropriation | 2006 request |
|---|---|---|---|
| Interest Subsidy Grants | 1,988 | 1,488 | 0 |
| Underground Railroad Program | 2,222 | 2,204 | 0 |
| Thurgood Marshall Legal Educational Opportunity Program | 0 | 2,976 | 0 |
| Demonstration Projects for Students Disabilities | 6,913 | 6,944 | 0 |
| Byrd Honors Scholarships | 40,758 | 40,672 | 0 |
| Leveraging Educational Assistance Partnership | 66,172 | 65,643 | 0 |
| Federal Perkins Loans Cancellations | 66,665 | 66,132 | 0 |
| Teacher Quality Enhancement | 88,888 | 68,337 | 0 |
| TRIO Talent Search | 144,230 | 144,887 | 0 |
| GEAR UP | 298,230 | 306,488 | 0 |
| TRIO Upward Bound | 312,451 | 312,556 | 0 |
| Total, Postsecondary | 1,029,505 | 1,019,307 | 0 |
| All Other ED | | | |
| VR Migrant and Seasonal Farmworkers | 2,321 | 2,302 | 0 |
| VR Recreational Programs | 2,564 | 2,543 | 0 |
| Literacy Programs for Prisoners | 4,971 | 4,960 | 0 |
| VR Projects With Industry | 21,799 | 21,625 | 0 |
| State Grants for Incarcerated Youth Offenders | 19,882 | 21,824 | 0 |
| VR Supported Employment State Grants | 37,680 | 37,379 | 0 |
| Regional Educational Laboratories | 66,665 | 66,131 | 0 |
| Total, Other ED | 155,882 | 156,764 | 0 |
| Total (48 Terminations) | 4,591,659 | 4,264,456 | 0 |

EXHIBIT 1

AMENDMENT TO INCREASE FUNCTION 550: HEALTH

Mr. President, I have sought recognition today to offer a $1.5 billion amendment to increase the health function and $500 million to increase the education function in this resolution. The amendment would add to the funding already included in the resolution for the National Institutes of Health and the Department of Education. The amendment is offset by an across-the-board reduction in Function 920. This reduction would not cut programs, but simply reduce administrative expenses, travel, and consulting services by 0.237 percent.

This amendment would provide NIH with a $1.5 billion increase over the President's budget. While this sounds like a tremendous increase, in reality it provides only 5.6 percent more than the previous year and provides a slight increase over biomedical research inflation.

As chairman of the Appropriations Subcommittee for Labor, Health and Human Services, Education and Related Agencies, I have said many times that the National Institutes of Health is the crown jewel of the Federal Government—perhaps the only jewel of the Federal Government. When I came to the Senate in 1981, NIH spending totaled $3.6 billion. The FY 2003 omnibus appropriations bill contained $27.2 billion for the NIH which completed the doubling begun in FY 1998. The successes realized by this investment in NIH have spawned revolutionary advances in our knowledge and treatment for diseases such as cancer, Alzheimer's disease, Parkinson's disease, mental illnesses, diabetes, osteoporosis, heart disease, ALS and many others. It is clear that Congress' commitment to the NIH is paying off. Now it is crucial that increased funding be continued in order to translate these advances into additional treatments and cures. Our investment has resulted in new generations of AIDS drugs which are reducing the presence of the AIDS virus in HIV infected persons to nearly undetectable levels. Death rates from cancer have begun a steady decline. With the sequencing of the human genome, we will begin, over the next few years, to reap the benefits in many fields of research. And if scientists are correct, stem cell research could result in a veritable fountain of youth by replacing diseased or damaged cells. I anxiously await the results of all of these avenues of remarkable research. This is the time to seize the scientific opportunities that lie before us.

On May 21, 1997, the Senate passed a Sense of the Senate resolution stating that funding for the NIH should be doubled over 5 years. Regrettably, even though the resolution was passed by an overwhelming vote of 98 to nothing, the Budget Resolution contained a $100 million reduction for health programs. That prompted Senator HARKIN and myself to offer an amendment to the budget resolution to add $1.1 billion to carry out the expressed sense of the Senate to increase NIH funding. Unfortunately, our amendment was tabled by a vote of 63–37. We were extremely disappointed that, while the Senate had expressed its druthers on a resolution, it was simply unwilling to put up the actual dollars to accomplish this vital goal.

The following year, Senator HARKIN and I again introduced an amendment to the Budget Resolution which called for a $2 billion increase for the NIH. While we gained more support on this vote than in the previous year, our amendment was again tabled by a vote of 57–41. Not to be deterred, Senator HARKIN and I again went to work with our subcommittee and we were able to add an additional $2 billion to the NIH account for fiscal year 1999.

In fiscal year 2000, Senator HARKIN and I offered another amendment to the Budget Resolution to add $1.4 billion to the health accounts, over and above the $600 million increase which had already been provided by the Budget Committee. Despite this amendment's defeat by a vote of 47–52, we were able to provide a $2.3 billion increase for NIH in the fiscal year 2000 appropriation's bill.

In fiscal year 2001, Senator HARKIN and I again offered an amendment to the Budget Resolution to increase funding for health programs by $1.6 billion. This amendment passed by a vote of 55–45. This victory brought the NIH increase to $2.7 billion for fiscal year 2001. However, after late night conference negotiations with the House, the funding for NIH was cut by $200 million below that amount.

In fiscal year 2002, the budget resolution once again fell short of the amount necessary to achieve the NIH doubling. Senator HARKIN and I, along with nine other Senators offered an amendment to add an additional $700 million to the resolution to achieve our goal. The vote was 96–4. The Senate Labor-HHS Subcommittee reported a bill recommending $23.7 billion, an increase of $3.4 billion over the previous year's funding. But during conference negotiations with the House, we once again fell short by $410 million. That meant that in order to stay on a path to double NIH, we would need to provide an increase of $3.7 billion in the fiscal year 2003. The fiscal year 2003 omnibus appropriations bill contained the additional $3.7 billion, which achieved the doubling effort. In FY 2004, I and Senator HARKIN offered an amendment to add an additional $2.8 billion to the budget resolution to ensure that the momentum achieved by the doubling could be maintained and translated into cures. The vote was 96–1. Unfortunately, the amendment was dropped in conference. We worked hard to find enough funding for a $1 billion increase in FY 2004. We fought long and hard to make the doubling of funding a reality, but until treatments and cures are found for the many maladies that continue to plague our society, we must continue our fight.

In FY 2005, once again, Senator HARKIN, Senator COLLINS and I offered an amendment to add $2 billion to discretionary health spending, including NIH. The amendment passed 72–24. However, the subcommittee's allocation did not reflect this increase. The final conference agreement contained an increase of $800 million over the FY 2004 funding level.

I, like millions of Americans, have benefited tremendously from the investment we have made in the National Institutes of Health and the amendment that we offer today will continue to carry forward the important research work of the world's premier medical research facility.

My amendment also intends to ensure that discretionary funding for the Department of Education is not cut below the amount provided by Congress last year. The resolution currently assumes a cut of $500 million below the FY 2005 appropriation. My amendment would add $500 million to Function 500 in order to prevent such a reduction.

Many members have pointed out that the budget for the Department of Education has been increased significantly over the past several years. In fact, funding has been raised from $24.7 billion in FY 1995 to $56.6 billion last year, an increase of 129 percent. My subcommittee has taken the lead in providing increases for Title I grants for Disadvantaged Students, Special Education and Pell grants. President Bush has made increases in these important programs a priority, which is why funding for Title I grants is up 45 percent since No Child Left Behind was passed in 2001, funding for Special Education is up 67 percent since FY 2001 and Pell grants are up 41 percent from the level when President Clinton was in office.

However, I am concerned that the budget resolution will force my subcommittee to make very difficult choices and cut one education program for another. For example, the budget proposes to eliminate $1.3 billion in funding for the Perkins Vocational and

Technical Education program, $306.5 million for the GEAR UP program and $467 million for certain TRIO activities in order to fund a high school reform initiative. Yet, the Senate voted on Friday 99–0 to reauthorize the Perkins program, sending a powerful message to my subcommittee about the importance of this program.

I believe that education is a capital investment. As District Attorney in Philadelphia, I have seen what happens when the right investments aren't made and kids turn to the streets without safe and productive learning environments. My amendment seeks to help States, colleges, teachers and families ensure that a quality education is available for all.

Mr. SPECTER. Mr. President, how much time remains of my 22.5 minutes?

The ACTING PRESIDENT pro tempore. The Senator has 8.5 minutes.

Who seeks time? The Senator from North Dakota.

Mr. CONRAD. Mr. President, we are now on the third day of the budget resolution.

I inquire of the desk, how much time do we have remaining?

The ACTING PRESIDENT pro tempore. On the Specter amendment, there is 22.5 minutes in opposition.

Mr. CONRAD. Could the Chair inform me how much time is left on the resolution?

The ACTING PRESIDENT pro tempore. The majority has 11 hours 4 minutes, the minority has 9 hours 23 minutes.

Mr. CONRAD. Mr. President, I want to alert my colleagues that the time is rapidly vanishing. We want to use this time we have efficiently and effectively. We don't want to have dead time here on the floor. We want Senators on both sides to have every opportunity to offer their amendments, so it is critically important that Senators take the opportunity that is available to them and come to discuss the amendments that are in front of us and discuss the amendments they may want to offer so this time is effectively used.

I know we are going to get into the situation where Senators are going to come to us and say: Can't we have some time? There is not going to be any time very shortly, and then we will go into vote-arama, in which there will be very limited time. I wanted to alert my colleagues.

Mr. GREGG. Will the Senator yield for a question?

Mr. CONRAD. I am happy to yield for a question.

Mr. GREGG. I believe the Senator from Wyoming was going to speak in opposition to the amendment of the Senator from Pennsylvania. He was going to talk about that. Did the Senator from North Dakota wish to go forward off the resolution? Is that the Senator's plan?

Mr. CONRAD. That was my plan, take time off the resolution.

The ACTING PRESIDENT pro tempore. That is how the time is being charged.

Mr. CONRAD. Mr. President, we have seen a dramatic deterioration in the budget situation since 2000. One can see what has happened. Back in 2000, we actually had a budget surplus. Then, despite the President's assurances that his fiscal policy would not lead to an expansion of deficits and debt, that is exactly what we have seen. In fact, we are now at record deficit levels, the biggest deficits we have ever had.

It is not just with respect to deficits that we have a problem. We are also seeing exploding debt. I remember so well, back in 2001, the Congressional Budget Office produced this chart of possible outcomes for the deficit. They said this was the range of possible outcomes. They adopted, in their forecast, a midrange. That was adopted by the President as well. They said, based on that scenario, that we would see $5.6 trillion of surpluses over the next 10 years, so many of my Republican colleagues assured me: Don't worry, we will get even more money because of the tax cuts. I remember being told repeatedly: You are going to get more money because of the tax cuts.

We didn't get more money. Here is what actually happened. This was the range of possible outcomes, according to the Congressional Budget Office. Now we can look back and see what actually happened. What actually happened was the deficits were far worse, they were below the bottom of their range of projected outcomes. All of that talk about how the tax cuts would generate more revenue just proved to be wrong.

The Comptroller General of the United States, the head of the General Accounting Office, warns us now that the fiscal outlook is worse than claimed. He says:

The simple truth is that our Nation's financial condition is much worse than advertised.

The Comptroller General has it exactly right. Our fiscal condition, our financial condition is much worse than advertised. Why? Because when the President says to us he is going to reduce the deficit, he is going to cut it in half over the next 5 years, the only way he gets there is he just leaves out things.

What does he leave out? First of all, he leaves out of his budget any war costs past September 30 of this year. We have money for this year in a supplemental. Some of that will be spent next year as well. But that is $82 billion. The Congressional Budget Office says we ought to be budgeting $383 billion for residual war costs—Afghanistan, Iraq, the war on terror—but it is not in the President's budget.

Mr. SPECTER. Will the Senator from North Dakota yield for a question?

Mr. CONRAD. I certainly would.

Mr. SPECTER. This is a procedural question, not a substantive question. I thank the Senator from North Dakota.

On the scheduling of business, I have to chair an Appropriations subcommittee hearing on Health and Human Services at 10:30. We scheduled this amendment at 9:30. I wonder if I could prevail upon the Senator from North Dakota to permit Senator ENZI to respond to my arguments so that I can finish, conclude, and then ask unanimous consent, if that is agreeable, that you be recognized to continue your presentation?

Mr. CONRAD. I am happy to accommodate the Senator in that way. I understand, as I am hearing it, the Senator has another obligation, and he would like to finish his argument, and he would like to be able to respond.

Mr. SPECTER. I do.

Mr. CONRAD. Maybe we could work out some timing on this so we do not—maybe we could have a mini unanimous consent agreement so we can share this time in a way that does not force up the rest of our schedule here?

Mr. SPECTER. I thank the Senator from North Dakota. I think we can do that. I have 8 minutes remaining. There is 22 minutes in opposition. My speculation is that neither of us will use all of our time. I do not want to make a commitment to the other side on that, then, in advance, but probably no later than 10:20, 10:25, we can return to the Senator from North Dakota for his presentation, taking time off the bill.

Mr. President, I ask unanimous consent we follow that procedure.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. SPECTER. I thank the Senator from North Dakota and the Senator from Wyoming.

Mr. ENZI. Mr. President, I also thank the Senator from North Dakota and the Senator from Pennsylvania for making this arrangement so the flow of debate on this particular amendment can stay intact.

I do rise in opposition to the amendment of Senator SPECTER to increase discretionary spending by $2 billion. One of my favorite things—and I am sure everybody else's in this Chamber—is to give away money. You really don't get much opposition when you give away money. Unfortunately, we are in a situation where we do not have real money to give away—although, if we pass certain things, it turns into real money, and the deficit increases. We are making a very concentrated effort this year to hold down the deficit—not eliminate the deficit, but to hold it down. You have to do that a little bit at a time.

This concept is very similar to family budgeting. There are a lot of things a family would like to spend their money on, that they really feel they ought to spend their money on, but there is just not enough money to go around.

That is the case for virtually every amendment in this budget, there is a huge desire to be able to do some very specific things we know will make a difference. We have been doing that for a lot of years. That is part of the reason we are in the problem we are in right now.

This amendment increases discretionary funding for Function 500, which would include additional funding for education and job training—my favorite area—and Function 550, which would include additional funding for health—my second favorite area. That comes under the jurisdiction of my committee, the Health, Education, Labor, and Pensions Committee. It is a huge bite of the apple.

I am asked every once in awhile: How did that committee wind up with that much jurisdiction? I said it started out as just the Labor Committee, and then it picked up all the things that had to do with labor negotiations, the benefits that were negotiated, which include health benefits, job training, and pensions—Health, Education, Labor, and Pensions.

We have since then made it a four-part equal stool so we can have a comprehensive review of these things. We have been doing that, and we have been making some tremendous headway.

My colleague from Pennsylvania has indicated that the additional $1.5 billion in funding for Function 550, included in his amendment, would be allocated to the National Institutes of Health. While I strongly support the basic biomedical research and other important activities at this agency, I agree with Chairman GREGG that now is not the time to specifically determine the amount of funding for NIH. That can be difficult. That can be done as part of the appropriations process, and Senator SPECTER is certainly in charge of the major determinations after Chairman COCHRAN makes the allocation. This is not the time for specifically determining that, although we get the impression that very specific determinations are made as part of the budget process.

That is partly the fault of the President. The President sends us a billion-page paper that shows how he would spend the money if he were spending the money. He doesn't have the authority to spend the money. He doesn't spend $1 of the money. This body and the one at the other end of the building have to do all of the appropriations, and we have set up a process for doing it. This part of the process is not to go through the President's items in detail but to establish some caps on spending. How much are we willing to increase the deficit? That is what we are debating and deciding. Can we show restraint and fiscal responsibility so that over a period of time we reduce the amount that we are increasing the deficit? Can we reduce the rate of spending? We are not talking about huge cuts. We are talking about reducing the amount of increase, in most cases.

As you get into the specific details of the President's guidelines, you will find things that are very distressing because some of the places he chose to make increases might not be places we would. Some of the places he chose to make decreases might not be places we would. While the President might have a real desire to decrease a certain program, Congress might disagree—maybe because it is a pet program of ours. We have that authority, and we can override any of the baseline indicators the President has sent to us, and we do in a lot of instances.

I again want to remind people that this is setting the overall cap and, of course, giving some suggestions on how to do it.

As chairman of the HELP committee, I look forward to modernizing NIH through the reauthorization process later this year. I am excited to build on the great work of Dr. Zerhouni, the Director of NIH. We will be considering management reforms, including the NIH Roadmap, which will improve overall efficiency. This is particularly important given that the President has recently fulfilled his commitment to doubling the funding for the NIH. That is a monumental thing. We have doubled funding of NIH over the last several years. I applaud the President for improving scientific research, and I look forward to working with him and others to ensure that NIH has appropriate funding to fulfill its mission.

I commend the NIH for their process of peer review to see what research has the most potential to result in solutions to illnesses. I also commend the process NIH uses to give priorities to some very isolated diseases so that those get research, too. They do a marvelous job of allocating what they get. We confer with them regularly to see how they are doing, how quickly they can expand, and how easy it would be for them to include extra money. Like any Government agency or business, the more money they have, the more results they can get. The difficulty, again, is taking a look at the overall picture to see what we can do.

As chairman of the Health, Education, Labor, and Pensions Committee and a member of the Budget Committee, I am committed to ensuring that there is appropriate funding for all agencies within the Department of Health and Human Services while still keeping in mind the current budget deficit.

As we all know, the President's budget is a target, and the actual appropriations amount for NIH and other agencies at the Department of Health and Human Services will be more fully discussed after we have reauthorized the program.

Any time we reauthorize a program, there is a need to examine that program carefully and decide what legislative constraints exist that keep people from doing their job in the most efficient way possible. We need to look at the things NIH has discovered since the last reauthorization and decide what programs have been completed and can now be eliminated—this type of reauthorization leads to more efficiency and more cost effective solutions.

We want more cures. We have an agency that has the kind of direction and the capability to do more. As chairman of the authorizing committee that has jurisdiction over this agency, I look forward to working closely with Senator SPECTER and other appropriators to determine the agency's appropriate allocation of funding later this year. I strongly support the mission of NIH to pursue fundamental knowledge about nature and living systems and the application of that knowledge to extend healthy life and reduce the burdens of illness and disability.

That is one of the reasons that a couple of weeks ago we passed the genetics nondiscrimination legislation—to make sure people have more access to blood tests without any negative effects as a result of things learned from blood tests and the Genome Project. I was pleased that passed the Senate unanimously, which also shows the concern for doing the right thing with health.

We are making amazing progress, and I look forward to modernizing the process we use to achieve that progress through the reauthorization process later this year.

This amendment also assumes a $500 million increase in the Education Department to fund that Department at the 2005 level. I understand that some of my colleagues are concerned about the administration's proposed cuts to higher education programs such as TRIO, GEAR UP, and vocational education. Again, I want to point out the President's basic structure for arriving at a cap number. We are going to be working on this cap number. We are not going to be approving or disapproving the way the President got to those numbers. And, quite frankly, for the 8 years I have been in the Senate, there have been suggested changes by both Presidents that would affect TRIO, GEAR UP, and vocational education. Every time, the Senate has made sure those things did not happen.

We are interested in vocational education. For example, last week we passed the Perkins reauthorization for career and technical education. That was a commitment 99 to 0 by this body that we want to have career and vocational education at the high school level, and it is absolutely essential that we have that.

One of the things we are concerned about is the number of dropouts in high school. We want to reduce that. The amount that the Federal Government contributes to solving that problem is very small. In fact, mostly what we do is increase paperwork and tests that require additional time out of the classroom. That is not the best way to strengthen education for our kids.

We are looking for ways to decrease the dropout rate. I am pretty sure, if we eliminate career and technical education, we are going to increase the dropout rate.

But we have a plan within the committee authorization to be able to do the things we need to do in education, working them into a logical, staged

mechanism so we can continue to provide and increase the number of things that are being done in education.

This year, the HELP Committee is scheduled to reauthorize the Higher Education Act. The budget resolution contains a $5 billion reserve fund for new higher education spending. I want to review all of these programs in the context of the higher education reauthorization. We need to make sure there is a good map for getting from here to there which reduces the dropout rate and the wasted senior year and eliminates the amount of remedial education kids have to do once they go to college. Twenty-eight percent of the kids have to take a remedial reading or math class when they get to college. That takes time and that takes money when it is done at the college level. Yet we have some wasted senior years. We want to move that back in the process. We think we have that capability in what we are already allowed to do. We looked carefully at the budget. It is not easy, but it is possible to do.

I thank the chairman of the committee for working with us so that we have some flexibility within our area so we can achieve what we need to do.

Finally, I would like to point out that if the Specter amendment is agreed to, it will be the first amendment to the 2006 budget resolution to be offset by using Function 920, which is currently an unfunded administrative account.

I urge my colleagues to vote no on the Specter amendment.

I yield the floor and reserve the remainder of my time.

Mr. ENSIGN. Mr. President, I rise today to discuss the amendment that has been offered by Senators SPECTER and HARKIN that would increase funding for the Individuals with Disabilities Education Act by $500 million.

While I support bolstering special education by $500 million, I cannot support reducing defense and veterans spending at a time of war.

In my time in the Senate, I have worked with my colleagues to almost double funding for IDEA. That increase has been echoed in my home state of Nevada, where the Federal investment in IDEA has almost doubled since 2001.

I recognize that we have a long way to go toward reaching the Federal Government's promise of funding 40 percent of the excess costs to educate, but we have made great strides toward that goal. The Federal Government now funds about 20 percent of the excess costs States and school districts face when educating children in special education programs.

We have an obligation to create the best education system for our children and their children—to do that we must eliminate waste and focus spending on programs that directly benefit our children. This budget accomplishes that goal. This budget, as did the President's budget, contains a $500 million increase for IDEA funding. While this is not the $1 billion increase many of us would like to see, it is a significant increase over last year's funding. During this time of large deficits and war in Iraq, it is necessary to temper funding increases. This includes funding for education.

This budget provides generous funding for the Appropriations Committee to work with. It is then the appropriators' job to determine which programs receive cuts or increases in funding. I look forward to working with my colleagues on the Appropriations Committee to ensure that IDEA receives the increase in funding it needs to stay on track and meet the Federal Government's 40-percent promise.

Mr. DOMENICI. Mr. President, I don't need any time to discuss the matter. I need a unanimous consent request. I wonder if the Senator will yield to me to do that.

Mr. SPECTER. I yield.

Mr. DOMENICI. This has to do with a time allotment on our side for the debate. We have 45 minutes on our side on debate with reference to the exploration in Alaska.

I ask unanimous consent that 45 minutes be distributed as follows to Senators on our side to speak on the Cantwell amendment up to 5 minutes each: Senator ALLEN, Senator TALENT, Senator THUNE, Senator MURKOWSKI, Senator INOUYE, who would have up to 10 minutes—he is the only exception—and Senator STEVENS and Senator DOMENICI. That would be 45 minutes. Some might use less and give it to other Senators.

I wanted the Republican Senators to know they are all in line at some point during the debate, with 45 minutes of our time for them.

I thank the chairman. I appreciate it.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Who yields time?

Mr. GREGG. Mr. President, what is the time situation?

The ACTING PRESIDENT pro tempore. On the Specter amendment, the Senator from Pennsylvania has 7 minutes 23 seconds. The Senator from New Hampshire has 7 minutes 30 seconds.

Mr. GREGG. Mr. President, let me speak, and then the Senator from Pennsylvania can wrap up.

Mr. SPECTER. Mr. President, I should be able to conclude and save some of that 7 minutes.

Mr. GREGG. Mr. President, I appreciate the Senator from Pennsylvania bringing this amendment forward. I know of his deep commitment to NIH and education, and as chairman of the Appropriations subcommittee which has jurisdiction over both of these accounts on the discretionary side, it is challenging, to say the least. He has the second largest appropriating account in the Senate after defense, but he probably has the job with the most demands on it well beyond defense, and he has attempted to balance those demands very effectively. However, in this instance, I believe we should stay with the basic numbers we have put forward in this budget.

It is critical if we are going to have fiscal discipline around here to have a top-line discretionary number which we have agreed to—843—and that we not within the budget process try to redirect funds within that number in a way that either negatively impacts other accounts or positively impacts accounts. That would be a unilateral activity of the Senator from Pennsylvania when he starts marking up the bill.

The 920 account, if it is used here, will have the practical effect of an across-the-board cut on all other accounts in the Government that are discretionary so that it creates a pressure that will be difficult to handle if it is put forward in this way.

On the specific issue of funding, we all recognize NIH is a premier institution and has done an extraordinary job, but we have to recognize this Congress has been extraordinarily generous over the last few years with NIH. Beginning at the beginning of the Bush administration, there was a decision to double the funding of NIH, and that is exactly what happened. It has grown at rates of 13 and 14 percent annually compounded. It has gone from $13 billion to a $27 billion account and $28 billion account in the last 5 years, a huge expansion in the commitment to research in the area of health care.

There are some concerns with whether we should not take a brief breathing period and make sure dollars are being used efficiently. The President has proposed an increase for NIH but not as much as maybe NIH believed it would like, but certainly in the context of the dramatic increase in funding over the last few years it is appropriate.

In the education accounts, this President has committed huge increases in education. The numbers are staggering, quite honestly. It is the commitment the administration has made relative to the prior administration. In the area, for example, of the overall discretionary budget, the Department of Education has gone up 33 percent since the Clinton years. In the area of No Child Left Behind, it has gone up 46 percent, title I has gone up 52 percent, IDEA has gone up 75 percent. The way the President structured the budget was to say let's take a look at the miscellaneous educational programs that are targeted that have a small impact and see whether those priorities, in comparison with the big programs in which the Federal Government has a major role, such as No Child Left Behind, special education, Pell grants, and title I, the President decides to put more money into those programs rather than to the specific targeted programs.

Obviously, it will be up to the Senator from Pennsylvania, working with his committee and working with Senator ENZI, chairman of the Education Committee, to make decisions as to how that should shake out. But in this

budget the President has proposed significant increases in the core educational programs. In special education he is up $450 million; in title I, he is up $1 billion; and in No Child Left Behind, up $1 billion; in Pell, which is not reflected appropriately, in my opinion, in this budget, or has not been discussed appropriately, he is up half a billion. We have specifically raised the cap—hopefully, it will end up there, but we have no control over how the allocations occur—to give Senator SPECTER's subcommittee an additional half billion specifically for Pell. So the grants can go from $4,150 and give it authority to allow the Pell grants to be restructured so you can get a $5,100 Pell grant under the new structure which is being proposed under this bill should Senator ENZI's committee decide that is how they want to proceed.

In addition, we have set aside $5.5 billion in the budget in a reserve fund specifically to fund a new Higher Education Act, the purpose of which is to dramatically expand the Pell grants and take them up to $5,100 for those who go to school 4 years and dramatically expand borrowing for students through the Guaranteed Student Loan Program.

Education is strong in this budget and I hope we will stay within the terms of this budget rather than expanding beyond that.

I recognize the problems the Senator from Pennsylvania has are difficult, probably the most difficult of any of the Appropriations subcommittees, and I understand why he brought this amendment forward.

I presume I have used all my time.

The PRESIDING OFFICER. One minute two seconds remains.

Mr. SPECTER. I disagree strongly with my distinguished colleague from New Hampshire. When he says we shouldn't redirect the funds, that is the purpose of this process. That is what the budget resolution is all about.

I say, in evaluating the funding for the National Institutes of Health and educational funding, as chairman of the subcommittee which has the appropriations responsibility, and having had a decade of experience there and 24 years experience on the subcommittee, that I am in a position to make an evaluation that may be preferable to the evaluation of the Budget Committee. But that is what this resolution is about. That is the purpose of Senators offering amendments.

When the Senator from New Hampshire talks about the funding which the President has increased in the past, I point out that a good bit of that has come from the Congress. And when you are looking at a budget for education in excess of $54 billion, if you figure the inflation cut, that is about $1.5 billion, and besides that, the level of funding is not even present. We have more than $500 million left from last year, an aggregate in education of $2 billion. Considering education is a major capital asset in this country, that is not an appropriate allocation of resources in the opinion of this Senator.

I think to add $500 million to the education budget is modest. When you talk about the Pell grants, that is a complicated matter, but it does not help the tremendous number of programs that have been cut.

If I might have a brief discussion with the distinguished Senator from Wyoming on a couple of points which were made, when he says there is no cut in NIH, I respectfully disagree. When you have biomedical research up 3.5 percent on $28 billion, what you have is a cut of $980 million, almost $1 billion. There was a modest increase, $145 million, so NIH is short in real dollars by $835 million. So I say it is not a matter of no increase, it is a matter of a cut.

The one question I have to ask my distinguished colleague is, on the Perkins vocational grants, he pointed out that it was a 99-to-0 vote. He voted for it as did I. And I agree totally with what the Senator from Wyoming has said, that it is ''absolutely essential'' to have career and vocational training, and if you don't there will be an ''increase in the dropout rate.'' But the budget which has been submitted by the education department of my subcommittee zeros out the Perkins grant.

How can we reconcile the importance of the Perkins educational grant and eliminate the funding?

Mr. ENZI. Mr. President, again I say what we are looking at when we see the President's proposal is their suggestions for how we get to the budget cap number they talk about.

The House and the Senate agree and have made a decision—I am pretty sure the House voted on it—that is going to be an essential part of education. So as we have done in the past, we will take money from other areas and shift it into vocational training. The President's proposal was to take that money from vocational education and put it into the high school No Child Left Behind Program. Those numbers are even in the President's budget, but we have chosen that there are other ways we can do high school improvement other than taking away this vocational money and putting it into the high school No Child Left Behind Program.

What we are doing is flexing even within what the President said and taking the money they were going to take from the vocational education and put in some increased testing and accountability and moving them back into vocation.

Mr. SPECTER. Mr. President, the Senator from Wyoming does the best he can with his argument, but the difficulty is that when the subcommittee's budget has been cut from $143.5 billion to $141.3 billion, we don't have room to make reallocations. We just do not have the room.

If you take a look at a 3-percent inflation rate, that would be about another $4 billion. So what we are left with is a $6 billion shortfall. This is just illustrative of the Perkins programs which is a very important program. I agree with the Senator from Wyoming, it is a very important program, but one of many very important programs which are being eliminated.

That is why I say to my colleagues I have come here modestly asking for $500 million for education, and very modestly in asking for $1.5 million for the National Institutes of Health so we can win the war on sickness.

I ask unanimous consent Senator HARKIN be added as a cosponsor to this amendment. Senator HARKIN has other commitments, but had he been here he would have offered superb arguments at decibel levels substantially higher than that which has taken place here today.

If the Senator from Wyoming is prepared to yield back his remaining time, I am prepared to do the same and that would conclude the presentation on this amendment.

Mr. ENZI. I yield back our time.

Mr. SPECTER. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. All time is yielded.

Is there a sufficient second?

There is not a sufficient second.

Could the Senator restate his request for the yeas and nays?

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the Senator from North Dakota is to be recognized.

The Senator from Washington.

AMENDMENT NO. 168

Ms. CANTWELL. I ask unanimous consent we move to the Cantwell amendment regarding ANWR and use up that time and recognize the Senator from North Dakota when he returns.

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

Under the previous order, there will now be 90 minutes for debate equally divided in the usual form in relation to amendment No. 168.

The Senator from Washington.

Ms. CANTWELL. Mr. President, I have submitted to the desk the amendment to strike the language out of the budget that would recognize revenue from drilling in the Arctic National Wildlife Refuge. We started this discussion last night with colleagues on both sides of the aisle to talk about why America should not be focusing on drilling in a wildlife refuge, turn down the recognition of this revenue, and focus instead on an energy policy that will put America in better stead, get us off our dependency on foreign oil, reduce pollution, and focus on the technology that will truly make us energy independent.

Many have discussed or seen the Arctic National Wildlife Refuge. To remind my colleagues, we established this refuge because we believed in protecting the wildlife that existed there—the porcupine caribou herd, the polar bears, grizzly bears, wolves, sheep, falcons, migratory birds as shown in this

picture. We wanted to fulfill our international fish and wildlife treaty obligations. Also, we wanted to provide an opportunity for continued subsistence for local residents and we wanted to ensure water quality and necessary water quantity within the refuge.

These pictures from the refuge show a delicate coastline area in the northern parts of our country. The purpose of designating and protecting the wildlife refuge was because of its unique nature. One of the Episcopalian bishops from Alaska who was here yesterday spoke about the refuge as actual sacred ground and the fact that the preservation of it means so much to many Alaskans as it does to many people throughout America.

But we are here today on what I call a budget end run to recognize revenue in the budget as a way to try and open drilling in ANWR, to open drilling in this pristine wildlife area.

Now, why, if you want to support drilling in Alaska in the Arctic National Wildlife Refuge, do you want to try to do it on the budget? My point is, it starts a precedent for opening other areas by simply putting money in the budget. Why not expedite timber sales by simply recognizing revenues in the budget? Why not open drilling on the coastal regions of the country by recognizing revenues in the budget? Why not open drilling in Yellowstone National Park by recognizing revenues in the budget? It is a bad precedent.

It is a bad precedent for America because if you look at the President's potential U.S. oil and gas plan for America, you can see that the administration has oil plans for all over the country: up in the Northwest in the State of Washington, which I represent; and neighboring States, Oregon and California; along the eastern seaboard; in Florida, significant areas; up in the Great Lakes region. These are all the potential areas that the administration has designated as opportunities for oil drilling.

Do we want to stick in the budget revenue recognizing oil production in these areas and simply subvert the normal process that would allow us to debate and consider whether we should have these oil sources recognized?

This particular Senator agrees with some of the editorials around the country when it says this sets a bad precedent. In fact, there are many newspapers, particularly from coastal regions such as mine that are concerned. Let's go to the St. Petersburg newspaper. It said: So why should Floridians be concerned about the caribou? Obviously, there are no caribou in Florida. But the caribou being driven out of their icy habitat by oil rigs, because of this, for Florida, ''means there, by the grace of Congress, go we.''

That is what the St. Petersburg newspaper is trying to say. If you decide to drill in Alaska and recognize in the budget this revenue, what will stop them from doing this in other parts of the country?

Another Florida newspaper said:

> The costs and risks of drilling in the Alaskan refuge outweigh the benefits. [And] opposition to the drilling off Florida's coast would be compromised.

So this is not only this Senator saying this, these are people from across the country who are concerned about this process of sticking money in the budget as a way to achieve the goals of opening the Arctic National Wildlife Refuge.

Well, I can tell you, I think opening the Arctic National Wildlife Refuge to oil drilling is the wrong direction for America. It is the wrong direction for America for many reasons. As I said, we have a pristine wildlife area we want to protect. If someone thinks it can coexist, if somehow drilling for oil in this region and the wildlife refuge can coexist, I would like them to think about this.

In the Prudhoe Bay area, we have averaged 500 oil spills a year. From 1972 to 1986, the Alaska Department of Environmental Conservation reported 23,000 spills of oil and hazardous materials on the Northern Slope. Annual emissions from air pollutants on the Northern Slope include at least 4,000 tons of hydrocarbons, more than 6,000 tons of methane gas, 6,000 to 27,000 tons of nitrogen oxide.

If that is not enough, the U.S. Fish and Wildlife studies have reported that the snowfields around Prudhoe Bay have high concentrations of heavy metals such as zinc, lead, and copper. For some of those chemicals, the nitrogen oxide level is as much as in Washington, DC. And we are talking about just an area in Alaska.

If you think drilling in the Arctic Wildlife Refuge can coexist with the refuge, I would also like to suggest we take a look at the even newer Alaskan oilfields which have significant problems with environmental management.

In February 2000, one oil company was sentenced to pay $15.5 million in criminal fines and to implement new environmental management programs, and to serve 5 years probation for failure to report illegal dumping of hazardous materials in certain oil wells. They also paid an additional $6.5 million in civil penalties, while its contractor pled guilty to 15 counts of violating the Oil Pollution Act of 1990 and paid a $3 million fine.

A 2003 study of by National Academy of Sciences, which studied the cumulative effects of current drilling on the Northern Slope of Alaska, documented significant environmental and cultural effects that have accumulated after three decades of oil development on Alaska's Northern Slope.

So I think it is very foolish to say oil development and a wildlife refuge can coexist, not when we are talking about clean water, not when we are talking about preserving a wildlife habitat, not when we are talking about continuing to preserve what has been called a very unique area of our country.

But there is something I think the Senate needs to understand as we take this vote. This is a good proposal for Alaska, and I don't fault my colleagues for trying to propose this particular proposal. I would much rather, as I said last night, work with my colleagues on a natural gas proposal and provide the resources necessary to build a pipeline and access a significant source of natural gas supply that would help us in America getting off our dependence of oil in general and develop a much cleaner supply for Americans. But there is nothing in this language that guarantees the oil produced in the Arctic Wildlife Refuge would even stay in the United States. The oil companies are free to export that oil. So for those who say somehow this is going to affect gas prices—and, believe me, we will not see this oil for 10 years, and it is only a 6-month supply, and it will have a minimal impact on markets—it certainly has no guarantee to have an impact on price or supply in the rest of the U.S. market because the oil drilled in the refuge can be exported.

I also question whether the estimates of money in the budget resolution are even valid, whether the numbers are even correct. That is because current law requires that there be a 90–10 split between revenues that go to Alaska and the Federal Government. This budget resolution supposedly recognizes a 50–50 split, which I do not understand how one gets to that conclusion, because it is not current law. In any case, that split means Alaska residents would get $717 per person per year. So I get why it is a great deal for Alaskans. But it is not a great deal for Americans.

Americans need to move ahead and produce a variety of sources of energy supply. I am going to talk about that in a few minutes, but I want to recognize some of my colleagues who also want to speak.

What we need to recognize is that drilling in the refuge only increases America's reliance on fossil fuel, and that, according to another newspaper editorial in our country, is being recognized by Americans all over. They know that would increase America's reliance on fossil fuels and do little to limit our dependence on imported oil.

That is what the other side would like to say the debate is about, improving our independence. What we should do instead is invest in new technologies and change our strategy. We do not need to open a wildlife refuge and continue to depend on something that we know has a very high chance of polluting the environment and harming the wildlife, but get on to investing in the technology that will diversify our energy supply and give us a secure future.

Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator has 28 minutes.

Ms. CANTWELL. Mr. President, I would like to yield to the Senator from Massachusetts for 10 minutes.

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

Mr. KERRY. Mr. President, I thank Senator CANTWELL for her leadership.

I regret we are here at this time on the budget talking about a major legislative issue, a major energy policy issue which is being approached through the backdoor. This is the equivalent of the ''nuclear option'' that is being talked about with respect to judges. This is a ''nuclear option'' on the Arctic National Wildlife Refuge.

You cannot drill, you cannot have oil exploration and preserve a refuge, nor even a wilderness. The oil companies themselves have said that. They have made it crystal clear. ConocoPhillips pulled out the other day and said they do not want to drill in Alaska. BP does not want to drill in Alaska. And these companies have had the courage to admit publicly that wilderness and drilling simply do not coexist. But because the votes do not exist to do this through the proper channels of the Senate, there is a new process being put in place to do this on the budget.

It is symptomatic of what is happening in the Congress. The Ethics Committee in the House is importuning to change the rules for Congressman TOM DELAY. Now they are talking about changing the rules for how to get judges. They do not like the rules; change them.

This does not belong in the budget. It belongs in a debate on the energy policy of the United States. But even on the merits, every single argument that has been made about the Arctic Wildlife Refuge fails to withstand scrutiny. We have heard that drilling in the refuge can be done in an environmentally friendly manner. But even the administration's own reports, the National Academy of Sciences, and others, all show that is not true.

We have heard that drilling in the refuge will reduce our dependence on foreign oil. We have heard that drilling in the refuge is going to bring gas prices down at the pump. We have even heard that drilling in the refuge belongs in the national budget because of the revenues from the lease sales. We have heard it is the only available location to look for new oil, notwithstanding that the largest unexplored and as yet unexploited area of oil for the United States is in the offshore gulf, deepwater drilling. We have heard the oil industry is eager to do this even though oil industry executives tell you otherwise in private, and several major companies in public have pulled out of the effort.

We say here that less than 1 percent will be affected and only 2,000 acres is going to be the footprint. Yet there is nothing containing that 2,000 acres into one contiguous area.

The fact is, that 1.5 million acres will be opened and you could have 20 different sites or 40 different sites of individual drilling. The maps show the roads, the gravel pits, the gravel roads, and other needs of airport, and so forth, to service those particular areas.

I would think most of my colleagues would understand that by definition wilderness and an industrial zone do not coincide. By definition they cannot occupy the same space.

In 1960, the Eisenhower administration first recognized the extraordinary wilderness value of the area and it was established to provide a unique wildlife landscape. Building a massive oilfield, no matter how you describe this imprint—we do not have time, unfortunately, to go into great detail, but every description of how this would actually be done defies the notion that this is going to be contained to an area the size of Dulles Airport.

Oil companies want you to think whatever oil may be found in the refuge is in one compact area. But if you go look at the North Slope oilfields west of the Arctic Refuge, that development sprawls over an extraordinarily large area. It stretches across the Coastal Plain.

According to the U.S. Geological Survey, potential oil under the Coastal Plain is not concentrated in one large reservoir but it is spread across the Coastal Plain in many small deposits. To produce oil from this vast area requires a network of pipelines. Roads will be built. And that will change the habitat of the entire Coastal Plain.

Now, I acknowledge there is new technology. I know we have made progress with respect to horizontal drilling. We all understand that. And it is more efficient. And, yes, it is less harmful than we have been in the past. But the advantages are extraordinarily exaggerated, particularly with respect to what will happen to the imprint in the Arctic Wildlife Refuge. Even new technology such as directional drilling does irrevocable damage. Permanent gravel roads, busy airports are still used for access to production wells that are scattered across more than a million acres of coastal plain. And the entire complex, according to the analyses made by independent groups, will produce more pollution than the city of Washington itself.

No matter how well done, oil development has significant and lasting impacts on the environment. The industry itself has said this. British Petroleum has said:

> We can't develop fields and keep wilderness.

And if the facts and the frank admission of an oil company are not enough, colleagues ought to read the National Academy of Sciences study. They should read the Department of Interior study and others who have all come to the same conclusion.

In addition, let me point out that every onshore oilfield today on Alaska's North Slope has permanent gravel roads, every single one, even the original Alpine field promoted to this day as a roadless development. I read Secretary Horton's article in the New York Times on the weekend talking about roadless development. It isn't roadless. It has a road connecting its drill sites from the time it began pumping crude oil in the year 2000. In December of 2004, a new road into the National Petroleum Reserve-Alaska, and others, connected the initial oilfield pump to 33 miles of Alpine roads, and BLM predicted 122 more miles are going to be needed for the next phase of Alpine expansion.

Even today this promotion of ''roadless'' is fictitious. It is not going to happen. The roadless concept has not been abandoned. This is what the Bureau of Land Management says:

> The roadless concept has not been abandoned. Roadless development never meant no roads, only that the construction of permanent roads would be minimized.

How many times do the American people have to listen to clear skies that aren't clear, healthy forests that are not healthy, and now roadless rules that are not roadless? The fact is, this is going to be destructive. It changes wilderness forever.

What about dependence? We hear this is going to change America's dependence on oil in the world. Go talk to anybody on Wall Street who deals with oil. Go talk to any of the people who trade oil prices, crude barrels. The fact is that this is not going to have any impact. Ten years from now at the peak year, you may change the percentage of American dependency from 62 to 60 percent.

The United States only has 3 percent of the world's oil reserves. Nothing we could do in Alaska will affect the long-term security of the United States. The only thing that will do that is to recognize we need to move to alternative, renewable, different forms of fuel. The effort of the Senate should not be to destroy a wilderness area. The effort of the Senate ought to be to accelerate that research and development in America. Because with 3 percent of the oil reserves of the world in our hands, including Alaska, you can't drill your way out of America's predicament, you have to invent your way out of it. And that is not what this bill seeks to do. It is a drilling solution. It is a drilling solution with extraordinarily negative consequences.

The fact is, the price of oil will not drop. The price of energy will not drop. The price of gasoline will not drop. And one of the reasons why is that China, with its 1.2 billion people, and India, with its 1.-plus billion people, are all increasing their cars on the roads, increasing their development. That is raising the demand curve to a point that nothing the United States does is going to accelerate our production of oil sufficiently to have an impact.

May I have an additional 2 minutes?

The PRESIDING OFFICER. The time of the Senator has expired.

Ms. CANTWELL. I yield the Senator an additional 1 minute.

The PRESIDING OFFICER. The Senator is recognized.

Mr. KERRY. We should not take the energy policy of the United States and

dump it into a tiny debate on the budget for a backdoor effort to find 50 votes-plus in order to do what has traditionally been done according to the rules of the Senate. This is an abuse of power. It is also an abuse of common sense. It will result in a policy that is against the will of the vast majority of the American people. Once again, special interest effort is defeating the desires of the American people to preserve wilderness and preserve something we have preserved to this date for future generations.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Mr. President, I yield myself time off of the resolution.

The representation by the Senator from Massachusetts that somehow this is outside the rules to proceed within the rules is a very unique view of the rules. We are using the rules of the Senate. That is what they are. Reconciliation is a rule of the Senate set up under the Budget Act. It has been used before for purposes exactly like this on numerous occasions.

The fact is, all this rule of the Senate does is allow a majority of the Senate to take a position and pass a piece of legislation, support that position.

Is there something wrong with majority rules? I don't think so. The reason the Budget Act was written in this way was to allow certain unique issues to be passed with a majority vote. That is all that is being asked for here.

Mr. KERRY. Will the Senator yield for a question?

Mr. GREGG. No, I will not yield.

The point, of course, is this: If you have 51 votes for your position, you win. Fifty-one votes to say there should not be drilling, that there should not be exploration, that this small postage stamp of land in this vast area of land should not be looked at for the purposes of giving us some independence in the area of energy, addressing our energy needs as a nation—if you have 51 votes to say that, you win.

If, on the other hand, the Senators from Alaska, who feel that in good conscience they had a commitment from the Senate for many years that they would be allowed to pursue this initiative and that they can do it in an environmentally sound way, have 51 votes for their position, they win. That is the way the rules of the Senate are set up.

So it is totally inappropriate for a Senator to come to this floor and represent that this is some sort of unethical act, as was implied by the Senator from Massachusetts. We are using the rules of the Senate as they are set up to be used, and that happens to be the rule of the Senate.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Alaska is recognized.

Ms. MURKOWSKI. Mr. President, at this time I yield 5 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. ALLEN. Mr. President, in listening to the debate, I will tell you what people in the real world care about and that is not process. What people care about, when you see them in the hallways, or anywhere across our country, they care about these high gasoline prices they are having to pay. I agree with the Senator from Washington, to some degree, that we do need to embrace a national energy policy that utilizes the advances of technology. We need more electricity being produced by clean coal technology, propulsion by fuel cell vehicles, and also we need to look at nuclear as a part of the mix, as opposed to natural gas for electricity base-load generation.

Rather than talk about process, let's talk about reality. The Senator from Massachusetts is talking about process that no one in the real world cares about. But what I understand is my own experience. I have been to the North Slope, Prudhoe Bay in late November. It was like the dark side of the moon. I also studied this over the years and have seen that Prudhoe Bay has development. I think it is a magnificent engineering feat. In the summer, it is full of mosquitoes, and at other times there are herds of animals that have to be fairly hardy animals to live up there.

So the argument ends up being, gosh, if there is a pipeline, there will be a gravel road. All of what happened in Prudhoe Bay has not had an adverse impact on the animals up there, or the mosquitoes, and if there is a gravel road in an area the size of Dulles Airport in a refuge the size of South Carolina, a few gravel roads won't have much impact. I know the occupant of the Chair, who is from South Carolina, knows that doesn't stop deer in his State. It certainly doesn't stop any other animals.

The reality is we have high gas prices, gasoline, and natural gas. It is affecting our travel and people in their homes. There are three reasons this amendment needs to stay and we get this revenue from this production. No. 1, security. We are overly dependent upon foreign sources of energy. We are being jerked around and sitting here reading e-mails to see what OPEC is going to do. Are they going to increase production by a few hundred thousand barrels? What impact will that have? Yes, other countries, such as India and China, are taking coal and taking energy, such as oil.

But the point is we should be less dependent and reliant for our own security on OPEC and Venezuela and all these different countries, primarily in the Middle East, for our own security. We are presently 58-percent dependent upon foreign oil. It is going to go up to 68 percent in the next 15 years. That is the estimate.

Second, this is for jobs. Jobs will be created. Hundreds of thousands of jobs in everything from manufacturing, mining, trade, services, construction, and others. It is going to have an impact mostly on Alaska, but also across the country. That is good for our country as well.

Talking about this being Yellowstone, I would not open up exploration at Yellowstone. Nobody is suggesting that. The west coast of Florida, the people there, if they want to have a reasonable distance from oil production that doesn't draw the line all the way to Mississippi and Louisiana, respect the will of the people of the west coast of Florida. If the people of Charleston, SC, don't want drilling off the coast of South Carolina, we ought to respect those people.

In Alaska, having been chairman of the Republican Senatorial Committee, looking at poll after poll last year, it is amazing how uniform the support is among the people of Alaska—Democrats, Republicans, Indians, Eskimos, and even in the sub-categorized liberals; liberals in Alaska are in favor of this pipeline. They understand it can be done in an environmentally sound way. It means jobs, revenues. And for us outside of Alaska, the lower 48, and Hawaii, this means energy security.

Finally, in addition to security and jobs, there is competitiveness. This country needs to have a reliable, affordable source of energy, whether that is oil or natural gas. Many fertilizer and chemical manufacturers, paper, plastic—even in Danville, VA, where they manufacture tires at a Goodyear plant, they are concerned about the skyrocketing costs of natural gas. Natural gas is available in other countries around the world at a more affordable price. They are competing to get Airbus airplane tires. They got the contract, but obviously tires can be made in Southeast Asia, or elsewhere in the world.

It is important for our competitiveness that we have a more stable and affordable energy supply. So I ask you all, my colleagues, to do what is right for the security of this country and jobs for Americans and, most important, for the competitiveness of our country. Support what the Budget Committee has done. Let's use those resources on the North Slope of Alaska for American job security and competitiveness and do what is right by the people in the real world, who would like to see us act, as opposed to worrying about what people in OPEC say about our gas prices.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I yield 5 minutes off the resolution to the Senator from Massachusetts so he may be able to answer the questions that were put to him.

Mr. KERRY. I thank the Senator from North Dakota. I would like to take 1 minute to say something about what we heard, because the Senator from Virginia tried to minimize the impact of what would happen out there. Let me read what happened from the Clean Air Act Violations in 2004:

The Alaska Department of Environmental Conservation imposed an $80,000 civil penalty on ConocoPhillips for Clean Air Act violations in the Alpine oil field. In addition, over 2.3 million gallons of drilling muds—toxic, manmade fluids pumped into wells—disappeared into the Colville River in 1998. The following year, 24,654 gallons of hazardous drilling fluids spilled at the Colville River pipeline crossing.

Oil industry activities for the Alpine fields caused 170 spills, totaling 36,000 gallons of hazardous substances by 2004, and that is according to the Alaska Department of Environmental Conservation.

So this is not without harm. I stand by what I said about this being a violation of the rules, going outside the rules. I ask the Senator from North Dakota this, as he is a budget expert, respected by everybody in the Senate on the subject of the budget. The reconciliation process was put into place not to permit legislation for something that has been voted on as a matter of energy policy for years but for deficit reduction. This is not deficit reduction. I ask the Senator from North Dakota if that is not correct, that under the budget reconciliation rules, reconciliation is for the purpose of deficit reduction?

Mr. CONRAD. Mr. President, I would say, in answer to my colleague, my own belief is whatever one's views on opening the Alaska national wildlife refuge for exploration, whatever one's views are, my own belief is this is an inappropriate way to reach that policy conclusion.

The Senator is correct. Reconciliation is a process outside normal rules of the Senate. Reconciliation takes away from every Senator their most fundamental right, and that is the right to unlimited debate, the right to have an amendment, and the right as a member of the minority to resist the passage of legislation.

Reconciliation is a fast-track procedure that was put in place to try to address what was then record budget deficits. It was an attempt to provide a special protected procedure, not for the purpose of making policy changes that were incidental to the budget process but that were central to the budget process.

I do not think there is much question that this is a policy change being put in reconciliation that is incidental to the budget process. It is an attempt to change legislative policy that is far beyond an attempt to effect budget policy. For that reason, I personally believe, whatever one's views on ANWR, that this is an abuse of the process.

Mr. KERRY. I thank the distinguished Senator. If I could also ask him one further question, according to the expectations of drilling, the time it will take and when revenues would flow to the United States, there will be no revenue that will flow from this legislation that will reduce the deficit; is that correct?

Mr. CONRAD. I do not have before me the anticipated flow of revenue. But, really, that is not so important as the fundamental underlying question: Is this an attempt to do something by way of a policy change that is merely incidental to the budget process? I think one would have to answer: Clearly it is. That makes it an abuse of the process.

Reconciliation, again, for my colleagues, was designed to be used for deficit reduction. This cannot be seen, seriously, as a deficit reduction plan.

Mr. KERRY. I thank the Senator. This is not a deficit reduction plan. That is the fundamental choice here.

For those colleagues who are wavering about this, who wonder about it, this is a precedent. Some people around here may take these precedents casually and the moment may seem very opportune. What goes around comes around. Someday these folks over here may be in the minority and they will want the rules played by properly. That is really what is at stake, not just the issue of the Arctic Wildlife Refuge but how the Senate is living up to its own standards and its own rules.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

MS. MURKOWSKI. Mr. President, I yield 10 minutes from our side to the Senator from Hawaii.

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

Mr. INOUYE. Mr. President, during the past several weeks, my office and I have received hundreds of letters, telephone calls, e-mails, most of them condemning drilling in the Arctic National Wildlife Refuge. Some were threatening. Some were very sensitive. I would like to take this opportunity to respond to these letters and telegrams and e-mails.

I do this with mixed feelings because I am well aware that the majority of my colleagues on the Democratic side are not with me and that I may be one of the very few on our side. But I have taken this position for many years. This is not the first time. So I think I have a few things I would like to share with you.

Last night, I watched a television ad put out by people who are not for the drilling. If one looked at it objectively, you got the impression that the drilling would be done in all of Alaska. It showed pristine scenes of wildlife, of plants. You could not help but feel, my God, are we going to destroy all of this?

How large is ANWR? As the Senator from Virginia stated, it is about the size of the State of South Carolina. The area that will be set aside for this drilling would be about 2,000 acres—2,000 acres out of 19 million acres.

Put another way, if ANWR were the size of a page of the Washington Post, and you put something on it about a square quarter inch, that would be about the size of the drilling footprint of ANWR.

We are not devastating the State of Alaska. We are not devastating ANWR.

This debate has gone on for a long time. Many of the debates centered around the statements of an Indian tribe, the Gwich'in. The Gwich'in village at one time offered their lands for lease to drill and develop oil. They had no conditions to it. They said just go ahead and drill on our land, we would like to have that done. But when the test drills were made and they found that there was no oil or gas, then, suddenly, the Gwich'ins found themselves in opposition.

There are 230 Indian tribes and tribal villages in the State of Alaska—230. One tribe is against it, the Gwich'in tribe. For the past 15 years I was chairman of the Indian Affairs Committee. My mandate from my colleagues was that we should listen to the Indians. Mr. President, 229 tribes said yes, we want it. One tribe said no.

The Gwich'ins have cousins on the Canadian side, and the Canadian side Gwich'in land is being drilled at the same time, and they seem to be happy.

The question comes up, how many barrels will ANWR produce? The U.S. Geological Survey suggests that ANWR holds between 5.7 billion and 16 billion barrels of oil, an average of about 10 billion barrels. The site will produce an additional 876,000 to 1.6 million barrels a day. This makes it the single greatest prospect for future oil production in the United States. It will produce over 36 million gallons of much needed gasoline, jet and diesel fuel and heating oil. To put this in perspective, while ANWR can produce 1.6 million barrels a day, Texas and California each offer about 1 million daily.

Development of ANWR alone will reduce U.S. dependence on foreign sources by 4 percent. Some would say: 4 percent, that's not much. Tell that to the driver who has to go to the pump today and pay that extra price. Four percent makes a big difference.

But equally as important, I have heard many of my colleagues suggest that the war in Iraq is a war on oil. If they believe so, why don't we produce our own oil so we don't have to fight for it?

I close by sharing with you something that happened many years ago when the Trans-Alaska Pipeline was being debated. It was a long time ago, and most of the Members of the Senate were not here at that time. Dire predictions were made. Environmentalists came forward and said: You are going to destroy Alaska. The caribou herd will be demolished and diminished. They will become extinct.

Those are the words that we heard. At the time the Congress authorized the Trans-Alaska Pipeline, there were 5,000 caribou. Today, there are 32,000 caribou. Instead of diminishing the herd, the pipeline apparently has helped them. But this is not a debate on the pipeline, it is a debate on ANWR.

I hope my colleagues will give this opportunity to the people of Alaska. When 229 out of 230 tribes tell me they want it, I am ready to respond, sir.

Thank you very much.

The PRESIDING OFFICER. Who yields time?

Ms. MURKOWSKI. Mr. President, I yield 5 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 minutes.

Mr. THUNE. Mr. President, I thank the Senator for yielding.

How high do gas prices have to get? How over a barrel does OPEC have to get us before we realize what the American people realized a long time ago that we have an energy crisis in America today? We have gas prices that continue to soar. We have supply problems because we rely on the geopolitics of the Middle East.

Earlier this month, I was glad to join Energy Secretary Sam Bodman, Interior Secretary Gale Norton, and four of my colleagues, including the Senator from Alaska, Ms. MURKOWSKI, on a trip up to the Arctic Wildlife National Refuge. It is a big place.

Alaska is 386,000 square miles. My home State of South Dakota is 77,000 square miles. We think we have a lot of wide open space in South Dakota. But you could put seven of my States of South Dakota into the State of Alaska.

If you look at Alaska in its totality and look at what we are talking about in terms of the exploration and possible production in ANWR, it is 19.6 million acres on the wilderness area, ANWR area. Eight million acres of that is wilderness. The area we are talking about for development and exploration is 1.53 million acres.

Furthermore, the area that would be used under the legislation limits it to 2,000 acres.

That is the equivalent in South Dakota terms of about three sections of farmland in an area that is 19.6 million acres in a State that is 586,000 square miles, where we could put seven of the State of South Dakota.

We had the opportunity when I was up there to look at technology. It is remarkable what has transformed over the last 30 or 40 years. You probably can't see it on the map, but Prudhoe Bay technology is 1970s vintage technology compared to 1980s vintage technology. We went to a site called the Alpine site, which is the millennium technology. The changes that have taken place are dramatic, and the way it has evolved minimizes the impact and the footprint that is left. In fact, at the Alpine site, there were 97 acres, which included the runway where they land the planes to provide their supplies and the lake they get their water from. They are generating 120,000 barrels of oil a day on 97 acres. Why? Because the technology allows them to go underground, to drill horizontally, and to drill directionally. It minimizes the impact above the ground.

We saw where they use ice roads for exploration to get back and forth. In the winter, the roads disappear. Below the frozen tundra is the single largest and most promising onshore oil reserve in America—somewhere between 6 billion and 16 billion barrels of oil. The average of that would be 10 billion barrels.

How much is that? A million barrels a day that we could add to our production in this country. That is 5 percent of what we use—20 million barrels a day in the United States. We get 10 million barrels a day today from outside the United States.

This would lessen our dependence on foreign sources of energy.

Put another way, it could power the State of South Dakota for 499 years.

We are talking about a significant resource that we need because America is facing an energy crisis.

Gas is over $2 a gallon. A barrel of oil is near record highs. Make no mistake about it, America's energy crisis is an economic crisis that impacts every American. This country needs energy legislation which fosters more oil production and increases the alternatives, such as renewable fuels and ethanol that we produce in my home State of South Dakota.

I hope we can get a comprehensive energy bill that increases the use of ethanol in this country. Right now, we do about 3.5 billion gallons a year in ethanol, but we use 120 billion gallons a year of gasoline in this country. It has to come from somewhere.

Right now, we are paying all the money to the folks in the Middle East who have gotten us over a barrel. We need to change that. We need to reduce our dependence on politically unstable foreign sources of oil.

Specifically, the United States imports about 3 million barrels of oil a day from the Persian Gulf. The estimated daily domestic supply from ANWR would reduce that number by half.

Passing this legislation will reduce America's dependence on foreign sources of oil, strengthening our economic security, strengthening our energy security, and strengthening our national security.

When I was in the House, we passed an energy policy, but it got stuck in the Senate.

We have an opportunity to finally finish the job that the American people sent us here to do and to reduce our dependence on foreign sources of oil.

Listen to the people of Alaska. Mr. President, 57 out of 60 members of the Alaska State Legislature support this. You just heard the Senator from Hawaii talk about most of the tribes in Alaska support this. The congressional delegation, the Governor, the people's representatives here in Washington and in Alaska believe this is important to the future of that State.

It is important for the economy of this country and to the people who are having to pay the price at the pump because we fail and refuse to do something that is so important—to tap the vast reserves that exist right here in America rather than relying on the Middle East for our energy supply.

I hope my colleagues here today will join with me and with those in the past who have supported this and vote for this so that we can begin the process of lessening our dependence on foreign sources of energy.

I yield the floor.

Mr. CONRAD. Mr. President, I yield an additional 10 minutes off the resolution under the control of the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Ms. CANTWELL. Mr. President, I would like to yield 5 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 5 minutes.

Mrs. BOXER. Mr. President, I thank Senator CANTWELL for her wonderful leadership on this issue.

I sit here and I am listening to this debate which we have been involved in so many times. Now I know why Christie Todd Whitman wrote her book ''It Is My Party, Too.''

When you look at who set aside the Arctic National Wildlife Refuge, it was a Republican President. Here the biggest forces for opening drilling are coming from the Republican Party, fervor about how this is going to solve our energy problems when everyone admits if we get oil out of their at all it is not going to be for another 10 years, and the economically recoverable oil is 6 months, maybe. So the zealotry that we hear shows the changes in the Republican Party. That is a fact of life.

Now, let's see what President Eisenhower's Secretary of Interior, Fred Seaton, said about this area. He said this was ''one of the most magnificent wildlife areas in North America . . . a wilderness experience not duplicated elsewhere.'' Senator GEORGE ALLEN called it the dark side of the Moon. So who is right—President Eisenhower or Senator ALLEN? Let's take a look at some of the photographs because we need to see this dark side of the Moon.

The first thing we see is the porcupine caribou herd, the mother and the little calf. Quite beautiful. It does not look much like the dark side of the Moon to me. The U.S. Geological Survey Biological Resource Division found the porcupine caribou herd may be particularly sensitive to oil development.

Let's look at the effects on the caribou and other animals, including bears. This is my favorite, a polar bear photograph taken by a wonderful photographer who spent 18 months in the wildlife refuge. It does not look much like the dark side of the Moon to me. And polar bears are particularly sensitive to oil development because they den in the winter—exactly the time the oil companies want to drill.

Millions of migratory birds—over 130 species—journey to our States, so our States will be impacted. To me, this is a God-given environment. With all the talk about faith-based politics, if you do believe, as I do, that these are gifts, then we have to be careful in what we are doing here today.

My friend from Alaska says we are going to do this very sensitively. They were very sensitive at the Exxon Valdez. They were very sensitive in Santa Barbara when we had the unbelievable oil spill that led to, actually, the very first Earth Day because it was so devastating to see what happens. We know that the economic activity that comes from oil drilling is going to have an impact. So anyone who tells you anything else simply is thinking in a wishful fashion. We are alive today, we see what happens with the spills. Let's be careful what we are doing. If this is something that will make us energy independent, that is one thing. But the fact is, it won't.

Let's look at some of the scenes because there was talk about how barren this area is. We will look at some of the landscapes because it is important to look at this and decide for ourselves if it is worth risking this for 6 months' worth of oil.

This is along Marsh Creek in the coastal plain, in the very area they say is completely barren. One of my colleagues said it only looks that way for a few weeks. Well, it certainly looks that way at a point in time. When I sent my environmental legislative assistant up to that area, she was overcome. I went to Alaska. It is true there are other magnificent areas of Alaska, but this is one of those beautiful areas.

Here is the issue. The oil companies are backing out. They do not want to be involved in this controversial area. Many have already backed out. BP, ConocoPhillips, and ChevronTexaco have pulled out because they know what they are walking into here, and they don't want to drill. It may be that even if we get the vote, no one will drill there. We are not sure of that. Why is this happening? I say it is happening because if they could open this area, they can open any area. Don't take my word for it; you can take the Bush administration's word for it. That is what they have said in essence. They admit it.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CONRAD. I alert my colleagues of the time situation. I gave 10 minutes off the resolution to Senator CANTWELL to control to even up the two sides. Here is the problem: I only have 3 minutes left on the resolution before the 1 o'clock vote. I would be happy to give the Senator from California 1 of those 3 minutes.

Mrs. BOXER. Here is the point. This area was set aside by a Republican President who found it to be most pristine. We understand there are certain times in this Senate when we do something as radical as this, which is to open up a wildlife refuge, we may want to have a few more votes. That is kind of the rules of the Senate. They are doing a backdoor, so they may get 51 votes here, and with 51 votes they open this—for what, maybe 6 months' worth of oil. If we close the SUV loopholes, if we said over time they should get the same mileage as cars, we would have seven ANWR fields over 40 or 50 years.

We do not need to do this. If you believe this is God-given land, let's protect it. At the end of the day, that is our job. I hope we get the votes. If we do not get them today, this will be a big issue out in the country. I hope the oil companies will continue to walk away from this because clearly it is very controversial to go into this pristine area.

I yield the floor.

Mr. LOTT. I have an inquiry.

The Senator from Washington has 5 minutes she was going to use. I was under the impression that the Senator from Washington had 5 minutes.

The PRESIDING OFFICER. That is correct.

Mr. LOTT. If she is willing to wait, I ask unanimous consent I be yielded 10 minutes off the underlying resolution.

Mr. CONRAD. Reserving the right to object, let me make certain I understand the request. The problem we have, I say to the Senator, all of the time has been allocated. Maybe there is some additional time you have on your side. We have locked in a 1 o'clock vote, and if you add the time for the veterans amendment and the ANWR amendment, there is 2 minutes remaining before 1 o'clock to come off the resolution.

Mr. LOTT. If I could, I understand there is a substantial amount of time on the underlying resolution. I was hoping to speak not just on ANWR but also on NIH and Amtrak. I thought it should come off the underlying resolution, not just Amtrak, and I have been sitting here for almost an hour. I thought, with the flow back and forth between supporters and opponents of the amendment, that it would be appropriate I be allowed to speak at this time.

Mr. GREGG. Mr. President, how much time do we have on the resolution on our side before we get to the 1 o'clock vote?

The PRESIDING OFFICER. There is 24 minutes 53 seconds. There is 4 minutes of unpromised time on the resolution before 1 o'clock.

Mr. GREGG. And we have coming up 45 minutes on the two veterans amendments.

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. Will the Senator yield?

The Senator from Washington has already taken 10 minutes off the resolution on this amendment.

Mr. CONRAD. If I might, I gave time off the resolution on our side, but I was very careful to check with the timekeeper that there was time that would not impinge on the 1 o'clock vote. That is the problem we have.

Mr. STEVENS. But it still unbalances this time. I ask unanimous consent I have 10 minutes, equal to the Senator from Washington, off the resolution.

Mr. LOTT. Mr. President, I believe it was my request that is pending.

Let me make a couple of observations. First, whenever Senator STEVENS wishes to speak, I will defer to him. Second, since we only have 4½ minutes of time, I would be willing to take just 4½ minutes to speak only on ANWR and come back on the other issues at another time.

I amend my request to ask that I be allowed to take this 4½ minutes if it is off the resolution so I can address this issue.

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

Mr. STEVENS. I have a pending request, also.

The PRESIDING OFFICER. The Senator from Mississippi has a request, and the request is to be recognized for 4½ minutes. Does anyone object?

Mr. CONRAD. Off the resolution. And that uses all the time until 1 o'clock.

The PRESIDING OFFICER. That is my understanding.

Mr. CONRAD. I do not object.

Mr. LOTT. Parliamentary inquiry. Could I inquire, has Senator STEVENS' time already been identified before this 1 o'clock vote?

The PRESIDING OFFICER. He has made the request.

Mr. LOTT. Has not been——

The PRESIDING OFFICER. He has made the request. The Senator has been recognized for 5 minutes on the ANWR amendment. But as the Chair understands it, the Senator from Alaska is asking to speak for 10 minutes before 1 o'clock and the time be taken off the underlying resolution.

Mr. GREGG. Mr. President, as a way to resolve this, I ask unanimous consent that Senator STEVENS be given 10 minutes off the resolution and that the vote occur at 1:10.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Mr. President, reserving the right to object, and I will not object, let me say to my colleagues, that is the last agreement I will enter into because we are rapidly running out of time on the resolution. We have spent a great deal of time on this matter. Certainly in recognition of Senator STEVENS' long service, and his intense interest on this issue, we will agree to that one moving back of the vote.

The PRESIDING OFFICER. It is the Chair's understanding we will proceed as follows: that the Senator from Mississippi will speak for 4 minutes, that the Senator from Alaska will be given 10 minutes, and the vote will be at 1:10, and the Senator from Washington has 5 minutes to be taken off the underlying resolution yet to be used. Is that correct?

Ms. CANTWELL. Mr. President, then how much time remains on the ANWR debate for both sides?

The PRESIDING OFFICER. There is 17 minutes 4 seconds for the minority; 24 minutes 53 seconds for the majority.

Ms. CANTWELL. Thank you.

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

The Senator from Mississippi.

Mr. LOTT. Mr. President, I am glad I could assist the Chair in clarifying the time at this point. This is a very important issue. It is time, I agree, we should get it resolved. I think it should be resolved with a majority vote. We can argue over the rules as long as we like. But to me, this is a critical issue. It symbolizes what we are going to do about the future in the energy area.

I do not have some beautiful picture I am going to show today. If I were going to show one, I would show one of my four grandchildren. Are we going to have energy production in our country or not? Are we going to continue to put various areas off limits where we cannot have more production? There are some people, I guess, in this institution who think we can conserve ourselves into an energy policy.

We need to produce more oil, more natural gas, more coal with clean coal technology, hydropower, all of it, and have conservation and alternative fuels. And we should produce this oil in Alaska, or natural gas, or whatever it is up there.

When I came to the Senate, I spent some time talking to the experienced hands around here, and I asked about how you deal with different issues. One of the things I was taught by my predecessors here in this institution is you pay attention to the Senators from their State when it is an issue involving their State.

This is an issue that is supported by the two Senators from Alaska, supported by an overwhelming number of people in that State. It is supported by the Native Americans in that State. This is the right thing to do from their standpoint. I do not understand why Senators from Massachusetts and Washington and Maine are trying to dictate what should happen in this area in production that we need as a country. I am absolutely floored by all of this.

I think it is time we consider what is for the good of the overall country and get over all these dire threats of doom of what we might do if we have exploration in this very limited area. And, ladies and gentlemen, it is about jobs. It is about revenue. Why do you think most of the unions are supporting this? They were in my office today saying: We are for this, because they understand it would involve jobs. They understand it would involve more revenue coming into the Federal Treasury. They understand it is about energy independence.

When are we going to learn? The price of a barrel of oil is $54 a barrel. Gasoline is somewhere close to $2 a gallon, in some areas as much as, I think, $2.16 a gallon. Venezuela made it clear recently they would like to cut us off completely. We are dependent on a very volatile area of the world for our oil supply. Probably about 60 percent of our energy needs is supplied by foreign oil.

Even in this remote area of Alaska we are saying we cannot produce more oil and gas. Who is going to lose if we do not have energy sources? We are going to have it in my State. We are going to produce our own oil and natural gas and coal. We are going to have excess power. By the way, if they are willing to pay for it, we will be glad to wheel it up to Pennsylvania and Massachusetts and Connecticut. We will share.

But I will tell you, if we do not have oil and gas and coal to run our powerplants, the electricity is going off. It is time we get serious about this issue. We should vote down this amendment.

I commend Senator JUDD GREGG and the Budget Committee for taking this action. I think we should do this if for no other reason than because of support for the Senators, particularly Senator STEVENS, who has spent a career trying to do the right thing for Alaska. Who has done more for conservation and environmental issues in Alaska than Senator TED STEVENS? Nobody. He has made every possible plea for this. So I hope we will do it. It is the right thing to do. We should do it in his honor.

I thank my colleagues for giving me this opportunity to vent a little bit. I am amazed at the irresponsibility of this Congress and the previous Congress and the American people to a degree in the energy field. We want it, but we do not want to do anything to produce it. So I hope maybe this will be a sign today, when we vote to defeat this amendment, that we are finally getting serious about more energy production in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, if I could take a few moments to point out that this Senator certainly wants America to move forward with the development of new energy supply. In fact, I am saying the whole debate should be about supply and not recognizing revenue in the budget for an ill-conceived project in a wildlife refuge.

We can get as much supply or more by doing the Alaska natural gas pipeline. That natural gas supply would save 6 billion barrels over 10 years; use of off-the-shelf renewables and energy efficiency technologies, 4.9 billion barrels in the next 10 years; increasing use of ethanol in our gasoline, 5.1 billion barrels over 10 years; improving tire inflation and automobile maintenance—you don't have to come up with a new place to drill—5.4 billion barrels; increasing automobile fuel efficiency standards, 10 billion barrels. So we certainly are about supply; we are just for a cleaner supply.

Why are we for a cleaner supply? Because if you look at it, and you compare the various proposals I have outlined with drilling in the Arctic Refuge, you get increased pollution from refuge drilling, increased $CO_2$ levels, you impact Federal lands, and I don't believe you are going to have any immediate impact on our country's energy resources. These other actions I have outlined actually decrease pollution levels. Those are the actions we should be taking, not refuge drilling.

Now, a lot has been said about gasoline and gasoline prices. We ought to be investigating why gasoline prices are so high, not accepting that we are going to have to be more dependent on foreign oil. In fact, a recent attorneys general office statement stated that gasoline producers marked up prices 152 percent between January and March of 2003. In the first 3 months of 2003, average gasoline prices increased 57 cents in California alone.

A trade industry magazine talked about the peculiar incidence of exporting distillate. That is taking our supply and exporting it. What does that do? It decreases the supply in the United States, and it increases the spot market prices at refineries. There is nothing in the budget resolution that guarantees we are going to lower gasoline prices. And there is nothing in the language of the budget resolution that guarantees any supply recovered from the Arctic Refuge will even stay in the United States.

I wish my colleagues would embrace these facts and guarantee that if we are doing to go into a wildlife refuge and drill for oil, at least we should require that we keep whatever oil we produce in the United States for our domestic use. But I doubt they will guarantee that. So now we are talking about drilling in a wildlife area. In doing so, we will increase pollution and not get our country off our foreign oil dependence and certainly not lower gasoline prices any time in the near term.

Mr. President, I yield 5 minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 5 minutes.

Mr. FEINGOLD. Mr. President, I rise today to express my strong support for the Cantwell amendment to strike the reconciliation instruction to the Energy Committee that allows for drilling in the Arctic National Wildlife Refuge. I first thank Senator CANTWELL for her tremendous leadership on environmental issues in general and especially her strong leadership on this very important environmental issue.

The other side can say what they want as many times as they want. The fact is, this provision is an abuse of the reconciliation process. Yes, it is. The Senator from New Hampshire may be right that it is technically not a violation of the rules of the Senate, but it is an abuse of the process. It is what you do when you get frustrated. You can't win under the normal rules, 60 votes, the way we have debated this issue year after year. You get frustrated and you say: Here is what we will do. We will use a revenue assumption in the budget so we only have to have 51 votes.

We should be debating this issue when we take up the Energy bill rather

than engaging in a backdoor maneuver on the budget resolution. I feel strongly, as a Senator who has always worked on a bipartisan basis year after year on the budget and the budget rules, that this one is over the line.

This fact is clearly evidenced by the speculative nature of the revenue assumptions from drilling in the Wildlife Refuge. A February 21, 2005 New York Times article about the refuge quotes a Bush adviser as saying that ''even if you gave the oil companies the refuge for free, they wouldn't want to drill there.'' He continued: ''No oil company really cares about [the Arctic refuge.]''

British Petroleum, ConocoPhillips, and ChevronTexaco have all pulled out of the pro-drilling Arctic Power lobbying group. BP abandoned a test well right next to the Arctic Refuge because of a lack of production. ChevronTexaco has moved its executives from Alaska to Houston. A Halliburton official said that ''enthusiasm of government officials about ANWR exceeds that of the industry'' and that ''evidence about ANWR is not promising.''

CBO concedes it did not address the oil industry's lack of interest in drilling in the Arctic Wildlife Refuge in its projections. So these projections don't add up. Authorizing drilling in the Arctic Wildlife Refuge through the budget process is simply the latest in a series of abuses of Senate procedures, and I believe the American people know it.

This is a backdoor scheme for drilling because the drilling proponents don't have enough votes to deal with this issue in the Energy bill. The public doesn't want it; major oil companies don't appear to want it; and it does not belong in the budget resolution.

The proposed transfer of revenues from drilling in the Arctic Refuge to fund popular conservation programs is, on its face, also an accounting gimmick. The President's budget zeroed out the State recreation grant program of the land and water conservation fund and reduced Federal lands acquisition dollars to its lowest funding level in 10 years. To further erode our environmental protections by drilling in this pristine wildlife refuge to generate public revenues for these important conservation programs underscores the administration's insincerity in claiming to support conservation.

Even if you think we should drill in the Arctic Refuge, this is not the time or place for this debate. If we can contort the budget process to authorize drilling in a wildlife refuge, why couldn't we use the budget process to allow drilling off the coasts of Florida or California or the Carolinas or the Great Lakes? When you abuse the budget process in this way, it invites even greater mischief down the line and undermines the very purpose for which these procedures were established.

We should not abuse the budget and the budget reconciliation process, as one of our colleagues put it years ago, ''in order to be immune from unlimited debate.''

Allowing oil drilling in the Wildlife Refuge which many of us believe should be protected as pristine wilderness is too important an issue to be handled in this way. We should have this debate in the open during an energy debate, not a debate on the budget resolution.

Therefore, I will vote for the Cantwell amendment and I urge my colleagues to do the same.

Mr. LEAHY. Mr. President, I rise today to express my strong support for Senator CANTWELL's amendment to the budget resolution protecting the coastal plain of the Arctic National Wildlife Refuge. Senator CANTWELL's amendment aims to strike a controversial provision that effectively paves the way to allowing oil and gas exploration in one of our Nation's most pristine and unique wild places. This is a common-sense amendment, which upholds the will of the American people in preserving this remote area. I urge my colleagues to join me in supporting it.

There is a strong consensus among all of us here, on both sides of the aisle that decisive steps need to be taken by this Congress to secure our Nation's future energy needs. We know that energy demand is rising not only in our own country but around the world, especially in nations such as India and China. We also know that there are grave national security implications for remaining reliant on foreign oil. And we know first-hand from our constituents, many of whom are struggling to heat their homes this winter, that the price of oil remains disturbingly high.

Drilling proponents want us to believe that resource exploration in the Arctic Refuge will be a one-stop solution to these critical energy challenges and that by doing so we will be closer to securing our future energy needs. This insinuation is flat wrong.

Even drilling proponents concede that any recoverable oil that the coastal plain would yield would not reach world markets for at least another 7–12 years. This will do absolutely nothing to help my constituents who have sticker shock at the gas pump or are seeing record home heating prices today. Even during peak production, expected around 2025, the amount of oil from the Arctic Refuge would reduce American imports by only around three percent according to the Energy Information Agency.

On numerous occasions I have come to the Senate floor urging my colleagues to adopt real solutions to our Nation's pressing energy challenges. We should be increasing the nation's fuel economy standards, which have remained unchanged for over 10 years. We should also be making a stronger commitment to the development of renewable energy and energy conservation technologies by offering tax incentives to both producers and consumers. It is mind-boggling to me that drilling proponents have provided so little leadership in forwarding these policy solutions. Instead they continue to offer the American people a false choice between environmental protection and energy security.

In another bold move, the administration has tried to sugarcoat oil development in the Arctic Refuge by massively inflating the projected revenues from anticipated lease sales there. The administration claims that lease sales will generate $2.5 billion in revenue in 2007. To get to that amount, leases would have to sell for between $4,000 and $6,000 per acre. In comparison, leases on the North Slope of Alaska have averaged only $50 per acre over the last 20 years. When I questioned Interior Secretary Norton about this discrepancy she could not explain how the administration got to its $2.5 billion estimate. What Secretary Norton and the administration don't want to acknowledge is that these revenues are disturbingly inflated. They also don't want to acknowledge that oil companies have lost interest in drilling in the refuge. Only one company is still a member of the lobbying group pushing for this provision in the budget resolution. The fact is that there are other places the oil companies prefer—places where it is cheaper to drill and where the environmental impacts are far less.

So why are we here today? Opening the refuge will do nothing to help reduce gas prices. It will do nothing to make us less dependent on foreign oil. Most oil companies are not asking for it. I can certainly tell you that Vermonters do not want to see this special place developed. In Vermont, we cherish the natural resources of our state. We cherish the special resources of this country—Yellowstone, Acadia, the Grand Canyon. I would put the Arctic Refuge on the same level as these national treasures.

Let me make clear though. I do not oppose energy development in this country. But not here, not in the Arctic Refuge. It's time to put this issue behind us and devote our time to working together on a sustainable, reliable energy supply for the future.

Mr. REID. Mr. President, I rise today in support of the Cantwell amendment to strike the language in the budget resolution that would allow oil drilling in the Arctic National Wildlife Refuge.

The decision whether or not to allow drilling in the Arctic National Wildlife Refuge is a defining moment for national energy and environmental policy.

This debate reflects two divergent views of our Nation's values and future.

We have a choice: either we can continue building oil wells in environmentally sensitive areas, or we can broaden our Nation's energy base while honoring our commitment to our natural heritage.

Instead of diversifying our energy supply, investing in new energy technologies and promoting energy efficiency, the Bush administration's priority is to look for the next domestic oil field.

No matter how clever they view this backdoor scheme to insert this proposal into the budget, the proponents of drilling in the Arctic Refuge cannot escape the facts.

The Arctic Refuge is home to an unparalleled diversity of wildlife including 130 species of birds, caribou, polar bears, musk oxen, grizzly bears, and wolves.

Estimates show there may be only 6 months' worth of oil, and it would not be available for 10 years.

The three largest oil companies in Alaska have stated they are not interested in drilling in the Arctic Refuge.

This proposal will do nothing to reduce the price of gas at the pump and will do nothing to make our country more energy independent.

This issue is too important to the public and to future generations to be snuck through in the budget bill. It should be brought to a vote on its own merits.

Supporters of oil drilling will not stop at the Arctic Refuge. The White House and its allies continue to push to drill in the Arctic Refuge because they believe it will create momentum to drill in other environmentally sensitive areas in the Rocky Mountains and off the coasts of California and Florida.

Ninety-five percent of Alaska's North Slope is already open to drilling and exploration. The last 5 percent—the Arctic Refuge—is the only wild stretch of Alaska's North Slope that remains off limits.

America produces just 3 percent of the world's oil, yet we consume 25 percent of that supply.

The answer to our energy challenge will not be found in the Arctic Refuge. It will be found in our willingness to encourage American innovation and break the habit of spiraling energy consumption.

We have met this test in the past. In the 1970s, Congress increased fuel efficiency standards and began to encourage the development of renewable fuels.

Today, those fuel efficiency standards save our country the cost of three million barrels of oil every day, and renewable energy technologies produce the equivalent of the oil we currently import from Iraq daily.

I believe we have a moral responsibility to save wild places such as the Arctic Refuge for future generations. Our national park, wildlife refuge, and wilderness systems are a living legacy for all Americans, present and future, and are widely envied and emulated around the world. The Arctic Refuge is one of the greatest treasures. It should be protected.

I urge my colleagues to vote for the Cantwell amendment to strike the language to allow drilling in the Arctic National Wildlife Refuge.

Ms. STABENOW. Mr. President, I rise to speak in support of the Cantwell amendment.

First, as a member of the Senate Budget Committee, I strongly believe that the Arctic Refuge language does not belong in the budget bill and I am deeply concerned about the precedent this sets. The Arctic Refuge provision in the budget resolution provides special reconciliation protection to a major piece of environmental legislation. This is wrong and an abuse of the budget process. Reconciliation was designed to help Congress pass a large package of measures to reduce the deficit, not to be used to resolve one major policy issue.

If this provision is allowed to stand, those who advocate drilling in Alaska could pass a bill opening up Arctic Refuge and we would not be able to offer amendments to increase our use of renewable fuels unless we got 60 votes. This is unfair and would not allow for a full debate on energy and environmental policy like we had in last Congress.

Now let's talk about the facts when it comes to drilling in the Arctic refuge.

First, the Arctic Refuge would provide a 6-month supply of oil—which would not be available for 10 years. This is not a political argument but one based on nonpartisan scientific analysis of this issue. According to the 1998 U.S. Geological Survey study, there is estimated to be 3.2–5.2 billion barrels of economically recoverable oil in the Arctic Refuge. This is equivalent to the amount of oil the U.S. consumes in about 6 months. According to the nonpartisan Congressional Research Service, production from the Arctic refuge would not even come on line for 10 years or more.

The Arctic Refuge would not affect current oil or gasoline prices. The price of oil is a world price and is largely determined by the international market. Given the U.S. share of the global market, the amount of oil available from Arctic Refuge production would not significantly impact global oil prices, or U.S. oil or gasoline prices.

Ninety-five percent of Alaska's North Slope is already open to oil and gas drilling. Ninety-five percent of the potential oil reserves of Alaska's North Slope are already designated for potential leasing or open to exploration and drilling.

The last 5 percent—the coastal plain of the Arctic Refuge—is the only wild stretch of the coast of Alaska's North Slope that remains off-limits. Established by President Dwight Eisenhower in 1960, the Arctic Refuge remains the only conservation area in North America that protects a complete range of arctic and sub-arctic landscapes.

The Arctic Refuge would not reduce U.S. dependence on foreign oil. According to the Energy Information Administration, EIA, the independent analytical agency within the Department of Energy, drilling in the Arctic Refuge is projected to reduce the amount of foreign oil consumed by the U.S. in 2020 from 62 to 60 percent—only a 2 percent decrease! Drilling in the Arctic Refuge will not make a dent on our dependence on foreign oil.

One of the arguments I have heard from across the aisle is that drilling in Arctic Refuge would create jobs. My home State of Michigan currently has the second highest unemployment rate in the country. There is nothing more that I would like to see on the Senate floor than a bill to create jobs and I would vote wholeheartedly for such a proposal. But that's not what we have before us now.

We are not debating a well-funded highway bill that would create jobs. Last year's Senate bill would have created over 830,000 jobs across this country—99,000 jobs in Michigan alone—but it died in conference because of the Bush administration's opposition.

We are not debating the rising cost of health care and how it's hurting our manufacturers. In 2003, General Motors, the largest private purchaser of health care in the world, spent more covering 1.2 million individuals than it did on steel.

We are not debating how to stop Chinese currency manipulation which unfairly taxes our U.S. goods overseas, and is forcing our American manufacturers to close their doors.

We are not even debating the construction of the Alaska natural gas pipeline which would create more than 400,000 new jobs and provide a huge opportunity for our steel industry.

Instead we are debating drilling in one of the most environmentally pristine areas in the world just for a 6 month supply of oil. This isn't an energy solution and it certainly isn't a jobs solution. I urge my colleagues to support the Cantwell amendment.

Mr. SPECTER. Mr. President, I have sought recognition to outline my reasoning for my vote today against the Cantwell amendment to remove the assumption of Arctic National Wildlife Refuge, ANWR, oil and gas exploration lease revenues from the fiscal year 2006 budget resolution.

I have looked at this issue very closely. I have read a great deal of information, met with many concerned groups, and listened to arguments on both sides. And I have come to my own conclusions.

First, I believe exploration will have a minimal impact on the environment. The plans include drilling on a footprint the size of the Philadelphia Airport. It can be done safely by limiting the acreage eligible for exploration, combined with today's technology to mitigate environmental impacts of exploration in the area. Such technological advances include: The extended reach of multi-directional drilling, which can decrease ''footprints'', reduce waste, and increase the amount of product recovered; high resolution imaging that produces more precise well locations and consequently reduces the number of wells needed to access reserves; and the use of ice roads and winter season drilling techniques to maximize the season and reduce the amount of time to bring the reserves to market, while recognizing the needs of wildlife.

While there could be a network of pipelines, I have visited ANWR and looked at it personally. I saw caribou near the existing pipeline near ANWR. The environment in Alaska can be protected consistent with our laws and values.

Second, ANWR exploration can be part of our overall effort at oil independence. We should be doing a lot more, and I have led the fight on conservation measures. While debating energy policy during the 107th and 108th Congresses, I supported significant increases in renewable energy, generated from wind, the sun, biomass, water and geothermal sources. I have also supported expanding tax credits for clean coal technologies, and I led efforts to mandate a reduction of U.S. oil consumption by one million barrels per day by 2013.

It is only through concerted efforts to reduce projected U.S. oil consumption and to utilize domestic energy resources that our Nation will be able to become energy independent. If we do not take the steps I have outlined, our dependence on OPEC will grow. While fighting for these energy policies, I have pressed for the U.S. to sue OPEC under antitrust laws. I have urged the current and former administrations to take OPEC to the U.S. Federal courts for conspiracy to limit oil production and raise prices. This cartel has manipulated the oil markets in violation of U.S. and international law, and it should be pursued.

We must take action to address the rising costs of home heating oil, diesel fuel, gas at the pump, and our long-range national security needs. I believe that ANWR oil and natural gas reserves can and should play a role in this effort. I look forward to working with my colleagues in the Senate to ensure that any such action only proceed in the most environmentally safe manner.

Ms. COLLINS. Mr. President, I rise today to express my opposition to drilling in the Arctic National Wildlife Refuge.

A sound energy policy is critical to our Nation's security. The United States is currently 57.8 percent dependent on foreign oil. By 2025, this number is expected to rise to 68 percent. At that time, more than 66 percent of our imports will come from OPEC nations, a prospect that causes great concern.

In light of these statistics, what course should the United States take? Should we open ANWR, using up what well may be the last major U.S. reserve of oil or should we pursue alternative approaches that will encourage conservation and the development of alternative technologies?

Instead of rushing to deplete our last major oil reserves, I believe we should develop energy efficiency and alternative technologies. Doing so will not only make more of an immediate difference than drilling in the Arctic, but also will ensure we leave our children with ample energy supplies and a broader array of energy options.

President Teddy Roosevelt once stated: ''I recognize the right and duty of this generation to develop and use our natural resources, but I do not recognize the right to waste them, or to rob by wasteful use, the generations that come after us.'' That is sound counsel.

Americans have a right to develop our energy resources, but not to waste them. We could do far more to reduce our reliance on foreign oil by increasing the efficiency of our automobiles, which would save one million barrels of oil a day. Drilling in the Arctic National Wildlife Refuge today would be akin to wasting resources that should rightfully be there for future generations. We must embrace an ethic of stewardship of our most treasured national resources.

According to one scientist who testified before the Senate Government Affairs Committee several years ago, the United States could cut reliance on foreign oil by more than 50 percent by increasing energy efficiency by 2.2 percent per year. This is a much greater benefit than drilling in ANWR would provide, and the benefits could start almost immediately. The United States has a tremendous record of increasing energy efficiency when we put our minds to it: Following the 1979 OPEC energy shock, the United States increased its energy efficiency by 3.2 percent per year for several years. With today's improvements in technology, 2.2 percent is attainable.

America needs to both increase fuel supplies and decrease demand, but in our effort to meet current energy needs we should not use up our last major reserves. If we increase energy efficiency and further develop alternative energy sources, we will reduce our reliance on foreign oil, save consumers money, increase our economic competitiveness and military effectiveness, and protect the environment.

In his parting words from the Oval Office, President Dwight Eisenhower—who first set aside the Arctic National Wildlife Refuge—told the Nation: ''As we peer into society's future, we . . . must avoid the impulse to live only for today, plundering for our own ease and convenience, the precious resources of tomorrow.''

I call upon my colleagues to leave intact the Arctic National Wildlife Refuge. Let us instead develop a balanced energy policy that protects our environment, improves efficiency, and develops our renewable resources.

Mrs. FEINSTEIN. Mr. President, I rise today as a cosponsor of Senator CANTWELL's amendment to strike the reconciliation instructions in the budget resolution to allow for the opening of the Arctic Refuge.

I am strongly opposed to opening the Alaskan wilderness to drilling for oil. Stated simply we cannot drill our way out of this problem.

While I agree that we are too dependent on foreign oil, and need to reduce that dependence, drilling for oil in the Arctic National Wildlife Refuge is simply not the answer.

Reducing oil consumption is the answer and raising our corporate average fuel economy—or CAFE—standards is the superior route to energy security.

The bottom line is that, according to estimates from the United States Geological Survey, the Arctic Refuge would likely yield less than 10 billion barrels of economically recoverable oil—less than a million barrels of oil per day at peak production, or less than 4 percent of the country's projected daily needs and the oil would not flow for at least 10 years.

In contrast, simply raising average fuel economy standards for sport utility vehicles could save us more than a million barrels per day by 2020. The savings would come sooner than oil from ANWR, and unlike oil from ANWR, the savings would not run out. Raising the standards for all vehicles would reduce even further the amount of oil used in the United States.

The United States contains only 2 percent of the world's oil reserves and only 4 percent of the world population. And yet Americans consume 25 percent of the oil produced worldwide. Almost two-thirds of that oil goes to fuel the Nation's transportation sector.

Given our current level of consumption in relation to our domestic reserves, it is clear that modest increases in domestic production—as from ANWR—will not solve our energy problems. Reducing consumption is the key to increasing America's energy security.

Drilling in ANWR would not save consumers money because drilling would not decrease the quantity consumed and would not affect the world price of oil.

So, unlike increasing CAFE standards, drilling in ANWR would not significantly increase our energy security, would not fight climate change, and would not save consumers money.

The Arctic National Wildlife Refuge is a crown jewel of the National Wildlife Refuge system. It is the only conservation unit in the U.S. encompassing a complete range of arctic ecosystems and serves as critical habitat for caribou, muskox, snow geese, polar bears and other species.

The coastal plain, which proponents of drilling paint as small and relatively insignificant, is the ecological heart of the refuge and the center of wildlife activity.

Developing the coastal plain would threaten the refuge's abundant wildlife. The approximately 130,000 caribou of the porcupine herd rely on the coastal plain as a calving area. One hundred thirty-five species of migratory birds use the coastal plain during the summer.

The coastal plain provides critical habitat for many of the refuge's species.

Drilling would also threaten the traditional livelihoods of the Gwich'in people dependent upon the porcupine caribou for subsistence.

Proponents of drilling would have us risk all of this damage for a small

amount of oil that would not even begin to flow for 10 years and would barely reduce our dependence on foreign oil.

In short, the refuge's coastal plain is too precious, and contains too little oil, for us to allow drilling to take place.

Increasing fuel efficiency is the better solution.

Future generations will thank us for our foresight in protecting the coastal plain and its wildlife. They will thank us for finding other avenues to increased energy security.

I urge my colleagues to support Senator CANTWELL's amendment.

Mr. KOHL. Mr. President, today is a sad day for the environmental movement in this country. The Senate has taken the first step toward opening up the vulnerable Arctic National Wildlife Refuge by using an arcane budget maneuver that will protect this provision from a Senate filibuster. Supporters of drilling in the Arctic, knowing they could not defeat a filibuster, have shoehorned a provision into the budget process that goes against the spirit, if not the letter of the rules. This is a shame and sets a precedent that will certainly come to haunt this Chamber.

I oppose drilling for oil and gas in ANWR because of the irreparable damage that would be done to its fragile ecosystem that is inhabited by 45 species of land and marine mammals. I do not believe short-term economic considerations should take precedence over permanent damage to the environment. We only have to look at ANWR's neighbor in Alaska to see what environment cost drilling would have to this pristine landscape. At Prudhoe Bay, home to one of the world's largest industrial complexes, 43,000 tons of nitrogen oxides pollute the air each year. Hundreds of spills involving tens of thousands of gallons of crude oil and other petroleum products occur annually. Decades-old diesel spill sites still show little re-growth of vegetation. Why would this be different for ANWR if oil companies are allowed to drill there?

Along with the grave environmental impact drilling would cause ANWR the amount of useable oil is not sufficient to make a significant impact on oil prices. U.S. consumption of oil exceeds 18 million barrels per day, an amount higher than the yearly consumption for all of Europe, all of Africa, or all the States of the former Soviet Union. Based on the United States Geological Survey and Energy Information Agency, there are roughly 10.3 billion barrels of oil in all of ANWR's 19 million acres. Of this amount, only 2.6 billion barrels are ''economically recoverable,'' the equivalent of a 6-month supply of oil. In addition, the cost of the infrastructure necessary to transport the oil to the lower 48 States makes this a money losing endeavor for the United States.

Supporters of drilling would have us believe that this oil will improve the energy security of the United States, but this is not accurate. The oil companies that will drill in ANWR have no commitment to sell this oil in the U.S. In fact, the oil that comes out of Alaska will be sold on the world market to the highest bidder. No one who supports drilling requires that the oil that comes out of our soil stay in our country. We should not be surprised then when oil from Alaska ends up in China, Korea, and Japan instead of Wisconsin.

I think it is clear that drilling in ANWR will not provide enough domestic oil supply to minimize the control that OPEC has on the petroleum market. Insulating ourselves from the world prices of oil will not come from increasing domestic production. We cannot drill ourselves out of our oil dependency, there is simply not enough oil within our borders. Instead, the U.S. can reduce its vulnerability to oil price shocks by decreasing its demand for oil altogether. The way to ease the impact of high oil prices on consumers is to give consumers tools to reduce their demand for oil. Cleary this debate should be about alternative energy sources, such as ethanol or hybrid vehicle technology, and not wasting our time with an oil reserve were the costs outweigh the benefits.

Mr. LAUTENBERG. Mr. President, I rise in support of the Cantwell amendment to protect America's National Arctic Wildlife Refuge.

I traveled to Alaska in the aftermath of the Exxon Valdez spill in 1989. What I saw there was terrible. More than 11 million gallons of oil had spewed into the Prince William Sound. I saw animals covered in oil, many of them dead. I saw workers wiping oil off of birds and other wildlife. It was a devastating tragedy, and it made a big impression on me.

I thought about my children and grandchildren. I felt that they deserve to inherit the earth in its beautiful natural State not ravaged at the hands of man.

In 1990, Exxon released a video claiming that long-term effects of the massive oil spill were minor. That's what Exxon said in 1990. But today, 16 years after the disaster, nature tells a different story. Today, large portions of the Prince William Sound remain contaminated.

Several Alaskan families visited my office last year to tell their story. One old fisherman said, ''My grandson will never get to fish for herring. We've been fishing for herring for three generations in my family. But since the spill, there is no more herring.''

Even today, pools of toxic oil can be found just below the surface and sometimes on top the ground. In my office, I have a sample that the Alaskan families left with me when they traveled all the way to Washington to ask for our help. They found rocks drenched in oil just a few inches beneath the surface of the ground.

Some might say nothing on such a scale could ever occur in the Arctic Refuge because the oil would be transported by pipeline, not tanker. But nothing built by humans is perfect or accident-proof. And even under a best-case scenario, drilling for oil could ruin the Arctic Refuge.

I had the privilege of visiting the Arctic Refuge a few years ago. It is a remarkable place where more than 100 species of birds breed. Caribou migrate 1600 miles to reach the Refuge, where they give birth to their calves.

Proponents of drilling in the refuge say it will have a negligible effect, barely noticeable in that vast expanse. I have seen the oil drilling complexes on the North Slope and I would hardly call them negligible.

The fact is the exploration for oil in the Arctic Refuge has already marred its pristine beauty. I visited there, I saw the debris of human intrusion, acres of rusting pipes and dilapidated structures. As my plane flew across Deadhorse, near Prudhoe Bay, I saw the tundra littered with refuse, oil rigs and other abandoned equipment.

This was left behind by the same oil companies that now promise they will be good stewards of the Arctic Refuge. Why would we risk devastating this national treasure? For what gain? Even under the most optimistic projections, the U.S. Geological Survey says the Arctic Refuge could provide about a million barrels of oil a day for 20 years. Compared to our total energy needs, this is not even a drop in the bucket it is a drop in the barrel.

There is a better way.

Simply by closing the loophole that exempts large SUVs from our fuel efficiency standards, we can save as much oil as the oil companies could possibly produce in the Arctic Refuge.

Mr. President, when President Eisenhower designated this special place as a Wildlife Refuge, our nation made a promise to future generations. We promised that some places on earth would always remain unspoiled by the hand of man.

Let's not break that promise. Let's not sell our children's birthright for a few barrels of oil.

Instead, let's develop a real energy strategy for the 21st Century—a strategy that uses oil more efficiently, and employs American know-how to harness new sources of energy.

Mr. President, the American people know what is at stake. My office has received 15,000 messages this week urging the Senate not to despoil the Arctic Refuge.

I will vote for the Cantwell amendment, and I urge all my colleagues to do likewise.

Mr. BUNNING. Mr. President, I rise in opposition to the amendment to strip ANWR from the budget resolution. I am pleased that ANWR is in the budget this year. As a matter of fact, I returned from ANWR just last week. After visiting it, I am even more confident in my support for drilling there.

I went with a group of Senators, Secretary Norton, and Secretary Bodman

to ANWR to see firsthand what all the talk was about. We met with environmentalists and villagers on the border of ANWR and talked to them about the United States' desperate need for more domestic energy sources. There were a few residents who expressed opposition, but they were in the minority. The majority of the people living near ANWR—more than 75 percent—support drilling in ANWR.

I know that there are some in the Senate who are desperate to stop us from opening ANWR. The facts about ANWR, however, are not on their side. Some of these facts I think need to be repeated, especially for those Senators who are new to the debate.

ANWR itself is roughly the size of South Carolina. It's absolutely enormous. It's 19.6 million acres or 30,000 square miles. But, when we talk about drilling in ANWR, we're talking about clean drilling in an area of less than 2,000 acres—that's 0.001 percent of the total acreage of ANWR. It's smaller than many airports.

To say that drilling in this limited portion of ANWR threatens the entire environment of the refuge is farfetched and just plain wrong. During my trip, I visited the sites at Alpine and Prudhoe Bay. There is now no doubt in my mind that we can develop ANWR in a safe and effective manner.

Drilling will only be a small footprint in ANWR that can be carried out in an environmentally sound manner. State of the art techniques will lessen the environmental impact. The old stereotypes of dirty oil drilling just don't apply anymore. In fact, if we do start drilling in ANWR, the drilling operations would be conducted under the most comprehensive environmental regulations in the world.

We all want to do what we can to protect the environment.

But it's just not credible to say that looking for oil in this small, limited part of ANWR is a dangerous threat to the entire region. I also think that many environmentalists fail to see that if we do not begin oil production in ANWR, foreign oil companies will take up the slack and drill in places such as the Middle East where environmental regulations are much less restrictive than ours. Opening ANWR could actually be more environmentally sound than the alternative.

We consume over 20 million barrels of oil a day and our consumption is expected to increase to 28 million barrels a day over the next 20 years. Yet, we haven't built an oil refinery in the last 25 years. We must increase our energy supplies to keep up with the demand of our growing economy.

ANWR is the most promising domestic source of oil that we have. If the Senate passes ANWR, it will make a huge difference for our domestic consumption. There are 10 to 30 billion barrels of oil recoverable in ANWR. Just to put this in perspective, that's enough to fuel all of Kentucky's oil needs for at least 79 years.

ANWR would boost Alaska's oil production. And with the new Alaska pipeline, we could get it quickly to the rest of the United States. It would provide the United States with nearly 1 million barrels a day or 4.5 percent of today's consumption for the next 30 years.

Drilling in ANWR would also take a tremendous strike toward ensuring our national security. We currently import more than 55 percent of the oil we use. The price of oil has remained at over $50 a barrel. OPEC estimates that within 2 years the price of oil could jump to $80 a barrel. These high prices mean we are just throwing money needlessly at other countries.

If we open ANWR for drilling, that would mean we would not be sending over $800 billion to areas like the Middle East for our oil. Instead, we could be investing that money on American soil. Being dependent on oil imports from other regions of the world, puts America's energy and economic security at risk.

ANWR offers the realistic opportunity to produce enough oil to replace the volume we currently import from Saudi Arabia or Iraq for the next 25 years.

If the choice comes down to avoiding our domestic oil resources because of dated and irrational environmental concerns versus drilling in ANWR to lessen the chance that we will have to rely on undemocratic regimes in the Middle East for our oil, then there's no choice at all.

And ANWR would provide more than just oil to meet our energy needs. The region also has a vast amount of natural gas. We don't have enough natural gas supply in this country to meet our demand. Natural gas prices keep going up and up. In the area where drilling would take place, there is up to 10.9 trillion cubic feet of natural gas.

Right now, they are circular pumping the natural gas back into the reserves in Alaska.

Instead of pumping ANWR's natural gas back into the earth, we should use this for our energy needs. Opening ANWR up for drilling won't change our dependence on foreign sources of energy overnight. No single source can totally end our dependence on foreign energy.

But opening ANWR and boosting production will definitely be a huge step toward America becoming self sufficient for our own energy needs and strengthening our national security.

I urge my colleagues to vote no on this amendment and to support the energy independence which ANWR offers.

Mr. AKAKA. Mr. President, I rise today in support of Alaska's indigenous peoples, the Alaska natives. I will oppose the Cantwell amendment. My position is based on my experiences in Alaska when I visited the village of Kaktovik in 1995 and spoke to the Inupiat peoples who greatly desire this opportunity for economic self-determination. My position is not new—I have remained firm in the position for the last 10 years. In developing this position I have met with individuals and organizations who have advocated on both sides of this issue.

For me, this vote is not a vote just about preservation of the environment versus development. It is a vote about the self-determination of an indigenous people and their homeland. The Inupiat, who live within the boundaries of the coastal plain, are a people with strong cultural values, and are deeply in touch with their environment and everything that lives there. It is the Inupiat who have been the caretakers of the Arctic region for thousands of years.

To some of my colleagues, the debate about ANWR is about energy. To others, it is about the environment. To me, ANWR is really about whether or not the indigenous people who are directly impacted have a voice about the use of their lands. The Inupiat know every mile, every curve in the landscape of the coastal plain, and every animal that must survive there, for their own survival depends on this. They have the greatest incentive of anyone to preserve their environment, including the plants and animals that live on the coastal plain, in order to maintain their way of life.

They too depend on the caribou and they have participated in the protection of the caribou while monitoring and working with the oil industry at Prudhoe Bay. Their experience has demonstrated that a careful balance is possible, and that preservation and development are not mutually exclusive. My colleagues, I do not live on the coastal plain. For that reason, I trust the wisdom and knowledge of those who have lived and cared for the land there for many, many generations.

I will vote to provide the Inupiat with the opportunity to provide for themselves and their future generations. They have spoken and have been steadfast in their position for many, many years. I am confident that they will protect their homeland and utilize its resources with the native values that have served them well since time began. Their position is supported by the Alaska Federation of Natives, which represents 110,000 Alaska natives, and the native village of Kaktovic.

This has not been an easy decision for me given the fact that this is one of the few times that I am not voting with the majority of my colleagues in my party. As much as I would like to vote with my colleagues, I must remain true to myself and my values. For me, this is an issue about economic self-determination. This is an issue about allowing those who have lived on the coastal plain and cared for the coastal plain for many, many generations, to do what they believe is right with their lands.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I don't know what all the fight is about. If the

comments are true, that they think no one will bid, why do they oppose this? I am interested in the Senator from Wisconsin and his great defense of wildlife refuges. This area we are talking about is not within a wildlife refuge. It is not wilderness. But in his State, he has three pipelines running through wildlife refuges. Wisconsin has stood aside for all that they want.

And as a matter of fact, the Senator from Washington, Ms. CANTWELL, said that only Alaskans benefit from oil development. This happens to be oil development on Federal land. It is not true that only Alaskans benefit from development of our State. We happen to have a unique State in that we share the income we get from royalties on oil and natural gas that came from Prudhoe Bay where the State owns the land.

Incidentally, I want to tell my friend, the former Presidential candidate, Mr. KERRY, I take umbrage at his comment that I am guilty of unethical conduct because I am supporting the budget resolution reported by the Budget Committee. That smacks very much of something that is a subject of personal privilege, and I shall consider that later. Maybe Senator KERRY would like to come explain why he has singled me out for unethical conduct. But beyond that, I must express my amazement that my colleague from Washington has offered this amendment.

In 1980, the former Senator from Washington and my good friend, Henry ''Scoop'' Jackson wrote a letter discussing the importance of ANWR and this 1.5 million acres. He said ANWR was:

> . . . crucial to the nation's attempt to achieve energy independence. One-third of our known petroleum reserves are in Alaska, along with an even greater proportion of our potential reserves. Actions such as preventing even the exploration of the Arctic Wildlife Range . . . is an ostrich-like approach that ill serves our nation in this time of energy crisis.

That is the former Senator from Washington. Not only does ANWR serve our important national security interests, it serves the economic interests of the State of Washington. As a matter of fact, Washington gets a great deal more out of Alaska's oil development than anyone. The economic health of the Puget Sound is tied directly to Alaska, as is illustrated by a report commissioned by the Tacoma-Pierce County and Greater Seattle Chambers of Commerce. Of particular importance is the oil production from the North Slope. Washington's refining industry purchases almost its entire crude stock from Alaska.

The report states that:

> Direct impact from the refining of Alaska crude oil within the Puget Sound region includes 1,990 jobs and $144.5 million in labor earnings. In 2003, oil refineries in the Puget Sound imported $2.8 billion worth of crude oil from Alaska.

Alaska oil provided 90 percent of the region's oil refinery needs. Oil development is a major contributor to the health of Washington's economy. As oil wealth in the State of Alaska increases, so does demand for Puget Sound goods and services. That is why the chambers of commerce of Washington State support ANWR. They understand that with Prudhoe Bay declining—today it only produces about 950 thousand barrels a day; it used to produce 2.1 million barrels a day—additional oil resources must be developed to ensure the continued economic viability of the Puget Sound region. The Puget Sound region has the luxury of purchasing our oil. Otherwise it would be purchasing oil from distant foreign shores.

The development of Prudhoe Bay has contributed more than $1.6 billion to the Washington economy. And ANWR alone is estimated to create over 12,000 new jobs in Washington State alone, in addition to the revenues it will generate. None of these benefits will take place if the Senator's amendment is allowed to pass. Not only are decreasing oil output and declining revenues affecting the health of Washington, its major businesses are feeling the heat, particularly the aviation industry.

The rise in fuel prices is greatly impacting Washington's aviation industry. Our airline industry has lost over $25 billion in the last 3 years. Sustained high jet fuel costs of $1.50 per gallon, which is almost three times that of 1999, continues to hamper the health of this critical industry. Every dollar per barrel the cost of oil rises costs the airline industry an additional $2 million per month. High energy prices also prevent job creation in the transportation sector. The Air Transport Association estimates that for every dollar increase in the price of fuel, they could fund almost 5,300 airline jobs. That should be worrisome to a person who represents the area of the aerospace industry of this country and wants to deny us access to this oil.

Let me speak about access to this oil. Washington consumes 17.6 million gallons of petroleum per day, including 7.3 million gallons of gasoline and $2.5 million for jet fuel. It produces no oil at all. Were it not for oil from my State, the Puget Sound region would be destitute.

Now, some people argue we should not develop ANWR because it would devastate the traditional lifestyle of Alaska's Natives. I think they do a disservice to the Alaskan Native people. They talk about the Gwich'ins. Let me be sure that everybody understands that the Gwich'ins, which the Democrats parade around this town, are from the South Slope. They are not in the North Slope. They have no traditional role in the North Slope. The only thing they share with the North Slope is the fact that the porcupine caribou herd, which comes from Canada up to the North Slope, goes through their area on up to the North Slope, and that is where they calve. But not every year. Some years they don't go. Why? Because their relatives in Canada kill too many.

The Gwich'ins hunt caribou in Canada and they can serve it commercially. For them, it is a sports animal versus a subsistence animal on our side. They have benefitted from oil production. They have provided revenues for schools, clean water, sanitation, electrical power, health clinics, roads, and Natives.

I don't think most people understand that because of the situation in terms of the Alaska Land Claims Settlement Act, when one region gets money from natural resources, it must share with the other 11 regions. The 7(i) concept is the most unique concept in America. That is why all of the Natives in Alaska have an interest in ANWR.

If the Natives of the North Slope get money—and they will—from this development, they must share that with the other 11 regions. I have worked closely with them to enact the strictest environmental standards on the planet, dealing with the developments on the North Slope.

People don't realize that the petroleum industry has been able to coexist with wildlife in the Arctic, and it really has the support of the Natives who live in that area. Thirty-three percent of unemployed Alaskans are Natives. Twenty percent of Alaskan Natives have incomes below the poverty line. Development of ANWR holds the potential to improve their situation. That is why they are in this city now trying to tell Members that they want ANWR developed.

We have been accused of trying to use strange procedures. I don't think it is strange. We had the same provision in last year and they were able to take it out. They knew they had the votes last year and they were not screaming like they are now. This year, things have changed. There has been an election.

Mr. GREGG. Will the Senator yield for a quick point?

Mr. STEVENS. Yes.

Mr. GREGG. Mr. President, I ask unanimous consent to have printed in the RECORD a list of the times the reconciliation process has been used for actions very similar to this, many of which were in periods when the Democrats controlled this Senate.

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

SAMPLE OF ''POLICIES'' ENACTED IN RECONCILIATION BILLS

(Not an exhaustive list)

OMNIBUS BUDGET RECONCILIATION ACT OF 1982

Froze dairy price supports

Reduced COLAs for food stamps

Required home buyers to pay a lump-sum premium for FHA mortgage Insurance

CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1985

Raised offshore drilling revenues

Increased PBGC premium rate

Made Medicare HI tax mandatory for State and local government workers

OMNIBUS BUDGET RECONCILIATION ACT OF 1986

Required sale of government's share of Conrail

OMNIBUS BUDGET RECONCILIATION ACT OF 1987

Required sale of federally-held loans for rural electrification, telephone bank, and water projects

Reduced agriculture subsidies and price support programs

OMNIBUS BUDGET RECONCILIATION ACT OF 1989

Raised the SS wage base

Increased broadcasting and nuclear regulating fees

Limited Medicare hospital and physician reimbursement rates

Reduced spending on farm programs and subsidies

Tightened student loan program to deal with defaults

OMNIBUS BUDGET RECONCILIATION ACT OF 1990

Raised income taxes

Raised gasoline taxes

Extended unemployment insurance tax

Reduced spending on veterans' compensation and pension benefits

OMNIBUS BUDGET RECONCILIATION ACT OF 1993

Mandated auctioning of FCC licenses for spectrum

Reduced AFDC match rates

Delayed military COLAs by several months

PERSONAL RESPONSIBILITY, WORK OPPORTUNITY, AND MEDICAID RESTRUCTURING ACT OF 1996

Overhauled welfare (did welfare reform)

Restructured supplemental security income

Put in place new procedures to establish paternity and enforce child support orders

Restricted benefits for legal and illegal immigrants

BALANCED BUDGET ACT OF 1997

Set discretionary caps

Established Paygo rules

Raised the debt limit

Significantly altered Medicare—expanded choice, created MSAs, changed payment rates, changed Medicare reimbursements to hospitals, reduced payments for physician services

Gave more flexibility to Medicaid to put enrollees in managed care

Created state children's health insurance (SCHIP)

Further reformed welfare

Veterans cost savings

Education cost savings

Spectrum sales

Petroleum reserve—allowed foreign governments to lease unused space in Louisiana salt caves that stored the Strategic Petroleum Reserve

Mr. STEVENS. Mr. President, I am winding down. We have sent this item to the President to ask why we don't follow the usual procedures. President Clinton vetoed it on the request of the people on that side. We passed this in the Senate twice.

The trouble is, for 24 years we have tried to carry out commitments made by Senators Tsongas and Jackson that this area would be explored. For 24 years, there have been devices used by the other side to prevent it. But they forget even Congressman Mo Udall stated that nothing stops a future Congress from allowing exploration for these uses if they are of sufficient national importance. The question is whether they are of sufficient national importance.

Those who voted for this amendment will tell you they are voting against ANWR, but they won't tell you what they are for. Where are they going to get the oil? A vote for this amendment is a vote for the status quo.

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. STEVENS. I will use a couple more minutes off of our allotted time.

My friend Ronald Reagan used to say that ''status quo is Latin for 'the mess we are in.' '' A vote for this amendment closes our domestic resources to production. It is a vote for continuing our current policy of importing more than 60 percent of our Nation's oil. It is a vote for outsourcing more than 1.3 million American jobs a year. A vote for this amendment is a vote for increasing home heating bills and transportation costs. It is a vote to diminish our national security by relying on rogue nations, nations with unstable regimes.

I don't think there is a Senator in this Congress who would offer a bill that exports 1.3 million American jobs every year, will cost $200 billion annually by 2025, and leaves our national security vulnerable to the whims of unfriendly foreign regimes. That is what this does.

A vote for this amendment is not just a vote against ANWR; it is a vote for closing our Nation's single greatest prospect for future oil development and backing out of the promise made to Alaskans in 1980—and all Americans—when Senators Jackson and Tsongas created section 1002 of the Alaska National Interest Lands Conservation Act.

A vote for this amendment is a vote against the people of Washington State, who rely almost completely on Alaska for their oil for their industrial base and energy consumption.

Above all, a vote for this amendment is against Alaska Natives who overwhelmingly support development in ANWR because they know they can balance stewardship and conservation with the development. Alaska Natives would use a portion of the revenues to finance schools, water systems, and health clinics while pursuing their way of life.

Again, every Alaska Native will share in the money that is received by the North Slope people. They all share because of the bill this Congress wrote, the Alaskan Native Land Claim Settlement Act.

I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Ms. CANTWELL. Mr. President, information was provided by the President's own economist and energy supply analysts who were asked recently about whether refuge drilling was going to have any impact on oil prices. Even the President's own economist at the Energy Information Administration found that opening ANWR will have negligible impact on prices.

I ask unanimous consent that a copy of the resolution by the National Congress of American Indians be printed in the RECORD.

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

RESOLUTION #SD–02–108

Supporting the Subsistence Lifeways of Alaska Tribes, Gwich'in, Inupiat, Tlingit, Athabaskan, and Saint Lawrence Island Native Peoples, and of Related Indigenous Peoples in Canada and Russia, and Opposing Efforts by Multinational Economic and Political Interests that Would Endanger These Lifeways

Whereas, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people and their way of life, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

Whereas, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

Whereas, the subsistence traditions of Alaska Native peoples and other related indigenous peoples vary considerably among regions and cultures but are tied together by the common strands of their importance for indigenous cultural survival, and their vulnerability to attack from outside parties that lack respect for these subsistence traditions and would destroy or endanger these traditions in pursuit of their multinational economic or political objectives; and

Whereas, like the Yupik people of the Akiak Native Community and the Yukon-Kuskokwim Delta of Southwest Alaska, the Gwich'in Athabaskan people of Eastern Alaska and Canada's Yukon Territory, the Athabaskan nations throughout Alaska, the Inupiat people of northern and western Alaska, the Saint Lawrence Island Natives of the Bering Sea, the Siberian Yupik Familial Relatives of Saint Lawrence Islanders who live on the Russian side of the Bering Sea, and other Indigenous peoples of Eastern Siberia, all depend on the perpetuation of their various subsistence traditions across the generations for the very survival of their indigenous cultures; and

Whereas, legal barriers and ecologically destructive practices imposed by multinational economic and political interests can and have disrupted indigenous hunting traditions in places around the world, and even where these disruptive actions may have ultimately proven temporary in nature, they have interfered with the perpetuation of indigenous subsistence traditions across the generations, thereby threatening the very survival of indigenous cultures; and

Whereas, the cultural survival of the Gwich'in is so tied to the survival and continuation of the migratory cycle of the Porcupine Caribou Herd of Canada and Alaska that the Gwich'in are known as the ''People of the Caribou''; and

Whereas, the Inupiaq people have likewise been referred to as the ''People of the Whale'' because of their profound cultural relationship with the bowhead whale, which provides the foundation of their subsistence diet, and serves as a central organizing factor for a culture that is largely structured around whaling crew affiliations and associated familial relationships; and

Whereas, the Saint Lawrence Island natives are likewise dependent upon whaling

for their cultural survival, and the Native peoples of eastern Siberia, have only recently begun the difficult task of trying to reclaim and reinvigorate subsistence whaling traditions suppressed under decades of Soviet rule; and

Whereas, the people of Southeastern Alaska are likewise dependent on herring for their subsistence lifeways; and

Whereas, all Alaska Natives are dependent on the river ways for their traditional lifeways related to the Salmon; and

Whereas, all of these subsistence traditions are currently threatened by multinational political and economic interests that place them at risk; and

Whereas, the cultural survival of the Gwich'in people is threatened by multinational oil companies and pro-industry officials in the highest ranks of the United States government forces that would callously place the survival of the Porcupine Caribou Herd at risk, by gambling that oil exploration and development on the Herd's calving grounds in the Arctic National Wildlife Refuge of Alaska would not have the devastating effects on the herd that many biologists and people with indigenous knowledge of the Caribou believe such actions would; and

Whereas, the cultural survival of the Inupiat people, the Saint Lawrence Island Natives, and the indigenous peoples of Eastern Siberia are likewise threatened by recent development before the International Whaling Commission, where Japan succeeded in blocking the allocation of whaling quotas for Alaska Natives and indigenous Siberians, beginning in 2003, and did so solely out of a desire to retaliate against the United States for its opposition to the resumption of a commercial whaling industry in Japan, as well as offshore exploration and drilling, and

Whereas, it is morally wrong and a violation of basic human rights for multinational corporations and national governments to place the survival of indigenous cultures at risk, especially to pursue excess wealth or international political advantage, and it is important that the NCAI oppose these assaults on indigenous lifeways that are currently being perpetuated in the international arena.

Now therefore be it resolved, that the NCAI does hereby oppose the efforts of multinational oil companies and certain high ranking federal officials to open the public lands of the Arctic Refuge to 1002 area to oil exploration and development in complete disregard of the risks such action would create for the cultural survival of the Gwich'in People of Alaska and Canada, and calls upon the government of the United States to reject any and all proposals that might create such risks, excluding any interest in the 92,000 acres of Kaktovik Inupiat Corporation (KIC) privately held land; and

Be it further resolved, that the NCAI similarly opposes the efforts of commercial fishing interests which adversely affect the subsistence salmon and herring customary and traditional fishing rights of all tribes of Alaska, and

Be it further resolved, that the NCAI similarly opposes the efforts of the government of Japan and Japanese commercial whaling interests to play international power politics by shutting down indigenous whaling in Alaska and Siberia at the expense of indigenous cultures that must be allowed to survive and perpetuate their way of life, and that NCAI calls upon the governments of the United States, Russia, and Japan to take appropriate steps to end this callous and abusive mistreatment of indigenous cultures on both sides of the Bering Sea border; and

Be it finally resolved, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

Ms. CANTWELL. We have heard a lot about tribes in Alaska. I want to point out to my colleagues that the National Congress of American Indians, an organization representing more than 500 tribes across the country, have previously opposed drilling in the wildlife refuge, and that certainly is what we are talking about—a debate of national significance.

I point out that many people in Puget Sound and across the country do believe this isn't going to do anything to meet our country's energy needs. This newspaper article says:

Drilling in the refuge would increase America's reliance on fossil fuels and do little to limit our dependence on imported oil.

Mr. President, I yield 6 minutes to the Senator from Connecticut, who has been so outspoken and important to this debate. I thank him for his leadership on this issue.

The PRESIDING OFFICER. The Senator is recognized for 6 minutes.

Mr. LIEBERMAN. Mr. President, I thank the Senator for her principled leadership on this fight.

Mr. LIEBERMAN. Mr. President, I come to this debate with some long history here, as other Members of the Senate have as well. This was one of the reasons I ran for the Senate. I was troubled by the plans to drill for oil in the Arctic refuge. It was an issue in my 1988 campaign. I have been battling this ever since.

Why does it matter so much to me? Sure, it relates to our national energy policy. Does it develop enough oil to really matter to price or availability? No. Can we drill our way out of energy dependence on foreign oil? No. We have to think and innovate and entrepreneurize our way out of it.

This all begins, for me, with the beginning—with the Bible and the instructions God gave to Adam and Eve that they should both work and guard the Garden of Eden, which is to say that they should develop and cultivate it but also protect it, because we are here for a short time. The Psalms tell us that the Earth is the Lord's and the fullness thereof. You have a responsibility to protect the beauty of nature that has been given to us for the generations that will follow us—to work and to guard.

Let me come to the North Slope.

We come to this day with a judgment having been made. Ninety-five percent of the North Slope in this part of Alaska is open for exploration, oil exploration and potential drilling. We drew a line. Our predecessors drew a line: This 5 percent should be preserved as a wildlife refuge; if you will, a small piece of Eden, preserved in this magnificent State.

Now we are going to break that line, we are going to destroy that remaining part and have an inevitable negative consequence, both on the wilderness, the wildlife there, and also on the native people who depend on it and of whose heritage it is part.

We can go back and forth about which side the native people are on.

I ask unanimous consent to have printed in the RECORD a letter from Robert Thompson, Kaktovik Arctic Adventurers, containing a petition drive, which has secured 57 signatures from the people in Kaktovik, likely a majority of the voting adults there—it sounds like Dicksville Notch, doesn't it?—who support Senator CANTWELL's proposal.

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

KAKTOVIK ARCTIC ADVENTURES,
*Kaktovik, AK, Mar. 14, 2005.*

TO THE SENATORS OF THE UNITED STATES: I am writing in regards to concerns relating to preserving the culture of my people, the inupiat, and the culture of my friends, the gwich'in.

There is an area that is being considered for oil and gas exploitation, the 1002 area of the arctic national wildlife refuge, for years there has been a perception that the inupiat of the north slope were all in favor of this. Perhaps previously this was so as it seemed the oil infrastructure was far away and people benefited from it. This is changing rather dramatically. A recent petition drive in Kaktovik, which is still in progress, has secured 57 signatures, that is likely a majority of the voting adults in Kaktovik.

Such a small amount considering the larger population of the U.S. However if this drive were to have taken place a month ago it is doubtful that there would have been more then ten sign. We have had many events happen in the Bush administration that make people realize that we don't really count for much in their plan.

The ocean is aggressively being leased. On Feb. 22, Gov. Murkowski clearly stated the state's position on developing state near shore, off-shore areas. He implied that if the residents were told that restrictions to drilling during whale migrations were offered we wouldn't mind. He did not consult with us. Our concerns go way beyond that. Oil spilled in the arctic ocean can not be cleaned up to any standard that is acceptable to us.

Federal offshore areas are being offered to oil companies also. This is the area that is central to our culture, our whaling culture. People are realizing that the 1002 area being sold is the last 5% of our lands. Big oil has access to 95% of the north slope. Leases are happening at a very fast pace. If the 1002 area is leased, big oil will have almost 100% of the north slope to exploit. Why is almost 100% of the north slope being sold to the oil companies? And why can't we save the last 5%? The people should know there is an area that is 23,500,000 acres, the national petroleum reserve that has huge quantities of oil, that in addition to known reserves that are readily available.

I am honored to be part of this movement to save our land, our ocean and our culture. When a person realizes that those signing this petition did so with the full realization that in doing so they would possibly be losing a large amount of money, it is magnified to an honorable action, it is people standing with their people for the good of all. I am not in a corporation here so my involvement is not the same. The signors are doing it for the preservation of our culture for future generations. I hope that you senators will give full consideration to this event. We are attempting to use the democratic process to save our culture.

Before this it could be said and often was, that we wanted all that oil money. You are now facing a group of people who are saying that no amount of money is worth exchanging our culture for. However this goes, future

generations of inupiat can look back and say, those people who signed tried to do the right thing. Somehow, I feel that it will be important to them to know that someone cared.

In closing I would like to thank our friends in Hawaii for their efforts to help us save our culture. I have visited there and have heard people talk about the large corporations that had adverse effects on their culture and their stated desire to help us prevent that from happening to us.

Your many efforts are sincerely appreciated.

mahalo,

ROBERT THOMPSON.

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Kaktovik's people don't want development on ANWR. Petition has a large number of voting adults opposing opening of the Refuge for oil development.

No doubt the oil industry has become commonplace for the Inupiaqs of the Slope. A tolerant culture of the oil industry has long been acclaimed as a righteous society of the North Slope as a result of the oil boom over the past 30 years. No taking into consideration the impacts in regards to the traditional, subsistence & social lifestyle of the Inupiaq & the corruption of the subsistence lands that we use. People of the Slope have accepted the oil industry indoctrination's by allowing them to sponsor our village events & celebrations designed to foster this for revenue propaganda without willing to ask or examine if this is a desirable outcome for the Inupiaq. Oblivious to the oil industry's subtle invasion & eradication of our subsistence hunting lands, as well as our traditional & cultural practices.

Perhaps it was a good idea in the beginning to use the revenues of the oil industry for the economy of the North Slope. But the oil & revenues have declined & the ''for profit firms'' & those that have become dependent on the oil revenue are now going after the last 5% of the land that is not open to drilling. This beautiful Arctic ecosystem that has sustained & provided the Inupiaqs in many ways could possibly be replaced with an oil industrialized city. Which is now realized that this is precious to them in terms of their subsistence ways. No one wants to see oil rigs when they are out hunting or camping like some of the other areas across the Slope have seen, which has impacted their subsistence ways & social structure.

The people are realizing that ANWR may only bring temporary employment & revenue, for there may be no oil found in ANWR. Which will leave for our future generation the further despoilment of the land & subsistence lifestyle of the Inupiaq, if ANWR is opened up for oil development. Some no longer agree with the Government, the ''for profit firms'', or anyone's idea of trading the subsistence lands that the Inupiaq depend on for any amount of oil or revenue. We feel that it's not worth all in the long run for the future of generations of the Inupiaq. Our investment is in keeping the last remaining 5% of our land intact for our future generation to continue our subsistence & traditional way of life.

Because hunting and the relationship to the land are of profound cultural and spiritual importance to the Inuit of the North Slope. The meaning of life for most Inupiaq is still found in land and our subsistence lifestyle. Hunting off the land provides a link to the past and a cultural identity. It is valued for its contribution to independence, self-esteem, respect from others, psychological well-being, and healthy lifestyle. ''Going out on the land'' is a means of spiritual renewal and a method of re-establishing the ancient connection to the land that has sustained Inupiaq for thousands of years. A sense of personal pride and fulfillment is gained from providing food from the land for family and sharing with others in accordance with age-old tradition.

With the increasing threat of offshore development, which a majority of Inupiaq whalers across the Slope oppose. Many are beginning to realize that opening of the Arctic Refuge will set a precedent to offshore development. The drilling proponents have said as recently as February 22 that the network of industrial base camps in the Arctic Refuge will provide the jumping off point to develop a ring of oil rigs just north of the Refuge off shore in the Beaufort Sea. In fact Governor Murkowski mentioned there is a good possibility that offshore will develop in the future but mentions the interest off the oil companies is to wait for the determination of ANWR by Congress. Offshore leases have been offered in the past by the State of Alaska, in which no oil companies bid. It is more profitable & less hazardous to have the ground to lay the infrastructure down permanently then go offshore from there. The Inupiaq people have had so much of their traditional lands & subsistence lifestyle divested; now even the whaling culture is at stake.

A petition being circulated has nearly half of the voting adults in Kaktovik opposing opening the Arctic National Wildlife Refuge to oil development. In fact we are still collecting signatures & we are only short a few signatures to make more than half of Kaktovik's voting adults that oppose oil development. We haven't seen other Kaktovik residents that are away from the village at this point. Many across the Slope are beginning to feel the land of ANWR is essential to the longevity of our subsistence livelihood & our traditional ways. For oil development will directly affect all those across the Slope, not only the residents of Kaktovik, but others as well. For the precedent it will set for offshore development. The message in the past has been that the Inupiaq want ANWR opened for oil development, which has been spoken mainly by the ''for profit corporations'' which are paid interests of Arctic power. The Regional Corporation have signed exploration and option agreements with oil companies, and these regional corporations have begun to appear to be politically aligned with their oil corporate partners. And often has been the voice in Arctic for oil development.

A protest was held against Arctic Power paid group (Gail Norton, Lisa Murkowski & other senators) on their visit to Kaktovik on March 6th. But we did not get much media coverage opposing ANWR development despite the fact that the media had accompanied the Senators. For another thing the coverage they let out is very misleading & let's not forget these reporters came up to Alaska with Arctic Power. Sean Hannity presented a series of misleading claims to advance the Bush administration's efforts to permit oil drilling in Alaska's Arctic National Wildlife Refuge.

The caribou herd is not our main concern, we know it is thriving. It's the land that will be overcome by oil rigs & restricting our subsistence lifestyle & the impacts of our social structure that we Inupiaq are worried about. And the impacts in the Arctic ecosystem as a result of the worsening global warming problem, as more fossil fuels are burned are a concern for us. As well as the health concerns of the future as pollution gets worse. We don't even care the amount of oil if there is any. We don't want any more of the oil industries impacts inflicted upon us as a whole. Especially for our future generation. The public didn't get much notice about Arctic Power & the Senators visit to Kaktovik to begin with. And due to the fact that they came early on a Sunday morning, not many residents attended the meeting. Yet on their visit to Barrow Alaska, they did not even meet with the public. They only met with the for profit corporation entities that support oil development such as the ASRC representatives.—Mary Margaret Brower, Kaktovik, Alaska.

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PETITION

The following residents of Kaktovik, are opposed to oil development in the 1002 area of the Arctic National Wildlife Refuge: (SIGNED BY 50 PEOPLE).

Mr. LIEBERMAN. Let me come to the process. While I am on the Bible, I was taught as a kid those famous words:

Justice, justice shalt thou seek.

Why the double mention of justice? Because, I was told, you have to pursue what you believe is justice in a just way.

We have different ideas of what justice is, what a good result is here. But I want to speak to the method, and that is to do this as part of a budget resolution, which clearly is an end run around the existing rules, an end run around the healthy fair fight we have been having for a lot of years about whether oil drilling should be allowed in the Arctic Refuge and the 60-vote requirement that has stopped that from happening.

That is why the filibuster is there. People talk about the ''nuclear option'' with regard to judicial nominations. We have been looking over in this direction. The nuclear weapons have been fired from over here. This is the nuclear option. It sets a precedent. It allows anything that generates revenues, whether incidental or at the heart of the purpose, to be attached to the budget resolution and only require 51 votes.

Just listen to the advocates, my dear colleagues and respected friends, proponents of the drilling in the Arctic Refuge. They are not talking about generation of revenue as its main purpose. They are talking about the provision of oil, provision of jobs, energy independence. We can debate that. But the revenues obtained here are incidental, and our rules make clear that when that is so, this kind of provision should not be on this budget resolution.

It does set a precedent, where anything else, where the generation of revenues is merely incidental, whether on environmental matters or anything else, and something that has not been able to obtain the supermajority 60 will be able to be adopted by 51, when put on a budget resolution.

Incidentally, one effect of this budget process in Congress is the budget process has broken down. We do not pass a budget resolution anymore. If we start putting what I believe respectfully are extraneous amendments, substantive battles on to the budget resolution, it is going to be harder and harder to follow the orderly budget process that the law and our rules provide.

So for reasons of substance and reasons of procedure, I ask my colleagues to support the Cantwell amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Ms. MURKOWSKI. Mr. President, I yield 3 minutes to my colleague from Idaho.

The PRESIDING OFFICER. The Senator from Idaho is recognized for 3 minutes.

Mr. CRAIG. Mr. President, let me thank the Senator from Alaska for those few moments to speak to what I believe and many of us believe to be a phenomenally important issue for the Senate to be addressing. Let me try to set the record straight.

I believe it is now the noon hour, in the middle of the day. The Sun is up. The lights are on in this Chamber of the Senate. We are in the middle of a workweek. And somebody says this is not the place or the time to debate this issue? It is not midnight. It is not in a smoke-filled room. The lights are not turned down. C–SPAN is on and the American public is watching and you darned well bet this is the right place and the right time to debate a critical issue for the American people. So don't suffer the illusion or play the rhetorical game that says, ''ain't never happened before.''

The chairman of the Budget Committee has just submitted a long list of times when the other side used the budget resolution to produce major public policy. So it is the right time, the right place, the middle of the workweek; and we are doing the job of the American people, to debate this very critical and important issue.

I am always amazed when someone takes the coastal plain of Alaska, where today it might be 60 below and the wind may be 40 miles an hour, and calls it an Eden. That is not my vision of Eden. I am not suggesting it is not a rare place—it is. It is unique to the world, and we recognize that, and all of the environmental safeguards are in place. If we are allowed to go there and find oil and bring it to the lower 48, there will not be any damage to the environment. That is a fact for anybody who has been there.

Let us adjust the vision of Eden just a little bit. I don't think we are allowed to interpret it every way every day.

My last thought is quite simply somebody said—I believe the Senator from Washington just said—it will not bring down the price of oil. It probably will not. What it might do is stop the price of oil from going up. I just paid $2.11 a gallon for regular gas in the District of Columbia. I drive a very efficient small car. It still costs me $25 to fuel it. I have the good fortune of having a pretty-good-paying job, but there are a lot of Americans who do not. Just keeping the price of oil down, not letting it go up, would be a major victory for energy policy in this country. And it would fill the refinery at Anacordis that is now operating at 50-percent capacity. It would provide the jobs in the State of Washington that the Senator from Alaska spoke to. That is the reality of what we are talking about today—getting our country back into the business of producing energy for every American, whether they have high-paying or low-paying jobs. We live on our energy and it is time we put our country back into full production. I strongly support the resolution.

The PRESIDING OFFICER. Who yields time?

Ms. MURKOWSKI. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. There remains 19 minutes 50 seconds.

Ms. MURKOWSKI. I ask the Chair to let me know when I have used 9 minutes.

The PRESIDING OFFICER (Mr. CRAIG). The Senator will be notified.

Ms. MURKOWSKI. Mr. President, it is important that we do attempt to set the record straight. It is interesting to listen to the back and forth that goes on across the aisle. If Alaska were not my home, if I were not born and raised there, if I had not had an opportunity to know and understand all parts of my incredibly beautiful and diverse State, I would think that they were talking about another place, another world that I was not familiar with. So I feel compelled as an Alaskan to stand before you and talk about the reality of ANWR, the reality of the world that exists up North.

The Senator from Massachusetts made a statement. I apologize if it is not exactly as he stated it, but the inference was that wilderness can't exist with industry, and that is why we should not move forward with opening ANWR to exploration.

The area we are talking about exploring is not in a protected wilderness area. It is in an area that has been designated ''reserved,'' if you will, because of its vast potential oil and gas reserves. It has been recognized by the Congress, by the executive branch, for its potential. It is not in wilderness status. It is not in wilderness status like the 8 million acres directly below the 1002 coastal area. It is not in wilderness status like some 58 million acres of wilderness that are currently in the State of Alaska. The 1002 area is not wilderness.

Therefore, don't mix it in up. Don't make that suggestion.

Others have said we are talking about exploring and drilling in a wildlife refuge. As my colleague from Alaska mentioned to the Senator from Wisconsin, in his State of Wisconsin there are pipelines going through three separate wildlife refuges. There are currently nearly 400 producing wells in the national wildlife refuges nationwide.

The National Audubon Society has received $25 million in royalties from oil development in its sanctuary in Louisiana. It has been receiving this money for decades.

There is nothing unusual nor improper about allowing careful development in a refuge.

We are using 21st century technology. I haven't seen this wildlife refuge which the National Audubon Society has in Louisiana, but I am certain they are making sure, if they are developing it, that they are doing it in concert, in balance with the environment. That is exactly what we will be doing if we are given permission to go forward in ANWR. How can I tell you we will do that? Because we have been doing it up North for 30 years. We have been refining the technology, the Arctic engineering and technology that goes with extraction of a resource in a pretty harsh environment. Yet, as harsh as it is in the wintertime, it is a very fragile environment during those summer months. Alaskans appreciate our climate and our geography. We figured that we have to do it right or we could cause harm to the environment.

When we talk about the roadless areas we have available for exploration, we mean it. We do mean that we are going to put down an ice road that will disappear when the summer comes. In fact, we are so rigid on it, we don't even lay the ice road for the following year in the same area just so there is no impact to that tundra, no impact to that area.

I take great offense to the preliminary implication that some of my colleagues have made that, somehow or other, the North Slope is some industrial wasteland. They made the comment that the air and the skies were like the pollution in Washington, DC. Let me tell you, as an Alaskan, I am outright offended at that kind of a comment.

You come up North, you look at the air, and you breathe the air, if it is not too cold. The fact is, we have put environmental safeguards and standards on our industry unlike any other place in the world. I have seen what we have done in the lower 48. Quite honestly, I can understand why some of my colleagues are concerned about industry in Alaska, because they have seen it in their States. They have seen what they can do. But we have said no. We have learned from your mistakes. We are going to make sure that when you have a vehicle, you put a diaper under that vehicle. It sounds crazy, but we are not going to accept any kinds of spills. We are not going to accept any kind of environmental degradation. We have controls over it. We are going to make sure we do it right.

When they talk about the spills—I mentioned yesterday on the floor that we have spills. We require in the State of Alaska that everything you drop on the ground is reported. Do you know what is mostly reported? It is the seawater, the saltwater that is used to inject. Whether it is a spill of saltwater, whether it is a spill of chemicals, or a gallon of oil, hydraulic oils, you have to report it. You report it, and you clean it up.

When I took these colleagues North with me 2 weeks ago, they were amazed at the environmental culture within the industry. It is not necessarily because the industry has said we should do it; it is because we in Alaska care, and we are going to make sure you are going to do it right. If you are not going to do it right in our State, you are not welcome to do business. It is more expensive to do business in Alaska because we are a long way away, which sometimes makes it difficult. Part of it is we demand that you do it better.

Where does that put us? We are a nation reliant on oil. We are 58 percent reliant on foreign sources of oil. Oil just hit 56 bucks a barrel, and we are 58 percent reliant on foreign sources.

We have an opportunity to make a difference in this country.

I have had some of the opposition suggest there is not really that much there. Let us take the median. Let us just assume for purposes of discussion here today that we are able to get a million barrels of oil a day. At the height of the Prudhoe fields, we were at 2 million barrels a day through our pipeline. We were providing 20 percent of America's domestic needs.

What is a million barrels? Aside from the fact that you get a million barrels 365 days a year, what is it? It is enough fuel to run the State of Maryland for 100 years. It can fuel every car in every home in Washington State for 68 years. It is enough fuel to replace all of our imports from Saudi Arabia for 25 years—25 years. It is enough fuel to double all of the oil taken out of Texas for the past 75 years. It is enough oil to save America from writing a $54 million check to OPEC every day at the current prices. Fifty-four million dollars is what we are writing to OPEC today. Actually, I think that number goes up because the price of oil has now bumped up to $56 a barrel.

The fact is, it is not just about increased domestic production. We need to have balanced our energy policy. We know we can't drill our way out of it. We know we can't conserve our way out of it. We know we have to work on balance, promote conservation, efficiency, developing alternatives, but it has to also include more domestic production to reduce our dependency on OPEC and other unstable regimes.

We have to do more.

I used the phrase yesterday: We have to think globally and act locally. Let us not export our issues overseas. Let us not be reliant on Russia, Columbia, Africa, or Venezuela. We need to recognize, though, if we park every single car in America today and say that is it, we are going to take a step, we are not going to be so reliant on oil, the fact is we would still need oil, whether it is for Band-Aids, CDs, or heart replacement valves. We use oil every day in our world. We need to do what we can at the domestic level to meet our energy needs to the fullest extent possible. ANWR offers us that opportunity.

Please give us in Alaska the chance to show you how we will continue to do it right for years to come.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Ms. MURKOWSKI. Mr. President, I yield 10 minutes to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator controls 8 minutes.

Ms. MURKOWSKI. I yield the remainder of the time to the Senator from New Mexico.

The PRESIDING OFFICER. The Senate from New Mexico.

Mr. DOMENICI. Mr. President, how much time is on the other side?

The PRESIDING OFFICER. The other side has 5 minutes.

Mr. DOMENICI. Thank you, Mr. President.

(Ms. MURKOWSKI assumed the Chair.)

Mr. DOMENICI. Madam President, let me say to Senator STEVENS that it has been a pleasure working with him on this issue.

Some people have asked: Why don't we listen to the people of Alaska? It is their livelihood. They live there. I had the pleasure of going up there and talking with them. I can tell the Senate without any doubt that the overwhelming majority—maybe 70 to 75 percent—of Alaskans wants this to be developed. I think that means, at a minimum, they have seen some development, they have seen the benefits of it, and they have assured themselves that it can be done in such a way that it will not harm the environment which they so much cherish and in which they live. They don't want it to be destroyed.

Now, I want to talk about some comparables. Many ask—not that there is a direct relationship—why don't we do more in renewables? I want to talk about what 1 million barrels of oil a day means compared to a renewable source of energy such as wind production. For those that say we ought to do more in renewables like wind, to make sure we do things in an environmentally sound way, here is the evidence. One million barrels of oil a day is the equivalent to 24,000 megawatts of powerplant production per day. That equals 24 powerplants, which in turn equals 92,500 windmills. The anticipated production from ANWR would be the equivalent of 5,781 square miles of windmills, the combined size of the States of Rhode Island and Connecticut. And 70 percent of the surface of the State of Massachusetts would be covered with windmills in order to equal 1 million barrels a day in electric generating capacity.

I want to talk about a couple of things. First, how important this production is and that we proceed with it. The United States of America is in a state of crisis. Some people wonder whether this is serious. Indeed, it is. We do not know what to do and how to get out of our need for oil and oil products for American's daily lives, for our economic well-being, and for our transportation needs. I don't have an answer to that. We will all work hard to try to change that, but it will take many decades to change.

Some say we ought to conserve more and they say we should conserve instead of producing this oil. I can only say we need to do everything. We are in such a crisis we have to conserve and we have to produce where we can, because right now the United States of America is absolutely vulnerable to the fact that we import oil from a dangerous and fragile world.

What happens if oil is denied America by unfriendly foreign countries? Would you believe that this big superpower called America will be brought to her knees? We talk about our future security. We will not be a world power if somebody decides to deny us oil. I regret to say we are there now—not 10 years from now, today. And it will only get worse.

Alaska, of course, is a State in our great Union. This is not a foreign country. It is part of the United States. And we have by far the most promising site for onshore oil in the United States in this 1.5 million acres in the State of Alaska. You can call it what you want, but it says in the law that this 1002 area is open for exploration if Congress wants to so vote. That is what we are talking about here. We are not here to destroy anything. We are here to vote on the proposition that Congress originally set this 1.5 million acres aside for—to go and look for oil. The laws says Congress will make the decision. We are making the decision here today. Do we want to do that or not?

Let's talk about the United States and what a predicament we are in. The American reserves of oil, the entire reserves in all of our States, is 21.9 billion barrels. That is terrible. We are the 11th in the world for oil reserves. According to the estimate arrived at by the United States Geological Survey, the area at issue contains 10 billion barrels of oil. The USGS did a similar estimate for Prudhoe Bay but they underestimated it by 30 percent. But let's just use their numbers, which I call low: 10 billion barrels. With the oil estimated from ANWR, America's total reserves would be over 30 billion barrels of oil. That means this particular part of America contains one-third of the total reserves of oil of the United States of America.

Imagine saying we don't need it. Opponents want us to do something else instead.

Senator Everett Dirksen used to say about dollars, a billion dollars here and a billion dollars there and pretty soon it adds up. I can say to Senators and those listening, as far as America's energy future, a million barrels here and a million barrels there really adds up. And pretty soon it is terribly important to America's future. That is the first point.

No one knows how to get off this dependence. We have to find ways to minimize the damage while we conserve, change our ways and go to hydrogen cars, but none of that will happen for a long time.

In the meantime, we send all our money overseas, to foreign countries. The distinguished junior Senator from Alaska was talking about how many dollars a day we send out. On a yearly basis this 1 million barrels adds $18.6 billion to the merchandise trade deficit; that is, the trade deficit between us and the world. What we pay for foreign oil is almost 26 percent of the trade deficit. But it is not important, say some, that we increase our reserves by 10 billion barrels, which is adding one-third to our reserves for the future.

My second point has to do with the fact that some say this is not the right way to do it, that we should not be using a budget resolution. I said last night it happens to be that this Senator knows a little bit about budget resolutions. I know a little bit about reconciliation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOMENICI. I ask for 1 minute off the resolution.

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

Mr. DOMENICI. And I want to make sure our Senator, the senior Senator, speaks in wrap-up.

I close by saying there is no doubt in my mind that America must do something. This is an opportunity to do something very significant. We are not going to damage anything.

This is a picture of a production well. All of that is done off of ice roads. When we are finished, we take it away and you see the little speck is what remains, the end product of an exploratory well. You can go there and prove up the reserves and leave that speck in a 1.5-million-acre piece of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I ask for 2 minutes off the resolution.

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

Mr. STEVENS. For the information of Senator KERRY, British Petroleum is currently investing over $500 million annually in Alaska and is drilling now over 100 new wells.

I hope my colleagues consider this amendment. What I really want to ask, finally, is to vote no. I have been fighting now for 24 years to get Congress to keep its word. In a fight such as this, the Senator really learns and realizes who his true friends are. I know those who vote against this amendment are doing so because it is the right thing to do for the country. But I count you among those of us from the World War II generation who understood that oil is ammunition and understand what it means to keep a promise. And I shall not forget it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. How much time remains?

The PRESIDING OFFICER. There are 5 minutes remaining. The Republican side has no time remaining.

Ms. CANTWELL. As we close debate on the Cantwell amendment, which I hope my colleagues will support, I feel we have had a hearty discussion this morning about what America should do as it relates to the Arctic Wildlife Refuge but, more importantly, what we should also do about planning for America's future.

I point out that today a Gallup poll was released that shows where the American people are. We may be very divided in the Senate, but the American public is consistent in its concern about and interest in conservation. In fact, Americans by a 2-to-1 margin say the United States should emphasize greater consumer conservation over existing energy supplies, rather than production of oil, gas, coal, or other supplies.

Now, that is what the American public wants. That is certainly what people in the State of Washington want. That is certainly what the people in Puget Sound want. I say that because I think they are like many Americans in that they want to reduce $CO_2$ emissions. They want to do something about global warming. They want to do something about diversifying our nation's energy supply. We have great companies in my state that are adding to the Washington economy, and they want to diversify into various energy technologies that will help us in the future.

So, no, the majority of Washingtonians do not want to see drilling in the Arctic National Wildlife Refuge. They want to see it protected. In fact, it is the one thing I think they feel most strongly about; that is, they want to lead the way on a new energy economy and show that we can have higher CAFÉ standards, produce alternative fuels, make a dent in our gasoline use by blending it with ethanol, and get energy conservation plans moving.

But when it comes to gasoline prices, I think they are like every other American, they are darn concerned about the high gasoline prices in America and wonder why they are so high when four refineries are located in the State of Washington. And for a market that was manipulated on electricity prices, and with very little help from the other side of the aisle in getting those market manipulation contracts voided, the Puget Sound economy remains concerned about why the price of gasoline, which is a commodity that is refined so close to home, is the highest price in the country.

Now, there is nothing in the budget resolution language that says that oil produced in the Arctic National Wildlife Refuge will stay in the United States. That is right, no guarantee at all. The oil will be exported to other countries. So as the President's economist has said, it will have negligible impact on the price of gasoline. To open up a wildlife refuge for a minimal amount of oil, that even the President's economist says will have a negligible effect on price and supply, is an ill-advised plan.

My colleagues have already talked about the pollution and the environmental problems caused by drilling. But I want to point out, America does have a different future. I will work with my colleagues from Alaska on a proposal that is three times the job creation for us and for Alaska—the Alaska natural gas pipeline.

America was smart enough, in the 1970s, to get off our dependence on home heating oil because we decided as a country we could not continue to be held hostage by Middle East oil policy. We had a 35-percent reduction in home heating oil use. It is time to do the same with gasoline, but not by producing more oil, but by changing and focusing on developing alternatives.

We can focus on building a pipeline to capture Alaska's natural gas; it is the equivalent of 6 billion barrels of oil. We can focus on efficiency and renewables. We can focus on ethanol. We can focus on improvements in efficiency of transportation, of tires, and increasing the fuel efficiency of our cars, which some of the speakers on the other side, I should note, do not support a higher automobile fuel efficiency standard. That would be a great way, by reducing the need for 10 billion barrels of oil over the next 10 years, of saving and getting us off of our overdependence.

A young woman who came in to see us yesterday presented us with a tire gauge, and she showed us that if Americans had the right level of inflation in their car's tires it could save over 200,000 barrels of oil a day.

So we have a choice. We have a choice about whether we are going to continue down this road of a fossil-fuel economy to the degree that we are going to say it is even worth it, it is even worth it to go into a wildlife refuge to find oil, or we are going to move our country forward on a new energy plan.

I encourage my colleagues to support the Cantwell amendment and strike this language from the budget resolution.

The PRESIDING OFFICER. All time has expired.

Ms. CANTWELL. Madam President, I ask unanimous consent that Senator SNOWE be added as a cosponsor of the amendment.

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

Ms. CANTWELL. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENTS NOS. 171 AND 149

The PRESIDING OFFICER. There will now be 35 minutes of debate on the

veterans amendments No. 171 by Senator ENSIGN and No. 149 by Senator AKAKA.

Who yields time?

The Senator from Hawaii.

Mr. AKAKA. Madam President, I ask unanimous consent for 10 minutes of time to make this statement about my amendment.

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

Mr. AKAKA. Madam President, the budget resolution fails veterans. It is that simple. I am pleased to stand with my colleagues who joined me in offering this veterans health care amendment to add $2.85 billion for VA health care.

Let me say that I agree with the President on the overall amount needed for VA health care. But we differ in where to get the funding. And I must say, I enjoy working with my friend, the chairman of the committee, Senator CRAIG, and we both feel this committee needs more funding than it has. We are offering different amendments to try to reach that funding.

The President asks veterans to shoulder the burden with a higher copay for medications and a new user fee for middle-income veterans. I disagree. I am pleased that the Budget Committee summary rejected the President's proposals. As my colleagues pointed out last night, unfortunately, funds have not yet been included to compensate.

How did we arrive at this amount of $2.8 billion? The answer is that it comes directly from the administration's own estimates. VA needs $1.4 billion just to cover inflation. The level in the budget resolution before us does not even come close to covering that amount.

And VA requires funding to absorb new patient workload. The budget resolution before us doesn't contain funding for this.

We also need to reverse the President's decision to cutoff enrollment to middle-income veterans. To date, 200,000 veterans have been turned away—10 percent of whom live in Nevada, Louisiana, and Texas.

Our amendment provides the money to make the system truly accessible. It is just wrong to differentiate between veterans entitled to care. It is dangerous to say that some veterans deserve more than other veterans. This sends the message that serving during peacetime is not as important as going to war, or being drafted to serve is not as noble as volunteering to serve. Everyone who has served in our Armed Forces has contributed to our national security and to protecting the principles on which our Nation is founded. Needless to say, the budget resolution before us does not maintain open access for all veterans.

The other side of the aisle has offered an amendment, as well. In doing so, we at least are hearing for the first time an acknowledgment that the President's budget and the budget resolution before us do not go far enough. Unfortunately, neither do the amendments that are being offered.

The amendment on the other side adds $410 million for VA care. This is simply not enough to avoid the drug copay increase and the user fee for middle-income veterans. And it is not enough to avoid the President's cuts to nursing home beds. And the Ensign amendment will not help the 21,000 veterans who were turned away for care in Nevada, Louisiana, and Texas. All told, the Ensign amendment is nearly $2.5 billion short of what is needed.

The amendment on the other side can be considered a gesture. And since the Ensign amendment takes the money from global health accounts, it is a gesture that will likely hurt worldwide AIDS programs and other humanitarian assistance.

The President saw the value in this global health account and chose to increase spending for it. The Ensign amendment cuts funding for this account. Instead my amendment closes corporate tax loopholes rather than cutting funding for needed programs.

I would also like to say a word about the record when it comes to veterans funding. The Bush administration and my colleagues in the majority have stated that veterans funding has increased 47 percent during this President's tenure.

While funding has increased, it has been based on the efforts by Congress in supporting amendments such as the one I am offering. The simple fact is that the administration has requested less than half of the new funding made available to veterans during its tenure. Congress, by approving amendments to increase VA funding, has added another 39 percent of funding. Even with a 47 percent increase since FY 2001, this is an average annual increase of less than 10 percent to accommodate high medical care inflation and high annual growth in patients. It is a fact that per patient resources have increased by about 13 percent while the number of patients has increased by 25 percent since FY 2001. That means that the growth in the number of patients is almost twice the amount of growth in resources. These facts underscore the need to support my amendment.

We have an opportunity to fund the veterans health care system—to protect veterans from waiting times for appointments, from harsh new fees, and from cuts in long-term care. Let us go more than half-way to meet veterans' needs. Let us do the right thing. I ask all of my colleagues to join me in voting to provide the funds necessary to care for our veterans.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Will the Chair notify me when I have consumed 10 minutes of time?

The PRESIDING OFFICER. I will.

Mr. CRAIG. Madam President, we are on the floor today debating a very important portion of the budget resolution for the Senate. That is the moneys that will fund the Veterans' Administration and serve the millions of America's veterans who are in need of this service and new veterans coming in out of the Iraq/Afghanistan wars.

All of us who serve on that committee and examine the needs of our veterans recognize the importance of new dollars and the importance of sustaining what we have been able to do effectively over the last 4 or 5 years, to tremendously increase the quality of health care coming from the Veterans' Administration and increase enrollment.

The question is, when you look at the Murray amendment versus the Ensign amendment, how much is enough? How much is enough to sustain the work and the quality of work that goes on and to accept the incoming veterans who are truly needy of and deserving of the services provided by the Veterans' Administration?

Let me show a couple of charts that are fundamentally important and that many fail to recognize. Because the Senator from Hawaii is absolutely right: In 4 years we have increased spending in the Veterans' Administration by 43 percent. During that time enrollment has gone up from 4.9 million to about 7.7 million from October 1, 2000. And the quality of health care has gone right along up. Now the veterans health care facilities are rated as some of the finest in the Nation, ranking with the quality delivered from some of the top private health care facilities.

Here are the numbers: Medical care, 2001, $21.07 billion; 2005, $29.64 billion, a phenomenal increase, not millions, not hundreds of millions, but billions of dollars that the American taxpayer has committed to the quality care of veterans.

Let's look at the other portion of the veterans budget called discretionary spending. We have not been absent from that either. During the Bush years, 2001–2005, $25.7 billion up to $37.1 billion, again, billions of dollars. What was happening during the Clinton years? In two of those years, 1998 and 1999, the Clinton administration said: Let's cut veterans. Congress said no. Bush said no. We said no. We plused up what our President offered us. This President's budget is an increase. But we don't like the level of increase or how he has arrived at the increase. So we are changing those numbers substantially.

But the bottom line still remains, how much is enough to sustain this quality, to assure the door remains open, to assure that our veterans are served effectively? Do we throw money at it or, in a tight budget environment, do we constrain ourselves a little bit? Do we shape the issues? And in so doing, do we sustain levels of increase?

Here is what has happened in the last 4 years. Those are the numbers—a 43-percent increase. Probably no other area of the Federal Government has gone up that much outside of defense,

and it hasn't, to my knowledge, gone up that much. But it does show a clear recognition on the part of Congress as to the importance of veterans to all of us.

If I may, for a few moments, I will break down the reality of what we are doing because we recognize, as certainly the Senators from Hawaii and Washington, that there are needs out there and that those needs must be met. We recognized in the President's budget that there were items we simply would not advance—copays, a nonstarter. I was willing to look at fees for sevens and eights in certain categories with higher incomes. But collectively Congress says, at least on this side of the Rotunda, no to that also. I accept that.

Here is what I recognize and here is what the Ensign amendment does. The President pluses up the budget by $751 million. The chairman's mark pluses it up again by $40 million. The Ensign-Craig-Vitter-Hutchison amendment pluses it up another $410 million, a net increase without reconciliation instructions. And that is very important. While that may be inside language for those of us who work the budget, it is very important to know that those are real dollars hitting the ground, not compromised, new money to the Veterans' Administration. Total it all up, between the President, the chairman's mark, and the Ensign amendment, and you have $1.201 billion, a 3.7-percent increase in a tight budget year.

I must say, this is one chairman of what I believe is an important committee who says that is responsible. That is the right thing to do. And we don't raise taxes to do it. We go inside Government spending and find the resources. And we have offset them appropriately in an account that last year increased 12 percent.

The irony is in the fact that in attempting to undo the President's proposal to charge additional fees on higher income vets, the Murray amendment charges another type of fee on veterans—and all Americans, for that matter—in the form of higher taxes. The Ensign-Craig amendment goes elsewhere inside current levels of spending. It does not do that. Yes, veterans do pay taxes. They are out there, hard-working Americans like nearly everyone else. And if you raise taxes, you raise it on them, too. I don't dispute the worthiness of the argument. I do dispute the resources involved and whether they are actually necessary in a very tight budget year when we are struggling to keep this economy alive, rewarding that economy that more money stays out there in it that stimulates job growth. And it has and it has proven that it is working because those numbers keep coming up in America as more Americans go back to work.

We ought not penalize that sector of our economy while we are truly trying to help a sector of our economy that is less fortunate and, most importantly, that has served this country well.

The men and women in uniform of our services, who stood in harm's way, we recognize their service but we also recognize there are limits within the budget. In those limits, we will have to say there are certain things we will do and certain things we cannot do. That is the choice, and it is a tough choice that we as Senators are asked to make when we shape budgets. But it is a necessary and a responsible choice. So we have said no to the enrollment fees, no to the copays.

We have also said no to something else very near and dear to the heart of the Senator from Washington, the Senator from Hawaii, and me, and that is State homes. Those beds, 20,000 across the Nation, with 285 in my State, are a cooperative relationship between the State and Federal Government in assuring that the truly needy of our veterans have a place to go—in their final years, in many instances. The administration had asked to drop that per diem. We said no to that and ensured the stability and the strength of those homes, at a time when States' budgets are tight—certainly in many instances tighter than ours. So I believe that was the right and responsible thing to do.

Last week, we heard extensively from all of the service organizations. What were their greatest frustrations? The fees, copays, and the homes. What have we done? We have taken all three of those major frustrations away because we listened to the service organizations. We heard them during that series of bicameral hearings, held both in the House and Senate.

Let me go back to my original statement. The question remains, whether you are looking at the amendment of the Senator from Washington or the amendment of the Senator from Nevada, how much is enough? Is a 1.201 plus-up, with no reconciliation instructions, enough? Does it sustain this quality of health care? Yes, it does. Or do we go further by asking the American people to pay higher taxes for more money that is questionably necessary? We could throw a lot more money at the Veterans' Administration, and we might get greater results. But we would be going beyond what I think is necessary and appropriate today, and I think most of my colleagues agree with me.

So we sustain the work we have done. I ask my colleagues in the Senate to support the Ensign amendment, support the work of the committee, sustain the vibrancy of the veterans health care system, and to vote down the Murray amendment.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I yield 6 minutes to the Senator from Illinois.

Mr. OBAMA. Mr. President, I rise to discuss an issue on which I hope we can find common ground. Today, we have thousands of brave men and women risking their lives for us halfway around the world. At home, we have millions more who were equally courageous in defending our freedom during generations past. When it comes to honoring these soldiers and these veterans, there is never any shortage of words and praise from leaders of both parties, and there should not be.

I commend the previous speaker, the outstanding Senator from Idaho, who is also chairman of the Veterans Committee, for his deep concern and regard for our veterans. But I have to contest some of the statements that were made because, unfortunately, based on our analysis, this budget has a very real and unacceptable shortage of funding for the benefits and health care that our heroes have earned.

Make no mistake, these are not just complaints coming from Washington; these are complaints we are hearing from veterans all across the country—in Illinois, Washington, Hawaii, and Idaho.

Senator ENSIGN's amendment increases the veterans health care budget by $410 million. That is a modest improvement and to be commended, compared to the original budget offered by the President. Yet, these dollars, I should point out, come directly out of important international programs that fund child health care, global AIDS assistance, disaster, famine assistance, and more. We can have a further discussion as to whether it is wise for us to rob Peter to pay Paul. But even if we go ahead and take this money from these vital programs and place it into veterans, it is still $2.5 billion short of sufficiently funding veterans health care services.

That is why I am joining my colleagues on the Veterans' Affairs Committee, ranking member AKAKA and Senator MURRAY, to support an amendment to increase funding for veterans health care by $2.85 billion.

Today, the state of care for America's veterans is not worthy of their service to this country. There are roughly 480,000 compensation and pension claims still unprocessed. This budget provides for 113 new employees to help deal with this backlog.

There are thousands of veterans who cannot afford to get the health care they need, and I am glad to see the Ensign amendment eliminates the copayments. But the budget in front of us still tells veterans who make as little as $30,000 a year they are too wealthy to enroll in the VA health care system.

There are VA hospitals on the brink of closing down around the country. But this budget cuts $351 million in funding for veterans nursing homes and eliminates more than $100 million in State grants that are desperately needed by VA facilities. When the troops who are fighting bravely in Iraq and Afghanistan return home as veterans, what kind of care will they find? Already we know that soldiers are coming home with post traumatic stress disorder, with traumatic brain injury that could lead to epilepsy, and with conditions that may result in over

100,000 soldiers requiring mental health treatment when they come home. If we cannot care for the veterans who are already here, how will we take care of the veterans who will be returning in a few years?

I urge my colleagues to join me in sending veterans the right message. Our amendment will provide funds for VA staff so veterans who are waiting to file disability claims are not waiting months to have their case heard. It will provide adequate funding so that veterans of all incomes can access the VA system, as was promised.

When it comes to America's veterans, it is not only our patriotic duty to care, it is also our moral duty. When our troops return from battle, we should welcome them with the promise of opportunity, not the threat of poverty.

Senator ENSIGN's amendment is a modest improvement over the President's original budget. But as Senator AKAKA has already stated, it still leaves the veterans short. It is time to reassess our priorities. A budget is more than a series of numbers on a page; it is the embodiment of our values. The President and everyone in this Chamber never hesitate to praise the service of our veterans and acknowledge the debt we owe them for their service, and I commend my colleagues and the President for that. But this budget does not reflect that praise or repay that debt. Neither does the budget resolution on the floor today.

Mr. CRAIG. Mr. President, I ask what time remains on both sides?

The PRESIDING OFFICER. The majority has 7 minutes. The minority has 4½ minutes.

The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I commend my colleagues from Hawaii and Illinois for standing up for veterans in this country and for their passion for their States and the people they represent.

We are here this afternoon because veterans throughout our country are waiting for the health care they have been promised, and it is our responsibility to make sure it is delivered. They are facing understaffed and overcrowded VA hospitals. They are dealing with paperwork and redtape, and they are not getting the service we promised them when we sent them to fight for all of us.

Every day the system is getting more and more crowded and the waiting lists are growing longer, and this body has to do something about it. I have heard several claims from the other side, and I want to take a few minutes to refute a few of them.

They claim we are going to be raising taxes. I remind you there will be $65 billion in this budget for tax cuts when our amendment passes. I believe we have a responsibility in this country to make sure we keep the promise to our veterans, and that is why I believe our amendment is responsible in its funding mechanisms.

Second, we have heard our opponents say that veterans funding has gone up by 43 percent, so veterans do not need another dime. I remind my colleagues that the number of veterans in VA care has gone up by 88 percent at the same time that medical inflation has gone up 92 percent. Inflation is rising, the cost of care is rising, and the number of veterans is rising. Forty-three percent is commendable, but it does not meet the promise we made to our servicemen when we sent them overseas that we would care for them when they returned.

Another claim we have heard over and over again is that the VA is sitting on $500 million. That does not stand with this Senator. I believe the VA officials here in Washington, DC, have a responsibility to get those funds out to our veterans across this country. They are in waiting lines. We do see clinics that are not opening or are closing. Our veterans need the services and the VA should not be withholding that money and it should go out there.

We have also heard from our opponents that veterans funding has increased by $900 million. That is simply not true. We had printed in the RECORD last night the true cost, which is $80 million, far less than the $900 million we have heard on this floor.

Let me just say I know veterans organizations across this country—VFW, AMVETS, Paralyzed Veterans of America, Disabled Veterans of America, American Legion, Vietnam Veterans—many other veterans organizations are watching us. They know there is a difference between the amendments offered on the Republican side and Democratic side. On the Republican side they are offering an additional $410 million; on our side, $2.85 billion—the difference between serving 68,000 additional veterans and 475,000 veterans; the difference between telling veterans, some of them, that they will be in waiting lines or will not get their service, and the ability for us to serve all of them.

Let me end my time today on this amendment by reminding all Senators what George Washington said back in 1789. I think it holds true today more than ever.

The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the veterans of earlier wars were treated and appreciated by their country.

These words hold true today. Voting for our amendment on our side will assure that we show these veterans that we appreciate and support their service. It will send a message to the next generation of young men and women we are asking to serve that we keep the promise.

I appreciate the Senator from Idaho, the chairman of the Veterans' Affairs Committee, for offering his amendment. But I say the veterans will know which amendment will make a difference in the lives of veterans across this country and I urge my colleagues to support the Akaka-Murray amendment.

Mr. JEFFORDS. Mr. President, I rise today to express my support for the Akaka amendment #149 to add desperately needed funds to this budget for veterans health care. I am pleased to be a cosponsor of this amendment.

The spending level in this budget for veterans health care defies logic. We are 2 years into a war. Yet this budget fails to provide adequate resources for those who have served this country so valiantly. American servicemembers are wounded in Iraq each day. Thanks to new advances in battlefield medicine, more wounded soldiers than ever before live to return home. But in a greater percentage of cases, they come home with horrific wounds, both visible and invisible. The Department of Defense should be commended for keeping wounded soldiers in its medical system for longer periods of time and for shouldering a greater share of the costs. However, the long-term costs of health care and rehabilitation still fall heaviest on the Veterans Administration. This budget responds to those needs by underfunding the VA by almost $16 billion over the next 5 years. This is simply not acceptable!

Over the past year, unprecedented numbers of National Guard and Reserve troops have been mobilized. When these Guard members and Reservists come off active duty, they are entitled to 2 years of access to the VA health care system. In my home State of Vermont, over 1400 National Guard members have been called to active duty. While I am incredibly proud of the White River Junction VA Hospital, which has done award-winning work in their field, even they cannot be expected to handle this new influx of veterans without additional funding. We owe it to both the veterans and the VA employees to provide them with the funding and services they require. The Akaka amendment would provide an additional $2.85 billion to the VA for just this mission.

A significant number of Iraq veterans have complex and long-term care issues. Improved body armor has saved many lives, but among the wounded, we now see a higher percentage of lost limbs and head injuries. These traumatic injuries have a significant emotional component to their care. It has been estimated that as many as one-third of all returning service members have some type of mental health needs. VA hospitals are working hard to ensure these needs are met immediately, before they develop into more serious manifestations such as post traumatic stress disorder. It has become increasingly clear that we need a better understanding of the emotional and mental health aspects of both the war and traumatic injury. I believe that we must increase VA research on mental health and post-traumatic stress disorder, research that is critical to both

the Department of Defense and veterans health care. The National Center on Post Traumatic Stress Disorder is doing excellent work along these lines, but a great deal remains to be done. We must pass the Akaka amendment if we hope to do better on this score.

The Budget Committee thankfully removed two provisions from the President's budget that have caused a great deal of concern among veterans. The President proposed to charge some veterans a $250 fee just to enroll in the VA health care system. The President also put forward an increase in the co-pay for prescription drugs from $7 to $15. I am pleased that the Budget Committee saw the error in both of these provisions, and cut them out of its budget.

Mr. President, it is critical that we pass the Akaka amendment. This should not be a partisan vote. Support for our troops is not a partisan matter. Taking care of their health care needs should not be a partisan issue either. If we cannot come together on this fundamental issue of fairness, what can we agree on? For the sake of our veterans, and in honor of their service, I urge all my colleagues to support the Akaka amendment. We owe our veterans this, and more.

Ms. MIKULSKI. Mr. President, I rise in strong support of the Akaka amendment to increase funding for VA medical care.

When America is at war, there should be no greater priority than to sustain our brave men and women in uniform. And just as we owe a debt of gratitude to those brave men and women that are fighting to keep us safe in Iraq and Afghanistan and the far corners of the world, we owe that same debt to the veterans who served before them. We need to get behind our troops and our veterans, and use this budget to support them. Our veterans need to know that America is behind them, and behind their families, 100 percent.

As the former ranking member on the VA-HUD Appropriations Subcommittee, I fought to add more than $1 billion to last year's Presidential budget to make sure our veterans had the health care and benefits that they earned. Yet as Yogi Berra would say, we have deja vu all over again with this year's budget resolution.

Once again the White House has sent us a budget that does not keep the promises we made to our veterans.

At a time when private insurance is failing and the cost of prescription drugs is skyrocketing, the VA's 2006 budget request puts new toll charges and means tests on our veterans. It fails to fully cover the costs of medical inflation, and it cuts back on services for vulnerable veterans. And it fails to do enough to expand care for veterans returning from the Middle East—especially those with special mental health or prosthetics needs.

Specifically, the budget proposes four things. First, the budget proposes to keep the VA closed to Priority 8 veterans. These are veterans who are not disabled as a result of their service, whom the VA considers to be higher income.

Second, the budget proposes a new $250 enrollment fee for middle-income veterans in Priority Groups 7 and 8. Third, the budget proposes to increase prescription drug copayments from $7 to $15 for these same veterans. These two measures have been twice rejected by Congress, yet the administration included them yet again in the 2006 budget.

Finally, the budget proposes to slash long-term care availability for veterans in Priority Groups 4 through 8 who are not ''catastrophically disabled.'' What does this mean? That means that VA won't provide long-term institutional care for many veterans, even some who are below the poverty line or have serious medical conditions that are not service-connected. The VA budget shifts the cost of paying for long-term care to Medicaid, Medicare, and private insurance, leaving some of the most vulnerable veterans without a safety net.

More than 2 years ago, the VA health care system stopped accepting new Priority 8 veterans. Manufacturing is fading and private health insurance is failing. And many of those affected are Priority 8 veterans. Many corporations involved in manufacturing had defined benefits plans that included health plans with guaranteed retiree coverage. For these veterans, VA healthcare is their last safety net, until they turn 65 and are eligible for Medicare.

Many of my colleagues have heard me talk about the plight of veterans who worked for the former Bethlehem Steel Corporation—in Maryland there are nore than 10,000 Bethlehem Steel retirees alone. Their situation sums up the needs that too many of our Nation's veterans face.

Many former Bethlehem steelworkers are Vietnam veterans. They came back from serving their country at war, and they continued to fight for America's national and economic security by working in our steel mills. But now, many have lost their health insurance because of Bethlehem Steel's bankruptcy. They are not eligible for Medicare yet. Under this budget, many will be turned away from VA—the safety net they counted on will not be there because VA will continue to shut out Priority 8 veterans.

Bethlehem Steel's veterans, and other veterans who worked in manufacturing or for other businesses that don't offer health insurance, fought for their country and now they will have to fend for themselves on the open market for health insurance. I am deeply concerned that this policy and many other potholes in VA's budget leave our veterans paying toll charges, standing in lines, or without any health care at all.

In the last 5 years, the VA–HUD subcommittee has provided large increases for medical care—$1.3 billion in 2001, $1 billion in 2002, $2.4 billion in 2003, $3 billion in 2004, and $1.2 billion in 2005. We did this to honor our commitment to our veterans, to give them the health care and benefits they have earned on the battlefield. We did it because our veterans didn't stand in waiting lines when they were called up or they volunteered to serve our country. So they shouldn't have to stand in line to see a doctor, and they shouldn't have to face toll charges to get the health care that is owned to them.

Mr. President, I urge my colleagues to support our veterans in this budget by supporting the Akaka amendment.

Mr. SALAZAR. Mr. President, I rise in support of amendment No. 149 by Senators AKAKA and MURRAY and to praise them for their years of work on veterans issues.

This is a needed amendment because the budget resolution, as written, will break our promises to America's veterans.

The budget resolution closely tracks an administration request that will do little to meet growing costs and will force the VA to continue to ration care.

I am angry that thousands of veterans are being turned away from the VA. This represents a fundamental breach of trust with our fighting men and women. Since January 2003 when the VA announced suspension of enrollment of new Priority 8 veterans, 192,000 veterans across the country and 2,000 Colorado veterans have sought VA care and been turned away. The administration's new budget hopes to kick 1.1 million more so-called low-priority veterans out of the system next year with draconian cuts in service and increased fees.

The administration's budget also would kick thousands of veterans out of nursing homes. It would limit the VA's per diem reimbursement to State VA nursing homes to priority ones, twos, and threes. These heartless cuts could kick 80 percent of State nursing home residents out onto the street. Last week, I met with the administrator of a State nursing home in Walsenburg, CO. She told me that these cuts would force her to kick out 93 of her 100 residents. State administrators tell me that these cuts could force the entire system to go under. These are our most vulnerable veterans, who often have no place else to go.

Another problem is waiting periods. Administrative backlogs at the VA have been reduced, but there are still 321,000 veterans waiting for disability and pension claims to be processed. At the VA clinic in Grand Junction, there is a 400-person waiting list. That is a 4 to 5-month wait. Just last week I asked Secretary Nicholson to explain to me why numerous Coloradans are waiting months to get their GI bill benefits, forcing them to miss tuition deadlines. This budget agreement will do little to cut these administrative backlogs.

Senator AKAKA's amendment would go a long way to restoring needed funding and I urge my colleagues to support it.

Mr. BYRD. Mr. President, this budget comes to Congress from the White House at a time when our country is fighting two wars. In Iraq and in Afghanistan, the young men and women of our Armed Forces are on the front lines, risking life and limb in service to our country.

These troops follow in a proud tradition that stretches back for generations. The troops who now serve in Baghdad or Kabul may well have fathers who served in Saigon or the Mekong Delta. The fathers of these fathers may have fought at Okinawa or Normandy, and their fathers might well have served in the second battle of the Marne. But no matter where these troops were sent to defend our country, no matter when they served our country, they have all earned the title, veteran.

Veterans have sacrificed for this country, but the budget proposed by the Bush Administration, and the budget resolution being debated on the floor of the Senate, forces more sacrifice upon our veterans. This budget short-changes veterans health care by billions. This budget would force many veterans to pay $250 dollar annual enrollment fees. This budget would require veterans to pay more for prescription medicines.

In fact, this budget is intended to drive so-called ''low priority veterans'' out of the VA health care system. The Department of Veterans Affairs budget documents foresee a 16 percent reduction in the number of ''low priority veterans'' that can receive care in VA hospitals.

What a shameful phrase that is: ''low priority veteran.'' There were no ''low priority soldiers'' during the Tet offensive. There were no ''low priority sailors'' at the battle of Midway. There were no ''low priority Marines'' at the battle of Fallujah.

But when these same soldiers, sailors, and Marines go to the VA hospital to get the health care they earned through serving our country in times of war, the Bush Administration is trying to give some of them the brush-off: ''Go somewhere else,'' this budget says to hundreds of thousands of veterans. ''Your health care is a low priority for the U.S. Government.''

It is no wonder that the Disabled American Veterans call the Bush budget proposal ''one of the most tight-fisted, miserly budgets for veterans programs in recent memory.''

I stand shoulder-to-shoulder with our nation's leading veterans service organizations, as I have always stood with them, in calling for Congress to correct the President's ill-considered budget proposal that under funds veterans health care and raises fees for millions of so-called ''low priority veterans.''

During markup of the budget resolution in the Budget Committee, I voted for an amendment offered by Senator MURRAY to increase spending on veterans health care by $2.85 billion in the next fiscal year. This amendment would have provided the funds necessary to reverse the administration's policy on cutting access to VA health care by certain veterans. It is shameful that this amendment fell victim to a party line vote. Providing adequate funds to support our veterans should never be a partisan issue.

Mr. President, I am proud to once again support an amendment to add $2.85 billion to the veterans health care budget. I commend Senator AKAKA and Senator MURRAY for bringing this important amendment to the floor of the Senate. I stand with the veterans of West Virginia and the 49 other States of the Union in supporting these funds that are owed to those who have served our country in times of war, and I urge my colleagues to support this important amendment.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I have 7 minutes remaining?

The PRESIDING OFFICER. That is correct.

Mr. CRAIG. Let me again thank all who participated in this debate. There are differences as to how we approach providing for our veterans. You see those differences embodied in part in the two amendments that are before us, either the Murray amendment or the Ensign amendment. I think it is important, though, that we do, for the record, correct or at least add information to some of the statements. My colleague from Illinois is concerned, as we all are, about PTSD. The Ensign-Craig amendment would provide an additional $100 million that can be devoted to, of course, mental illness. It is of great concern to us as our veterans come home from Iraq, Afghanistan, possibly whole in body but not whole in mind. That is recognized both by the President, by the Veterans' Administration, and by all of us, and we plus up that budget substantially to do so.

Another area that has not been mentioned that is critically necessary for rural veterans who find themselves in an emergency environment and need to gain access to emergency rooms of the hospital and the community and not a veterans facility—we have $43 million in the budget to ensure that veterans who seek emergency care in non-veteran facilities are treated exactly the same as they would be as if they were in veterans facilities.

Let's do the numbers. The Senator from Washington says the President's numbers only include $80 million. That $80 million is general revenue and the balance is in collections and that is real money and that is there all the time and that is in the budget and that is $751 million. You have to do all the math, all the time. That is what we are doing here to make sure the numbers are accurate.

So you take the $751 million in the President's request, general fund revenue and collections, and you take the chairman's mark of $40 million, and you take the Craig-Enzi amendment or Enzi-Craig amendment of $410 million and add it up and it is a 1.201 increase, health care, 3.7 percent increase over last year. It is not a tax increase.

I always find the rhetoric interesting. My colleague from Washington says there are $70 billion worth of tax cuts in this proposal. They are not tax cuts. If you don't enact it, it is a tax increase. Those cuts are already in place. This is the assurance of the continuum of those tax cuts. Take them out, it is a tax increase. It is a matter of semantics. It is also a matter of fact. What is being offered by the Senator from Washington, as she pluses up the veterans budget, is gained by tax increases.

Let me put it this way: Taxes that would be asked to be paid by working men and women, America's workforce, America's veterans. They are not paying them now. They would pay them then. My suggestion is that is a tax increase.

Let me close with a couple of more analyses. We are mighty proud of what our President and what we have done over the last 4 years for the veterans of America and for the quality of health care and service delivery of the Veterans' Administration. Here it is, a 43-percent increase. We have gone from $48.8 billion in 2001 to $69.8 billion in 2005, and we are now plusing that up into the $70-plus billion range, $71 billion. That is total spending.

Let's look at health care for a moment. There are substantial increases there. We increased health care when veterans were asking for it. They went from over 4 million vets into the services in 2001 to now almost 8 million vets, and we have an increase from $21 billion in 2001 to $29.6 billion. In doing so, America now says the veterans health care service is one of the finest health care delivery services in the country.

The test for Senators ought to be: Do we damage it? No, we do not. Do we assure those coming out of Iraq and Afghanistan with the true needs of the services provided have access? Yes, we do. No question about that.

The President assured it. He approached it a different way. We assure it by approaching it from within the Federal budget instead of raising taxes to accomplish that.

I believe the Enzi-Craig-Vitter-Hutchison amendment does exactly what most Senators would want to ask of us in relation to the care for our veterans. It is a responsible approach. It is clearly a defensible approach. We believe that we have approached it in the right manner to solve the problems and retain the consistency of quality, of improvement and access to the veterans health care system.

I believe all time has expired.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator yields the remainder of his time. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I ask unanimous consent that prior to the vote which is about to occur on the amendment by Senator BYRD, there be 1 minute on both sides.

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

Mr. GREGG. I also ask that be applied to the next vote, which will be on ANWR.

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

The Senator from Mississippi.

AMENDMENT NO. 158

Mr. LOTT. Mr. President, I rise in opposition to the Amtrak amendment and would use the 1-minute time I believe was just allocated. Is that appropriate parliamentary procedure at this point?

The PRESIDING OFFICER. The Senator is correct.

Mr. LOTT. Mr. President, I have a long history of being supportive of Amtrak. I was chairman of the Surface Transportation Subcommittee when we passed the last reauthorization. I have the honor of serving there again this year. I am committed to trying to find a way to get a reauthorization and get a reliable stream of funds for Amtrak so its future can be certain and so this does not have to depend just on annual appropriations.

We are going to get that done. This puts the cart before the horse, before we get a reauthorization. We are going to designate more money for it.

To make matters worse, the $1.2 billion, while it is significant, will just continue the drip, drip, drip of funds for Amtrak but yet not enough for them to do what they need to do in track improvements and capital improvements.

I believe this is the wrong place to do this amendment.

Last but not least, it does it by raising unspecified taxes.

While I support the intent of the Senator from West Virginia and I support Amtrak and I am determined to get this job done, we shouldn't do it in this way at this point.

I yield the floor.

Mr. OBAMA. Mr. President, I rise today to urge my colleagues to support the Byrd amendment to restore funding to Amtrak—a critical mode of transportation in Illinois.

I want to emphasize that there are serious inefficiencies with Amtrak operations. I do not support the restoration of Amtrak funding because I believe in a return to the status quo. I do believe, however, that the elimination of all funding, as the President has proposed, and as this budget resolution reflects, will lead Amtrak not to reform but to ruin.

A strong national rail system is not just a convenience for travelers. It also serves other important national objectives, such as ensuring multiple travel options in the event of regional or national emergency, reducing our heavy dependence on foreign oil, and improving air quality. In recent years, Amtrak has increased the number of trains it operates and has achieved a record level of ridership, with more than 25 million passengers using Amtrak last year.

In Illinois alone, more than 3 million people use one or many of the 50 daily Illinois trains, including business leaders traveling to and from smaller cities and towns; tourists who visit Illinois attractions, and students who attend world-class Illinois colleges and universities.

Responding to calls for reform, Amtrak's leadership has streamlined its operating costs, engaged in ongoing discussions to evaluate current policies and increase efficiency, and created a strategic plan for future improvements. The proposed cuts in Federal funds would cripple Amtrak beyond repair.

We cannot—and should not—allow that to occur. I urge my colleagues to support the Byrd amendment and restore Federal funding for Amtrak to this year's budget.

Mr. JEFFORDS. Mr. President, I stand today to speak in support of Senator BYRD's amendment to restore funding for Amtrak. The amendment would increase funding for Amtrak by $200 million over last year's level of $1.2 billion.

Starving Amtrak into bankruptcy may appear to be the quick and easy solution to the bleak picture that some have imposed upon this fundamental element of America's transportation system. Nonetheless I remain convinced that the simplest and most effective answer lies with the amendment before us. I join my esteemed colleague Senator BYRD to insist that we fully fund rail travel in this country and guarantee Amtrak the opportunity to secure its future in the 21st century.

In just over three decades, Amtrak has grown to encompass a passenger rail network that connects 46 States, including my home State of Vermont. Through the years Amtrak has stood resilient in the face of financial peril and today it carries 24 million passengers annually and employs 22,000 Americans.

Amtrak serves a diverse ridership that depends on the continued existence of safe and reliable transportation. Amtrak shuttles commuters to their jobs, brings college students home for the holidays, and increases mobility for the elderly and the disabled. In urban areas, passenger rail relieves traffic on overcrowded highways. In rural States like Vermont, passenger rail ensures access to metropolitan centers and provides public transportation to regions where it might otherwise be too costly or unavailable.

As fuel prices remain unstable and our Nation's highways and airports suffer ever-increasing congestion and delays, Amtrak offers an invaluable alternative upon which Americans have come to rely.

I think one of my Vermont constituents expressed this sentiment best in a letter I recently received. Colby Crehan of Burlington, Vermont wrote of her Amtrak trip across the United States: ''I was able to travel safely and comfortably on a train while seeing the beautiful landscape that covers so much of this country. Amtrak introduced me to the rest of America in a way that a car or plane trip could never do. These trips confirmed my feeling that train travel is the safest, most convenient and relaxing way to travel perhaps you can share my story.''

Our choice today is clear. We can forfeit our prior investments and the investments of State and local governments back home, or we can uphold our responsibility to ensure that passenger rail remains an integral part of our Nation's transportation system. The future of passenger rail in this country belongs in the hands of Congress, not in the bankruptcy courts. I urge my colleagues to vote in favor of this amendment.

Mr. BIDEN. Mr. President, I am pleased to join Senator BYRD and my other colleagues to offer this amendment, to repair a major flaw in the budget resolution.

I was shocked when the President sent his budget here earlier this year, without a dime for intercity passenger rail. Not a dime. Not one red cent.

How could they possibly refuse to fund our passenger rail system, that carries 25 million passengers a year? What are they thinking? Where will those 25 million travelers go? Back onto our overcrowded highways? Should they take a place in the security lines in our airports?

We know what they are thinking, Mr. President. We have been told, in many public statements by the administration, that they intend to blackmail us in the Congress into accepting a plan to breakup Amtrak, in exchange for the funds the system needs to keep running.

Instead of fixing that problem, this resolution repeats the blackmail threat: breakup the system, or no funds.

No passenger rail system in the world operates without support. Almost no passenger rails system in the world operates on the low level of support inflicted on Amtrak over the years.

We have starved the system of one of its most basic needs: capital. From the day we created it over 30 years ago, Amtrak has been put in the impossible position of trying to increase its ridership, to increase its own revenues, while we have refused to provide it with the resources needed to do the job.

Railroading is a classic capital-intensive industry. The huge costs for the right of way itself, which Amtrak owns all along the Northeast corridor, the costs of maintaining the locomotives and passenger cars—those are the costs that virtually every other advanced industrial economy in the world undertakes today.

They don't do it out of nostalgia for the golden age of rail. They don't do it because they lack other kinds of transportation. They do it because modern economies need a full mix of transportation options, a balanced system. They do it because it takes pressure off highways and airports, because passenger rail is clean and safe.

Here on the Senate floor, we are told: Don't worry, we aren't serious. We didn't mean it when we refused to put a dime in this budget for passenger rail.

But the adminstration put it differently in its budget. They actually propose zeroing out Amtrak with the goal of causing a bankruptcy, which, and I quote, ''would likely lead to the elimination of inefficient operations and reorganization of the railroad through bankrupcty proceedures.''

That is their idea of reform. That is their idea of how to make transportation policy: Let a bankruptcy judge figure it out.

They are creating a crisis, and using the threat of bankruptcy to force changes on the system.

What is their plan? What do they propose?

First, they want to push more costs off onto the States. That is a theme we are seeing throughout the budget. It looks like saving money, but it simply shifts costs. Ask our mayors, ask our Governors what they think of the Federal Government shifting costs onto them. That is not a plan that will work.

They also want to break Amtrak up into capital and operating units. They tried something like that in Great Britain, and they regret it. Then they want to let other companies come in and bid to run operations on the most profitable lines. That is a formula for breaking up the system, encouraging cherry-picking, tearing up contracts with the unions, and leaving passengers stranded.

That is not reforming a national passenger rail system; that is breaking up the system we have.

This is no way to accomplish reform.

Right now Amtrak has a growing ridership, for good reasons. With security concerns and hassles, with the cost-cutting and crowding, air travel is less attractive. Our highways are already congested.

Amtrak has earned that new ridership, with its new fleet of high-speed Acela trains, with a commitment to maintaining and upgrading equipment. A lot of that work goes on in my State of Delaware, at our shops at Wilmington and at Bear.

But by starving the system of the capital it needs, we have put it into crisis. Without more investment, it cannot attract riders. Without more passengers, it cannot earn more money. The way out of the impasse is to make the investment in the passenger rail system our Nation needs.

Amtrak has a 5-year capital plan that could attract more passengers, and earn them more operating revenues, but they have not received the funding they need to make that plan work.

Starved of the capital they need to succeed, then blamed for not making money, now Amtrak is facing blackmail and bankruptcy under this budget.

Senator BYRD, who is our leader on this amendment, knows the history of Amtrak's funding problems. His amendment is not extravagant; in fact, it is less than we should be giving Amtrak as it struggles to improve. I am sure Senator BYRD feels the same way. But the $1.4 billion this amendment would provide would remove the threat of bankruptcy and keep the system running.

It is the only responsible anwer to an irresponsible budget.

While I am speaking Mr. President, there is one other aspect of passenger rail I want to mention: security. In the aftermath of the tragic events of September 11, over 3 years ago, I came to the floor with an amendent to the $15 billion airline bailout and security spending bill. That amendment would have begun the process of raising security on our rails, just as we recognized the need to increase security on our airlines.

In deference to the emergency in the airline industry, I withdrew that amendment. In the years since, I have tried, with the help of Senators MCCAIN, HOLLINGS, CARPER, SCHUMER, CLINTON, and others, to move legislation to upgrade rail security.

Over 3 years later, in the face of explicit warnings and evidence that terrorists are targetting passenger rail here in our country, a year after the tragic bombings in Madrid, we have done virtually nothing about Amtrak's security needs.

It should be a scandal that this Congress and this administration have not even authorized, much less spent a dime for, a plan to secure our rail system.

More people pass through Penn Station in New York City than through La Guardia and JFK airports combined.

Union Station, just two blocks from here, is the busiest site in Washington, DC, with 25 million people passing through.

Amtrak is expected to patrol those sites with its own meager forces. In Penn Station, only six to eight security guards patrol on weekdays. And they have the weekends off.

Whatever you think of passenger rail, it is unconscionable to propose no money—zero, nothing—to increase the security of the 25 million Americans who ride Amtrak every year.

This amendment by itself will not take care of those security needs, but it will address the basic needs of passenger rail in our country. I urge my colleagues to support it.

The PRESIDING OFFICER. Who yields time? The Senator from West Virginia.

Mr. BYRD. Mr. President, for fiscal year 2006, the President's budget seeks the complete elimination of direct subsidies for Amtrak. The budget resolution presumes enactment of the budget proposals for transportation which would result in bankruptcy for Amtrak. My amendment, which has cosponsors on both sides of the aisle, would increase Amtrak funding by $1.05 billion in fiscal year 2006.

If Senators really desire all Amtrak services to come to an immediate and grinding halt for lack of a Federal subsidy in 2006, they will vote against the amendment. Across the Northeast corridor, the busiest urban transportation corridor in the Nation, elimination of Amtrak's premier service would be a transportation disaster. Elimination of Amtrak service would have disastrous results in both rural and urban America.

The elimination of an Amtrak subsidy is not a recipe for a streamlined railroad; it is not a recipe for a more efficient railroad. It is a recipe for a dead railroad—a dead railroad, dead, dead, dead railroad.

I urge Senators to vote for my amendment.

I thank the Chair.

The PRESIDING OFFICER. The question is now on agreeing to the Byrd amendment No. 158.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arkansas (Mr. PRYOR) and the Senator from Rhode Island (Mr. REED) are necessarily absent.

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

The result was announced—yeas 46, nays 52, as follows:

[Rollcall Vote No. 51 Leg.]

YEAS—46

| | | |
|---|---|---|
| Akaka | Dorgan | Lincoln |
| Baucus | Durbin | Mikulski |
| Bayh | Feingold | Murray |
| Biden | Feinstein | Nelson (NE) |
| Bingaman | Harkin | Obama |
| Boxer | Inouye | Reid |
| Byrd | Jeffords | Rockefeller |
| Cantwell | Johnson | Salazar |
| Carper | Kennedy | Sarbanes |
| Chafee | Kerry | Schumer |
| Clinton | Kohl | Snowe |
| Collins | Landrieu | Specter |
| Conrad | Lautenberg | Stabenow |
| Corzine | Leahy | Wyden |
| Dayton | Levin | |
| Dodd | Lieberman | |

NAYS—52

| | | |
|---|---|---|
| Alexander | Cochran | Frist |
| Allard | Coleman | Graham |
| Allen | Cornyn | Grassley |
| Bennett | Craig | Gregg |
| Bond | Crapo | Hagel |
| Brownback | DeMint | Hatch |
| Bunning | DeWine | Hutchison |
| Burns | Dole | Inhofe |
| Burr | Domenici | Isakson |
| Chambliss | Ensign | Kyl |
| Coburn | Enzi | Lott |

| | | |
|---|---|---|
| Lugar | Santorum | Thomas |
| Martinez | Sessions | Thune |
| McCain | Shelby | Vitter |
| McConnell | Smith | Voinovich |
| Murkowski | Stevens | Warner |
| Nelson (FL) | Sununu | |
| Roberts | Talent | |

NOT VOTING—2

| | |
|---|---|
| Pryor | Reed |

The amendment (No. 158) was rejected.

AMENDMENT NO. 168

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on the Cantwell amendment No. 168.

The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I urge my colleagues to vote against the Cantwell amendment. We have an opportunity today to open a very tiny portion of Alaska's coastal plain to exploration and opportunity. This is an opportunity for us to focus on energy security, economic security, and environmental security. The price of oil just bumped up to 56 bucks a barrel this morning. What we are talking about in terms of the security for domestic reserves is on average a million barrels of oil per day.

The other side has said it doesn't mean much. Let me tell you what it means. It is enough fuel to run the State of Maryland for 100 years. It is enough fuel for every car and every home in Washington State for 68 years. It is enough fuel to replace all of our imports from Saudi Arabia for 25 years. It is enough fuel to double all of the oil taken out of east Texas in the past 75 years. This needs to be part of an overall energy plan.

I urge the Senate to oppose this amendment.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I urge Members to support the Cantwell amendment. It is clear what our options are today. We can continue this proposal to try to drill in the Arctic Wildlife Refuge, even though Congress previously has said let's not do that and let's preserve the wildlife. We know that the amount of oil generated, according to the President's own economic advisers, will have a negligible impact on oil prices. Maybe that is because there is no guarantee that the revenue collected from this or the oil from the Arctic Wildlife Refuge will be kept in America. This oil will be exported, part of international markets, and do nothing to help us get our overdependence on oil off this track and on to the right track.

I urge my colleagues to turn this argument down and to start on an energy future that is about renewables, about conservation, about new energy technologies.

Our legacy on this floor is not going to be a pipeline in Alaska but preserving a wildlife area and getting on with an energy future that America wants and needs.

The PRESIDENT pro tempore. The question is on agreeing to amendment No. 168.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 52 Leg.]

YEAS—49

| | | |
|---|---|---|
| Baucus | Dorgan | Murray |
| Bayh | Durbin | Nelson (FL) |
| Biden | Feingold | Nelson (NE) |
| Bingaman | Feinstein | Obama |
| Boxer | Harkin | Pryor |
| Byrd | Jeffords | Reed |
| Cantwell | Johnson | Reid |
| Carper | Kennedy | Rockefeller |
| Chafee | Kerry | Salazar |
| Clinton | Kohl | Sarbanes |
| Coleman | Lautenberg | Schumer |
| Collins | Leahy | Smith |
| Conrad | Levin | Snowe |
| Corzine | Lieberman | Stabenow |
| Dayton | Lincoln | Wyden |
| DeWine | McCain | |
| Dodd | Mikulski | |

NAYS—51

| | | |
|---|---|---|
| Akaka | Dole | Lugar |
| Alexander | Domenici | Martinez |
| Allard | Ensign | McConnell |
| Allen | Enzi | Murkowski |
| Bennett | Frist | Roberts |
| Bond | Graham | Santorum |
| Brownback | Grassley | Sessions |
| Bunning | Gregg | Shelby |
| Burns | Hagel | Specter |
| Burr | Hatch | Stevens |
| Chambliss | Hutchison | Sununu |
| Coburn | Inhofe | Talent |
| Cochran | Inouye | Thomas |
| Cornyn | Isakson | Thune |
| Craig | Kyl | Vitter |
| Crapo | Landrieu | Voinovich |
| DeMint | Lott | Warner |

The amendment (No. 168) was rejected.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

Mr. CONRAD. May we have order in the Chamber.

The PRESIDING OFFICER (Mr. ISAKSON). The Senate will come to order.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CONRAD. Is it the understanding of the Chair that all time has been used or yielded back on both sides on the three pending amendments; that is, the Akaka veterans amendment, the Ensign veterans amendment, and the Specter amendment on NIH?

The PRESIDING OFFICER. It is the Chair's understanding that is correct.

Mr. CONRAD. That is very helpful to us. I yield the floor. I think the chairman has a unanimous consent request.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, it is now our plan to move to what is known in the vernacular as the pay-go amendment, which Senator FEINGOLD is going to offer. We are going to spend an hour and a half on it.

I ask unanimous consent this amendment be in order for an hour and a half with the time equally divided.

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

The Senator from Wisconsin.

AMENDMENT NO. 186

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD], for himself, Mr. CHAFEE, Mr. SALAZAR, Ms. COLLINS, Mr. CONRAD, Ms. SNOWE, Mr. LIEBERMAN, Mr. VOINOVICH, Ms. CANTWELL, Mr. OBAMA, Mrs. FEINSTEIN, and Mr. HARKIN, proposes an amendment numbered 186.

Mr. FEINGOLD. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To fully reinstate the pay-as-you-go requirement)

On page 57, after line 2, insert the following:

**SEC. 408. PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.**

(a) PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.—

(1) IN GENERAL.—For purposes of Senate enforcement, it shall not be in order in the Senate to consider any direct spending or revenue legislation that would increase the on-budget deficit or cause an on-budget deficit for any one of the three applicable time periods as measured in paragraphs (5) and (6).

(2) APPLICABLE TIME PERIODS.—For purposes of this subsection, the term ''applicable time period'' means any 1 of the 3 following periods:

(A) The first year covered by the most recently adopted concurrent resolution on the budget.

(B) The period of the first 5 fiscal years covered by the most recently adopted concurrent resolution on the budget.

(C) The period of the 5 fiscal years following the first 5 fiscal years covered in the most recently adopted concurrent resolution on the budget.

(3) DIRECT-SPENDING LEGISLATION.—For purposes of this subsection and except as provided in paragraph (4), the term ''direct-spending legislation'' means any bill, joint resolution, amendment, motion, or conference report that affects direct spending as that term is defined by, and interpreted for purposes of, the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) EXCLUSION.—For purposes of this subsection, the terms ''direct-spending legislation'' and ''revenue legislation'' do not include—

(A) any concurrent resolution on the budget; or

(B) any provision of legislation that affects the full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990.

(5) BASELINE.—Estimates prepared pursuant to this section shall—

(A) use the baseline surplus or deficit used for the most recently adopted concurrent resolution on the budget; and

(B) be calculated under the requirements of subsections (b) through (d) of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal years beyond those covered by that concurrent resolution on the budget.

(6) PRIOR SURPLUS.—If direct spending or revenue legislation increases the on-budget

deficit or causes an on-budget deficit when taken individually, it must also increase the on-budget deficit or cause an on-budget deficit when taken together with all direct spending and revenue legislation enacted since the beginning of the calendar year not accounted for in the baseline under paragraph (5)(A), except that direct spending or revenue effects resulting in net deficit reduction enacted pursuant to reconciliation instructions since the beginning of that same calendar year shall not be available.

(b) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

(e) SUNSET.—This section shall expire on September 30, 2010.

Mr. FEINGOLD. Mr. President, I am pleased to offer this amendment with the Senator from Rhode Island, Mr. CHAFEE, and a bipartisan group of other Senators. Our amendment is the same amendment we offered last year and that this body passed with bipartisan support. It would simply reinstate the pay-as-you-go rule that had been such an effective restraint on the fiscal appetites of both Congress and the White House.

Over the past 4 years, we have seen a dramatic deterioration in the Government's ability to perform one of its most fundamental jobs, and that is balancing the Nation's fiscal books.

We are all familiar with the history. In January of 2001, the Congressional Budget Office projected that in the 10 years thereafter, the Government would run a unified budget surplus of more than $5 trillion. Little more than 4 years later, we are now staring at almost a mirror image of that very positive 10-year projection, except that instead of healthy surpluses under any reasonable set of assumptions, we are now facing immense deficits and a backbreaking debt.

This has to stop. We have to stop running deficits because they cause the Government to use the surpluses of the Social Security trust fund for other Government purposes rather than to pay down the debt and help our Nation prepare for the coming retirement of the baby boom generation. We have to stop running deficits because every dollar we add to the Federal debt is another dollar we are forcing our children to pay back in higher taxes or fewer Government benefits.

When the Government and this generation choose to spend on current consumption and then to accumulate debt for our children's generation to pay, it does nothing less than rob our children of their own choices. We make our choices to spend on our wants, but we saddle our children and our grandchildren with the debts that they have to pay from tax dollars, their tax dollars, and their hard work.

We all know that is not right. That is why I am offering this bipartisan amendment to fully reinstate the pay-go rule. We need a strong budget process. We need to exert fiscal discipline.

Mr. President, you remember when the pay-go rule was in effect, tough fiscal discipline governed the budget process. Under the current approach, it is pretty much the opposite, it is the other way around. What happens now is the annual budget resolution determines how much fiscal discipline we are willing to impose on ourselves. This just hasn't worked. When Congress decides it would be nice to create a new entitlement or enact new tax cuts and then adjust its budget rules to permit those policies, we are really inviting a disastrous result, and that is just what we have seen happen.

As an example, if somebody wants to lose weight, you set the total number of calories you are allowed to consume first, and then you try to make the meals fit under that cap—not the other way around. Imagine if you tried to lose weight by deciding what you want to eat first and then setting a calorie limit to accommodate your various cravings. If you want to eat cake, fine, you just dial up that calorie intake limit and you are all set. If you want a couple of extra beers, that is fine, too, under this kind of system; you just raise the calorie limit accordingly.

It may taste pretty good at the time, but you will probably end up gaining weight, just like this Nation is racking up debt because this ill-advised diet is exactly how the current mutated version of pay-go works, and we have seen the results—the debt we are leaving our children and our grandchildren has been putting on massive amounts of weight. This amendment would simply return us to the rule by which Congress played for the decade of the 1990s, and that was instrumental in balancing the Federal budget.

Let's remember, that was not an era where one side had control of all the Government or the other side did. For most of the nineties, most of this time, we had a Democrat President and Republican control of both Houses, and we all agreed and we all worked together on the principle that the pay-go rules were helping us move toward the goal—in fact, the achievement—of having a balanced budget by the year 2000, by the time President Bush took office.

Many of us here lived under that rule, and we know just how effective it was. If this budget does nothing else, it should reinstate the classic, the old pay-go rule. If we do that, maybe we can begin to turn these annual budgets around and stop racking up these deficits and adding to the already enormous Federal debt.

I urge my colleagues to support this commonsense, time-tested fiscal discipline.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time? The Senator from Arizona.

Mr. KYL. Mr. President, I ask the Presiding Officer to let me know when I have spoken for 5 minutes. I would appreciate that.

This amendment should be opposed primarily because there is a big difference between requiring offsets for spending increases and requiring offsets for tax cuts. They have dramatically different effects on economic growth. The goal here should be a strong private sector economy.

Let's go back to basic principles. Money does not belong to the Government, so we should not be concerned about how much a particular policy ''costs'' the Government. Money belongs to the people and when allowed to work in the private sector economy it can become a powerful engine for economic growth and job creation and a better standard of living and productivity for all Americans. And one more thing: it could really help the Federal Government because the more wealth that is produced, the more that is taxed, and the more revenues go to the Federal Government as taxes. So a growing, vibrant economy not only helps us all as individuals and families, it helps the Federal Government, too, because there is more economic growth and revenue and wealth to tax.

The key here is to keep economic growth going strong. We are also concerned about the size of the deficit, and that is why we have the so-called pay-go rule for spending. If we are going to raise spending in one area, what the budget says, and correctly so, in another area is we need to reduce it someplace else because we need to net it out at an even amount. We don't want to go above the spending level in the budget that the President and the Budget Committee have set. That makes sense.

But with respect to tax cuts, what is the purpose of a tax cut? The purpose of a tax cut is to ensure that we can continue to sustain economic growth, to create jobs, basically to provide more capital to be invested into businesses which can hire more people, can produce more goods, which can create more revenue. And again, what happens with that growing economy—revenue increases to the Treasury.

The purpose of the tax cut is to keep all of that going.

Suppose you had a pay-go rule that said you have to ''pay'' for tax cuts by giving the Federal Government an equivalent amount of money that you are reducing as a result of the tax cuts; in other words, that somehow the money belongs to the Federal Government, and if you are going to let people keep more of their own money somehow that has to be made up to the Federal Government.

That makes no sense at all. That is basically robbing Peter to pay Paul by

taking money out of one pocket and putting it into another pocket—basically saying if we reduce taxes in the private sector in order to stimulate economic growth, somehow we have to go back in that private sector and pull an equivalent amount of money out to give it to the Federal Government to make up the difference. It makes no sense at all.

All you have do in that case is reduce the amount of money in the private sector, producing revenue by reducing the amount that goes to the Federal Government in revenues. This has been demonstrated. As a matter of fact, since the tax cut of 2003, if you judge the year from 2003 to 2004 in the same period, we saw an increase in revenues to the Treasury from taxes of 10.5 percent compared to the same time in 2003. The aftertax revenues to the Government were more than before we cut the tax rates.

How could that be? In economic theory—we know this to be true—take the case of capital gains taxes. Since both dividends and capital gains tax reductions are presumed to be included in this budget cut, we know that when the tax rates on capital gains were high, people didn't sell their assets. They didn't turn them over because they would have to pay a big tax. As soon as we reduced the tax rate on capital gains, it had an unlocking effect in the economy, and then people were willing to sell their assets because they did not have to pay nearly as much taxes on the gains.

Conversely, it is also true that the higher the rate, the less economic activity.

There was a direct relationship between reducing the taxes and increased revenue to the Treasury. The Nobel Prize economist, Dr. Edward Prescot, who teaches at Arizona State University, got his Nobel Prize for pointing out the same being true with respect to individual income tax rates. It is not true that the higher the income tax rate, the more revenue you bring in.

Suppose you had a 100-percent tax rate on your income. How many people would work? You are working the entire amount of time for the Federal Government. The highest possible income tax rate produces the least possible income tax revenue.

Instead, what you need is a rate at which people would feel they can continue to work and make enough money for themselves so it is worthwhile to continue to work. But at a certain point, you are taxing that next dollar earned at a point at which people will no longer work.

That is what has happened to the European economy. Their higher tax rates over there have resulted in less work, less productivity, less income to their treasury as a result of their taxes.

Pay-go works perfectly fine for the increases in spending that need to be offset, but it doesn't work at all—in fact, it is counterproductive—with respect to reductions in taxes, which is what we are trying to preserve by the budget by the reconciliation construction.

I reserve the remainder of the time on this side.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I yield 2 minutes to the Senator from Colorado who cosponsored this amendment.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 2 minutes.

Mr. SALAZAR. Mr. President, I rise in support of the classic pay-go amendment and commend my colleagues, especially Senator FEINGOLD for his leadership on this issue.

We took the first step in opening one of the country's most pristine areas for potential development. I would have preferred to have given my daughters Melinda and Andrea that choice to make in the future.

Let me put it plainly. I do not want to let my daughters down again. When we pass budgets with enormous deficits, that is the same as taxing our children and our grandchildren. They will be taxed to pay for our spending. They will be taxed to pay for our unwillingness to say that enough is enough.

Our kids and grandkids don't get to vote for the Senators and Congressmen who are imposing these future taxes on them. That is taxation without representation, and that is something the leaders of our War for Independence had some thought about.

It is wrong and it is un-American to impose taxes on our children and our grandchildren to pay for the spending spree of the Federal Government. It is long past time to restore to Congress the same commonsense budgetary approach that every family in America has to live by. That approach is simple. If you can't pay for it, don't spend it.

I yield the floor.

Mr. FEINGOLD. Mr. President, I thank the Senator from Colorado who made an important connection between the last vote on the Alaska refuge and this amendment.

On the Alaska amendment, one side became frustrated, so they decided to change the rules. We are going to decide that instead of having 60 votes for a normal procedure on an energy bill, we will go with 51 votes using the budget process, which I think is inappropriate. They won. Now we see a different attempt to deal with the rules.

We had rules on paying in the 1990s that worked, and worked very well. Both parties came together. We balanced the budget.

When the rules get in the way, apparently, they do not want to have any rules, any procedure, any discipline when it comes to either mandatory spending or tax cuts. They want to make sure they achieve their objective, regardless of rules.

That is a serious problem. It is a serious problem for this institution, it is a serious problem for this country, and as the Senator from Colorado said so eloquently, it is going to be a serious problem for our kids and grandchildren who will be bound by the kind of decision we make about the Arctic Refuge and having to acquire this huge debt which this Congress is refusing to address.

This Congress is, frankly, becoming openly hostile to the principle of fiscal discipline—openly hostile.

I thank the Senator from Colorado very much for his remarks.

I yield 5 minutes to the Senator from North Dakota and thank him for his great leadership on these issues.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I thank the Senator from Wisconsin. He has been the leader on pay-go and budget discipline that says no spending and no tax cuts. You can have them, but you have to pay for them. There is a novel idea around here. You have to pay for them.

Our colleague from Arizona indicated this concept—that if you cut taxes, you get more money. The only problem with that concept is it doesn't work in the real world. It is a wonderful idea. I wish it were true. But it isn't true.

Here is what happens with revenues as a percent of our national income. In 2000, we were getting 20.9 percent of gross domestic product in Federal revenue. We passed a series of tax cuts, and what happened to revenue? It plunged to the lowest since 1959.

That is what happened when we cut taxes. We got less revenue. The revenue side of the equation simply dropped out. That is why the deficits have exploded.

I can remember so well back in 2001 when the Congressional Budget Office told us the range of possible outcomes on the deficits was expressed by this chart, which I call the fan chart. This was what would happen on the low end of their forecast, and this is what would happen on the high end. They chose the midrange, as did the President, which told them we were going to get $5.6 trillion of surpluses over the period.

When I said to my Republican colleagues, let's not be so sure of that, let's not bet the farm on that, they assured me: Kent, you are being much too conservative. Don't you understand with the tax cuts we are putting in place we will get much more revenue? We are not going to be at the midpoint of the range, we will be above the midpoint of the range.

We can go back now and look at what actually happened. Here is what actually happened. We are not at the bottom of the range, we are below the bottom. Here is what happened in reality: we are way below the bottom.

All these tax cuts, what did they lead to? They led to less revenue, and coupled with the increases in spending for defense and homeland security as a result of September 11, the deficits exploded.

Here is what has happened: our Republican colleagues, who used to be fiscally conservative, have now become borrow-and-spend advocates. They have no intention of doing anything about these budget deficits except add to them. Here is what that policy has achieved: record budget deficits.

The question of pay-go, which is the budget discipline we had back in the 1980s and 1990s that helped us turn record deficits at that time into record surpluses, pay-go is a budget discipline that has worked, and the budget discipline that was in effect then is the budget discipline being offered by the Senator from Wisconsin now.

This is the Federal Reserve Chairman on the question of restoring real pay-go. Congressman SPRATT on the House side asked:

> Is it still your position that if we renew the paygo rule it should apply to both; that if we have tax cuts including the renewal of the expiring tax cuts in 2010, that these should be fully offset?

Chairman Greenspan:

> It is still my position. That we have some form of paygo system, which is agreed upon by the Congress, in my judgment, is the overriding consideration here, because, as you point out, it's been quite effective in actually stemming budget inefficiencies and expansion during a period that it was law.

Federal Reserve Chairman Greenspan:

> All I'm saying is that my general view is I would like to see the tax burden as low as possible. And in that context, I would like to see tax cuts continue. But, as I indicated earlier, that has got to be, in my judgment, in the context of a paygo resolution.

When further asked, the Chairman made clear a pay-go approach that applies to both spending and to taxes.

The pay-go ledger in the Senate GOP budget allows massive deficit increases. It allows a $33 billion increase from 2006 to 2010. It allows almost a $260 billion increase in deficits in the period 2011 to 2015.

Finally and in conclusion, the Republican budget before the Senate is advertised as cutting the deficit in half over the next 5 years. But the Republicans' own budget document shows something quite different from their assertions.

On page 5 of the Republican budget document they provide their forecast of how the debt will increase every year for the next 5 years. Here is what it shows: A $669 billion increase in the debt this year, a $636 billion next year, $624 billion the year after that, $622 billion in the fourth year, and $611 billion in the fifth year.

Those are the Republican estimates of the increase in debt if we pass their budget. That is a $3 trillion increase in the debt of the United States if this budget is passed. There is nothing in there that is going to protect us from massive increases of deficit and debt.

The opportunity to be fiscally disciplined is the opportunity offered in the amendment of the Senator from Wisconsin. I urge my colleagues to support it.

Mr. KYL. Mr. President, I yield 10 minutes to the chairman of the Finance Committee, the Senator from Iowa.

Mr. GRASSLEY. I rise in opposition to the Feingold amendment. I do that with a realization that there is a great need for deficit reduction. Who can find fault with the objectives of Senator FEINGOLD's amendment? Those objectives are good.

I am going to demonstrate that his proposal is not realistic. It also ignores the reality of the tax relief of the current law. It unwisely ignores a bipartisan will to maintain current tax relief for millions of taxpayers. Without maintaining existing tax policy, if we would just let that expire, we would have the biggest tax increase in the history of the country without Congress acting. It seems to me if we are going to have the biggest tax increase in the history of the country, Congress ought to make the decision to do it.

I will talk about how the Senate Finance Committee approaches tax policy. We have used pay-go on taxes, but we do it outside of the budget. Two kinds of tax relief bills have come out of the Finance Committee in the last 4 years. One set of bills contained widely applicable tax relief. Those bills, if you take them together, and they were done under reconciliation, were bipartisan. I emphasize that because everyone around the country thinks everything around here is partisan. But these tax cuts were bipartisan and they were net tax cuts for virtually every American taxpayer. Those bills enacted in 2001 and 2003 did not contain offsets.

The secondary category of bills our committee works on would cover all other bills coming as part of our committee business. Those bills dealt with specific categories of tax relief. I will give some examples: A charitable giving tax bill, the bill to deal with exports in manufacturing, a bill to deal with the Armed Forces tax relief for our folks in Iraq putting their lives on the line—there are many other examples of tax relief fully offset by our committee.

In a few rare cases, such as the energy tax relief, for example, bills were partially offset. Now, this pattern is applicable during my chairmanship of this committee, and it is fair for me to say there was a similar pattern occurring when my Democratic colleague and counterpart, Senator BAUCUS, was chairman of the Senate Finance Committee.

By and large, then, the Senate Finance Committee, when dealing with tax policy, has produced revenue-neutral bills. The exceptions occurred when there was bipartisan support for widely applicable tax relief. And I emphasize the word ''bipartisan.''

By the way, had we not responded with that bipartisan tax relief, there would have been no widespread economic stimulus that resulted. In other words, the economic depression that set in with the NASDAQ losing half of its value in the year 2000, and then with the September 11 attack on New York City and the resulting downturn in the economy, we would not have had in place an economic stimulus to bring back economic growth to where we are now.

Chairman Greenspan said tax relief was responsible for the economic turnaround.

Also, we had the most recent Nobel economic prize winner tell us that our tax relief in 2001 and 2003 was not as big as it should have been to get the maximum economic stimulus. But we have had an economic turnaround justifying, without question, those tax relief packages.

So let me be clear. With tax policy outside the budget, the Finance Committee has, in effect, operated on a pay-go basis. The exceptions were built into the budget, and those exceptions had bipartisan support.

I would like to challenge any of the critics of this budget to show the same record on the spending side. No, it seems like others want to spend. And all of these amendments that are being offered are adding up to positive proof that the same people who are against tax relief do not want to reduce the deficit. What they want to do is spend more money.

If I could ever find from the other side how high taxes had to be, how high they had to be to satisfy their appetite to spend money, I might go that high, if I knew I never had to go any higher. But I cannot ever get any consensus about that. So the only conclusion you come to: taxes can never be high enough.

The other point is, I might be willing to vote for some increase in taxes if every dollar increase in taxes resulted in a lower deficit, went to the bottom line to lower the deficit. But, no, every time we raise $1 of taxes around here, it is a license to spend $1.10, $1.20, and sometimes more. So we need out of the other side the same concerns about spending.

The Feingold amendment is not realistic about current tax relief. Senator FEINGOLD's amendment would undo the tax policy resources in the budget. Let me explain why. The budget's tax cut number covers expiring tax relief. It extends all widely applicable tax relief. It includes it all. The number covers dividends and capital gains. It also covers, through the year 2010, provisions the critics say they support: tuition deduction, low-income savers credit, small business expensing. The number also covers for 1-year provisions critics say they support: business extenders such as R&D, sales tax deductions, the alternative minimum tax hold harmless.

The number includes offsets that will get us $20 to $30 billion. So we are talking about $70 billion net. I repeat, that is $70 billion net. It covers a gross tax cut of $90 to $100 billion. That number covers all of the items that folks, particularly on the other side of the aisle, say they are for.

Now, critics cannot say they are for these items and not provide room in this budget for those tax cuts. You cannot have it both ways. So a vote for the Feingold amendment is a vote against expiring tax relief that a lot of these folks say we ought to pass.

Realistically, there is probably around $30 billion in offsets. Realistically, there is about $100 billion in costs. That is a realistic position. For instance, we have heard a lot about the alternative minimum tax. ''When are you going to do something about it?'' is a question from the other side. The cost of a 1-year hold harmless on the alternative minimum tax is $30 billion. That is $30 billion for AMT for 1 year alone. So don't tell people back home you are for AMT relief if you vote for the Feingold amendment.

Let's go through some of these other expiring tax relief provisions. Deduction for State and local sales tax: It is covered in the number in the budget. It is important for States such as Nevada, Washington, Florida, and South Dakota.

Mr. President, could I have more time?

Mr. KYL. Mr. President, I yield the chairman of the Finance Committee another 5 minutes, if that is sufficient.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRASSLEY. Thank you.

Mr. President, we have a savers credit, an incentive for low-income savers. It is covered in the budget number. Deduction for college tuition: It is covered in the budget number. Extension of research and development tax credit—it is important to lots of States—it is covered in the budget number. Extension of wind and alternative energy tax credit: It is covered in the budget. I know that is important to a lot of people, a lot of people who are critics of this budget.

So you cannot have it both ways. If you exclude room in the budget for tax relief, you cannot say you support that same tax relief. The two positions are not in sync. The budget resolution provides room for tax relief. So a vote for the Feingold amendment is a vote against expiring tax relief. You cannot have it both ways. Either you are for a budget that has a realistic plan to maintain current tax relief—and this budget has that realistic plan—or you are for the Feingold amendment, which means you are not serious—not serious—about maintaining current tax relief levels.

Now, the Feingold amendment is also a stealth tax increase. The premise of the Feingold amendment is that tax relief should be treated less favorably—less favorably—than spending. How can that be, you might ask? Well, here is the answer. Entitlement spending such as Social Security and Medicare and discretionary spending can grow under the Feingold notion of pay-go. Contrariwise, much of the current law of tax relief expires, and in some cases tax relief, such as the AMT hold harmless, runs out after year's end. That is 9 million tax filers, mostly middle-income families, who are hit by the Feingold regime.

There is no comparable hit on the spending side. See the bias for tax increases automatically, and no bias against spending increases. Entitlement spending would continue to grow without limit under the Feingold amendment. So the Feingold amendment backstops runaway entitlement spending. Taxpayers are left out. Taxpayers are out in the cold under the Feingold regime. A vote for the Feingold amendment is a vote against status quo tax relief and a vote for status quo spending. That does not sound like evenhanded fiscal discipline to me.

So I urge a vote against the Feingold amendment because it is defective on these several points. And most importantly for me, as the chairman of the Senate Finance Committee, it ignores the Finance Committee's prudence under both Democratic chairmanship and Republican chairmanship. It ignores the reality of current tax relief which is expiring. It contains a stealth tax increase on at least 9 million taxpayers who are going to be caught up in the alternative minimum tax. It creates a double standard by treating a dollar of out-of-control spending more favorably than a dollar of current tax relief.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I appreciate my colleagues engaging in a debate on this amendment. But I have to say, how did something that both of these Senators, the Senator from Arizona and the Senator from Iowa, supported vigorously in the 1990s suddenly become a Feingold regime? These are the pay-go rules of the 1990s. This is not some new scheme or new approach. These are exactly the rules we had before that both parties worked together on and used to balance the budget.

Both Senators suggest that this is going to prevent tax cuts. I ask them: How in the world, then, did we have the 1997 tax cut bill? If this regime, as they call it, prevents tax cuts, how did that happen? These rules were in place at that time.

These rules don't prevent tax cuts. These rules just say, either you pay for them or you get 60 votes. Last year there were a number of middle class tax cuts I supported. They received something like over 90 votes. We didn't prevent those tax cuts. They simply met a standard that was easily met of 60 votes.

The Senator from Iowa has mischaracterized this amendment grossly when he says it doesn't affect spending. It is my amendment that puts some rules back on mandatory spending. It is my amendment that covers mandatory spending. The reason why we had a $400-billion unfunded Medicare bill last year is because the current rules were in place rather than the amendment I have offered. This relates to spending as well as taxes.

The entire argument that somehow this isn't evenhanded, that it only applies to taxes and not to spending is absolutely false. That might be why we have four or five Republican cosponsors because they would never support something that favors spending over tax cuts.

It is very troubling when we have a debate and the debate is not about what is actually before us. What is before us is rules that have worked before, rules that relate to spending and taxes and merely require us to be responsible.

I now very happily yield 15 minutes to my cosponsor, Senator VOINOVICH.

The PRESIDING OFFICER. The Senator is recognized.

Mr. VOINOVICH. Mr. President, I rise in support of the Voinovich-Feingold amendment to restore integrity to our current pay-go process.

These are not ordinary times and it is not a time for business as usual. The United States is the largest debtor Nation in the world, and our trade deficit is the worst it has ever been. The U.S. dollar is weak, and too much of our debt is in the hands of other nations.

Just 2 weeks ago it was rumored that the Japanese central bank was pulling their money out of dollars which sent a shiver of panic in the markets. Alan Greenspan and David Walker have served as modern-day Paul Reveres alerting us to the need to do something now before it is too late.

I recommend to my colleagues the pamphlet issued by the GAO entitled ''21st Century Challenges, Reexamining the Base of the Federal Government.'' It is well worth reading.

This is the beginning of my second term in the Senate. One of the reasons Ohio sent me back here is because they know I am committed to doing something about balancing the budget and paying down debt, fundamental, sound Republican principles to which I have been committed throughout my career.

At this stage in my life, I am more worried than ever about the legacy that our country will leave our children and grandchildren. God has blessed my wife Janet and me with three living children and six grandchildren. My daughter Betsy is expecting her third child. What kind of world will they live in?

One thing I know is that it will be more competitive than ever before, and they will have to work harder and be smarter to maintain the standard of living to which Americans have become accustomed.

I am sure you are asking: What does this have to do with pay-go? It has everything to do with pay-go because pay-go is a tool which Congress can use to enforce fiscal responsibility. Without fiscal responsibility, without responsible stewardship of the public's money, the gathering storm clouds of deficit and debt will darken more.

That is why I encourage my colleagues to do the right thing and support the amendment offered by Senator

FEINGOLD and me to restore integrity to the current pay-go process. According to CBO estimates, the national debt increased by $600 billion between 2003 and 2004 and will increase by at least the same amount before October 2005. This is a $1.2 trillion increase in Federal debt in just 2 years.

Raising the debt limit has become an annual ritual. This chart shows where we are. It is interesting that some of the charts I have seen from some of my colleagues on my side of the aisle, all they show is that over the next 5 years we are going to bring the deficit down. But they never talk about the fact that our national debt is escalating up like a rocket. We are in trouble. Where is it going to end?

I am in favor of controlling spending. My votes in the Senate reflect that. This is a very tight budget when it comes to spending, and I support that. In fact, I commend Senator GREGG for producing the most fiscally responsible and honest budget resolution I have seen in 7 years in the Senate. I would like to point out, with all due fairness to my colleague from Wisconsin, that the fact is, in that budget are provisions that were in the Truth in Budgeting Act that Senator FEINGOLD and I introduced a week ago: Three-year discretionary spending caps; a new 60-vote point of order against legislation that would cost more than $5 billion in any 10-year period between 2015 and 2055; a 60-vote point of order against unfunded mandates—I particularly appreciate this provision because I worked very hard to get unfunded mandate relief passed when I was Governor of Ohio and active in the National Governors Association—a 60-vote point of order against legislating exceeding appropriations spending limits; a $23.4 billion cap on advance appropriations; limits on the use of emergency designations. All of these provisions were in the Voinovich-Feingold Truth in Budgeting Act. So we have those in the budget.

I only wish the budget resolution also forced us to make equally difficult choices about tax policy. None of us like to take tough votes on programs we believe in, but most of us are willing to cast the difficult vote if that is what it takes to get Federal spending under control.

I say to my colleagues, how can I or any of us stick to this tough budget that we have and at the same time say to people who are complaining: Senator, you are saying you want to do something about the deficit, but at the same time you voted to extend tax reductions. How do you justify these two positions?

I was interested to hear the chairman of the Finance Committee indicate that we are going to deal with AMT. I would like to remind my colleagues that that is not in the budget. AMT will be on the floor of the Senate before the end of this year. And the allegation that the Feingold-Voinovich amendment is going to prevent us doing anything about AMT is poppycock. What it will require is that a budget point of order would be made against it. We would debate it, and if there are 60 votes to waive the point of order, that would go into effect.

Another issue that I know is going to be on the floor of the Senate where we are going to have to borrow money is in dealing with Medicare reimbursement. We all know that today Medicare reimbursement, if we don't do anything, will be reduced by 5 percent. None of us want that to happen. Again, that will be brought to the floor of the Senate.

This amendment does not prevent that from happening. It says: Pay for it or, in the alternative, debate it on the floor and get 60 votes.

Last but not least, this budget sets out $50 billion for the war in Iraq and Afghanistan, doing things in Afghanistan. In my opinion, if you are realistic, it is not going to be enough money. We don't still know what the cost of this war is going to be to the American people.

One other aspect I have to point out is that this is against a backdrop in which most experts agree that by 2030, spending for Social Security, Medicare, and Medicaid alone will consume 18 percent of our GDP, about the same amount of money we are spending today for all operations of Government combined. That is why folks should read David Walker's pamphlet. It lays it out for us.

What does pay-go do? Pay-go forces us to stop and think before proposing legislation or amendments that will increase the deficit. Pay-go demonstrates the Senate is serious about reducing the deficit. Pay-go will provide a chance to stop and more carefully consider all alternatives before increasing spending or cutting taxes. Pay-go ensures that programs that will impose additional debt on our children and grandchildren must gain an overwhelming level of support.

Some of my colleagues wanted to ensure increased spending now or cut taxes now and hope that somehow the economy will save us or Congress will simply fix the problem. This would be a major mistake. Depending on the economy to save us from the impact of fiscal irresponsibility is like hoping that a hurricane misses your house.

Over the past 10 years, we have gone from having deficits to having surpluses and back to having deficits.

This is what has happened on this chart. During this period of time, we were running surpluses. We came here and then in 2003 we started to come down. Here is where we are now. The predictions are that they could go that way or that way.

I think all of us who are conservative would have to say that we have to prepare for this hurricane that may hit us and not take the rosy picture that everything is going to be all right; just keep reducing taxes, everything is going to be fine. We are going to grow our way out of this problem. I remember that during the 1980s when we saw the deficit climb substantially, which required in 1991 and 1993 the fact that we had to raise taxes. Borrowing money to run the Government is the equivalent of a future tax increase for the American people.

I urge my colleagues to look at this from a fairness point of view, to eliminate from the budget resolution the $70 billion that we have put in there to extend some of the taxes that are now in place. Let's pay for them. Alan Greenspan, David Walker, and Pete Peterson have all said the reduction on capital gains, on dividends, has helped the economy. But they all say pay for it. If you cannot pay for it, let's debate it on the floor of the Senate, as we did last year when we debated whether we were going to continue the marriage penalty relief, the lower marginal rates, the refundable child tax credit. But why sneak it into the budget resolution where we are only going to need 51 votes to get the job done? I think it is not fair.

I appeal to the common sense of my colleagues in the Senate. Here is where we are. We are putting this money in our budget resolution, instructions to the Finance Committee, to say $70 billion, and you can extend these tax reductions. At the same time we are doing that, we are telling the American people that we are going to have a flat-funded budget.

My feeling is, let's just clean it out of there. Take these extensions that everyone thinks are wonderful for the country and let's debate them. See if we can get 60 votes. If they are so good, they will get 60 votes. If they are not, we will pay for them. I just don't understand how we can continue to go this way. I think we are living in a dream world. This deficit continues to grow. We are the highest debtor Nation in the world. Our trade deficit is one of the worst we have ever seen. Unless we start to understand the seriousness of the situation we have, we are in deep trouble.

Mr. President, I think we all care about our families. We have to think about our legacy. I am 68 years old and I am running out of time. I think this country is running out of time. It is up to our generation to leave a better legacy than what it appears we are going to be leaving. There has to be some Republican who says: George, I agree with you. Let's do it.

If they vote for this amendment, they are simply saying we are not going to put the money in the budget resolution to give the instructions to the Finance Committee to go ahead and extend taxes up to $70 billion. What it will say is, Hey, guys, we are not going to do that. If we want to extend these, let's bring them up and debate them and let's either pay for them or waive the budget resolution and do it that way.

Thank you, Mr. President.

Mrs. FEINSTEIN. Mr. President, I rise today to join my colleague from

Wisconsin, Senator FEINGOLD, in supporting a real pay-as-you-go system in the fiscal year 2006 budget.

This amendment is about restoring fiscal common sense to the budget. It would require 60 votes for tax cuts and mandatory spending increases that increase the deficit.

The current budget proposes a flawed paygo rule that expires in 2008, even though this is supposed to be a 5-year budget. It also includes exemptions and holes that effectively amount to a ''pay-if-you'd-like'' approach, not a bonafide paygo system.

What we're proposing are sensible and responsible guidelines that will reduce the record red ink that we've accumulated in the past 5 years.

The Federal budget outlines not only revenue and spending, but more critically how the Federal Government ranks its programmatic priorities. This budget resolution reveals only a glimpse of the long-term fiscal outlook without telling Americans the hard truth about how tax cuts and spending run amok in Washington.

For example, the budget ignores large expenses such as the costs of military operations in Iraq and Afghanistan beyond September 2006, and long-term relief from the alternative minimum tax, which could affect 41 million taxpayers in 2013, if Congress does not act. These are imminent expenses that we would be remiss to omit from the budget. Yet the President excludes the costs from his budget blueprint.

And I haven't even mentioned the upwards of $5 trillion in transitional costs over the next 20 years for the President's Social Security plan.

With regard specifically to paygo in the Budget Committee markup, one of my colleagues noted that a paygo rule that applies only to spending is akin to trying to keep a boat afloat by plugging one hole when, in fact, there are two holes in the boat. And this is precisely the case. That is precisely the fiction that this Budget Resolution promotes.

If made permanent, the tax cuts of 2001 and 2003 will cost the Federal Government $11 trillion over the next 75 years. That's more than three times the shortfall of Social Security over that period. But the President's budget doesn't apply paygo rules to these tax cuts.

Studies show that 25 percent of these tax cuts went to the wealthiest Americans, those with the top 1 percent annual income. According to the Congressional Budget Office, 74 percent of our budget deficits since 2001 have been caused by decreased revenues. Only 26 percent is due to increased spending.

We ought to be honest with ourselves about this fact. In my view, a paygo system that ignores revenues is not a paygo system at all.

If the Senate is sincere about restoring fiscal discipline, then we ought to establish rules that say, ''If your legislation is going to cost money, you've got to pay for it, or get 60 votes.''

I believe that this amendment poses a crucial question to this body: Do we recognize that decreased revenues increase the deficit? I, for one, will not turn a blind eye to the real budget picture.

If we are to balance the budget—as we did during the Clinton administration—we should not do so solely through draconian cuts in critical programs. This budget cuts back on programs for working Americans and local governments that cannot run budget deficits as the Federal Government can.

I do not believe that fiscal responsibility necessarily requires us to shift the financial burden to our towns, cities and States as this budget does through cuts to Medicaid and the Community Development Block Grants, to name just two. As a former mayor, I know the value of these programs in California and throughout the United States.

Tax cuts for the wealthiest Americans should not take precedence over the needs of law enforcement, our children, the elderly, and veterans. If my colleagues agree, then I ask that they join me in supporting this amendment.

It is time to get our fiscal house in order, and to do so, we ought to reinstate a true paygo rule.

Ms. SNOWE. Mr. President, I rise today to speak in support of the amendment offered by my colleagues Senator SMITH and Senator BINGAMAN to strike the reconciliation instructions to the Finance Committee and replace them with a reserve fund for the Bipartisan Commission on Medicaid to undertake a comprehensive review of the Medicaid program and make recommendations to Congress within 1 year.

The Medicaid program provides essential medical services to low-income and uninsured children and their families, pregnant women, senior citizens, individuals with disabilities, and others. Last year, nearly 55 million Americans were enrolled in Medicaid, including more than 300,000 in Maine where one in five people now receive health care services through MaineCare, my State's Medicaid program.

Individuals who rely upon Medicaid-funded health services have no other option. Without Medicaid, they would join the ever growing ranks of the uninsured in this country, which now numbers an all-time high of more than 45 million Americans who lacked health coverage at some point last year. These two groups represent a total of 100 million Americans who would have no health insurance, were it not for Medicaid coverage which reaches just over half of them. And to the extent that the Federal Government reduces its support for Medicaid funding, the numbers of uninsured Americans will rise even more rapidly.

Medicaid is a critical part of our Nation's health care system. It provides health coverage for people in the doctor's office, rather than the emergency rooms, where care is more expensive. It also plays a crucial role in preventing health care costs for the uninsured from being shifted to the private sector, which in turn increases hospitals' costs.

The economic downturn which state economies experienced several years ago, and from which many States are only now emerging, has continued to leave many families jobless and without health insurance, forcing them to turn to Medicaid. This has put an enormous strain on the states already strapped with budget scarcities. Many States reduced Medicaid benefits last year and even more restricted Medicaid eligibility in an effort to satisfy their budgetary obligations.

As the Senate considers the budget resolution for fiscal year 2006, I believe that we must take a balanced approach that is fiscally responsible yet reflects our long-standing commitments to provide health care for many of the low-income and uninsured through the Medicaid program. Decisions on Medicaid funding involve issues of fairness and balance, and it is our responsibility to balance these concerns on both the spending and revenue sides of the ledger.

I believe in fiscal responsibility, and I believe that reducing the deficit is critical for our Nation's fiscal health. We should not pass down a legacy of debt to our children. At the same time, we should do no less than to meet our obligations to our uninsured children and their families, senior citizens, and individuals with disabilities.

My home State of Maine is a relatively poor state which relies heavily on Medicaid matching funds. Maine's Federal match is roughly 65 percent, compared to the national average of about 57 percent. This means that for every dollar in State funds spent on Medicaid, the State receives nearly $2 in Federal matching funds. Of the $7.7 billion spent on health care in Maine in 2004, $2 billion—26 percent—came from the MaineCare program. Of the $2 billion in Medicaid spending, nearly two-thirds, or $1.4 billion, came from Federal Medicaid dollars.

Maine has suffered disproportionately from a loss of manufacturing jobs—and the health insurance coverage that goes with them. Medicaid has helped cover those uninsured, allowing our overall rate of uninsurance in Maine to stay even or improve for those with income below 200 percent of the poverty level.

Medicaid is also an essential program for providing health services to children and other vulnerable populations Children are nearly half—44 percent—of Maine's Medicaid clients yet they require less than one quarter of the funding, clearly a very cost-effective use of our health care dollars. Children need access to health care to do well in school, and to do well in life, and Medicaid plays a key role in narrowing the ''achievement gap.'' Children who are

in pain, or sick, are not able to pay attention and learn, and those with untreated illnesses can develop long-term disabilities, such as hearing impairments, that require expensive special education and make it harder for them to do well in school.

It is crucial that we continue to provide sufficient Federal funding for Medicaid, a program which has worked extremely well since it began providing care for some of our most vulnerable populations 40 years ago. That's why I believe we must proceed cautiously before making significant changes that could damage the program.

As we debate the budget resolution and consider the instructions for spending cuts that the Finance Committee would be required to produce—with Medicaid squarely in its sights—we must recognize that the Federal Government cannot simply abandon its responsibility to help states provide health care to our most vulnerable citizens. Finding workable solutions on the financial sustainability of Medicaid will take time, expertise, and bipartisan consensus and are more appropriately the province of a bipartisan medicaid commission than a budget debate.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, how much time do both sides have?

The PRESIDING OFFICER. The majority has 24 minutes 40 seconds. The Senator from Wisconsin has 14 minutes 20 seconds.

Mr. KYL. Mr. President, I yield 15 minutes to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. LOTT. Mr. President, we have had this debate before. Here we go again. I think it is an important debate and we need to think very carefully about it. I certainly agree with Senator FEINGOLD and Senator VOINOVICH that Congress has been spending money recklessly over the past few years. We need to restore fiscal discipline. Unfortunately, this amendment does very little to address that problem.

I cannot help but remember that during the late nineties and the early part of this century, we had a balanced budget for 4 years. We actually had surpluses. How did that happen? There was some fiscal responsibility. We forced President Clinton to join us in a balanced budget amendment in 1997. But we also cut taxes in a way that encouraged growth in the economy. We grew bigger.

That is one thing you need to think about. The economy is showing growth. It was pretty fragile last year, but it continues to show positive signs in terms of production, and unemployment is at 5.4 percent. It should be headed the other way. More people are being hired. There are positives in the economy. I talked to the experts about how did that happen. Part of it happened because we did tax cuts where we let people keep more of their money instead of bringing it to this city and wasting it. We encouraged growth in the economy. We encouraged family tax relief, families with children, research and development, we cut taxes on dividends. We took some actions that made a huge difference. That is how we had balanced budgets and surpluses.

But then, for a variety of reasons, we started spending more and more again. A variety of things happened. First, we got used to having surpluses, so we started spending money, whether we should or should not. We made commitments on Medicare and Medicaid that we should have made, and then the economy started going down. Then, we had 9/11 and we have had all the extra spending for the defense of our country, our military actions in Afghanistan and Iraq, and we spent a lot of money on homeland security. We wasted a lot of it, in my opinion. But we are doing a better job and we are doing some things that had to be done. We are going to continue to have to spend money to try to make America safe against terrorists.

But the combination of overspending in the beginning of the century, a falling economy in 2000 and 2001, and 9/11, has led us to the deficits we now have. One of the interesting things to me about this is that the focus is on, by the way, you cannot let people keep more of their money unless you cut spending or raise taxes. The focus should be on how we control spending. Year after year, this administration, previous administrations, and we have spent more and more and more. I will be glad when we get to the point where you cannot raise spending for Amtrak or NIH or anything else that you don't offset in some way. We need fiscal responsibility, but this is not the way to get it, in my opinion.

On the floor this week, there have been amendments offered on the budget—mostly by Democrats, with the complicity of some Republicans occasionally—to add $50 billion more in spending—just so far. By the time the smoke clears this week, there will be amendments that would add probably $200 billion or who knows how much more than what the President budgeted, which is a significant budget; $843 billion is not chicken feed. Then you add entitlements on top of that. So we have a problem.

Here is the real kicker. If we pass this amendment, this is really a tax increase. If we don't have the ability to extend some of these tax cuts that we already passed, we committed to the people—if you ask the experts what would happen if we didn't extend these tax cuts in these critical areas of capital gains and dividends, they would say: We are not worried about that. We have factored that into our economic thinking. You are going to do that.

Well, could we get 60 votes for it? Are we going to do that? Can we be assured we are going to get that accomplished? This would lead to tax increases of $70 billion on working Americans and families with children. That is why I cannot support it. You might say, well, I can go down the list and say one after the other to my colleagues on both sides, Do you think we ought to do something about the AMT tax relief problem, the fact that 9 million Americans are being forced into higher tax brackets because of the AMT that we got into years ago?

Do my colleagues think we should not address that? Why, the Senator from Ohio would say, we are going to have to do that; why, absolutely we are going to do that, and we should do that.

Does this mean we should not have money for the tax extenders for such things as R&D tax credit, the work opportunity tax credit which helps business employ millions of Americans who might not be employed otherwise? Oh, no, everybody says, no, I am for that.

Does this mean my colleagues do not want dollars for small business expensing, which is really a tax increase on small businesses? They are the ones where the jobs are really being created. That is where the real entrepreneurial spirit is. But most people say: No, no, I want to encourage small business, so I would want to extend that.

What about capital gains and dividends? Well, I guess some people in the Senate might say: I do not want to do that; that is the middle income or upper income people. Tell that to the millions of Americans now who do receive dividends, and they are not wealthy Americans, either.

So if we do not extend these, the result is going to be we are going to have a tax increase on millions of these working Americans. It would have a devastating effect on the economic growth that we are encouraging. There would be fewer jobs and even more dependency on the Government.

I have watched it over the years in my own State. Year after year we were one of the poorest States in the Nation. We thought we could spend our way out of poverty. We were not in debt because we had a constitutional amendment that said we could not do it. So we kept trying to spread money out to people, saying that if we keep supporting everybody—one-quarter of the entire population in my State is on Medicaid. Finally, a few years ago, we said: Wait, we are not going to be able to spend our way out of being the poorest State in the Nation. We are going to have to take some aggressive action to have better quality education, better infrastructure. We are going to have to go out there and create jobs, solicit jobs. We are going to have to have tax reform. We are going to have to cut taxes.

What has happened? We are creating jobs. We are not the poorest State in the Nation anymore. We are glad to give that title to another State, maybe South Dakota, West Virginia, or Arkansas. They can fight over that title.

We do not want it. We finally got up off our knees and said: We are tired of being poor. We want to grow the economy. We want our people to have an opportunity to get a good education, have jobs, and create jobs.

That is why we have Nissan, Textron, International Harvester, and FedEx in my State. Northrop Grumman has two different new plants in my State to build unmanned aerial vehicles. That is why Lockheed Martin, Boeing, and Eurocopter, and now the newest steel mill in America is in Mississippi, because we quit trying to spend our way out of poverty. We started trying to figure out ways to attract people and create jobs and allow people to make more money, have a decent paying job, and keep more of their own money. Yes, we cut taxes, and we started growing. Hallelujah. We also had tort reform to get these frivolous class action lawsuits under control.

So that is why I think this is totally wrongheaded, goes absolutely in the wrong direction. I hope my colleagues will not fall into this trap. The Finance Committee would have to come up with at least $30 billion probably in revenue raisers over the next 5 years to cover dealing with these tax provisions. We would not really be getting anything for it in return.

Chairman GRASSLEY tells us that if we had to come up with this $30 billion, it would basically max us out because that is the bare minimum we need to prevent a tax increase on Americans without looking at what we need to have some growth in the economy and help working families in America.

This is a responsible budget that we have come up with. We should not put this provision in it. Let me understand this. We want to discourage tax cuts on working people being able to keep their money, and instead we want to force tax increases and spending cuts? I like the spending cuts idea. That is the only part I really heard that I like, but we need to think about what we are doing.

Finally, maybe we can begin to top out this spending orgy that we have been involved in and begin to come down. By the way, everybody on the floor, we are all screaming and hollering: Oh, my goodness, you do not mean agriculture, do you? Oh, wait, you are talking about some of our beloved education programs? No, we did not mean that. You do not have money for Amtrak, you do not have enough money for shipbuilding, you do not have enough money for highways?

Everybody ought to have to ante up a little bit. The problem is not tax cuts and tax relief for working Americans and families with children; the problem is we cannot control our insatiable appetite for spending.

By the way, I acknowledge that I am guilty. I have been a participant. I tried to get more of my fair share in Mississippi because for 135 years we did not get our fair share. Why did we not get it? Because we did not stand up and ask for it. We did not play on the national team.

This is not the way to go. Senator GREGG has provided leadership and courage. I have been speaking against things today and over the last 2 weeks. I support Amtrak. I am from an agriculture State. I want more highway money anyhow, anywhere, any way I can get it, but at some point we have to ask, how much is enough?

There is an amendment to add money for NIH. I have been a part of the Republican commitment over the past few years to double the spending for NIH, and we have done it. Now we are being told that is not enough, we need $2 billion. We need to sober up, and this resolution will help us do it. It is not going to be easy. We are going to have withdrawal pains, but we need to stop spending. We need to try to find some way to help reduce this deficit by encouraging growth in the economy.

I urge my colleagues, vote against this so-called pay-go provision, and let us go with this resolution the way it was written. I hope this time we can get a conference report, too, because if we do not, we are doomed around here. If we cannot do these little tiny cuts, some minimum reforms, wait until we really have to deal with the big choices. They are coming. They are coming down the road, and it is a Mack truck. Unfortunately, the roads are not in very good shape. I hope it does not fall into a pothole or a bridge before it gets here.

We need to pass a highway bill. As much as I would like for that highway bill to be $318 billion, $350 billion—we cannot come up with enough highway money to suit me—I am going to vote for some restraint. If it is over $184 billion and it is not paid for in an appropriate way, I will vote to sustain a veto. We have to all do this. We talk about it.

The Senator from North Dakota knows we need to do this. He wants to do it. We have to have some help. We have to have some ''followership'' and courage. Now is the time to do it. This amendment is not the way to do it.

I thank my colleagues.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I am going to yield to a couple of colleagues, but first I will say that the Senator from Mississippi indicates we need to sober up on the issue. I suggest that anybody who believes this is a responsible budget needs to sober up. In the 12 years I have been here, this is the most obviously outrageous and irresponsible budget I have ever seen. The notion that this is a tough budget that seriously addresses our deficit in the coming years is, frankly, absurd. The Senator from North Dakota has done a wonderful job of making that point.

I will turn to my Republican colleagues who support this amendment and think it makes sense. I yield first 2 minutes to the Senator from Ohio and then 5 minutes to the Senator from Rhode Island, who has been one of the true stalwarts on this issue and, frankly, the lead author, and has been with us all the way on the issue of pay-go.

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

Mr. VOINOVICH. Mr. President, I will correct the impression that my good friend, the Senator from Mississippi, shared with us. The fact is that this amendment would subject tax continuation to the same 60-vote point of order we have for spending. In other words, why should we not subject continuing tax reductions, two of which are not going to even be up until 2008, to a lesser vote than we do when we are talking about spending more money than what the budget provides?

Let us apply the same standard to tax extensions that we do to trying to spend more money on the Senate floor. It is not a tax increase. It absolutely is not. All it does is say that 51 votes can extend it. All we are saying is this: If we want to do that, then subject it to the same test that all of us are going to have to adhere to when someone tries to spend more money than what the budget provides. Fair is fair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I yield to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for up to 5 minutes.

Mr. CHAFEE. Mr. President, I rise today as a proud cosponsor of the amendment offered by the Senator from Wisconsin. I support this amendment because of my grave concern about our budget deficit. We in Congress have an obligation to put and keep this Nation's fiscal house in order. By passing this tough pay-go amendment, we can send a signal that we do not intend to shirk this duty.

I think all of the Members of the Senate know what this amendment does. It simply imposes a budget rule that requires any new tax cuts or entitlement spending to be offset. If no offset exists for new tax cuts or entitlement spending, then 60 Senators will need to vote to override the rule. In short, this amendment forces Congress to make the tough budget choices. There is no doubt that we would all like to provide the American people with more tax cuts. Many would also like to provide better and more efficient entitlement programs. Under the current budget rules, we are not forced to make many, if any, difficult decisions about our priorities. If we want more entitlement spending or tax cuts, we simply provide for them in the budget. That is no way to ensure fiscal discipline. I wonder what effect a true pay-go rule would have had on our debate regarding the new Medicare prescription drug benefit. Would Congress have thought the new benefit was so important that we were willing to reprioritize and actually pay for it?

I have listened to distinguished Senators argue against this amendment because the economy is showing improvement. But, the fact that aspects

of the economy are improving does not mean that our Federal budget is in good shape. Forsaking measures that require budget discipline is the wrong policy. With all due respect, it is the type of thinking that got us into the current problem in the first place.

In 1990, Congress, which at that time included many of the same Senators here today, realized that Federal spending was out of control. Congressional will to control spending was not enough to put us on the path to fiscal responsibility. So, as part of the Omnibus Budget Reconciliation Act of 1990 Congress enacted some tough budget measures—including pay-go. Pay-go was extended in 1993 and again in 1997. Senators realized then that pay-go was a good idea and it was actually working.

We went from deficits and red ink ''as far as the eye can see'' in 1990 to an actual $236 billion budget surplus in 2000. It is at this point that Congress thought the need for budget discipline had ended. So, when pay-go expired in 2002, it was not extended. This has led us to the point where we find ourselves today. In 2004, the Federal deficit was $412 billion. In 5 short years, we have gone from a $236 billion surplus to a $412 billion deficit.

Pay-go is not perfect. Congress has found, and will continue to find if it is included in this budget, ways to get around it. But, despite its flaws, it does have a proven track record. It tests policies of both parties in the same way—pay for your priorities, or find 60 Senators willing to override the rule. This is the way it should be. At a time when our budget is awash in red ink it only makes sense to bring discipline and accountability back to the budget process. If new tax cuts or entitlement spending is so important, shouldn't we be able to find a way to address the costs? Including pay-go in the budget made sense in the 1990's, when the stock market was at historic highs and unemployment at historic lows, and, it makes sense today.

The PRESIDING OFFICER. Who yields time? The Senator from North Dakota.

Mr. CONRAD. Mr. President, we should follow the advice of the chairman of the Budget Committee on the matter before us. The chairman of the Budget Committee in a floor debate on June 5 of 2002 said this:

> The second budget discipline, which is pay-go, essentially says if you are going to add a new entitlement program or you are going to cut taxes during a period, especially of deficits, you must offset that event so that it becomes a budget neutral event.

He went on to say:

> . . . if we do not do this, if we do not put back in place caps and pay-go mechanisms, we will have no budget discipline in this Congress and as a result we will dramatically aggravate the deficit which, of course, impacts a lot of important issues but especially impacts Social Security.

That is the chairman of the Senate Budget Committee in 2002, saying pay-go ought to apply to both spending and to taxes. He was right then. And it is the right position now. Pay-go should apply to both spending and taxes. That is what the amendment of the Senator from Wisconsin does. It deserves our support.

I want to say a word about the remarks of the Senator from Mississippi, who said it is time to get serious, it is time to get tough on deficits. He is right. But he is badly mistaken if he thinks this budget does anything about deficits. The only thing this budget does about deficits is to make them worse.

This budget before us increases the deficit by $130 billion in excess of what would happen if we did nothing. If we just put this economy on autopilot, we would reduce the deficit by $130 billion compared to this budget.

I see my colleague is holding up a chart over there that shows the deficit going down. But what he ought to do is take a look at their own budget document on page 5 where it reveals how much the debt increases if this budget passes. This is not my estimate. This is their estimate. It says the debt is going to increase by over $600 billion each and every year of this budget resolution.

This is not a budget that does anything about reducing the increases in the debt, except to extend budgets that explode the debt.

They can put up all the fancy charts they want. This one shows the deficit being cut in half. The problem with it is it just leaves out things. The only reason they get to a reduction in the deficit under this plan is they just exclude things we all know are going to cost money.

I heard the Senator from Mississippi say we ought to do something about the alternative minimum tax. Indeed, we should. There is not a dime in this budget to do it—not a dime.

Under pay-go, you can have any tax cut you want. You can have any additional spending you want—if you pay for it or you get a supermajority vote. Paying for things, that is a new idea around here. Our Republican friends have adopted the policy of borrow and spend, borrow and spend, borrow and spend. They don't want to raise the revenue to cover their spending and they don't want to cut their spending to match the revenue they will support. Instead, they just want to put it on the charge card, run up the debt, shove it off on our kids and wait for the roof to cave in.

That is a mistake. Pay-go is restoring the budget disciplines that worked well in the past. We ought to adopt the amendment of the Senator from Wisconsin.

I thank the Chair and yield my time to the Senator from Wisconsin.

The PRESIDING OFFICER. Who yields time? The Senator from Texas.

Mr. CORNYN. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. Without objection, the Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I want to speak briefly against this amendment. Really, what we are looking at is a tax increase unless this budget resolution passes. In other words, what they are saying is we are either going to have to find further cuts—and, of course, our friends on the other side of the aisle continue to oppose reductions in the rate of increase of entitlement spending like Medicaid or Medicare—but at the same time they say, in essence, you have to pay for these tax cuts. What they mean by that is you have to raise taxes to do so.

While I hate deficits as much as the next person, this budget actually works to reduce the Federal deficit by half, over the next 5 years.

We are taking a constructive approach to reduction of the deficit.

But let me point out that over the last 21 months since the last tax cut, we have seen 3 million new jobs in this country. Frankly, what our opponents are proposing is something that would raise taxes on the average American worker and kill the job creation engine that put America back to work.

Finally, in the short time we have, I want to speak briefly in support of an amendment that Senator HUTCHISON and Senator GREGG and others offered yesterday that would increase the number of Border Patrol agents to 1,000 per year for each of the next 5 years. Unlike some other amendments, this one is actually budget neutral because we find offsetting cuts to pay for it. Our security in this country ought to be and ought to remain our highest priority.

The fact is, our borders are uncontrolled and porous. While we know our Border Patrol agents do their job in a highly professional way with what they have, the fact is, they are underequipped and outmanned. The fact is, our 2,000-mile southwestern border is open game for anyone who wants to try to come across, notwithstanding the good work that is being done. We have a lot more to do, but we are not there yet. We need the Border Patrol agents and the equipment to get it done.

The fact is, these porous borders not only admit people who want to come to the United States and work, people for whom I have a great deal of compassion and sympathy, and we need to find a way to deal with that in a realistic way—and we will—but it also allows entry into this country of people who want to come here to kill us.

Deputy Homeland Security Secretary Admiral James Loy said it is no secret that al-Qaida and other enemies of this country are going to try to take advantage of our porous borders, our lack of personnel and equipment to protect our borders, to try to infiltrate this country and commit another heinous attack on civilians as we experienced on 9/11.

It is absolutely critical that the Federal Government live up to its responsibility and not foist upon State governments that happen to have large

borders, such as Texas, Arizona, New Mexico, and California—it is absolutely essential that the Federal Government live up to its responsibility.

Only by adequately funding Border Patrol personnel, and only by continuing to deal with the porous nature of our borders can we be assured that we are doing everything humanly possible to protect America and to keep us safe.

I yield the remainder of my time to the manager.

The PRESIDING OFFICER. Who yields time?

The Senator from Arizona.

Mr. KYL. Mr. President, let me make a couple of comments, and then I think the other side will want to close the debate. I will reserve just a couple of minutes, if anyone else would like to speak on our side.

I think there is an important point that needs to be made. When we talk about pay-go, outside the Senate people might wonder what in the heck that means. On the spending side, when we increase spending, that means we also have to find a way to offset that. We have to find a revenue source or we have to cut spending somewhere else. So the net is the same. Just like in your household budget, you are going to spend money in one area, and you have to reduce the spending in another area so you can get back to even. That makes a lot of sense. But paying on the tax cut side is totally different.

Who pays to make up the lost revenue to the Federal Government? Taxpayers. So it is real easy for Senators to say, well, the taxpayers have to pay more money. But that is not right. It is their money. It is not ours. The Federal Government doesn't own any of that money.

When we make a deliberate decision to reduce taxes, our point is to let people keep more of their own money. It is not to have some new rule come in here and say, but however much you let people keep, you have to take from them some other way because the Government needs all of that money.

We are talking about the budget deficit. According to the Congressional Budget Office, which is the entity that does the scoring around here, under the assumptions of this budget, the green line is the deficit. You see it going from 2005, 3.2 percent of our gross domestic product, down to 2.8, 2.2, and 1.8. In less than 5 years, we cut the budget deficit in half. Those are under the assumptions that include the tax cuts that we passed in 2001 and 2003. We are going to reduce the deficit with the tax cuts in place.

What our colleagues on the other side are saying is, No, we have to let those tax cuts expire, creating the biggest tax increase in the history of this country because otherwise it won't be fair to the Federal Government. My concern is that we be fair to the taxpayers of this country. This budget assumes the tax cuts we want to continue, and that is the right way for us to budget. That is what the budget assumes, that is why we should adopt the budget, and that is why we should reject the amendment that has been offered by the Senator from Wisconsin.

I reserve the remainder of the time.

The PRESIDING OFFICER. Who yields time? If no one yields time, the time will be charged to both sides.

Mr. KYL. Mr. President, let me respond to two other issues that have been raised by the proponents of the Feingold amendment. One was that these are the same rules we had back in the 1990s. The fact is, though, they didn't work the same way. In the 1990s, Congress passed spending increases, and we also passed some tax cuts. The result of that under the rule was we were supposed to sequester or to spread those spending increases and tax cuts out over the remainder of the budget at the end of the year. But it turned out that at the end of each year we passed a bill that said forget about it, and the President signed that into law.

The fact is, while the rule was in place, we violated that rule. We cannot say this is the same rule we have had forever.

Second, my colleagues, particularly the chairman of the Finance Committee, made the point that there are a lot of things people on both sides of the aisle would like to accomplish this year that they will not be able to do if the Feingold amendment is agreed to.

We are not going to be able to do the leasehold improvement depreciation, by the way, which is a great idea. The Senator from North Dakota sponsored the bill, S. 621, to make the 15-year life for qualified leasehold improvements permanent. I cosponsored that bill.

We are not going to be able to accomplish that, if this pay-go rule is adopted.

There are other things we wouldn't be able to do, such as the R&D tax cut. The cost of that is $7 billion over 5 years. In fact, to extend the R&D tax credit for 1 year, just through 2006, is almost $7 billion.

There are simply not enough loopholes to close or revenue to generate in order to pay for that.

The small business spending, so-called section 179 spending, allows small businesses to elect to deduct all or part of the cost of certain qualifying property in the year that it is placed in service instead of over a specified recovery period. This immediate extension has been critical to supporting economic growth and job creation by small businesses. They will not be able to do it.

By the way, the cost of that is over $10 billion over 5 years.

The AMT relief we talked about before, there is enough within the budget to do some relief on AMT if we want to do it. Most of us would like to do that. We wouldn't be able to do it under the pay-go rule.

The State sales tax deduction that the chairman of the Finance Committee mentioned, the line deduction for college tuition costs, the welfare-to-work and work opportunity tax credit—if you want to do those things this year, you have to vote against the Feingold pay-go amendment because we wouldn't be able to do that.

Not only is it important to keep the economic growth going by ensuring that we don't suffer the worst tax increase in the history of this country, if we are going to continue some of these tax policies that all of us would like to see extended, we are not going to be able to do it if we adopt the Feingold amendment.

I encourage my colleagues to appreciate that every one of us wants to ensure that we have the smallest deficit possible. Under this budget and under the President's budget, we are going to cut the deficit in half within 5 years. The chart I showed a moment ago demonstrates that. Those are the budget figures. Those are not made up. Those are the CBO numbers.

As a result, if we stay on this path, we are going to achieve deficit reduction. Part of the reason for that is because we assume the tax cuts are permanent. We assume they will continue to generate job creation, economic growth, more wealth in this country which, when taxed even at the lower rates than currently exist, produces more revenue.

I hope my colleagues will not get into this notion that somehow all of the money belongs to the Government and if we are ever going to give it back to the people, we have to have 60 votes to do that instead of a mere majority vote. The reason we let people keep more of their money in the way of tax cuts is because we understand not only is that the right thing to do, but it is the most important thing for the economy. We cannot have a rule around here that you can never have a tax cut, you always have to make the money up some other way, so you never can change the amount of taxes paid by the American public. We have put in place a rule that would be grossly unfair as well as unwise in terms of economic recovery and, as I said, unwise in wanting more revenue to be collected by the Federal Government because a smaller economy produces less revenue to be taxed.

I urge my colleagues to vote against the Feingold amendment.

I yield back any time that remains on this side.

Mr. FEINGOLD. First, let me ask Senator CARPER of Delaware be added as the 13th sponsor of this amendment.

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

Mr. FEINGOLD. Mr. President, it is false as speaker after speaker claims this pay-as-you-go rule prevents tax cuts. It is an absolute red herring. That is not what it does.

It says, if we are going to do additional tax cuts, either pay for it—and you do not have to pay for it through tax increases, you can pay for it with tax increases or spending cuts—or get 60 votes to allow it.

How can speaker after speaker come out and say this requirement of 60 votes to go beyond the budget is preventing a tax cut? That is not the fact of what has happened.

In 1997, under these very rules, significant tax cuts were enacted.

I correct the Senator from Arizona regarding his statement that the rule was different then. That is untrue. He was talking about the statute. This is the rule. It does not have sequestering. That is simply inaccurate.

Last year, when the question was, Do we continue the middle-class tax cuts, we voted on it, and I think it got 90 votes for the middle-class tax cuts, well over 30 votes over the 60-vote requirement. How can someone say a rule of 60 votes for tax cuts somehow prevents tax cuts.

The Senator from Mississippi talks about the need to deal with the alternative minimum tax. He is absolutely right. The Senator from North Dakota has pointed out that is critical for middle-income families. How many votes do you think that would get? Do you think it would be close? Do you think you would get 50 or 55 votes? That would get 90 or 100 votes.

There is no barrier whatever in this pay-go rule to tax cuts as long as you get enough votes or, better yet, if you pay for it.

What has happened in the leadership on the other side is they have become openly hostile to fiscal discipline; openly hostile to balancing the budget; openly hostile to anything that gets in the way of tax cuts regardless of what the consequences are for our budget and our economy. That is a sad moment. To paraphrase an old song, ''where have all the deficit hawks gone.''

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. 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. GREGG. 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. GREGG. Mr. President, it is now our plan to vote on four items in the following sequence: The first will be Senator FEINGOLD's amendment on pay-go; the second will be Senator ENSIGN's amendment on veterans; the third will be Senators MURRAY and AKAKA on veterans; and the fourth will be Senator SPECTER on NIH education. I ask unanimous consent that the time will run during the pendency of those votes.

Mr. President, I ask unanimous consent that the yeas and nays be deemed to have been ordered on all four amendments.

The PRESIDING OFFICER. The yeas and nays have been previously ordered on the Specter amendment.

Is there objection to ordering the yeas and nays on all three en bloc?

Without objection, it is so ordered.

Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. CONRAD. Mr. President, reserving the right to object, and I shall not object, I just want to make sure we have a couple of refinements to this. If we could; one, give people 2 minutes equally divided to describe their amendment before the vote; second, that after the first vote, the subsequent votes be 10-minute votes. And can we send a very clear signal to our colleagues. Some colleagues have been missing votes. We have to ask people to stay in the Chamber. Cast your vote. Make sure you do not miss a vote. Let's try to get these votes off quickly.

We have had a couple of votes that took 28 minutes. That just slows down the process for everybody. We should make our colleagues understand that at this moment we have 150 amendments that have been noticed to the leaders—150 between the two sides. At three votes an hour, that would be 50 hours of straight voting.

Now, if we want to subject ourselves and our colleagues to that, we will just stay on the current course. If, instead, we want to bring some discipline and some order, then we have to agree to a series of short time limits on votes.

What we would like to do is try to conclude work on the budget resolution by some reasonable hour tomorrow night, like maybe 10 o'clock tomorrow night. That could be done, but it is only going to happen if people cooperate. It is only going to happen if we show some discipline.

I urge my colleagues, if you sent a notice that you have an amendment, please, if there are amendments that are on a similar topic, join with others. Let's try to remove a substantial number of these amendments so that we can conclude at some reasonable time.

Mr. GREGG. Mr. President, let me enthusiastically second the fine comments of the Senator from North Dakota.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. FRIST. Mr. President, on the floor right now we have the Republican leader, the Democratic leader, and the managers of the bill. What we have said is absolutely critical. We have the opportunity—but it is going to be very difficult and challenging to do—to complete this bill at a reasonable hour tomorrow night. But it is going to take the absolute discipline and cooperation of our colleagues.

Right now what that means is the next vote is going to be a 15-minute vote, but thereafter in this series of votes they will be 10 minutes, and we will be cutting the votes off. Therefore, stay in the Chamber. With that, we are going to be able to finish this bill at a reasonable time tomorrow night. Each time—even after 25 minutes we have been cutting off the votes—people complain, saying: You shouldn't be cutting off the votes.

The message being sent from the leadership of both sides of the aisle and the managers is: We are going to adhere strictly to these time limits.

Mr. REID. Reserving the right to object, Mr. President, I ask unanimous consent that the request by my friend from New Hampshire be modified that there be no second-degree amendments in order regarding the Feingold amendment and that all votes be 10 minutes after the first one.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. GREGG. Yes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 186

The PRESIDING OFFICER. The question is on agreeing to amendment No. 186 offered by the Senator from Wisconsin. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 53 Leg.]

YEAS—50

| | | |
|---|---|---|
| Akaka | Durbin | Mikulski |
| Baucus | Feingold | Murray |
| Bayh | Feinstein | Nelson (FL) |
| Biden | Harkin | Nelson (NE) |
| Bingaman | Inouye | Obama |
| Boxer | Jeffords | Pryor |
| Byrd | Johnson | Reed |
| Cantwell | Kennedy | Reid |
| Carper | Kerry | Rockefeller |
| Chafee | Kohl | Salazar |
| Clinton | Landrieu | Sarbanes |
| Collins | Lautenberg | Schumer |
| Conrad | Leahy | Snowe |
| Corzine | Levin | Stabenow |
| Dayton | Lieberman | Voinovich |
| Dodd | Lincoln | Wyden |
| Dorgan | McCain | |

NAYS—50

| | | |
|---|---|---|
| Alexander | DeWine | Martinez |
| Allard | Dole | McConnell |
| Allen | Domenici | Murkowski |
| Bennett | Ensign | Roberts |
| Bond | Enzi | Santorum |
| Brownback | Frist | Sessions |
| Bunning | Graham | Shelby |
| Burns | Grassley | Smith |
| Burr | Gregg | Specter |
| Chambliss | Hagel | Stevens |
| Coburn | Hatch | Sununu |
| Cochran | Hutchison | Talent |
| Coleman | Inhofe | Thomas |
| Cornyn | Isakson | Thune |
| Craig | Kyl | Vitter |
| Crapo | Lott | Warner |
| DeMint | Lugar | |

The amendment (No. 186) was rejected.

Mr. GREGG. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 171

The PRESIDING OFFICER. Under the previous order, there is 2 minutes of debate on the Ensign amendment.

The Senator from Nevada is recognized for 1 minute.

Mr. ENSIGN. Mr. President, very simply, the amendment I have offered

for myself, Senator CRAIG, Senator VITTER, and Senator HUTCHISON increases the spending for veterans medical care by $410 million.

The President had increased $751 million over last year's spending for veterans medical care, Chairman GREGG put in an additional $40 million, and we put in an additional $410 million, which in total is a $1.2 billion increase for veterans medical care. We did it without raising taxes. We did it with no new copays for the vets, and we did not increase the deficit.

The Murray amendment increases taxes to provide for our veterans. We did it in a fiscally responsible way. We provide for our veterans. As my colleagues can see, the last several years we have dramatically increased spending for veterans and veterans medical care because we should do it. It is the right thing to do to make sure we take care of those who have sacrificed for you and me and for our freedom.

I urge a ''yes'' vote on this amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from Washington.

Mrs. MURRAY. Mr. President, Senator ENSIGN's amendment is a nice gesture, but we all know that a wink and a nod is not going to make the waiting lines go away for the 700,000 veterans who are serving us honorably today. We all know about the understaffed and overcrowded VA hospitals. We know about the paperwork. We know about the redtape. We know our veterans are waiting for prescription drug coverage. They are waiting for posttraumatic stress syndrome treatment. That is for the veterans who have already served.

On top of that, we have new veterans coming home today, and it is our responsibility to make sure we do more than a gesture. That is what the Akaka-Murray amendment is that we will vote on after this amendment. I urge the adoption of the Murray-Akaka amendment. That would be the real vote to say whether we care for our veterans.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 171.

The yeas and nays have been previously ordered.

This is a 10-minute vote.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 96, nays 4, as follows:

[Rollcall Vote No. 54 Leg.]

YEAS—96

| | | |
|---|---|---|
| Akaka | Brownback | Collins |
| Alexander | Bunning | Conrad |
| Allard | Burns | Cornyn |
| Allen | Burr | Corzine |
| Baucus | Byrd | Craig |
| Bayh | Cantwell | Crapo |
| Bennett | Carper | Dayton |
| Biden | Chambliss | DeMint |
| Bingaman | Clinton | DeWine |
| Bond | Coburn | Dodd |
| Boxer | Cochran | Dole |
| Domenici | Kerry | Reid |
| Dorgan | Kohl | Roberts |
| Durbin | Kyl | Rockefeller |
| Ensign | Landrieu | Salazar |
| Enzi | Lautenberg | Santorum |
| Feingold | Leahy | Sarbanes |
| Feinstein | Levin | Schumer |
| Frist | Lieberman | Sessions |
| Graham | Lincoln | Shelby |
| Grassley | Lott | Smith |
| Gregg | Martinez | Snowe |
| Hagel | McCain | Specter |
| Harkin | McConnell | Stabenow |
| Hatch | Mikulski | Stevens |
| Hutchison | Murkowski | Sununu |
| Inhofe | Murray | Talent |
| Inouye | Nelson (FL) | Thomas |
| Isakson | Nelson (NE) | Thune |
| Jeffords | Obama | Vitter |
| Johnson | Pryor | Warner |
| Kennedy | Reed | Wyden |

NAYS—4

| | |
|---|---|
| Chafee | Lugar |
| Coleman | Voinovich |

The amendment (No. 171) was agreed to.

Mr. CRAIG. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 149

The PRESIDING OFFICER. There are 2 minutes equally divided on the Akaka-Murray amendment.

The Senator from Washington.

Mrs. MURRAY. Mr. President, the Senate is now going to consider the real amendment on whether we are going to help our veterans. The amendment we just passed was a token amount of money to help our veterans—laudable but nowhere near what we need. The amendment we are now considering will provide the funding so the 700,000 veterans who are waiting will get the services they need.

Why do we need this? Because the number of veterans receiving veterans care has gone up 88 percent. Medical inflation has gone up 92 percent. We made a commitment to those who serve us that we will be there to serve them. That is our responsibility.

Across this country, veterans are calling to see if we keep our promise to America's veterans to fund health care now. That is what this amendment will do. It is our responsibility. It implies we will keep the promise we made when we asked young people to serve us overseas, that we will be there when they come home. It is the responsibility of this body, and I urge its adoption.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, fellow Senators, you just voted to increase the veterans budget by $1.2 billion. A 3.7-percent increase over last year's spending meets all the service requirements, meets incoming new veterans out of Iraq, serves the needs of America's veterans. The amendment you are now being asked to vote on is nearly a $3 billion increase, and a major tax increase to offset it.

If you want to raise taxes, if you want to go way beyond what is necessary to keep the quality of veterans health care alive, you should vote for this. But I hope you would not only serve your veterans but would be fiscally responsible and wouldn't raise taxes on America's working men and women, especially America's working veterans.

We ought not have to tax them to serve them in their health care. But that is what the Akaka-Murray amendment does.

I ask for a ''no'' vote on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 47, nays 53, as follows:

[Rollcall Vote No. 55 Leg.]

YEAS—47

| | | |
|---|---|---|
| Akaka | Dorgan | Lincoln |
| Baucus | Durbin | Mikulski |
| Bayh | Feingold | Murray |
| Biden | Feinstein | Nelson (FL) |
| Bingaman | Harkin | Nelson (NE) |
| Boxer | Inouye | Obama |
| Byrd | Jeffords | Pryor |
| Cantwell | Johnson | Reed |
| Carper | Kennedy | Reid |
| Chafee | Kerry | Rockefeller |
| Clinton | Kohl | Salazar |
| Coleman | Landrieu | Sarbanes |
| Conrad | Lautenberg | Schumer |
| Corzine | Leahy | Stabenow |
| Dayton | Levin | Wyden |
| Dodd | Lieberman | |

NAYS—53

| | | |
|---|---|---|
| Alexander | Dole | McConnell |
| Allard | Domenici | Murkowski |
| Allen | Ensign | Roberts |
| Bennett | Enzi | Santorum |
| Bond | Frist | Sessions |
| Brownback | Graham | Shelby |
| Bunning | Grassley | Smith |
| Burns | Gregg | Snowe |
| Burr | Hagel | Specter |
| Chambliss | Hatch | Stevens |
| Coburn | Hutchison | Sununu |
| Cochran | Inhofe | Talent |
| Collins | Isakson | Thomas |
| Cornyn | Kyl | Thune |
| Craig | Lott | Vitter |
| Crapo | Lugar | Voinovich |
| DeMint | Martinez | Warner |
| DeWine | McCain | |

The amendment (No. 149) was rejected.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided on the Specter amendment.

Mr. GREGG. Mr. President, I ask unanimous consent that we suspend that process for a second so I may make a request for a unanimous consent.

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

Mr. GREGG. Mr. President, at the conclusion of the Specter amendment, which is about to be voted on, we are going to proceed with a series of amendments and debate. We will begin a debate for an hour, hopefully, around 5:10, 5:15 on a Medicaid amendment by Senator SMITH. That will be followed by debate from 6:15 to 7 o'clock on the Carper amendment dealing with reconciliation, followed by debate from 7

to 7:30 on a Wyden amendment on bargaining, followed by debate from 7:30 to 7:45 on a Harkin amendment on education, followed by debate from 7:45 to 8:05 on a Hutchison-Ensign amendment on Border Patrol, followed by debate from 8:05 to 8:20 on a Landrieu amendment on——

Mr. CONRAD. National Guard.

Mr. GREGG. National Guard, followed by debate from 8:20 to 8:35 on a Santorum amendment on HIV, followed by debate from 8:35 to 8:50 on a Voinovich sense of the Senate on budgeting, and followed by debate from 8:50 to 9 o'clock on a Dorgan amendment on——

Mr. CONRAD. Dorgan amendment on runaway plants.

Mr. GREGG. Dorgan amendment on runaway plants.

Mr. WYDEN. Will the Senator yield?

Mr. GREGG. For?

Mr. WYDEN. For a question.

Mr. GREGG. Mr. President, I ask unanimous consent that be the order of the amendments.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object.

Mr. GREGG. Yes.

Mr. WYDEN. I just heard in the cloakroom the amendment that I am involved in is the Snowe-Wyden amendment dealing with bargaining power with respect to holding down the cost of prescription drugs.

Mr. GREGG. That is the amendment we are presuming the Senator is going to be offering.

Mr. WYDEN. If it would be clear so colleagues understand that my colleague from Maine is the lead author of this amendment and I am her partner on our side. It will be the Snowe-Wyden amendment.

Mr. GREGG. All right. I will identify that from 7 to 7:30 the Snowe-Wyden amendment on bargaining relative to Medicare will be in order.

The PRESIDING OFFICER. Is there objection to the Senator's request?

Without objection, it is so ordered.

Mr. GREGG. At the end of this time, we will determine whether we are going to vote on these amendments tonight. I certainly hope we will.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, might I suggest one other refinement, that we agree on no second-degree amendments. That is the agreement we already made between us. Maybe that would give people some comfort.

Mr. GREGG. I think we have to see amendments first, but I presume there are going to be no second-degree amendments.

Mr. CONRAD. I think one thing we could say to people is, to make clear what we are trying to do between us, the managers. We are operating in some ways on faith here, faith of trust between us.

Mr. GREGG. There will be no second-degree amendments. We may have a side by side.

Mr. CONRAD. If we have a situation that requires a side by side, then the chairman and I will work it out so we get a side by side.

Mr. GREGG. Right.

Mr. CONRAD. All right.

Mr. REID. Has the unanimous consent been agreed to?

The PRESIDING OFFICER. The minority leader.

Mr. REID. Has the unanimous consent request been approved by the Chair?

The PRESIDING OFFICER. It has been approved by the Chair.

Who yields time?

The Senator from Pennsylvania is recognized.

AMENDMENT NO. 173

Mr. SPECTER. Mr. President, I ask unanimous consent to add Senators LINCOLN, TALENT, and CANTWELL as cosponsors of my amendment.

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

Mr. SPECTER. Mr. President, this amendment provides for an additional $1.5 billion for the National Institutes of Health. Unless this funding is provided, more than 400 applications will have to be rejected.

In 1972, President Nixon declared war on cancer, and we still have not made sufficient progress. In a budget of $2.6 trillion, $28 billion for NIH is not enough.

The amendment also adds $500 million to education which would bring education up to level funding from last year. The Subcommittee for Labor, Health, Human Services, and Education has taken a reduction of $2.2 billion. When you figure in inflation, it adds up to a cut of about $6, $7 billion.

Virtually everybody in this Chamber, if not everybody, comes to the subcommittee with special requests for programs and for funding on matters relating to safety, worker safety, health, and education. This is minimal.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SPECTER. I ask for your support.

The PRESIDING OFFICER. Who yields time?

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask Senators to oppose this amendment. It is something we would all like to do, of course, but we are in a budget crunch and need to make some small decisions on restraining the rate of growth. This is one of those places where we need to start. It is always nice to give away money, but $1.5 billion on a fund where we met our obligation to double it is not appropriate at this time.

On the education front, we have taken a look at all of the funding that is needed. Of course, there are a lot of things we would like to do. I appreciate the Senator from New Hampshire allowing us a $5 billion reserve for higher education reauthorization as well as some obligations in the budget process.

This amendment uses a little different process than the rest of them. It is the first amendment we have had that balances out of account 920, which means there is no money in 920. It takes money from every other account and puts it in 920 so it can be used for this. So it would actually be stealing from every other priority you might have in the budget. I ask that Members vote against it.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 173.

The yeas and nays have been ordered.

The clerk will call the roll.

The result was announced—yeas 63, nays 37, as follows:

[Rollcall Vote No. 56 Leg.]

YEAS—63

| | | |
|---|---|---|
| Akaka | Dole | Mikulski |
| Allen | Dorgan | Murray |
| Baucus | Durbin | Nelson (FL) |
| Bayh | Feingold | Nelson (NE) |
| Bennett | Feinstein | Obama |
| Biden | Harkin | Pryor |
| Bingaman | Hatch | Reed |
| Boxer | Hutchison | Reid |
| Byrd | Inouye | Rockefeller |
| Cantwell | Jeffords | Salazar |
| Carper | Johnson | Santorum |
| Chafee | Kennedy | Sarbanes |
| Clinton | Kerry | Schumer |
| Coleman | Kohl | Shelby |
| Collins | Landrieu | Snowe |
| Conrad | Lautenberg | Specter |
| Corzine | Leahy | Stabenow |
| Crapo | Levin | Stevens |
| Dayton | Lieberman | Talent |
| DeWine | Lincoln | Thune |
| Dodd | Lugar | Wyden |

NAYS—37

| | | |
|---|---|---|
| Alexander | Domenici | McCain |
| Allard | Ensign | McConnell |
| Bond | Enzi | Murkowski |
| Brownback | Frist | Roberts |
| Bunning | Graham | Sessions |
| Burns | Grassley | Smith |
| Burr | Gregg | Sununu |
| Chambliss | Hagel | Thomas |
| Coburn | Inhofe | Vitter |
| Cochran | Isakson | Voinovich |
| Cornyn | Kyl | Warner |
| Craig | Lott | |
| DeMint | Martinez | |

The amendment (No. 173) was agreed to.

AMENDMENT NO. 204

The PRESIDING OFFICER. Under the previous order, there will be a period of debate equally divided until 6:15 p.m. on the Smith amendment.

Who yields time?

The Senator from North Dakota.

Mr. CONRAD. We are in a quorum call?

The PRESIDING OFFICER. No, we are not in a quorum call.

Mr. CONRAD. Mr. President, if I could just alert colleagues, if we could hear from Senator LIEBERMAN's office and Senator CLINTON's office about their being able to discuss their amendments tonight, that would help us reach a conclusion on tonight's activities.

I ask Senator GREGG if it would not be wise for us to alert colleagues with respect to votes tonight before we start on this hour of discussion?

Mr. GREGG. Should we go through the list?

Mr. CONRAD. Well, I think people know who is on the list. I have just asked Senator LIEBERMAN's and Senator CLINTON's office to get in touch

with us if they are able to proceed tonight, which I think they are. With respect to votes, if we could alert colleagues as to that, I think that would be useful before this discussion starts.

Mr. GREGG. Certainly. It is our expectation that we will run through these amendments this evening and have very vigorous debate on all of them, hopefully add a couple of other amendments, Senator LIEBERMAN and Senator CLINTON, and on our side hopefully Senator VITTER and Senator ALLEN will speak on their amendments. As a result, we will not have any further votes this evening, but my colleagues can expect that we will have a large number of votes tomorrow and plan to be here for awhile voting.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH. Mr. President, it is not easy for me to come to the Senate floor and propose an amendment that I know makes life difficult for my budget chairman. It is not easy for me to oppose the President of the United States, Secretary Leavitt, Dr. McClellan, or all those in the administration who are grappling with a budgetary tsunami approaching our country related to entitlements. I am brought here as a matter of conviction, conscience, passion, on a matter that I hold as a principle, that in good times and bad, the people we do not abandon or put at risk are those who are most needy in our society.

Twelve years ago, I first won public office as an Oregon State senator. By chance, I was given a seat on the Senate Health Care and Bioethics Committee. I went into that role knowing little about medicine and its many intricacies, knowing it only as a consumer and as a businessman trying to meet a payroll. I came to that committee at a time when Oregon was leading the country in many ways as a medical reformer, a pioneer.

Oregonians are used to blazing new trails, and the Oregon trail, in the spirit of my State, led to the creation of the Oregon health plan. The basis of that was to take the Medicaid resources, plus State revenues which we raised, to provide for the needy, the disabled, the chronically ill, the children of working but uninsured, preventive health medicine, and the most medical care available for the dollars available.

In the course of my service on that committee, I came to know quite a bit about Medicaid and about the plan that Oregon was developing. It has been with some consternation that I have watched, during the recent recession, Medicaid budgets all over this country pushed to extremes, and for that reason I was one of the Republicans on the Finance Committee last Congress to precondition my vote for tax relief with relief to the States to help try to find a bandaid so that we do not take the most vulnerable of our citizens, push them out of nursing homes, deny them the basic vaccines of preventive medicine, take the chronically ill and particularly the mentally ill whose lives are often imperiled at their own hands, and put them in a position where their only recourse is the emergency rooms of our hospitals, where the care might be well meaning but the outcome is least effective, and the costs incurred then are shifted on to the plans of private employers, further making it difficult to expand health care and provide for the uninsured. So we grow the uninsured population at the expense of the private sector.

I speak to this from personal experience—trying to meet a payroll that provides health care that is growing at unsustainable rates.

Now comes along a proposal in this budget from men I care for and admire, for whom I have deep personal affection, and I understand that Medicaid is a $300 billion annual bill. I understand that in the course of the next decade it is going to double. I also understand some States game the system. I understand wealthy people transfer their assets to their kids so they can get $60,000 in Medicaid in a nursing home at our expense. I understand there are all kinds of abuses. I am committed to Medicaid reform. But what I am not prepared to do is to put the budget ahead of the policy, and that is what is going to happen if this budget contains this provision.

I already mentioned 60,000 Oregonians—Medicaid recipients under the Oregon health plan—already lost their coverage last year. Who are they? They are the most vulnerable Oregonians, with a few exceptions of those who defraud the system. They are people who have no other recourse. So when it comes to saying to this Senator, let us just close our eyes, hold our nose, and vote for this budget, it will be okay, there will be an agreement with the Governors, I have talked to the Governors. There is less unity on this issue among them than there is among us. Most of them do not know where they are going to go, except to push people into the ranks of the uninsured. What that means is private insurers, employers, will continue to withdraw health care coverage from employees. About 3 percent a year do that. And the Medicaid rolls will grow by 3 or 3.5 percent.

I have to say again publicly, I know President Bush's heart. I know Governor Leavitt. I know Dr. McClellan. These are good men. I know they do not mean ill to these people. But I have no assurance that ill will not occur to these people.

Some say we are just slowing the rate of growth. I agree. We will get the reform. But I would rather do this right than do this fast. I believe, given that we have not had a serious Medicaid commission since its creation in 1965, that we ought to have one so that the policy determines the budget. I don't know whether the proposed $14 billion cut is too large or too small. Maybe it is too small. But I don't know that. And I don't know where the $14 billion came from. But I know what it is going to mean: Another 60,000 Oregonians maybe losing health care, pressuring private plans, overwhelming emergency rooms.

I would rather let the policy determine the budget. I pled with my leader, whom I want to sustain, to create this commission, but take this number out of reconciliation. Put in there a number that puts pressure on the commission to do its job before our next budget cycle so we in the Finance Committee can respond quickly to the ideas that they agree upon and we can get working on this, making reforms that everyone can agree with. But I can't in good conscience vote aye and watch what happens, because I have seen what happens.

I plead with my colleagues, Republican and Democrat alike, to do this right and not just fast. We can do it right. We can help to mitigate this entitlement tsunami, and we can weed out the waste, the fraud, the abuse, the gaming of Medicaid. But we can do it with an eye to those who it is designed to serve. They are the elderly in nursing homes; they are the children of the working uninsured; they are the chronically ill, those too poor to deal with cancer, HIV/AIDS. They are the disabled.

I think if we are going to say Medicaid is off the table—I didn't do that. They said Medicaid is off the table; no touching it. That is fine. Social Security is all in the fight here. So let's go to the only thing that is left, and that is the most vulnerable Americans. I am simply saying: Not so fast and not in a way that will do real human damage to people who cannot fend for themselves.

What do I do with this commission? The commission consists of the following: It will establish a panel of 23 members: One member appointed by the President; two House Members, current or former, appointed by the Speaker and minority leader; two Senators, current or former, appointed by the majority leader and minority leader; two Governors, designated by the NGA; two legislators designated by NCSL; two State Medicaid directors designated by NASMD; two local elected officials appointed by NACo; two consumer advocates appointed by congressional leadership; four providers appointed by congressional leadership; two program experts appointed by the Comptroller General. They will have, hopefully in this budget cycle with other budgetary pressures that are already on Medicaid, all the impetus in the world to fix this program. But to include these people.

I ask unanimous consent to have printed a list I have of over 130 organizations that support the Smith-Bingaman amendment that are scratching their heads about what this means in human terms if we do not do this right.

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

MARCH 14, 2005.

Senator GORDON SMITH,
*U.S. Senate,*
*Washington, DC.*
Senator JEFF BINGAMAN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATORS SMITH AND BINGAMAN: We, the undersigned organizations, strongly endorse the Smith-Bingaman amendment to the Senate fiscal year 2006 Budget Resolution, which would strike all Medicaid cuts. The elimination of such cuts is essential for the health care of Medicaid enrollees, the providers who serve them, and state and local units of governments.

We understand that the Senators' amendment will include the creation of a bipartisan commission in lieu of all cuts to consider the future efficient and effective operation of the Medicaid program. Medicaid is the essential source of health access for 53 million of our nation's most vulnerable citizens, and any changes to the program should be driven by policy and not by arbitrary cuts.

Sincerely,

AFL–CIO, AIDS Action, AIDS Alliance for Children, Youth & Families, Alliance for Children and Families, Alliance for Retired Americans, Alzheimer's Association, American Academy of Child and Adolescent Psychiatry, American Academy of Family Physicians, American Academy of HIV Medicine, American Academy of Pediatric Dentistry, American Academy of Pediatrics, American Association for Geriatric Psychiatry, American Association of Colleges of Pharmacy, American Association of Homes and Services for the Aging, American Association of People with Disabilities.

American Association on Mental Retardation, American College of Obstetricians and Gynecologists, American Congress of Community Supports and Employment Services (ACCSES), American Counseling Association, American Dental Association, American Dental Education Association, American Dental Hygienists' Association, American Federation of State, County and Municipal Employees, American Federation of Teachers, American Group Psychotherapy Association, American Medical Student Association, American Network of Community Options and Resources, American Nurses Association, American Podiatric Medical Association, American Psychiatric Association.

American Psychological Association, American Public Health Association, American Society of Transplant Surgeons, Association for Community Affiliated Plans, Association of Academic Physiatrists, Association of Asian Pacific Community Health Organizations, Association of Jewish Aging Services of North America, Association of Jewish Family and Children's Agencies, Association of Maternal & Child Health Programs, Association of University Centers on Disabilities, Asthma and Allergy Foundation of America, Bazelon Center for Mental Health Law, Catholic Charities USA, Catholic Health Association of the United States, Center for Law and Social Policy.

Center for Medicare Advocacy, Inc., Center on Budget and Policy Priorities, CHAMP (Community HIV/AIDS Mobilization Project), Children & Adults with Attention-Deficit/Hyperactivity Disorder (CHADD), Children's Cause for Cancer Advocacy, Children's Defense Fund, Children's Dental Health Project, Coalition on Human Needs, Council for Health and Human Service Ministries, United Church of Christ, Council of Women's and Infants' Specialty Hospitals, Disability Service Providers of America (DSPA), Easter Seals, Eating Disorders Coalition for Research, Policy & Action, Epilepsy Foundation, Families USA, Family Voices.

Gay Men's Health Crisis, Generations United, HIV Medicine Association, Housing Works Inc., Human Rights Campaign, Institute for Reproductive Health Access, International Association of Jewish Vocational Services, Jewish Council for Public Affairs, Kids Project, Lutheran Services in America, March of Dimes, Medicaid Health Plans of America, Medicare Rights Center, National Academy of Elder Law Attorneys, National Alliance for the Mentally Ill, National Alliance of State and Territorial AIDS Directors.

National Association for Children's Behavioral Health, National Association for Home Care & Hospice, National Association for the Advancement of Orthotics and Prosthetics, National Association of Community Health Centers, National Association of County Behavioral Health and Developmental Disability Directors, National Association of Mental Health Planning and Advisory Councils, National Association of People with AIDS (NAPWA–US), National Association of Protection and Advocacy Systems, National Association of School Psychologists, National Association of Social Workers, National Citizens' Coalition for Nursing Home Reform, National Committee to Preserve Social Security and Medicare, National Council of La Raza, National Council on Independent Living, National Council on the Aging.

National Education Association, National Family Planning and Reproductive Health Association, National Head Start Association, National Health Council, National Health Law Program, National Immigration Law Center, National Indian Health Board, National Medical Association, National Mental Health Association, National Partnership for Women & Families, National Puerto Rican Coalition, National Respite Coalition, National Senior Citizens Law Center, National Women's Law Center Paper, Allied-Industrial, Chemical & Energy Workers International Union (PACE).

Parents' Action for Children, Pediatrix Medical Group, Presbyterian Church (U.S.A.) Washington Office, Project Inform, Racial and Ethnic Health Disparities Coalition (REHDC), Renal Leadership Council, RESULTS, Service Employees International Union, Special Care Dentistry, The AIDS Institute, The Alan Guttmacher Institute, The Arc of the United States, The Children's Partnership, The National Hemophilia Foundation, The Sexuality Information and Education Council of the United States.

Tourette Syndrome Association, U.S. Public Interest Research Group (U.S. PIRG), Union for Reform Judaism, Unitarian Universalist Association of Congregations, United Auto Workers (UAW), International Union, United Cerebral Palsy, United Jewish Communities, United States Psychiatric Rehabilitation Association, United Steelworkers of America, US Conference of Mayors, USAction, Voice for Adoption, Voice of the Retarded, Voices for America's Children, Volunteers of America, Welfare Law Center.

Mr. SMITH. They will come up with long-term goals. They will determine the populations that should be served and which ones should not. There will be financial sustainability in their work product, interaction with Medicare and the safety net providers. How about the dual eligibles? I don't have the answer to those things. That is why this amendment is so important. They will talk about quality of care and any other matter of importance to this program.

I heard from my friend, Mike Leavitt, that HHS currently deals with over 2,000 waiver requests from the States every year—2,000. Those probably represent 2,000 really good ideas. If they are out there, let's put them down, weed them out, take the best, leave the rest, and come up with a program that learns from the laboratory of all the States, from all these waivers; find the efficiencies, get the technologies in there, determine the populations to be served. But let's do it right; let's not do it fast. Let's let the policy drive the budget.

When we look at all the spending we do around here, and a tough budget we already are voting over and over on—and I am determined to support my leadership on this budget—I am determined that we not leave out these most vulnerable Americans or do it in a way that in any way discounts their vulnerability and the inevitable cost shifts to the private sector that is already overburdened.

I have said it enough. I will be quiet, now, with this plea: Please vote for this amendment, the Smith-Bingaman amendment. It may well be a matter of life and death for thousands of Americans.

I am pleased to be joined on the floor, not just by my cosponsor, but also by the Senator from Minnesota, Mr. COLEMAN, and yield to him such time as he needs.

I ask him to yield then to Senator BINGAMAN.

Mr. COLEMAN. Mr. President, first, I am pleased to rise in support of the amendment offered by my colleague from Oregon, Senator SMITH, as well as Senator BINGAMAN. I appreciate the challenges faced by the Budget Committee. Finances are tight. Tough decisions have to be made. We understand that.

My dad is a carpenter. He builds with his hands. He is very good at it. I think in this case I am not so good and I think greatness skipped a generation. But my dad builds with his hands. Early on he tried to teach me: Measure twice before we cut once.

Medicaid is the Nation's single largest payer of children's health services. Medicaid accounts, on average, for nearly 50 percent of the patient care revenue in children's hospitals. One out of every four children in the United States relies upon Medicaid for health coverage. It is an essential partner in providing high quality care to all children.

Before we start restructuring or talk about cutting growth—which is what my colleagues who support the chairman's mark will say, that we are just cutting growth—I suggest that we measure twice and cut once.

Medicaid is a safety net program that is intended, as my colleague from Oregon talked about, to protect vulnerable children as well as adults struggling with severe chronic illness and disabilities and mental illness. I suggest we need to measure twice and cut once.

Minnesota's Medicaid Program is the largest health care program, providing

coverage for a monthly average of 464,000 low-income seniors, children, families, and people with disabilities. Families, children, and pregnant women make up the largest group, 69 percent, but only capped at 22 percent of expenditures. The majority of expenditures, more than 78 percent, are for people who are elderly or have a disability.

As I said, let us measure twice and cut once. What we are proposing is simply a commonsense approach to carefully consider an action of this magnitude before we are committed to it. With the commission, we stand a much better chance of doing the right thing, in the right way, with broad support.

Let us sit down at the table with all the stakeholders and together decide how to make Medicaid better.

We pride ourselves on being the world's greatest deliberative body. Yet today we are faced with the proposal that will substantially change and provide funding limitations impacting, as my colleague from Oregon said, the most vulnerable of Americans, the most vulnerable among us, and we are doing it without the kind of rigorous examination that this body should demand, should cry out for.

This amendment simply provides that kind of rigorous, vigorous examination—a years's worth—saying step back for 1 year, then put together a process that allows us to do the examination, deliberation, allow the commission to hold public hearings, conduct examination, issue its report and recommendations to the President and to the Congress and the public.

Let us do Medicaid reform. We need to do it. We need to get rid of the gaming. We need to get rid of those who are abusing the system. We need to cut the waste and the fraud, but let us do it in a way which ensures that any changes to Medicaid provide sustainability, promote access to health care, and doesn't hurt those who need the program the most.

Let us look before we leap. We need to look at Medicaid to be sure we are on solid ground.

I appreciate the tough challenges the Budget Committee is facing. I have deep respect for Chairman GREGG. He has a great heart. He wants the program to work. The chairman's mark is substantially better from where we began with this proposal.

Again, let us do the kind of review that needs to be done.

I urge my colleagues to vote for this amendment and establish a Medicaid commission to study this proposal before we act.

I urge my colleagues to support this thoughtful amendment.

I yield to my colleague who is a coauthor of the amendment, Senator BINGAMAN.

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

AMENDMENT NO. 204

Mr. BINGAMAN. Mr. President, I thank my colleague for yielding. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for Mr. SMITH himself, Mr. BINGAMAN, Mr. COLEMAN, Mr. BAUCUS, Mr. DEWINE, Ms. SNOWE, and Mr. CHAFEE, proposes an amendment numbered 204.

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

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

The amendment is as follows:

(Purpose: To create a reserve fund for the establishment of a Bipartisan Medicaid Commission to consider and recommend appropriate reforms to the Medicaid program, and to strike Medicaid cuts to protect states and vulnerable populations)

On page 4, line 7, increase the amount by $1,784,000,000.

On page 4, line 8, increase the amount by $2,479,000,000.

On page 4, line 9, increase the amount by $3,252,000,000.

On page 4, line 10, increase the amount by $3,589,000,000.

On page 4, line 11, increase the amount by $3,932,000,000.

On page 4, line 16, increase the amount by $1,784,000,000.

On page 4, line 17, increase the amount by $2,479,000,000.

On page 4, line 18, increase the amount by $3,252,000,000.

On page 4, line 19, increase the amount by $3,589,000,000.

On page 4, line 20, increase the amount by $3,932,000,000.

On page 18, line 16, increase the amount by $1,784,000,000.

On page 18, line 17, increase the amount by $1,784,000,000.

On page 18, line 20, increase the amount by $2,479,000,000.

On page 18, line 21, increase the amount by $2,479,000,000.

On page 18, line 24, increase the amount by $3,252,000,000.

On page 18, line 25, increase the amount by $3,252,000,000.

On page 19, line 3, increase the amount by $3,589,000,000.

On page 19, line 4, increase the amount by $3,589,000,000.

On page 19, line 7, increase the amount by $3,932,000,000.

On page 19, line 8, increase the amount by $3,932,000,000.

On page 29, strike beginning with line 23 and all that follows through page 30, line 3.

On page 40, after line 8 insert the following:

**SEC. . RESERVE FUND FOR THE BIPARTISAN MEDICAID COMMISSION**

In the Senate, the Chairman of the Committee on the Budget shall revise the aggregates, functional totals, allocations, levels in section 404 of this resolution, and other appropriate levels and limits for fiscal year 2006 and for the period of fiscal years 2006 through 2010 by up to $1,500,000 in new budget authority for 2006 and the amounts of outlays flowing therefrom for an appropriations bill, amendment, or conference report that provides funding for legislation reported by the Senate Finance Committee authorizing and creating a 23 member, bipartisan Commission that—

(1) is charged with

(A) reviewing and making recommendations within one year with respect to the long-term goals, populations served, financial sustainability, interaction with Medicare and safety-net providers, quality of care provided, and such other matters relating to the effective operation of the Medicaid program as the Commission deems appropriate.

Mr. BINGAMAN. Mr. President, this amendment is being proposed by Senator SMITH and myself, Senator COLEMAN, Senator BAUCUS, and other cosponsors who are listed on the amendment.

I wanted to start by commending my colleague from Oregon for his leadership on this very important issue. He has made the exact, right points. I will be brief in my comments because other Senators are here wishing to speak as well. I want to give them an opportunity to do so.

Medicaid is the most important program that pays for health care coverage in my State today. There are over 400,000 people in the State of New Mexico who receive health care because of the Medicaid Program. As he pointed out, these are the people who are most in need of that care, who are least able to cover their own health care costs.

There are 53 million of our Nation's most vulnerable children, disabled, and elderly citizens that rely on Medicaid for their well-being and livelihood. And there are 45 million Americans without health insurance coverage.

The President offered a budget proposal that added $140 billion for health care spending. Even with the proposed reductions in Medicaid spending, he was proposing a net increase of $80 billion for health care.

In contrast, the budget before us provides no spending for the uninsured and a cut in Medicaid of $15 billion over 5 years. This is important because the administration only got a scored savings of $7.6 billion in Medicaid. So, it is $140 billion short of the President's proposal on the uninsured and the cut for Medicaid is scored at twice the level of the President's budget, according to CBO.

This budget is seeking to reduce the deficit, but sadly at the expense of the uninsured and our Nation's most vulnerable children, elderly, and disabled citizens that rely on the Medicaid program.

As a result, I am pleased to be here today with my colleague Senator SMITH in support of the bipartisan Smith-Bingaman-Coleman-Baucus amendment to strike the Medicaid cuts and to replace it with a bipartisan Medicaid Commission.

Senator SMITH and I strongly believe that Medicaid needs reform and improvement. For years, Medicaid has been neglected. Democrats are often trying to push for universal coverage and neglect fixing issues with Medicaid. Meanwhile, Republicans have proposed block granting the Medicaid program without addressing reform. Just 2 years ago, that proposal was defeated on the Senate floor.

Sadly, we are here again with a proposal to cut Medicaid, but no thoughts

about how to reform and improve the Medicaid program. We are imposing cuts on Medicaid at twice the level the President proposed, as scored by CBO, with little more guidance than rhetoric about cutting ''waste and fraud in the system.''

According to the Budget Committee staff document, ''at least 34 States are estimated to be receiving up to $6 billion a year in Federal Medicaid dollars inappropriately.''

Which States? I think we all deserve to know who they are and what they are doing before voting to cut funding to them. In the Senate Finance Committee, a bipartisan group of Senators asked the Secretary for that list and we still do not have it.

However, anybody that asks is being assured not to worry because their State is not the problem. How can we cut $15 billion to the States without it seriously impacting any State or any of the 53 million people served by Medicaid? Even the best circus elephant or donkey cannot pull off such a feat.

To get scored savings, the Finance Committee will be forced to make major cuts in funding to the States. Let me emphasize, no State is protected.

Also, while some of the proposals have so little detail that we have no idea about the impact on individual States, we do know the budget assumes saving $1.5 billion by dropping the matching rate for targeted case management in Medicaid from the current matching rate to 50 percent Federal and 50 percent State. Again, there is nothing about reform here. It is simply about cutting Federal funding to States. And, in this case, we do know which States, and they are the poorest States in this country.

It may come as somewhat of a shock to some in the Senate, but the cuts would fall disproportionately on the 28 States of Mississippi, Montana, Arkansas, West Virginia, New Mexico, Utah, Idaho, Louisiana, Alabama, South Carolina, Kentucky, Oklahoma, Arizona, North Dakota, South Dakota, Tennessee, Iowa, North Carolina, Indiana, Maine, Missouri, Oregon, Texas, Georgia, Kansas, Ohio, Nebraska, and Florida. President Bush carried 26 of the 28 States and those States have 43 Republican Senators and 13 Democratic Senators.

Simple mathematics tells us that will not fly in the Senate. So, two of the largest proposals for savings truly have nothing to do with Medicaid reform and one does not have enough details to allow CBO to provide scored savings and the other has enough detail that we know it will never be enacted.

So, what we have here are proposed Medicaid budget cuts in search of a policy.

It is with that in mind that Senator SMITH and I come to the floor today to actually attempt to reform and improve the Medicaid program in a systematic way. Our proposal is to strike the arbitrary cuts in the budget before us and replace them with the establishment of a bipartisan medicaid commission.

Why a Commission? Just like Social Security, just like the 9/11 Commission which examined the intelligence system, and just like Medicare, we believe that Medicaid deserves a comprehensive and thorough examination of what is working and what is not by all stakeholders—federal officials, state and local government officials, providers, consumer representatives, and experts.

Medicaid is a very complicated program. In fact, it is not one program. It is really four programs.

First, it is a program that provides health insurance for 25 million low-income children.

Second, it provides a safety net of coverage to 14 million adults, primarily low-income working families that play by the rules and work but do not have access to or cannot afford health insurance.

Third, 42 percent of Medicaid spending is actually for what are known as ''dual eligibles,'' which are over 7 million elderly and disabled citizens that have both Medicare and Medicaid coverage. Therefore, Medicaid fills the holes in both Medicare and private insurance by providing acute and long-term care services that neither Medicare or the private sector is able or willing to cover.

And fourth, Medicaid serves as a critical payment system for our Nation's safety net, including payments to disproportionate share hospitals for indigent care or to community health centers and other safety net providers. Without that funding, many of these critical community services would end.

Medicaid is a critically important health care safety net of four different programs that provides services to over 50 million of our Nation's most vulnerable children, pregnant women, the elderly, and people with disabilities.

In New Mexico, Medicaid is, in fact, the single largest payor for health care. All told, Medicaid covers the health care costs of more than 300,000 New Mexicans—nearly one-quarter of our State's population.

It is why I believe firmly we need to make sure that we do whatever we do right rather than quick. Medicaid is the back-stop to Medicare, the back-stop to private insurance, and the major funding source for our Nation's safety net providers. Medicaid is, as Health Affairs has called it, ''the glue that holds our Nation's health care system together.'' Therefore, we must make sure reform is done right and systematically, rather than quickly and without being thought through.

I would like to take a few moments to emphasize the importance of Medicaid to our Nation's children. Again, over 25 million children receive health care services through Medicaid. This includes an estimated 42 percent of our Nation's black children and 36 percent of our Nation's Hispanic children.

Children covered by Medicaid are far less likely than uninsured children to lack a usual source of medical care or have an unmet medical, dental, or prescription drug need.

During the last presidential election, the President recognized that 9 million children lacked health care coverage and made a proposal that he called ''Cover The Kids.''

In his own words:

> We'll keep our commitment to America's children by helping them get a healthy start in life. I'll work with governors and community leaders and religious leaders to make sure every eligible child is enrolled in our government's low-income health insurance program. We will not allow a lack of attention, or information, to stand between millions of children and the health care they need.

The President put that proposal into his budget, but I do not see it in this budget. We should not be going backwards on children's health, but we will in this budget unless this amendment we offer today passed.

We should take time and ''first do not harm'' to our Nation's health care safety net. We have tried to enact reform quickly before and it has created many problems. For example, in the Balanced Budget Act of 1997, Congress cut funding for disproportionate share hospitals and Medicare physician payments in rather indiscriminate ways. As a result, the Congress has come back in 1999, 2000, 2001, and 2003 to make what are known as ''provider give-backs.''

The cumulative pages of legislation to correct the Medicare and Medicaid changes from 1997 now far exceed the original legislation, the problems continue and, in some cases, even grow. In fact, we have a crisis with Medicare physician payments that everybody acknowledges will now cost billions and billions of dollars to correct.

Unfortunately, these ''fixes'' are not reflected in this budget, but we all know that the Congress will have to address the problem. I fear the budget, as currently proposed, will create more problems that need fixing rather than correcting the current problems.

Therefore, Senator SMITH and I call for a process by which we can enact reforms to Medicaid but do it correctly, rationally, and in a bipartisan fashion. For example, we should ensure that people have more access to home- and community-based care in Medicaid. Doing so would provide care in more cost-effective and appropriate settings for many Medicaid patients.

However, despite a lot of rhetoric about how this is one of the reasons Medicaid needs reform, the budget proposal before us does not address this problem.

There are those that believe Medicaid is ''flawed and inefficient'' and that costs are spiraling out of control so the program needs overhaul. On the other hand, there are those who believe there is absolutely nothing wrong with Medicaid. I firmly believe neither point of view is correct.

First, Medicaid is far from broken. The cost per person in Medicaid rose just 4.5 percent from 2000 to 2004. That compares to just over 7 percent in Medicare and 12.6 percent in monthly premiums for employer-sponsored insurance. If that is the comparison, Medicaid seems to be about the most efficient health care program around, even more so than Medicare.

The overall cost of Medicaid is going up largely, not because the program is inefficient, but because more and more people find themselves depending on this safety net program for their health care during a recession. While nearly 5 million people lost employer coverage between 2000 and 2003, Medicaid added nearly 6 million to its program. Costs rose in Medicaid precisely because it is working—and working well—as our Nation's safety net health program.

Consequently, Medicaid now provides care to 53 million low-income Americans, including nearly one-quarter of all New Mexicans.

On the other hand, it is also not true that Medicaid is not in need of improvement. The administration is rightly concerned about certain State efforts to ''maximize Medicaid revenues'' via ''enhanced payments'' to certain institutional providers. Secretary Leavitt, in a speech to the World Health Care Congress on February 1, 2005, referred to State efforts to maximize Federal funding as ''the Seven Harmful Habits of Highly Desperate States.'' As a result, he called for ''an uncomfortable, but necessary, conversation with our funding partners, the States.''

I would agree. However, Medicaid cuts driven by a budget reconciliation process is not a dialogue or conversation. It is a one-way mechanism for the Federal Government to impose budget cuts on the States. The administration's budget calls for $60 billion in cuts to Medicaid over 10 years, including $34–40 billion that would directly harm States.

Where is the conversation in that? In fact, I believe the States would have quite a lot to say to the Federal Government in such a conversation. While I do not speak for the National Governors' Association, the National Conference of State Legislatures, or the National Association of Counties, some of their grievances are rather obvious and I share them.

For one, these cuts are merely a cost-shift to State and local governments that simply force State Medicaid programs to enact cuts in coverage to our Nation's most vulnerable populations or require tax increases to make up for the loss of Federal funding. It is pretty simple. If the Federal Government cuts $15 billion out of Medicaid, New Mexico will likely lose over $100 million in Federal funding for Medicaid. Either some of our State's most vulnerable citizens will lose coverage or benefits, or taxpayers will be asked to pay more.

Governor Richardson is a pretty impressive guy, but he cannot magically produce the $100 million that the Federal Government would cut to our State under this budget proposal.

Second, as figures from the Kaiser Family Foundation indicate, 42 percent of the costs in Medicaid are a result of services delivered to Medicare beneficiaries. These dual eligibles are also a major driver of health costs in Medicare and this is a prime example of where the Federal Government pushes costs on to Medicaid. Instead, better coordination between Medicare and Medicaid could improve both programs and delivery of care to ''dual eligibles.'' States have been calling for better coordination for years to no avail.

Third, for all the rhetoric about being concerned about what States are doing in drawing down Federal funding, we should acknowledge that the Federal Government passes the buck on to States in other ways. For example, in the Medicare prescription drug bill that was passed by the Congress in 2003, the Federal Government imposed what is referred to as a ''clawback'' mechanism which forces the states to help pay for the federally-passed Medicare prescription drug benefit. Although States were expected to derive a financial windfall from the prescription drug bill, they are now finding that it will cost them millions of dollars more annually through what is referred to as the ''clawback provision'' than if the bill had never passed.

Furthermore, CBO estimated that States had $5.8 billion in added enrollment of dual eligibles in Medicaid due to what they refer to as a ''woodworking'' effect on dual eligibles trying to sign up for the low-income drug benefit discovering they are also eligible for Medicaid benefits. CBO further estimated that States had $3.1 billion in new administrative and other costs added by the prescription drug legislation.

States have no ability to ''have a conversation'' with the Federal Government about the imposition of such costs on them, but they should and will have that ability in our bipartisan commission on Medicaid.

Furthermore, due to a recent rebenchmarking done by the Department of Commerce's Bureau of Economic Affairs with respect to the calculation of per capita income in the States and the application of that data by the Centers for Medicare and Medicaid Services, or CMS, the Medicaid Federal Medical Assistance Percentage, or FMAP, many States, including New Mexico, will see a rather dramatic decline in their Federal Medicaid matching percentage. In fact, due to the rebenchmarking and other factors, 29 States will lose Medicaid funding in 2006 by an amount of in excess of $800 million. Again, this occurred with no dialogue or conversation.

I agree with Secretary Leavitt that there should be a conversation among all the stakeholders about the future of Medicaid and about what are the fair division of responsibilities between the Federal Government, States, local governments, providers, and the over 50 million people served by Medicaid. It is for this reason that the bipartisan commission on Medicaid includes all of those stakeholders at the table to have a full discussion and debate about the future of Medicaid.

It is our intent that the recommendations would not only be focused on spending inefficiencies but about improving health care delivery to our Nation's most vulnerable citizens. However, they are not mutually exclusive. In fact, both can and should be done.

Before closing, I thank Senator SMITH for his leadership on this issue and the over 100 organizations—State and local governments, providers, and consumer groups that have endorsed this amendment. We have the attention and support of all these groups to come to the table to make Medicaid more efficient and effective in the delivery of care to our Nation's most vulnerable citizens. We should not pass up that opportunity.

The policy needs to drive the budget.

As Senator SMITH said, and as Senator COLEMAN said, we cannot just take a figure out of the air and say we are going to cut Medicaid because we need to make up some money in the budget in order to get to the number that we predetermined we ought to get to. That kind of arbitrary cut in Medicaid, when we are doing nothing to constrain the growth of Medicare, when we are doing nothing to constrain the growth of spending in a lot of other areas, would be irresponsible. Exactly as Senator SMITH pointed out, it is important that we do this right, that we do this fast.

This first chart I wanted to point to shows the States in red which are going to suffer these cuts. There is $4 billion proposed for cuts in these States that are depicted in red on this map. It turns out that most of those are the States that supported the President's reelection in large numbers.

We have a couple of other charts which I very briefly would like to point out. One is a chart that points out that Medicaid is not the great inefficient program that everyone is pointing to. Medicaid has grown 4.5 percent per year the last few years. Medicare has grown over 7 percent. The private sector health care expenses have grown over 12 percent. There is enormous growth in Medicaid because more and more people are depending on Medicaid. That is the simple point.

This last chart points out that 42 percent of the cost of Medicaid is because of the ''dual eligibles.'' These are people who are covered by Medicare, but Medicaid is having to pick up a substantial portion.

We need to understand these programs better before we begin cutting them. The Senator from Oregon has provided a real service to us in the Senate by focusing attention on this.

I hope my colleagues will support this amendment.

I yield the floor.

Mr. SMITH. Mr. President, I yield time to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CORZINE. Mr. President, I appreciate the leadership that Senators SMITH and BINGAMAN are showing with regard to Medicaid.

I rise today to speak in support of the pending bipartisan amendment offered by Senators SMITH and BINGAMAN to eliminate the $15 billion in cuts to the Medicaid program mandated under this resolution. Instead of letting the budget process drive Medicaid reform, this amendment directs the creation of a bipartisan Medicaid commission to investigate and consider possible improvements to the Medicaid program. In other words, this amendment would ensure that policy drives Medicaid reform, not the arbitrary and unjustified cuts in this resolution.

Last week Senators WYDEN, MURRAY, JOHNSON and I offered a successful amendment during markup of this resolution. The sense of the Senate we offered, which was agreed to unanimously by the Budget Committee and is a part of this resolution, states that the Finance Committee shall not achieve any savings under reconciliation that would cap Federal Medicaid spending, shift Medicaid costs to the States or providers, or undermine the Federal guarantee of Medicaid health insurance.

It simply is not possible to cut $15 billion from the Medicaid program without violating this agreement. Cutting $15 billion from Medicaid means taking $15 billion directly from the States. It means that States will be left with the tough choices of decreasing reimbursements to providers, eliminating services like prescription drugs and specialized services for the mentally retarded for families and elderly who rely on Medicaid now for these services, or raising taxes to preserve these services.

These cuts come at a time in which States are already struggling with the escalating costs of the Medicaid program. In 1985, 8 percent of State budgets went to Medicaid. Today, on average, 22 percent of States' budgets are spent on Medicaid. In New Jersey, fourteen percent of the State budget is spent on Medicaid. States are having to make tough choices about whether to cut critical health services for their most vulnerable or reducing funding for education programs.

What this resolution says to States and the 53 million children, pregnant women, elderly, and disabled who would be uninsured without Medicaid coverage is that they are simply going to have tough decisions. We are in tough budget times so you are going to have to choose between cutting health care or education.

I would like to share with my colleagues a couple of charts that demonstrate the tough choices that Chairman GREGG and the President are asking us to make. This first chart compares the $15 billion in Medicaid cuts that the Chairman has assumed to balance the budget along with the $204 billion cost of making the President's tax cuts for millionaires permanent. These are the tough choices—preserving access to health care for millions of poor Americans or handing out hundreds of millions in taxes to the wealthiest in our country—which this budget poses. Frankly, I don't think this is a tough choice. It is an easy one. We must preserve access to health care for our Nation's most vulnerable and we must maintain our Federal obligation to the States to pay our fair share for these services.

I would like to point out that States are also facing massive costs as they work to transition their Medicaid beneficiaries who are dually eligible for Medicare into the new Medicare prescription drug benefit. States like New Jersey that have State pharmacy assistance programs for non-Medicaid eligible seniors will also have to bear significant new costs to ensure that these programs coordinate with the new Medicare drug benefit.

Not only are States going to have to bear enormous costs of transitioning these beneficiaries, but if they choose to provide more generous benefits than offered under the Medicare law they will have to finance those benefits with State dollars. My State of New Jersey, which plans to wraparound the Medicare benefit to ensure that those on Medicaid have access to the prescription drugs they need, has estimated that the State will spend an additional $92 million in 2005 and 2006 to pay for these costs.

Now, under this resolution, New Jersey would lose $90 million a year in Federal Medicaid funding. How much more money is the Federal Government going to demand from the States? It is outrageous and unfair and it is an abdication of our Federal responsibility to force these costs on the States.

I asked my State to tell me what kind of impact that a $90 million loss in Federal funding would have on New Jersey's Medicaid program. The Medicaid director in my State gave me two options: the State will either have to eliminate health insurance for more than 20,000 low-income children and pregnant women who are considered ''optional'' beneficiaries because they earn just above 133 percent of the poverty level, which is $20,000 for a family of four. Or the State could eliminate so called ''optional'' services, including dental care, pediatric and optometric care, hearing aid services, optical appliances, psychological services, hospice care, and medical day care for individuals with Alzheimer's and dementia. And of course, there is a third option—increasing taxes to maintain these services.

We simply can't address the underlying problem of escalating health care costs, which are driving up the costs of the Medicaid program, by asking States to cough up more money or by forcing them to eliminate critical services. We need meaningful, long-term solutions that will control health care costs across the board for Medicaid, as well as for Medicare and private insurance.

We need to change the fact that nationally 42 percent of Medicaid expenditures are spent on Medicare beneficiaries. This is because Medicare does not provide long-term care. So when we talk about a Medicaid crisis, what we really should talk about is the crisis in long-term care in this country. We are an aging population. As my generation retires, we will demand more long-term care services. Yet we have no long-term care system in this country. As it currently stands, the Medicaid program is our long-term care program.

The Smith-Bingaman amendment directs the creation of a bipartisan Medicaid commission to investigate these issues and to develop recommendations on how to decrease costs in the Medicaid program without burdening States or cutting services. A commission comprised of members of congress, governors, State Medicaid directors, and beneficiary advocates is necessary to develop real policies to strengthen Medicaid. It simply does not make sense to pull a number out of thin air like this resolution does. Policy should drive the numbers—not the other way around.

I urge all of my colleagues to adopt the sensible approach proposed by Senators SMITH and BINGAMAN.

I don't understand how we can have a process of Medicaid reform driven by budgets without thinking through where that is going to come from. We heard our other colleague talk about where the burden of those cuts will fall.

I specifically asked what would happen if the proportionate deduction of cuts in New Jersey were to occur, which would be by the Senate's version about $90 million to the State, and the gross-up would be $180 million.

We are talking about Alzheimer's daycare for seniors. We are talking about hospice care. We are talking about basic dental, chiropractic care, hearing aids, and optical for our seniors.

It is impossible to understand how we want to take this hard cut without knowing the direction we are going to take.

The PRESIDING OFFICER. The time of the opponents has expired.

Mr. CORZINE. Mr. President, I ask my colleagues to support the intelligent and responsible approach that Senators SMITH and BINGAMAN proposed.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I will discuss for a few minutes this amendment and the Medicaid Program in our country.

I am glad I had a chance to hear the Senator from Oregon and the Senators

from Minnesota, New Jersey, and New Mexico. Their amendment would direct the Finance Committee to reduce the growth of Medicaid spending by $14 billion over the next 5 years.

Before I say anything else, let me point out there is no cut—no cut, no cut—of any kind. Medicaid spending over the next 5 years will go up 41 percent if left alone. The Budget Committee recommends it go up 39 percent instead of 41 percent. Where I come from, that is no cut; that is a 39-percent increase in the amount of money.

The amendment also has a very good idea, which is to enact a commission to take a broad look at the Medicaid Program and report back to Congress in 1 year with its recommendations, which means in another year we might get around to doing something about it.

The Senator from Oregon talked about the tsunami coming. He is exactly right. He is talking about the tsunami in mandatory spending we have all been talking about and how important it is to get spending under control. If I may respectfully say, I believe his position could be fairly characterized as saying we heard the tsunami is coming; let's wait around a year or two before we get off the beach and appoint a commission to study. My position is appoint the commission, but the prudent thing is to move to higher ground while we study all of this. And we can move to higher ground.

What I want to say in the next few minutes is that in order to restrain the growth of Medicaid spending from 41 percent over the next 5 years to 39 percent over the next 5 years, which is $14 billion out of $1.12 trillion, we know exactly what to do to do it and we should move to higher ground and get going with this before we are drowned by this tsunami of mandatory spending Social Security and Medicaid and Medicare that will make it impossible to fund preschool education, to fund kindergarten through 12th grade, to fund our research laboratories, our research and health, and maintain the greatest research universities in the world. That is the choice we will have to make.

We heard chilling evidence—there is no other way to talk about it—chilling evidence in the Budget Committee this year from the most nonpartisan observers, the Comptroller of the Currency, for example, about the tsunami, as the Senator from Oregon discussed, and what it is going to do.

This chart shows all this red in Social Security, Medicare, and Medicaid spending as a percentage of gross domestic product today in the neighborhood of 7 or 8 percent. This is the amount of our gross product, everything we produce in the United States, that we spend on the total Federal Government—a little less than 20 percent. Here is where Medicare, Medicaid, and Social Security are headed. In other words, we will go down the road, 2030, and it is not so long away, and we will be spending 20 percent of everything we produce in the United States just on health care. We are not spending that much today on the whole Federal Government.

What the proposers of this amendment are saying is, we see this, we see it is coming, let's stay on the beach another year or two and not do one single, solitary thing about it except appoint a commission to talk about something every Governor in States worries about. We have committees in this Congress that have studied this for years. We know some things to do. We know how to take a few steps to higher ground.

Let me put a little perspective on this, if I may, for a moment. I ask to be told when I have 10 minutes remaining.

The PRESIDING OFFICER. The Senator has 20 minutes 46 seconds.

Mr. ALEXANDER. Let me make another point with another chart. This has to do with State government. I have a State perspective. Someone said, Alexander is still acting as though he were a Governor, and I hope he can get over that. I hope I never get over it because I think it is a contribution I can make from the point of view of a Governor.

What I struggled with as Governor was how to keep Medicaid growth under control, to create centers of excellence, and pay good teachers more for teaching well, and have low taxes. It was a fight every year. The red is the State spending in Medicaid. People here get Medicare and Medicaid confused, but Medicaid is a program, as earlier said, that helps many of our low-income Americans. It is administered by the State government, but it is funded, about 60 percent or so, by the Federal Government and run by the State government. The eligibility requirements are basically set up in Washington, and then you go down if you are the Governor and you have to run it according to what some Congressman decides you need to do. And then as you are running it and you make some decisions, the Federal courts come in and limit what you do. So you have eligibility requirements saying the caseload is going up 40 percent over 5 years. That is what the Governors are dealing with. And the CPI, the Consumer Price Index, for health care is three times that of the normal CPI and Governors are left sitting there with Federal eligibility requirements, rising health care costs, and courts not allowing them to make decisions, so they are stuck. I know that because I was a stuck Governor all during that time.

Let me point out what we are trying to say to do today. This is the amount of money we are going to spend on Medicaid from the Federal Government in the next 5 years, $1.11 trillion. This is the reduction in the growth of spending we are suggesting, $13.9 billion. We are suggesting instead of going up 41 percent, go up 39 percent.

That can be done. There are a few steps we know to do today to move to higher ground so we can do that while we are doing a full-fledged study of Medicare. But we cannot do it by repeating a litany of waste, fraud, and abuse, and better efficiency and flexibility. That will not cut it. We are going to have to change some laws here so Governors have more flexibility and so Federal courts do not interfere as much with the decisions that elected officials are supposed to make.

Let me make a few suggestions. I can suggest four or five steps we can take now and we can move to higher ground now that would help save this $14 billion so that States could serve people well while we are continuing to constrain the growth of Medicaid spending. These reforms would save money for both States and the Federal Government. They would be voluntary, giving the States flexibility, and they would not cut one person off Medicaid insurance options.

Here are the things we can do. These are a few of the most obvious things to do. We ought to be able to do them in 60 days. One, let Medicaid buy prescription drugs the same way Medicare does. That would save money, several billion a year in the first year, but it would require a change in our Federal law. Allow States to crack down on Medicaid spend-out abuses when wealthier individuals give away their money with the expectation that Medicaid will cover their health care costs if they become ill. We will have to change the law to permit that to be done.

Allow Governors to require copayments of benefits for optional Medicaid population. We require some people to be covered from here. States may add to that. When they do, they should have some flexibility.

No. 4, allow States to have flexibility to allow mothers and children in optional programs to enroll in what we call the SCHIP Program, a health insurance program.

Finally, make it easier for States to provide home and community-based care for beneficiaries who prefer it to more costly nursing home care.

We have a 2-year Congress here. We are here every week, about. We are here most weeks. We have lots of committees that have been studying this issue for a long time. We can adopt a budget in March and we can have a Finance Committee hearing and pass a law some time this year and we can restrain the growth of Medicaid spending by $14 billion and give Governors and States a chance to restrain the growth of spending and get budgets under control. That would save money here and it would save money in the States for preschool education and universities and other programs that Governors prefer.

There is another thing we need to do. We need to pass the legislation Senator PRYOR and I and Senator CORNYN and Senator NELSON and others have introduced and Representative COOPER in the House has introduced that would make it easier for Governors to run

Medicaid and harder for courts and plaintiffs' lawyers to do it. We should put term limits on the outdated consent decrees that keep Governors like the Democratic Governor of Tennessee from doing what he was elected to do. He was elected to restrain the growth of Medicaid spending.

When I left the Governor's office, health care spending was 16 cents out of every State tax dollar, and education spending was 51 cents out of every tax dollar. Today, because of the growth of Medicaid spending in Tennessee, education is 40 cents out of every tax dollar, and health care is 26 cents out of every tax dollar, and going up.

We will not have great colleges and universities if we do not start today to restrain the growth of Medicaid spending. So I would respectfully suggest that a commission could be of some help. A commission could be of some help if we were serious about it, which I know its proposers are, but we are not going to be able to just move around the fringes. We are going to have to have a completely different view of health care in America. Then we are going to have to transform Medicare. Then we are going to have to transform Medicaid. And along the way, we are going to have to do what is a relatively easy thing to do compared to the other two, fix Social Security.

Together, those unfunded liabilities, that mandatory spending is going to grow. This red on the chart is going to grow to make this a noncompetitive United States of America and drown our States in debt.

I suggest that it is correct that the tsunami is coming. I suggest that this budget that Chairman GREGG has worked on makes only modest steps in fiscal discipline. Yes, it reduces our deficit if we stay on this path. By the time President Bush goes out of office, our annual deficit will only be half as much as it is this year. But our debt still goes up every year. Senator CONRAD has made that point time after time after time.

This is the only proposal in this budget to restrain the most difficult part of spending growth, which is mandatory spending. This budget overall spends $2.6 trillion for next year, $100 billion more than last year. That whole $100 billion is mandatory spending.

So we are suggesting: Let Medicaid grow at 39 percent instead of 41 percent. See the tsunami coming. Appoint a commission to study it. But do the prudent thing. Take a few steps to higher ground that are perfectly obvious while we are studying it. We can easily do that this year.

I urge that we reject the amendment and that we support the budget which takes a modest but important step toward controlling the biggest challenge we have budgetarily in Washington, DC, and that is controlling mandatory spending.

I see the chairman of the Finance Committee in the Chamber. I wonder if he would like to speak.

Mr. GRASSLEY. Ten minutes, please.

Mr. ALEXANDER. Mr. President, how much time remains?

The PRESIDING OFFICER. Eleven minutes 20 seconds.

Mr. ALEXANDER. Mr. President, I yield 10 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I probably will not use the full 10 minutes.

Mr. President, I have the utmost respect for the Senator from Oregon and the Senator from New Mexico. They are both members of the committee I chair. They are contributing members, very serious members of the Committee on Finance.

They are people who care deeply about providing health care coverage for our most vulnerable citizens.

I have listened with interest as my friend from Oregon talked with great passion about providing mental health services for these fragile individuals receiving public health services.

I share the commitment of the Senator from Oregon and the Senator from New Mexico to providing the necessary care to individuals with disabilities, our senior citizens, and mothers and their children.

And yet, knowing all this, I also have a concern that if their amendment passes, we will fail to enact meaningful improvements to the Medicaid system. If we fail to do that, we could ultimately end up hurting the very same individuals for whom we show so much concern.

I understand that the key feature of the Smith-Bingaman amendment would create a bipartisan Medicaid commission. I have said for a while there needs to be a common language associated with Medicaid reform. Republicans and Democrats alike do not agree even on what the word ''reform'' means when it is applied to Medicaid. Some believe it means curtailing costs. Others believe it means expanding coverage. A Medicaid commission could help bring us together in developing common themes and ideas of needed reforms.

However, the need to make some critical changes to Medicaid that would capture savings over the next few years and the creation of this commission are not mutually exclusive. We could have both.

If we simply let the program function in the way that it has been over the next few years, States will continue to be squeezed and will have no choice but to begin curtailing services for the elderly and the disabled. To some extent that has been happening in some States.

Everyone needs to realize when a State makes a decision to not serve Medicaid people and to save State dollars, that saves money at the Federal level, but that is not the wisest way to do this. The Federal Government should not be saving money because the States cannot do the things they need to do. What we need to do is give the States more leeway on serving their people in that particular State without assuming that we here in Washington have all the answers.

Quite frankly, we would be better off working together to see what could be saved, and save State dollars in an intelligent, rational way, and, at the same time, save Federal dollars in an intelligent, rational way, rather than making States do it in a crisis environment, which ends up saving us money at the Federal level. That is why it is necessary that we work together with the States to save this money. But you can also set up a commission that would make long-term suggestions on the change.

Now, I know that curtailing services for this class of people helped by Medicaid is not a scenario that Senators SMITH and BINGAMAN want to see unfold.

First, the Medicaid drug payment system is in significant need of reform. The average wholesale price system clearly overpays for drugs. Just as we took the average wholesale price out of Medicare in the Medicare bill 2 years ago, it seems to me we can and must change this payment system in Medicaid.

AWP, average wholesale price, is a flawed system, and we all know it. AWP is more known today as ''Ain't What's Paid,'' instead of what it really meant to say, ''Average Wholesale Price.''

Capturing savings by making this commonsense improvement is not inconsistent with a commission. While there is much that we can learn from a commission, we do not need a commission to tell us that the average wholesale price system of paying for drugs is flawed.

A recent General Accounting Office study showed that the best price system is also significantly flawed. If States are not getting the best price, it costs both the Federal Government and the State governments.

There is another Medicaid problem that we know about, and that is a proposal to crack down on the schemes that are currently legal whereby seniors divest themselves of their assets in order to qualify for Medicaid.

Mr. President, there is a virtual cottage industry that instructs seniors on how to give away their homes, properties, cars, and other assets in order for them to qualify for Medicaid. Surely, no one would agree this is in the best interest of the Medicaid Program, and surely you don't need a commission to tell us this.

The President has rightly put on the table new regulations that will govern asset transfers that allow a senior to go on Medicaid for long-term care. This commonsense proposal, as well, is not one that we need a commission to make and could ultimately save dollars so States can continue to spend the money on those who cannot afford care, as opposed to spending money on

people who can afford care. This would be serving the elderly and the persons with disabilities who are very low income.

While the change the President is suggesting is simple, we must, in addition, continue to discuss the proper role of Medicaid and long-term care. The commission Senators SMITH and BINGAMAN are proposing would be very useful in that context. However, we should not let the perfect be the enemy of the good. There are things we can do this year to make improvements in the Medicaid Program, and we should do that.

We should eliminate wasteful practices and we should help States get the flexibility they need to better manage their programs, saving both Federal and State dollars.

We know Medicaid's share of State budgets is growing at an unsustainable rate. Medicaid spending is growing so fast that it is beginning to rival education as a cost in some States.

If we take no action this year, we will continue to put States in the position of having to choose between supporting education and providing services to vulnerable populations.

I am going to continue to work with Secretary Leavitt. He has been working with a bipartisan group of Governors to identify areas of agreement for making changes in Medicaid.

I will commit the Finance Committee to a bipartisan process, where we keep in mind principles that guide us in producing better Medicaid. The Finance Committee will look at proposals that produce shared savings for the Federal Government and our State funding partners. The Finance Committee will look at proposals that emphasize State flexibility through voluntary options for States. The Finance Committee will do this while making a commitment not to eliminate coverage for Medicaid beneficiaries.

But I cannot be more adamant that doing nothing has negative consequences. If we don't eliminate wasteful practices, if we don't provide States the necessary flexibility—and that is something the Governors are asking for—and if we don't provide States relief, they are simply going to do what they have to do: cut people off the rolls in order to balance their budgets.

Doing nothing is far worse for Medicaid beneficiaries than a rational, reasoned approach to protecting and strengthening the program.

While I appreciate the intent of my colleagues, I must oppose the Smith-Bingaman amendment, and I urge my colleagues to oppose it as well.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 1 minute 14 seconds.

Mr. ALEXANDER. I thank the Senator for his commitment to work in a bipartisan way to create legislation that would give the States the flexibility they need to help people on the Medicaid Program and to restrain its growth and do it in a way that saves money for States and the Federal Government, that gives more flexibility, and then avoids cutting people off Medicaid.

I will sum up in this way. There is talk about fiscal discipline, about reducing the deficit. This is the only significant opportunity we have in this whole budget debate to reduce the growth of mandatory spending. What we are suggesting is, instead of letting it go up 41 percent, we let it go up 39 percent over 5 years. I suggest if we cannot do that, we cannot do anything this year, and we should not go home and say we are interested in fiscal discipline.

I don't believe there is anybody in this Chamber who is more of a defender of States than I am, but I believe that between March and October, we can take a few relatively minor steps, make a minor adjustment in the growth of spending, and give States important new flexibility.

I thank the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I ask unanimous consent that we amend the pending order of amendments being considered and add to the list Senator LIEBERMAN, from 9 to 9:30, on a homeland security amendment; Senator VITTER, from 9:30 to 9:45, on a port security amendment; and that at 9:45, Senator BROWNBACK be recognized for up to 15 minutes for debate purposes.

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

Mr. GREGG. Mr. President, I appreciate Senator CARPER being here, as his time is starting for a discussion on his amendment. The time on these amendments is going to run. If the Members don't show up, the time is still going to run. That will be their opportunity to put their amendment down and make their point. After Senator CARPER, I will note that Senators SNOWE and WYDEN will come on at 7 o'clock and then Senator HARKIN at 7:30, Senator ENSIGN and HUTCHISON are at 7:45, Senator LANDRIEU is at 8:05, Senator SANTORUM at 8:20, Senator VOINOVICH is at 8:35, Senator DORGAN is at 8:50. And we mentioned Senators LIEBERMAN and VITTER.

The PRESIDING OFFICER. There will now be a period of debate, equally divided, until 7 p.m. on the Carper amendment.

The Senator from Delaware is recognized.

AMENDMENT NO. 207

(Purpose: To provide for full consideration of tax cuts in the Senate under regular order)

Mr. CARPER. Mr. President, I have an amendment at the desk and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. CARPER] proposes an amendment numbered 207:

Strike paragraph (b) of Section 201.

Mr. CARPER. Mr. President, the amendment I offer this evening is actually a fairly simple one. It strikes the section of the budget resolution that gives reconciliation protection to some $70 billion in tax cuts. The amendment doesn't prohibit those cuts. It simply says if we are going to cut our taxes by another $70 billion, we either need to come up with a way to pay for that or to sort of offset that with the Treasury or we need to be able to produce 60 votes here in the Senate.

At a time when deficits are already high, I, for one, believe we should not make it any easier to dig the hole deeper.

Sometimes I like to quote a former Chancellor of the Exchequer, a British fellow, who used to say this, talking about the theory of holes:

> The theory of holes is when you find yourself in a hole, stop digging.

The amendment we offer here tonight is based in part on that theory of holes made famous by the Chancellor of the Exchequer. Faced with the kinds of deficits that we do face when we are cutting domestic programs, reconciliation should not be used for tax cuts that dig the deficit hole even deeper. Our Nation should be getting its fiscal house in order, not undermining the foundation of that house.

If proponents of additional tax cuts wish to cut taxes further, they should pay for them. They should offset them, in my view. We already have that requirement on the spending side of the Federal ledger. I believe we need to apply the same principle to the tax side. Now, the Senate voted on Senator FEINGOLD's and Senator VOINOVICH's amendment to reinstate pay-go requirements that require Congress to find offsets to pay for any new tax cuts or spending on any entitlement programs. My amendment takes the area of this budget resolution where we are actually spending more money—and that is $70 billion in tax cuts—and applies the pay-go standard.

As demonstrated by my vote on the Feingold-Voinovich amendment, I favor applying pay-go standards universally, both on the spending side and on the tax side. My views are pretty basic. I think when we are faced with budget deficits that are in the area of $400 billion again this year, if I or anybody else wants to raise spending, in effect making the deficit larger, I would have to come up with an offset for it.

If I can, I have to muster 60 votes for that offset. Similarly, in an era of $400 billion deficits, if I want to cut taxes, as well intentioned as that might be, but if doing so simply raises the budget deficit, I should be able to offer that amendment. My amendment says that anyone seeking to do so would have to muster 60 votes to cut taxes in a way that raises the budget deficit even further.

The reconciliation process is a fast-track procedure that was designed to facilitate the passage of deficit reduction legislation in the Congress. The process was intended to protect hard-to-pass deficit reduction legislation from a filibuster and to ensure that such legislation could pass with 51 votes rather than 60 votes in the Senate. In recent years, however, Congress has used these special procedural protections to make it easier to cut taxes, to increase deficits, and to increase our Nation's debt.

Tax cuts enacted in reconciliation bills in 2001 and again in 2003 cost the Treasury nearly $2 trillion over 10 years. The current tax reconciliation instruction would make it easier to pass an additional $70 billion in tax cuts without requiring that they be offset or paid for. This is the very opposite of the way these fast-track procedures were intended to be used, and the consequences for our fiscal situation have been mounting deficits and mounting debt.

When President Bush took office some 4 years ago, the Congressional Budget Office projected surpluses of $5.6 trillion over the next decade and that virtually all publicly held debt would be paid off by 2008. However, if we adopt the policies in this budget resolution, including these tax cuts, debt in 2008 will total $5.7 trillion based on CBO's estimate of this budget proposal. In a span of 4 years, we have really moved from a CBO projection of surpluses of $5.6 trillion over the next decade that would have enabled us to have paid off publicly held debt by 2008 to where we see ourselves in a situation where CBO says, no, forget that; rather, our debt in 2008 will be in $5.7 trillion—not paid off, it will have grown to $5.7 trillion.

This is not about being against tax cuts but about making the decision that at a time of unprecedented Federal budget deficits, if we are going to cut taxes further, those cuts ought to be offset.

Reconciliation evolved during the last period of large deficits to help Congress take the difficult steps necessary to balance the budget. It worked then and it can work again if we use these procedures to reduce deficits, not to make them larger.

My first tour of duty to Congress was at the beginning of 1983 as a Member of the House of Representatives. I had a lot to learn then. I still do. Among the things I needed to learn in 1983 was how the budget process worked because I did not understand it very well. I had been the treasurer of the State of Delaware for 6 years before that, and I was familiar with the budget process in my State, one that was similar to budget processes in many other States. In the State government in Delaware, the Governor proposes a budget sometime in the early part of a calendar year for a fiscal year that starts on July 1. There are hearings on the Governor's proposal. The legislature debates the Governor's proposal both for an operating budget and for a capital budget. Sometime before July 1, the legislature usually adopts an operating budget and a capital budget. We go out. We run the State. We use those budgets that have been adopted.

When I got here, I found out it was not that way at all. Sometime in the early part of the calendar year, the President proposes a budget that now kicks in around the beginning of the new fiscal year, around October 1. There are hearings before the Budget Committees in the House and the Senate on the President's budget proposal.

The next step is for the Congress to adopt a budget resolution, which is not a real specific budget; it is sort of a skeleton or a framework for the budget—roughly, we are going to spend our money in these areas, we are going to raise our money from these areas, and in the end hopefully it will all balance.

After we have adopted a budget resolution, we come back and put the meat on the bones, the meat being the 13 appropriations bills we have traditionally enacted that provide the real detail of the budget resolution.

At the end of the budget process, usually sometime in September, ideally, we do some cleanup in order to make sure that we are going to hit our balanced budget target or deficit reduction target. At the end of the process, we pass a reconciliation.

When the Budget Act was adopted in the mid-1970s, the notion was that budget reconciliation would be used to help make sure we made the tough decisions to cut spending or to raise revenues in order to balance our budget or to get us closer to a balanced budget. So keep in mind the initial idea, the reason we had reconciliation, was to ensure that the Congress made the tough decisions to reduce budget deficits—in fact, to try to balance our budget.

One of the great ironies today, is budget reconciliation has come to be used in an entirely different way. It is not used to help us make the tough decisions to reduce deficits, but, sadly, it is being used to make the deficits larger.

My point of view is this: Things are worth paying for whether they are veterans benefits, defense programs, education, or transportation. If they are worth having, we ought to pay for them. If we are not willing to raise the taxes to pay for them, we simply should not have as many or any of those programs in this country.

At the very least, I believe if we are going to allow a Member of the Senate to stand up and say, I want to raise spending on my favorite program, and we know that doing so makes the deficit bigger, there ought to be an offset. If they cannot come up with the offset to pay for that spending increase, they ought to be able to muster 60 votes to do so. I believe the same should apply if this Senator or any other Senator wants to come in and cut taxes, however well intentioned that might be. If doing so simply raises the deficit, we ought to have the right to offer that proposal, but if it is going to raise the deficit, we ought to also have to muster 60 votes just like we would on the spending side. So that is my amendment.

Will the Chair inform me as to how much time I have remaining?

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mr. CARPER. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. I yield to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I yield myself such time as I might consume.

Mr. President, some on the other side on several different occasions have trotted out several multiple arguments against the tax relief reconciliation instructions to the Finance Committee that I chair. Now, I am not going to get into any debate over whether budget reconciliation can, in fact, be used for tax legislation because there has been plenty of precedent established over the years in the Senate, whether the Senate has been controlled by Republicans or controlled by Democrats.

As an aside, though, I find it intriguing to consider the views of some on the other side feeling so strongly, as they have indicated, that partisan tax increases such as the 1993 tax hike legislation should enjoy expedited reconciliation process, and somehow our using that this year is wrong. They care not a whit about raising $1 trillion in taxes as was done in the 1993 tax bill on a party-line vote under the process that is called reconciliation, but talk about bipartisan tax relief in reconciliation and somehow they get very irate. It seems to be a big double standard, so I come to the floor not to debate these points. Rather, I want to tell you why we should have a reconciled tax relief package.

Let's look back just to the last Congress as a precedent. In that Congress, late in an election year, we passed a couple of tax relief proposals that were allegedly supported on both sides of the aisle. With an election facing them, many on the other side reluctantly supported extension of the family tax relief proposals. Keep in mind that conference vehicle was opened a year earlier—a year earlier. You would think something that passed just before the election should have been considered over the course of a year, but it was not. You would think it would be simple, by how it finally passed, but there were obstacles put in the path of it all the time.

We were not as lucky when we took up the FSC/ETI legislation. That bill was drawn up in a bipartisan way by Senator BAUCUS and this Senator. The bill came out of the Finance Committee with only two dissenting votes,

and those dissenting votes were Republican votes. Despite the bipartisan support, it actually took two cloture votes and the threat of a third cloture vote to break a Democrat filibuster on a tax relief bill Democrats claimed to support.

I have a chart behind me that represents goalposts on a football field. Tax relief bills have a way of becoming political footballs. We brought up the FSC/ETI legislation on March 3, 2004, and did not complete it until May 11, more than 2 months later, the same year. That is over 2 months to do a tax relief bill that had unanimous support from Democrats on my committee. Members, sometimes for partisan reasons, sometimes for other reasons, decide to filibuster by amendment or other tactics.

Now referring to another bill, referring to the charitable tax relief bill that we call the CARE Act, let me point out that we were unable to go to conference because of Democratic leadership objections over the years 2003 and 2004. Also, do not forget that we were unable to get energy tax relief because of a filibustered conference report.

So what happens? Reconciliation creates an opportunity for certainty. Reconciliation, obviously, is not my first choice. Reconciliation prevents must-do tax legislation from becoming political footballs, as you see the goalposts move from time to time. In this case, I had hoped that those who say they want to address issues such as alternative minimum tax hold harmless would not filibuster. If you say you care about expiring provisions that are going to expire this year, such as the college tuition deduction, you should care about reconciliation—if you want to get that done. It will be tough enough to address expiring tax relief provisions. There is demand for revenue of about $90 to $100 billion in this budget, and tax relief numbers of $70 billion. That means I have to find offsets for about a fourth of that, of $20 billion to $30 billion over 5 years, just to keep taxpayers where they are now. Not more tax relief—stopping existing tax policy from ending and having automatic increases in taxes. That will be tough enough without political football tactics of filibusters by amendment or otherwise, as we saw over the course of last year, that I am just using for an example.

But it is a lesson to be learned—to have a process in place where people who say they are for tax relief cannot say they are for tax relief and then stall the process forever and ever. Necessarily, I have to have a reconciliation option in this Finance Committee playbook. I appreciate the Budget Committee's efforts of providing that option. I urge my colleagues to retain that option. Otherwise you are not being realistic when you tell the folks back home that you support extending these tax relief provisions.

In other words, I would like to have us avoid the environment where people can say they are for something but then stall for 2 months to finally get it done, moving the football goalposts down the field. What reconciliation does is it gives us an opportunity to get done what people say they want done.

There are a lot of tax provisions that have to be worked on this year that have almost unanimous support. People can say they are for them but put roadblocks in the way, or move the goalposts to keep them from happening. Reconciliation is going to protect us from that sort of activity.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. CARPER. Mr. President, I would like to make a comment, and then I will yield time to Senator CONRAD.

For 8 years immediately before coming to the Senate I was privileged to serve as Governor of my State. During those 8 years we cut taxes 7 years out of 8. However, for 8 years in a row we also balanced our budget.

Tonight, as we gather here, we face a budget deficit for the year probably in the range of $400 billion again. We came off a budget deficit for last year of over $400 billion. Our Nation's trade deficit this year is expected to exceed $600 billion.

I say to my friends, that kind of lifestyle is not sustainable. We are not going to enjoy the standard of living that we do today if we continue down this path of spending ever more money as a country than we raise, and forever buying more from abroad than people buy from us—not by just a little bit but by a lot.

Our trade deficit for the month of January was, as I recall, about $60 billion. We can go back only as recently as 1990, and I think our trade deficit for the whole year was about $30 billion.

We are on a dangerous path. For us to continue willy-nilly along the same course is playing with fire. Again, the principle that is part of this, that really underlies this amendment, is if you have a big budget deficit and you want to cut taxes further, and it has the effect of raising the budget deficit, you can do that. But when you have a budget deficit of over $400 billion and as far ahead as we can see there is more red ink, we ought to make it a little more difficult to cut taxes and, frankly, we ought to make it more difficult to raise spending.

I yield to my friend from North Dakota, Senator CONRAD, for however much time he wishes to consume.

Mr. CONRAD. How much time is remaining on this side?

The PRESIDING OFFICER. Just under 8 minutes.

Mr. CONRAD. Would the Chair advise me after I have consumed 5 minutes?

The PRESIDING OFFICER. Certainly.

Mr. CONRAD. Mr. President, the more I listen to this debate about the budget, the more I feel as though I am in some time warp, or some sort of surreal out-of-body experience because the other side talks about the need for more tax cuts and more spending. They never talk about the fiscal condition of the country at this moment. They never talk about where it is all headed.

This is the circumstance we face tonight as we meet. This looks back to 1980. The green line is the revenue line, and the red line is the expenditure line of the Federal Government. The last time our Republican friends were in control back in the 1980s, we can see the expenditure line is way above the revenue line as a result of the massive deficits.

Then a Democrat took office, and the spending line came down steadily. The revenue line went up, and the result was we balanced the budget, we stopped using Social Security money for other purposes.

Then we got another Republican administration, and the revenue line collapsed, the spending line moved up, and the deficits again opened up dramatically. That is a fact. That is undeniable. That is what happened.

Our Republican friends are plenty ready to spend the money, but they do not want to raise the taxes to cover their spending, and they don't want to cut their spending to match their revenue. The result is deficits as far as the eye can see.

Here is what has happened since our Republican friends took over. The deficits have gone through the roof. It is not only the deficits, but the debt as well. The debt was $3.3 trillion—publicly held debt—and now it is headed for $9.4 trillion.

Our Republican friends come with a budget that they say is fiscally responsible, but their own numbers give lie to the rhetoric. If you look at their own budget document on page 5 where they estimate how much they are going to increase the debt each and every year of this budget, here is what it shows. They are going to increase the debt $669 billion this year, $636 billion next year, $624 billion the next year, $612 billion the next year, and $611 billion the fifth year. They say they are cutting the deficits in half, but the debt goes up every year by over $600 billion, according to their own estimates.

The Senator from Delaware comes with an amendment that says you shouldn't have special protection to further reduce the revenue base. You shouldn't have special protection that says we take the revenue base that has already collapsed and reduce it further with special protections from the traditional way of doing business in the Senate. Instead, if somebody wants to have more tax cuts, they should pay for them. There is an old-fashioned idea—pay for it. That is what the Senator from Delaware is saying. You can have more tax cuts, but pay for them, either reduce the spending to pay for them, or increase revenue somewhere else to pay for it, but don't tack it onto the debt. Don't add it to the deficit.

Don't shove this onto our kids. Don't add this onto the already burgeoning Federal debt. It is a conservative idea. It says let us pay for what we do around here.

I thank the Senator for his comments.

The PRESIDING OFFICER. Who yields time?

The Senator from Colorado.

Mr. ALLARD. Mr. President, I happen to think we need to take care of those taxes where they are expiring. If we don't deal with them, the rates are going to go up. We have a number of tax provisions that are within the 5-year window of the budget resolution that is before us. Three of them are what we refer to as economic growth, taxes we reduced, investment and job creation incentive, and taxes we reduced.

I think one of the most effective taxes in stimulating the economy is reduction of capital gains. It is set to expire within this 5-year window.

If you look as far back as the Kennedy administration, he reduced capital gains to create more income during his administration so he could spend on other programs. Because you cut taxes doesn't mean it is going to reflect a decrease in revenue to the Federal Government. We have seen that happen from time to time. It happened during the Reagan administration. It helped pay for defense spending. We have seen it in my State of Colorado.

Right now, we happen to have in my State of Colorado a modified national tax where we build off of the Federal tax bottom line form. One time we didn't, and we reduced capital gains in the State of Colorado and, lo and behold, revenues increased to the State of Colorado.

We have seen this happen now under the Bush administration with the tax incentives we put in place, which included a 15-percent tax rate on capital gains income, and included a 150-percent tax rate on dividend income, and increased 100 percent the deduction for small business expenses. Having done that, here is what we have seen happen.

February's nonfarm payroll growth exceeded analysts' expectations and was broad-based. We saw nonfarm payroll increase 262,000 in February, above the 225,000 median analysts' estimates, according to Bloomberg. It was the largest nonfarm payroll gain since October of 2004 and only the second gain of over 200,000 since last May. We saw 121 consecutive months of job gains, and have added more than 3 million new jobs to the payroll. The unemployment rate declined to 5.4 percent from 5.6 percent a year ago. Now it is below the 1980s peak of 10.8 percent, the 1990 peak of 7.8 percent, and the 2000 year peak of 6.3 percent, according to OECD, which is an international organization that looked at the unemployment rate in the United States and compares it to other countries. According to its rating, the unemployment rate in the U.S. is low again in comparison to our major trading partners.

The United States has 5.5 percent, France's unemployment rate is 9.6 percent, 4.1 percent higher than in this country, Germany is 9.8 percent, the Euro area is 18.9 percent.

We look at all these figures, and I don't see how anybody can deny the fact that those taxes where we reduced them for the purpose of driving the economy didn't work. It did work. It created more revenue for the Federal Government.

We can tax things to the point where you get very little revenue to the Government. I think we have been through an era where spending and taxing both have been on the higher side. When that happens, you decrease production, and the result is you have less revenue. Just raising taxes doesn't mean you automatically are going to get more revenue to the Federal Government. On the other hand, because you cut taxes doesn't necessarily mean you are going to get less revenue to the Federal Government. It depends on where your tax rate is.

We have seen time and time again where we took a tax such as capital gains, we reduced it in the Kennedy era, we reduced it in the Reagan era, we reduced it in local States, and we have seen the effects by the adjustments within the States. We have seen it happen recently with the budget tax incentive and, lo and behold, revenues increased to the Federal Government.

That is why Members such as myself feel it is important that we keep in the reconciliation process the opportunity to begin to extend these taxes. Obviously, they are not going to be extended permanently. I prefer to extend them permanently. Obviously, that is not going to be possible around here. I am willing to go ahead and extend them again further on a temporary basis and deal with them later.

If you are going to stimulate the economy, I think you have to turn to the small business sector. That is the real engine that drives this economy. It is the small business sector. That is where innovation occurs. That is where individuals can own their own business and be motivated to produce. We see that time and time again in this country. I have seen it in my State of Colorado.

I am a small businessman myself, having had a veterinary practice. I understand the vital role small business will play in economies of cities throughout this country. We had a 100 percent deduction for small business on expensing. That had a phenomenal impact on revenues to the Federal Government in a positive way. It is one of the taxes that increased revenue to the Federal Government. We saw such a dramatic drop in the unemployment rate.

It is important we not do away with the goose that laid the golden egg. We need to look at what has worked historically and we need to continue that policy. If we do that, we will continue to see our economy grow.

The President is on the right track. This budget is on the right track to, at the very least, extend out those taxes.

There are some Members that would have liked to have seen more in the reconciliation bill. The $70.2 billion that is in here that they are talking about is a bare minimum as far as I am concerned. I wish we had a lot more. I think we could have done more to further stimulate the economy.

It is not the government that creates new jobs, it is the small business people out here that are working. They are the ones who really create jobs. It is the free enterprise system in this country that creates jobs. When you create jobs, you can hold down government expenses and you can generate more revenue to the Federal Government.

There are other expiring tax provisions that the Finance Committee can look at. They are not what I would classify necessarily as economic growth. They do not stimulate economic growth when you reduce them necessarily, but they help to contribute to the environment that helps our economy grow. I look at some of these that will expire within this window and I hate to turn my back on them, because they are popular, many of them, among the American people. Relief from individual alternative minimum tax; the research and experimentation tax credit; the deduction for teachers' classroom expenses; deduction for qualified education expenses; deduction of State and local sales taxes; cutting the welfare-to-work tax credit, work opportunity tax credit, credit for electricity produced from wind, biomass, and landfill gasses, tax credit for hybrid fuel cell vehicles; the first-time home buyer credit; and expensing of brownfields for mediation. Just a few of those taxes that will be expiring within the 5-year window that is provided for in this budget.

My view is if these are worthy programs, we are much better off to reduce taxes in a way that stimulates those programs to grow than to say we will spend Federal dollars and promote these programs and subsidize these businesses. That is the wrong way. We are better off to keep a competitive environment by reducing taxes on some of these programs that are vitally important.

I firmly believe the President is on the right track. I firmly believe the tax cuts we have put in place since the President was first elected to office are working, and it would be very disappointing to me and I think it would be a wrong track to somehow or other turn our back on those tax incentives that have proved to do so much for improving the economy in this country and improving revenue not only to the Federal Government but the State governments. The figures are looking better among State and local governments.

I for one am going to stand and say, look, we need to have those provisions

in the budget because we want to continue to see economic growth so that we can continue to have a strong and competitive economy. If we just turn loose the free enterprise system, the American people will generate the revenue that we need to sustain our economy. We just need to give them the incentive to produce. We do that, we have done that in the past, and we need to extend these out. It is very important.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Delaware.

Mr. CARPER. How much time remains?

The PRESIDING OFFICER. Three minutes.

Mr. CARPER. My friend from Colorado has reflected on the fiscal behavior of his State and I reflected earlier on the fiscal policies of my own State of Delaware. We like to cut taxes from time to time in my State. We also understand that at the end of the day we need to balance the amount of money that is coming in with the amount of money we are spending.

There was a time when Delaware did not do such a good job of reaching that kind of balance. We were best in the country at spending more than we anticipated and writing in less than we estimated. In fact, we were the best in the country in that and ended with the worst credit rating in the country in 1977.

Whether it is Delaware, Colorado, or actually a country, we cannot forever live beyond our means. It is one thing to run budget deficits, which are a very small percentage of our gross domestic product, maybe for a short period of time. It is another matter when we run budget deficits which are a significant portion of our gross domestic product. When we look forward to the future, we do not see those deficits getting any smaller unless we assume we will not spend any money on Iraq or unless we assume we will not spend any money on Afghanistan and unless we assume things like we are not going to fix the alternative minimum tax.

We ought to fix the alternative minimum tax. I would like to extend the R&D tax credit. There are other provisions of the Tax Code I would like to extend as well. I am sure most of us would.

The point I am trying to make is this: If we elect to do those things, they have the effect of making our budget deficits larger and to increase our need to borrow money, then we ought to provide for an offset. We ought to provide for an offset by reducing the growth in spending in other portions of the budget or we need to collect more taxes, do a better job of collecting the taxes that are owed but not collected. We need to close some tax loopholes if there are things that are abusive that are part of our Tax Code in order to come up with the offset.

We cannot sustain this forever. As a nation, we cannot continue going around the world and borrowing ever larger sums of money to fund our national debt. We certainly cannot continue to buy so much more from other places around the world. This month alone $60 billion more we will buy from the rest of the world than we will sell. It is not sustainable. We need to instill a bit of old-fashioned common sense and fiscal discipline.

I started earlier talking about the Chancellor of the Exchequer theory of holes; my friends, we need to stop digging.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, could we be updated on the time situation.

The PRESIDING OFFICER. Earlier the Senator from Colorado yielded his time so there is no time on either side.

Mr. CONRAD. So the next amendment up would be Senator WYDEN; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. CONRAD. From 7 to 7:30 is the Snowe-Wyden amendment. We will put in a quorum call so they can prepare to offer their amendment.

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

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

Mr. ALLARD. Mr. President, we will recognize Senator SNOWE, and we will recognize her on the Democrats' time.

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

The Senator from Maine.

AMENDMENT NO. 214

Ms. SNOWE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. SNOWE], for herself, Mr. WYDEN, Mr. FEINGOLD, Mr. MCCAIN, and Mrs. FEINSTEIN, proposes an amendment numbered 214.

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

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

The amendment is as follows:

(Purpose: To ensure that any savings associated with legislation that provides the Secretary of Health and Human Services with the authority to participate in the negotiation of contracts with manufacturers of covered part D drugs to achieve the best possible prices for such drugs under part D of title XVIII of the Social Security Act, that requires the Secretary to negotiate contracts with manufacturers of such drugs for each fallback prescription drug plan, and that requires the Secretary to participate in the negotiation for a contract for any such drug upon the request of a prescription drug plan or an MA–PD plan, is reserved for reducing expenditures under such part)

On page 40, after line 8, insert the following:

**SEC. 1. RESERVE FUND FOR REDUCING EXPENDITURES UNDER MEDICARE PART D.**

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that provides the Secretary of Health and Human Services with the authority to participate in the negotiation of contracts with manufacturers of covered part D drugs to achieve the best possible prices for such drugs under part D of title XVIII of the Social Security Act, that requires the Secretary to negotiate contracts with manufacturers of such drugs for each fallback prescription drug plan, and that requires the Secretary to participate in the negotiation for a contract for any such drug upon the request of a prescription drug plan or an MA–PD plan, by the amount of savings in that legislation, to ensure that those savings are reserved for reducing expenditures under such part.

Ms. SNOWE. Mr. President, I rise today, along with my good friend and colleague, Senator WYDEN, to offer this amendment, and on behalf, as well, of Mr. FEINGOLD, Mr. MCCAIN, and Mrs. FEINSTEIN. The amendment would repeal the prohibition that we now have and was included in the Medicare Modernization Act that passed last year that would have prevented the Secretary of Health and Human Services from negotiating prescription drug prices.

I think, as we all know, prescription drugs are an indispensable part of modern medicine today. Drug coverage was not originally part of the Medicare Program. We deemed it, rightfully so, to be part of the new Medicare Program for the future.

As we all well know, not only do pharmaceuticals play a critical role, but also we have seen the dramatic rise in prescription drug prices as well. In fact, starting within weeks of passage of the Medicare Modernization Act, we saw a vastly increased cost estimate for the prescription drug benefit. Mr. President, $534 billion from the administration was the reestimate. In fact, we cannot even get the Congressional Budget Office to give us a net cost of this benefit, which seems to be not only escalating but also changing from time to time since the passage of this legislation. And I think we can expect that to be the case in the future.

So it is no surprise that the annual growth in the cost of the benefit will far outpace inflation. As this chart indicates, we see an upward trajectory of

drug prices that is two and three times the rate of inflation.

My good friend, Senator WYDEN, and I received a report from the Government Accountability Office, and the news was not good, as this chart illustrates, when you see drug prices going up two and three times the rate of inflation, especially so that this rate increased during the time of consideration of the Medicare Modernization Act. So you can see the major difference in the price changes that is two or three times over the rate of CPI.

It is actually even worse than what this graph would indicate. Those with fixed incomes, for example, have seen the long-term effects of the price increases that seniors are experiencing all across America, certainly in my State of Maine. A senior with $250 in monthly drug costs, in 1999, would need to spend $298 to purchase those same prescription drugs in 2003—not newer, not better drugs, but the same products.

But this is the trend. This trend indicates that purchasing power is eroding, and beneficiaries are not going to realize the full value, the full benefit, and the full promise of the act that passed that included this new Part D benefit.

Now, Senator WYDEN and I have introduced legislation repeatedly on the very question as to how we can maximize the value of this prescription drug benefit. It is in the interest of seniors. It is in the interest of taxpayers. It is certainly in the interest of good public policy.

One of the best tools we can give the Secretary of Health and Human Services is the ability to negotiate prescription drug prices. There was a prohibition in the Medicare Modernization Act, regrettably. There should not have been a prohibition. We should have been able to give the Secretary of Health and Human Services the same authority and prerogative that is utilized at the Veterans' Administration, that is utilized by the Department of Defense, very effectively, very successfully.

So why is it that the Secretary of Health and Human Services cannot have that same prerogative and the ability to control prices on prescription drugs, something that is utilized all across America, most certainly by seniors? It can make the difference between life and death, the progression of a disease that ultimately could result in more costly illnesses.

So that is what this is all about: whether we are prepared to give the Secretary of Health and Human Services the authority to negotiate prescription drug prices.

That is what our amendment does. It allows the Secretary to have that authority. It is permissive authority, but on the other hand, there will be two instances when it would be required. I think it would be in the interest of all of us to understand that this will be an improvement on the legislation that passed that provided the prescription drug benefit. One, as you know, there is a fallback provision in the legislation that passed. In areas of the country where there may not be competitive plans, we want to make sure those seniors, regardless of where they live in America—urban or rural areas—if there is a fallback plan, we want to make sure they get the best prices, competitive pricing.

That is why it would require the Secretary, in our amendment, to negotiate prices in those instances, so that they don't become victims of high prices because there is a lack of competitive plans to be offered in that particular area of the country.

The second instance would be, if providers would request assistance because the manufacturers are not negotiating in good faith. Again, that is another instance which we think would be desirable in the interest of good public policy to ensure that the Government is negotiating the very best prices because, ultimately, it is going to be the taxpayers. It will drive up the cost of the prescription drug plan that went from $400 billion up to $534 billion, and we don't have any idea how high it is going to go. CBO is not even prepared to estimate it at this time.

I cannot imagine why there would not be a willingness on the part of the Senate to embrace this approach and give the negotiating power to the Secretary of Health and Human Services. In fact, former Secretary Thompson indicated that he wished he had had that authority. At his press conference, during the time of his resignation as Secretary, he indicated:

> I would like to have had the opportunity to negotiate.

That is a very powerful statement coming from the former Secretary. He well understood that the vital ingredient for controlling the cost of prescription drugs was to have this negotiating power in order to ensure that we could maximize this legislation, this benefit on behalf of seniors, most certainly, and also on behalf of taxpayers. We have seen the annual increased projections of about 8.5 percent and the cost of the Part D benefit. I don't think any of us are under any illusion that if we, the Federal Government, don't have this ability to use and exercise this prerogative at key moments in time, we will lose and devalue this benefit for seniors because their purchasing power will erode quickly over time.

With that, I would like to yield to my colleague, Senator WYDEN of Oregon. I appreciate his leadership on this issue and working to make sure we have the very best initiative that would, hopefully, draw a majority of support in the Senate.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Parliamentary inquiry: I need to speak with the Senator from Colorado and the Senator from North Dakota. I haven't had a chance to speak. Senator SNOWE has done a superb job. In 3 or 4 minutes, I could sum up any additional comments. I know other colleagues want to speak and Senator STABENOW wants to speak. Could we work out something where we would have a few more minutes?

Mr. ALLARD. Before we work out that agreement, I would like to be able to give those Members in opposition an opportunity to speak. We had this time pretty well set between 7 and 7:30. The time was running when we were waiting. I would like to call on them and see how our time runs. That might be possible.

Mr. WYDEN. I think that is very fair. After Senator GRASSLEY is done, maybe we can work it out where I can have 4 minutes and Senator STABENOW can have 4 minutes.

Mr. ALLARD. We will see how the time goes. I will yield to Senator GRASSLEY first.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I would like to be notified when half of the time on this side is used. I want to reserve time for Senator HATCH. Will the Chair inform me?

The PRESIDING OFFICER. The Chair will do so.

Mr. GRASSLEY. Mr. President, the amendment by the Senator from Maine and the Senator from Oregon about the noninterference clause will not result in savings, and it is going to undermine a drug benefit that is not even up and running yet. I don't know how you can propose changes in legislation that effectively doesn't get started until January 1, 2006. How do you know things are not going to work until you have had some experience with it?

I have urged everybody to hold off on changing anything in the prescription drug bill until you actually see it functioning. It seems to me to be very difficult to work on a piece of legislation like this and try to change it before it has been operational.

First and foremost, let me be clear about something again. The Medication Modernization Act does not prohibit negotiations with drug companies. That could not be further from the truth. In fact, it requires the Medicare plans to negotiate with drugmakers for better prices. These negotiations are at the heart of the new Medicare drug benefit plan.

The absurd claim that the Government will not be negotiating with drugmakers comes from a noninterference clause in the Medicare law. This noninterference clause does not prohibit Medicare from negotiating with drugmakers. It prohibits otherwise the CMS from interfering with those negotiations that are provided for.

Let me be clear, the noninterference clause is at the heart of the bill's structure for delivering prescription drug coverage. This clause ensures those savings will result from market competition, rather than through price fixing by the Center for Medicaid Services bureaucracy.

Here is what is so funny about what we are discussing today. The same noninterference clause language that we have in the law right now was in the Daschle-Kennedy-Rockefeller bill and the Gephardt-Dingell-Stark bill in 2000. The Daschle bill was in 2002; the Gephardt bill was in the year 2000.

I want to read for you what this says:

In administering the prescription drug benefit program established under this part, the Secretary may not (1) require a particular formulary or institute a price structure for benefits; (2) interfere in any way with the negotiations between private entities and drug manufacturers, and wholesalers; or (3) otherwise interfere with the competitive nature of providing a prescription drug benefit through private entities.

Now, where did that language come from? It comes from the bill introduced by Senator Daschle and cosponsored by 33 Democrats, including Senator KERRY. They all thought their approach, which was incorporated in our legislation passed in 2003, and has now been dubbed by opponents of it, including the sponsors of this amendment, as ''preventing Medicare from negotiating,'' was a fine approach when it was suggested from the other side of the aisle.

In fact, at the time, this is what Senator Daschle had to say.

Our plan gives seniors the bargaining power that comes with numbers. . . . Our plan mirrors the best practices used in the private sector. For beneficiaries in traditional Medicare, prescription drug coverage would be delivered by private entities that negotiate prices with drug manufacturers. This is the same mechanism used by private insurers.

Just for the record, opponents now also have claimed that Republicans insisted on including the so-called ban in the Medicare Modernization Act that somehow we ''pushed through.'' I remind these people—and they are here right now—that the whole concept was developed by Democrats.

The Congressional Budget Office has concluded that the market-based approach in the new Medicare law will result in better, higher prescription drug cost management for Medicare than any other approach considered by Congress. That is the green eyeshade people in the Congressional Budget Office.

The PRESIDING OFFICER. The Senator is at 6 minutes.

Mr. ALLARD. Mr. President, I believe we have two speakers on this side who want 4 minutes apiece. I ask unanimous consent that we have 8 minutes on this side extended out and that we give Senator GRASSLEY another 4 minutes to wrap up his speech, and then another 4 minutes on the time of Senator HATCH, if we might. There have been some cancellations, and we can take it off the time later on.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRASSLEY. Okay. I quoted the Congressional Budget Office. Here is what the Congressional Budget Office said about eliminating the noninterference clause in a letter just last year:

The Secretary would not be able to negotiate prices that further reduce Federal spending to a significant degree.

The letter went on to say:

CBO estimates that substantial savings will be obtained by the private plans.

That is the way we wrote this bill and what the Senator is trying to change.

Now, we also have an analysis from the Chief Actuary for the Medicare Program. The Chief Actuary is required by law to provide independent actuarial analysis on Medicare issues. The Chief Actuary's report states the view that the Medicare prescription drug plans will achieve average cost reductions of 15 percent initially, and that these cost reductions will rise to 25 percent over 5 years.

The Chief Actuary has concluded that he does not ''believe that the current administration or future ones would be willing and able to impose price concessions that significantly exceed those that can be achieved in a competitive market.''

In fact, more astonishing, the Chief Actuary points out that if Medicare establishes drug price levels, it will reduce competition, not increase it. Their report states:

Establishment of drug price levels for Medicare by the Federal Government would eliminate the largest factor that prescription drug plans could otherwise use to compete against each other.

Further, their report points out that the past experience in the Medicare Program does not give one much, if any, confidence that Medicare will do a good job in setting prices. Far from it. As confirmed by the Actuary's report, prior to the enactment of the prescription drug bill, drugs in Part B ''were reimbursed at rates that, in many instances, were substantially greater than prevailing price levels.'' So Medicare does not have a very good track record when it comes to price negotiations.

So let me be clear: Direct Government negotiations is not the answer. The Government does not negotiate drug prices. The Government sets prices, and it does not do a very good job at that.

The bill's entire approach is to give seniors the best deal through vigorous market competition, not price controls. Again, a quote from Senator Daschle when he outlined the principles of his Medicare prescription drug benefit:

Fifth, we should take a lesson from the best private insurance companies: Cost-savings should be achieved through competition, not regulation or price controls.

Even The Washington Post editorial page wrote on February 17, 2004:

Governments are notoriously bad at setting prices, and the U.S. Government is notoriously bad at setting prices in the medical realm.

The Congressional Budget Office said that such a proposal ''could generate no savings or even increase Federal costs.''

So we did not rely on Government price-fixing but instead created a new drug benefit that relies on strong market competition, an approach relied upon by the MEND Act as introduced by Senator Daschle and cosponsored by 33 Democrats.

The new Medicare drug benefit creates consumer choices among competing, at-risk private plans. The Medicare plans will leverage the buying power of millions of beneficiaries to lower drug prices. I urge my colleagues to oppose efforts to repeal the noninterference clause and oppose efforts to get the Government involved in setting drug prices. It is a prescription for higher costs and undermining the competitive market in the Medicare bill that will result in lower drug costs. Let us not interfere with that with some sort of attempt to strike the so-called noninterference clause.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, every time one turns around, the costs of the prescription drug program go up and up. The bipartisan Snowe-Wyden proposal is the only proposal that is being offered in the Senate to take steps to protect taxpayers and seniors. This does not undermine anything. Nothing is going to change other than the Snowe-Wyden legislation provides an additional tool in order to hold down the costs and protect taxpayers.

Without this proposal, Medicare is going to be like a fellow standing in line at the Price Club buying toilet paper one roll at a time. Nobody in America shops that way. If one is buying a car or buying anything at a store, they try to get the best value. That is what this legislation is all about. In fact, the only areas where anything is required is when the private sector says an additional boost in bargaining power is necessary or in the case of what are called the fallback plans which are so important in the rural areas where there are no restraints at all in terms of what can be charged.

Given the mounting concern about the cost of this program, where it has gone up almost every couple of months since it was signed, I would think that the other side, the opponents of the Snowe-Wyden legislation, would say: All right, we are going to oppose Snowe-Wyden, and here is our proposal. The fact is, the other side seems to say the status quo is just fine. The status quo with the costs going into the stratosphere is something that apparently they are not too upset about. Senator SNOWE and I see it differently. We believe it is important to provide an additional tool, the kind of tool that is used in the private sector, and we think it will be meaningful.

Ultimately, this vote is a vote about whose side the Senate is on. If my colleagues vote for this bipartisan legislation, they stand with taxpayers and seniors who would like this additional tool so that marketplace forces can be

used to hold down costs. If my colleagues vote against this, in effect they are voting for the status quo because, I would just emphasize, there is no other proposal being offered by the opponents. They seem to say everything is fine.

We do not. We think there is a bipartisan approach that makes sense. It is the approach that is used every single day in the private sector of this country. It uses marketplace forces to get the best possible deal, and ultimately what the Snowe-Wyden proposal is all about is whether common sense is going to prevail.

I hope my colleagues will support it. Several additional colleagues—Senators LEAHY, CANTWELL, and KOHL—would like to serve as cosponsors.

I particularly want to thank Senator CONRAD for his patience as this has been developed and gone through various iterations. I note my friend Senator HATCH, who has great expertise in this area as well, wants to speak.

I wrap up by thanking Senator SNOWE. We have been at this for 4 years. Both of us support this legislation. This is an important effort to try to get it right. When we started, nobody expected that the costs would escalate the way they have. This is likely to be the only vote the Senate gets to cast this year on prescription drug cost containment. I hope my colleagues will not pass up the opportunity to take a bipartisan step in the right direction, the direction of making this program work at a critical time when seniors are going to start signing up for the benefit that starts next year.

I yield the floor.

The PRESIDING OFFICER. Who seeks time?

The Senator from Michigan.

Ms. STABENOW. Mr. President, I appreciate my colleagues allowing additional time for me to speak. I thank my friends who have introduced this amendment, which I am so pleased to be cosponsoring, Senators SNOWE and WYDEN, for their ongoing leadership. I very much appreciate their leadership and eloquence in talking about this issue.

I find it interesting in this debate that Senator Daschle is used in quotes from the other side, from the distinguished chairman of the Finance Committee. The reality is that was a different proposal. That was a Medicare prescription drug benefit very different than what we ended up passing.

What is most important is that the former Secretary of Health and Human Services, Tommy Thompson, said as he left office that he would have liked to have had the opportunity to negotiate lower prices. If that was in the bill, why, when he left, did he say he wished he had the ability to negotiate lower prices? I am sure it is because the former Secretary knows what every smart buyer knows, that in the marketplace, the more you buy of anything, the better deal you get. That is what we are talking about.

Right now, today, the only entity in the country that cannot negotiate for lower group prices is Medicare. What sense does that make when we are talking about precious dollars going to seniors and the disabled to buy medicine in this country. What sense does that make? States, Fortune 500 companies, large pharmacy chains, the Veterans Administration—they can all use bargaining clout to obtain lower drug prices for the patients they represent. In fact, the Veterans Administration has had great success in negotiating lower prices; in some cases, as much as 65 percent.

I am told, and I have seen studies that show, if we gave the same bargaining authority to Medicare that the VA has, you could actually close the gap in the prescription drug benefit. There is enough savings that you could close the gap so that everyone would be receiving prescription drugs without what has been commonly called the donut hole.

These are huge savings. As a member of the Budget Committee, I have watched the numbers go up for the Medicare bill. We thought it was $400 billion. Now CBO says $593 billion and counting over the next 10 years.

We have to do something, provide the tools for Health and Human Services to be able to negotiate, to be able to lower those prices. Right now we have a situation where that is not allowed. It makes absolutely no sense.

When I talk to people at home and they ask me, Why in the world Medicare is prohibited from using their full force to be able to negotiate, I say it is crazy. This makes absolutely no sense, unless you are one of those folks who does not want them negotiating, in terms of the prices.

So I urge the adoption of this amendment and thank my colleagues again for doing an outstanding job in putting it together. I urge the Snowe-Wyden amendment giving the Secretary of Health and Human Services the authority to negotiate drug prices on behalf of seniors and the people of our country with disabilities be agreed to. It would be wonderful to see a very strong bipartisan vote in favor of this very important amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from Utah.

Mr. HATCH. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 9 minutes and 43 seconds.

Mr. HATCH. For a minute there I was so out of it tonight when you were talking, I thought it was about the ''Snow-White'' amendment instead of Snowe-Wyden. It took me a little while to catch on here. I just couldn't resist that.

I have to say, I sat through all these meetings and I never once heard Secretary Thompson say that he wanted this authority. In any event, let me just speak about the Snowe-Wyden amendment, which they are trying to make into the ''Snow-White'' amendment, it seems to me.

In my opinion, this amendment guts one of the most important provisions of the Medicare Modernization Act of 2003.

Supporters of this amendment imply, wrongly in my opinion, that the price charged to beneficiaries is not subject to negotiation. That could not be further from the truth. The truth is, Medicare prescription drug plans will be negotiating with drug makers. These negotiations are the very heart of the new Medicare drug benefit. We do not want to open the door to Government price controls for prescription drugs.

The noninterference clause in the Medicare Modernization Act does not prohibit Medicare from negotiating with drug makers. It prohibits CMS from interfering in those negotiations. That is a far cry from some of the earlier statements that have been made on this floor regarding this provision.

I happen to care a great deal for the two sponsors of this amendment. I have worked very closely with them throughout their tenure and my tenure in the Senate. But they are simply wrong on this amendment.

Let me be clear, the non-interference clause is at the heart of the law's structure for delivering prescription drug benefits. This clause ensures those savings will result from market competition, rather than through price fixing by the CMS bureaucracy. That is what was behind this. Let's not distort these provisions.

What is ironic about what the other side is saying is that the same non-interference clause was in the Daschle-Kennedy-Rockefeller bill and the Gephardt-Dingell-Stark bills in the year 2000, as has been explained by our distinguished chairman of the Finance Committee.

In administering the prescription drug benefit program established under this part, the Secretary may not—No. 1, require a particular formulary or institute a price structure for benefits; No. 2, interfere in any way with negotiations between private entities and drug manufacturers, or wholesalers; or No. 3, otherwise interfere with the competitive nature of providing a prescription drug benefit through private entities.

What is the source of that language? It is from S. 2541, the Medicare Expansion for Needed Drugs, or MEND, Act, introduced in 2000. Think about it, some of the very people who are criticizing this provision in the Medicare Modernization Act tonight supported this language in 2000.

I must remind my colleagues that former Senator Daschle once said:

> Our plan gives seniors the bargaining power that comes with numbers. . . . Our plan mirrors the best practices used in the private sector. For beneficiaries in traditional Medicare, prescription drug coverage would be delivered by private entities that negotiate prices with drug manufacturers. This is the same mechanism used by private insurers.

Think about that. I think those who advance these arguments that you cannot have competitive work with regard to drug pricing are wrong and ought to quit playing politics with a bill that is so important for senior citizens all over this country.

Those who suggest this non-interference language will drive up the cost of implementing the law simply do not have the facts or the legislation on their side.

This is what the CBO said about eliminating the non-interference clause in a letter last year:

[T]he Secretary would not be able to negotiate prices that further reduce federal spending to a significant degree.

I do not ever recall, and I sat through all of the meetings, day after day, hour after hour—I do never recall Secretary Thompson asking for that authority.

The CBO in that letter went on to say:

CBO esimates that substantial savings will be obtained by the private plans.

Now, let us be clear: Direct Government negotiation is not the answer. The Government does not negotiate drug prices. That would be price control, and it would inevitably cause prices to rise as companies would not be able to do business in this country as they have in the past.

The Medicare Modernization Act's entire approach is to get Medicare beneficiaries the best deal through vigorous market competition, not price controls.

Let me conclude by saying that this amendment is not something that is in the best interest of our Medicare beneficiaries. Medicare beneficiaries do not want or need the Government to determine the cost of their drugs. Price fixing will lead to higher costs and does that help or hurt beneficiaries? I think everyone in this body knows the answer to that question but let me be clear—voting in favor of this amendment is not in the best interest of beneficiaries because they are going to have to pay more money for their prescriptions. Voting for this amendment will take away choice in prescription drug coverage—if this amendment passes, drug prices will not be dictated by the free market, they will be dictated by the Federal Government. I urge my colleagues to vote no on the Snowe-Wyden amendment.

Frankly, let me just make that point one more time: The Medicare Modernization Act does not prohibit Medicare from negotiating with drugmakers.

It prohibits CMS from interfering in those negotiations. That is a fact.

I urge my colleagues to vote no on the Snowe-Wyden amendment.

I appreciate my colleagues' desire to straighten out some of these matters, but the fact of matter is they are wrong on this issue and we should vote this amendment down.

Mr. ALLARD. Mr. President, I yield 2 minutes to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine.

Mrs. SNOWE. Mr. President, I thank the Senator. I want to make some closing comments on behalf of myself and Senator WYDEN because it is important to reiterate several facts about this approach.

First of all, the point is the Medicare Modernization Act included a direct prohibition against the Secretary's authority to negotiate, an authority that is already utilized by the Veterans Administration and the Department of Defense. That is a fact.

The second fact is those soaring costs with respect to the Part D program as we know it. Within a month after the enactment, we had a restatement from the administration of $534 billion. The CBO isn't even prepared to give a net cost of that legislation. We only expect that the price is going to go up, up.

As Senator WYDEN indicated, the only tool we have to negotiate prices to keep those prices low, particularly in situations, for example, where the Congressional Budget Office indicated to us in a report that with sole-source drugs, where there are drugs that have no competition, we will realize savings. That is a responsibility we have to seniors and to the taxpayers with respect to this program.

Finally, it is indicated that Secretary Thompson made this comment. He said, ''I would like to have the opportunity to negotiate.''

He was asked a question in his final press conference as Secretary of Health and Human Services. The question was, ''You listed the drug benefit as one of your proudest achievements. Was there anything you really pushed for in that bill that didn't get in or that you would like to see Medicare tackle in the future?''

Note the fact that the question didn't even suggest negotiations. But his answer was, ''I would like to have had the opportunity to negotiate.''

And for good reason, because the Secretary understood that the price of this program and the price of the benefit was only going to go in one direction, and that is up.

It defies logic that we would not allow the Secretary to have the ability to negotiate the very best prices in certain instances and in other instances which the Secretary deems worthwhile.

A final point: In a recent poll, 80 percent of the American people believe the Secretary should have the ability to negotiate on their behalf.

In the final analysis, this is the amendment that is going to save money—save money in the drug program, save money to the taxpayer, save money to the seniors.

It is hard for me to believe anyone would ultimately reject it.

I again thank Senator WYDEN for all of his support and leadership over the last few years to make this happen.

Mr. MCCAIN. Mr. President, I am pleased to lend my strong support for the amendment by Senators SNOWE and WYDEN.

Less than 2 years ago, Congress passed a massive expansion of our Nation's entitlement system, the Medicare Modernization Act, MMA, which added costly prescription drug coverage to the Medicare Program. At that time, we were told that the new benefit would cost an estimated $400 billion over 10 years a figure many of us believed to be far lower than the actual cost. Today, the same package is estimated to cost between $534 billion to $1.2 trillion over the next 10 years. Those costs can only be expected to grow further.

To add insult to injury, language was added to MMA which explicitly prohibited the Secretary of Health and Human Services from engaging in negotiations directly with drug companies. This language was included deliberately, even though other departments in the Federal Government and State governors, under the Medicaid Program, have similar authorities. Prohibiting the Secretary of Health and Human Services from engaging in such negotiations is an offense against the American taxpayer.

Earlier this year, I joined Senators SNOWE and WYDEN in introducing legislation which would amend the MMA and allow the Secretary to negotiate lower drug prices. The amendment we are debating now calls for those savings to be used for debt reduction a worthy goal given the massive burden we added to future generations through the passage of MMA.

I voted against the passage of MMA because I believe we can no longer afford to flagrantly spend taxpayer dollars and saddle future generations with the enormous burden of these programs, the cost of which is spiraling out of control. With the passage of that package, we missed a great opportunity to enact reforms that would have helped to ensure the Medicare program's financial solvency. Congress has an obligation to remedy that mistake and the Snowe/Wyden amendment is a good first step.

I strongly urge my colleagues to supporting this important amendment.

Mr. ALLARD. Mr. President, I ask unanimous consent that we give time limits from 7:45 to 8 p.m. for HARKIN on his education amendment; from 8 to 8:20 for ENSIGN-HUTCHISON on border security; 8:20 to 8:35 for LANDRIEU on National Guard; 8:35 to 8:50 for BUNNING on the AIDS budget process; and, after that time, we are expecting that maybe we are going to have some speakers drop out and we can ask for additional time as we need it.

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

The Senator from Iowa.

AMENDMENT NO. 172

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself, and Mr. KENNEDY, Mr. LEVIN, Mr.

KOHL, Mr. DODD, Mr. DURBIN, and Mrs. MURRAY, proposes an amendment numbered 172.

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

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

The amendment is as follows:

(Purpose: To restore the Perkins Vocational Education program and provide for deficit reduction paid for through the elimination of the phase out of the personal exemption limitation and itemized deduction limitation for high income taxpayers now scheduled to start in 2006)

On page 3, line 10, increase the amount by $1,400,000,000.

On page 3, line 11, increase the amount by $2,800,000,000.

On page 3, line 12, increase the amount by $4,600,000,000.

On page 3, line 13, increase the amount by $6,500,000,000.

On page 3, line 14, increase the amount by $8,500,000,000.

On page 3, line 19, increase the amount by $1,400,000,000.

On page 3, line 20, increase the amount by $2,800,000,000.

On page 3, line 21, increase the amount by $4,600,000,000.

On page 4, line 1, increase the amount by $6,500,000,000.

On page 4, line 2, increase the amount by $8,500,000,000.

On page 4, line 7, increase the amount by $1,380,000,000.

On page 4, line 8, increase the amount by $1,430,000,000.

On page 4, line 9, increase the amount by $1,490,000,000.

On page 4, line 10, increase the amount by $1,550,000,000.

On page 4, line 11, increase the amount by $1,610,000,000.

On page 4, line 16, increase the amount by $40,000,000.

On page 4, line 17, increase the amount by $1,040,000,000.

On page 4, line 18, increase the amount by $1,350,000,000.

On page 4, line 19, increase the amount by $1,480,000,000.

On page 4, line 20, increase the amount by $1,540,000,000.

On page 4, line 24, increase the amount by $1,360,000,000.

On page 4, line 25, increase the amount by $1,760,000,000.

On page 5, line 1, increase the amount by $3,250,000,000.

On page 5, line 2, increase the amount by $5,020,000,000.

On page 5, line 3, increase the amount by $6,960,000,000.

On page 5, line 7, decrease the amount by $1,360,000,000.

On page 5, line 8, decrease the amount by $3,120,000,000.

On page 5, line 9, decrease the amount by $6,370,000,000.

On page 5, line 10, decrease the amount by $11,390,000,000.

On page 5, line 11, decrease the amount by $18,350,000,000.

On page 5, line 15, decrease the amount by $1,360,000,000.

On page 5, line 16, decrease the amount by $3,120,000,000.

On page 5, line 17, decrease the amount by $6,370,000,000.

On page 5, line 18, decrease the amount by $11,390,000,000.

On page 5, line 19, decrease the amount by $18,350,000,000.

On page 17, line 16, increase the amount by $1,380,000,000.

On page 17, line 17, increase the amount by $40,000,000.

On page 17, line 20, increase the amount by $1,430,000,000.

On page 17, line 21, increase the amount by $1,040,000,000.

On page 17, line 24, increase the amount by $1,490,000,000.

On page 17, line 25, increase the amount by $1,350,000,000.

On page 18, line 3, increase the amount by $1,550,000,000.

On page 18, line 4, increase the amount by $1,480,000,000.

On page 18, line 7, increase the amount by $1,610,000,000.

On page 18, line 8, increase the amount by $1,540,000,000.

On page 30, line 16, decrease the amount by $1,400,000,000.

On page 30, line 17, decrease the amount by $23,800,000,000.

On page 48, line 6, increase the amount by $1,380,000,000.

On page 48, line 7, increase the amount by $40,000,000.

On page 48, line 9, increase the amount by $1,430,000,000.

On page 48, line 12, increase the amount by $1,490,000,000.

Mr. HARKIN. Mr. President, I understand I have 7½ minutes. I yield myself 5 minutes.

The budget resolution for 2006, which we are now considering, essentially calls for the elimination of funding for an enormously effective and popular education program called the Perkins Vocational and Technical Education Act, which we all know as Voc Ed, vocational education. This amendment restores the funding to Perkins vocational education and also reduces the deficit by billions of dollars in the future.

The costs of these needed steps, restoring vocational education and reducing the deficit, are offset by rescinding two new tax cuts for the wealthy, tax cuts which have not even gone into effect yet, the so-called PEP and Pease phase-out provisions.

The budget resolution currently calls, under the President's proposal, for eliminating funding for vocational education while allowing these two new tax cuts, which will cost $23 billion in the coming 5 years and $146 billion in 10 years that follow, with 97 percent of the benefits going to those earning at least $200,000 a year.

That is what this chart shows. The distribution of tax benefits under the phase-out of PEP and Pease, 54 percent go to people making over $1 million when it is fully phased in. Another 43 percent go to those making $200,000 to $1 million a year—97 percent of all the benefits of these tax provisions which hasn't even gone into effect yet. It goes into effect next year unless we do something about it. Ninety-seven percent goes to people making over $200,000 a year.

We have choices. To govern is to choose. We have a choice. We recently restored the Vocational Education Act, the Perkins Act, on a bipartisan vote of 99–0.

We know that vocational education makes possible a broad range of technical education programs and vocational programs for millions of young people and adults. Vocational education combines classroom instruction, hands-on lab work, on-the-job training, and it is a true lifeline for students at risk of dropping out of school.

In Iowa alone, elimination of the Perkins Vocational Education Program would directly impact 93,000 high school students and more than 337,000 community college students. The impact nationwide would be a disaster for millions of students.

The only way that we can be assured of saving vocational education, the Perkins Program, is by adding more overall funding to the education budget for that purpose. That is it. That is the only way it can be assured. And that is what my amendment accomplishes.

But, moreover, my amendment reduces the deficit as well. By rescinding these two tax cuts which haven't taken effect yet—they take effect next year—and after they would fully be in effect, we then begin to save $146 billion over the next 10 years.

When the phase out of PEP and Pease, as they are called, were passed in 2001, the phase-out—I guess the case could be made that they were affordable. Thanks to the budget surpluses that President Bush inherited from President Clinton, we were looking at a cumulative surplus of over $5 trillion over the coming decade, enough to eliminate the national debt and then some. That was then and this is now. Now we are looking at projected deficits in excess of $200 billion a year for as far as the eye can see—annual deficits in excess of $500 billion a year, a decade from now, if we keep on this way.

It makes good sense to eliminate these two proposed tax cuts. We are not rescinding anything that has gone into effect. They start next year. There is no reason they should start next year.

Let us have some common sense here. This amendment says we will fully restore vocational education and we will reduce the deficit. And the people who are making over $200,000 a year I don't think really need this tax cut. People making over $1 million a year don't need it. But I will tell you who does need it—kids who need vocational education in the United States. And, the American people need to avoid an added $146 billion deficit explosion that will occur in the decade after these tax provisions take effect in 2010. That is who needs this.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. How much time does the Senator from Iowa have?

The PRESIDING OFFICER. The Senator from Iowa has 1 minute 54 seconds and the Senator from New Hampshire has 7½ minutes.

Mr. GREGG. Mr. President, this amendment is like a lot of other amendments that are being brought

forth. It is well-intentioned. I don't deny that. But its practical implication is that it significantly raises spending and significantly raises taxes and it does not necessarily accomplish the goals which the Senator from Iowa wishes to accomplish.

The Senator from Iowa states he wishes to allocate more money to vocational education. The budget does not do that. The budget has virtually no impact on that other than to set a top-line number which in this case is $843 billion, which is divided between the Defense Department and the nondiscretionary defense spending of the Federal Government. The nondefense discretionary number is approximately $444 billion. Within that are a lot of accounts, one of which is vocational education. How that money flows is not controlled by the budget. The budget has no legislative, statutory effect on those accounts other than to set a top-line number and then allow the committees of jurisdiction to make the decision as to how that money will be spent.

In fact, the history has been that although the Budget Committee makes suggestions as to how money should be spent, and it actually has a number of different functions, those functions do not correspond to the various appropriating committees of the Senate and the Appropriations Committee, and the authorizing committees tend to generally ignore the suggestions of the Budget Committee relative to specific programs. If they did not ignore us, I would be much more specific, but I have learned it is a pointless exercise to try to tell appropriators or authorizers what to do relative to specific programs.

We give the Appropriations Committee a top-line number and we say to the authorizing committees they have to reconcile or you have this much money available under the mandatory accounts. But beyond that, we do not have a whole lot of impact on how they spend that money other than to say this is how much you have.

So it is the Appropriations Committee that makes that decision. The Senator from Iowa actually has a unique role relative to education because he has been both the chairman and he is now the ranking member of the subcommittee on Appropriations. I am sure he takes the position, as I am sure his ranking member has, because he has already offered an amendment that has been adopted, that there is not enough education money that is going to be allocated to his subcommittee for him to do everything he wants to do or for the subcommittee to do everything they want to do. I serve on that subcommittee. But that is our role around here. The priorities should be set by us, the different chairmen of the different appropriating committees and the ranking members, and we should move forward from there.

We should not, however, in my opinion, do a general raising of spending and a general raising of taxes which is what this does. Rather, we should live within the proposed levels of spending.

In the area of education, it should be pointed out this administration has sent up their ideas and, yes, in their ideas they suggest vocational education should be adjusted in the way it is funding. But this administration has a unique position over education. They have dramatically increased funding for education over the last 4 years. They increased it over the Clinton years by something like 40 percent. They have chosen as an administration, and I think it is probably the right choice, to pick certain elements of Federal activity and to fund those elements aggressively and recognize the Federal Government cannot be all things to all people, but it does have responsibility in specific areas and it should pursue those responsibilities aggressively. That is what they have done. They have increased funding for special education by somewhere around 60 percent; increased funding for title I by 45 percent. They have increased funding for No Child Left Behind by 46 percent. They have increased funding for the Pell grants, and I don't remember the exact figure, but it is a double-digit increase. Those are the accounts they have decided to focus on.

This bill assumes they will continue that effort, but that is not necessarily what will happen. The Appropriations subcommittee of which the Senator from Iowa is ranking member will have the opportunity to do what they wish. They can put the extra money into title I, they can put the extra money into special education, they can put the extra money in No Child Left Behind, or they can put more money in the Pell grants or into the program they decide is appropriate and that they think is a priority.

This budget itself has significantly focused on education. We set a reserve for higher education with $35.5 billion made available to the Education Committee to allow them to put in place a new and more aggressive higher education bill.

We have proposed in this bill an additional almost half a billion over what the President requested as the top line—in other words, instead of having a top line of $843 billion, we have a top line of $843.5 billion and the reason is because we expect that extra $500 million to be put into the Pell grants for next year and raise those grants from $4,050 to $4,150.

In addition, we suggested in this bill a proposal to the Education Committee—I hope they will follow it; they don't have to—which would allow them to increase Pell grants up to $5,100, a massive increase in Pell grants for students who go to school over 4 years either to a community college and vocational college and then move on to traditional college. Huge commitments which we have suggested can be accomplished under this budget.

The budget is aggressive in the context of a fiscally restrained effort in the area of education. This administration's record on education has been strong and vibrant over the last 4 years, uniquely so compared to the Clinton administration before and the budget itself, and I have to reinforce this point, does not address line items. So when you offer a bill, an amendment like this, all you are doing is spending more and taxing more. You are not necessarily in any way adjusting the budget.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I respectfully answer my friend from New Hampshire, first talking about priorities. This is priorities, all right. You want a tax provision that goes into effect, starts phasing in next year that 97 percent of the benefits go to people making over $200,000 a year; or do you want to fund vocational exercise? It is as simple as that. Who gets these tax breaks? When fully phased in, those with over $1 million income, you get $20,000 a year, and if you are under $75,000, you get a big fat zero.

It is about priorities. My friend from New Hampshire said something about raising taxes. All we are saying is a tax that has been in effect for 15 years will continue and will not be phased out. We are not raising anyone's taxes at all.

Third, I point out this is the first budget in 10 years that has a reduction in education. My friend from New Hampshire says, well, we can make the decision in Appropriations about what we want to do. It is like this. This is what my friend from New Hampshire has presented. It is like a puzzle as this chart shows. We have Pell grants, we have afterschool, we have title I, special education, bilingual, impact aid, all in this box. We have the money for that. He says, well, if you want to put voc in, put it in, but if you put it in, take a piece out.

Would the Senator from New Hampshire tell us which of these to cut? Ed tech or TRIO are all left out, but this is the box we are in.

The Senator from New Hampshire says, well, you can put it back in. But that means we have to take out special education or title I. The only way to do it, I say, is to enlarge the box. And that is what we do with this amendment.

The PRESIDING OFFICER. The next 20 minutes is devoted to the amendment of the Senator from Texas.

The Senator from Texas is recognized.

AMENDMENT NO. 218

Mrs. HUTCHISON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for herself, Mr. ENSIGN, Mr. DOMENICI, Mr. CORNYN, Mr. KYL, Mr. MCCAIN, and Mrs. FEINSTEIN, proposes an amendment numbered 218.

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

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

The amendment is as follows:

(Purpose: To fully fund the level of Border Patrol Agents authorized by National Intelligence Reform Act of 2004 and as recommended by the 9/11 Commission)

On page 23, line 16, increase the amount by $352,400,000.

On page 23, line 17, increase the amount by $317,000,000.

On page 23, line 21, increase the amount by $35,400,000.

On page 9, line 15, decrease the amount by $352,400,000.

On page 9, line 16, decrease the amount by $317,000,000.

On page 9, line 20, decrease the amount by $35,400,000.

Mrs. HUTCHISON. Mr. President, this is an amendment cosponsored by myself and Senator ENSIGN. Senator ENSIGN has done so much work in this area on the intelligence reform bill, assuring there would be 2,000 authorized Border Patrol agents. We also have as cosponsors Senators DOMENICI, CORNYN, MCCAIN, KYL, and FEINSTEIN. Mr. President, I would like to be notified at the end of 10 minutes, after which I will yield the rest of the time to the Senator from Nevada.

Earlier this month, FBI Director Mueller told Congress that people from countries with ties to al-Qaida are crossing into the United States through our porous border with Mexico.

Deputy Secretary of Homeland Security James Loy recently said that intelligence reports suggest al-Qaida is considering using the Southwest border to infiltrate into the United States, either with falsified documents or by crossing the border in other illegal ways.

We have today 11,000 Border Patrol agents for the borders between Mexico, the United States, and Canada, as well as in the Border Patrol centers that are throughout our country. It is clearly not enough.

Mr. President, 97 percent of illegal intruders are filtering through the Southwest border. But they do not stay in the South. They go throughout our country.

The Border Patrol does an amazing job. We applaud their work. But we need to give them more help. Recent stories and intelligence reports show that terrorists are planning to use our border, and it should be a wakeup call.

Since 2001, 1,300 agents have been added to the force. But we have 6,900 miles of border with Canada and Mexico. My State of Texas alone has over 1,200 miles of border with Mexico. In most places there are no fences. In Texas, the Rio Grande River can sometimes be waded across or is completely dry.

We are seeing an increase of 137 percent in immigrants who are from countries other than Mexico. These immigrants, which are called OTMs, ''other than Mexicans,'' are coming into our country in the largest numbers we have ever seen. But due to a lack of resources, they are often caught and released, or they are not caught at all.

Recognizing our serious border vulnerability, Congress passed the intelligence reform bill last year and authorized an increase of 10,000 Border Patrol agents over 5 years. It included provisions to add 8,000 detention beds and 800 additional interior investigators. Unfortunately, the budget before us only allocated enough to cover 210 agents, 143 investigators, and 1,920 beds for detention.

The Commissioner of U.S. Customs and Border Protection recently said:

We do not have enough agents; we don't have enough technology to give us the security we need.

Let me give you some examples of recent happenings.

In Detroit, Mahmoud Youssef Kourani was indicted in the Eastern District of Michigan on one count of conspiracy to provide material support to Hezbollah. Kourani was already in custody for entering the country illegally through Mexico and was involved in fundraising activities on behalf of Hezbollah.

The two groups of Arab males were discovered by patrol guards from Willcox, AZ. One field agent said:

These guys didn't speak Spanish, and they were speaking to each other in Arabic. It's ridiculous that we don't take this more seriously. We're told not to say a thing to the media.

This is a field agent for the Border Patrol.

Last July, in Burlington, VT, police raided an international syndicate that forced Asian women to work as sex slaves. The women told investigators they had been smuggled from Asia to Mexico, entering the United States through Arizona, Texas, and other States. They ended up in Vermont.

Take the example of the capture of terrorist suspect Jose Padilla. The Justice Department says Padilla and an accomplice planned to enter the United States through Mexico to blow up apartment buildings in major cities such as New York.

Or the case of suspected al-Qaida sleeper agent Mohammed Junaid Babar, who told investigators of a scheme to smuggle terrorists across the Mexican border. He is tied to a terror plot to carry out bombings and assassinations in London.

Further stories indicate there are real concerns about terrorists entering our country through the southern border.

Along the Mexican border there have been stories of suspicious items picked up by local residents, including Muslim prayer rugs and notebooks written in both Arabic and Spanish. These items came from OTMs and a subcategory called special interest aliens, who are illegals coming from terrorist-sponsoring countries.

Intelligence reports suggesting that 25 Chechen terrorism suspects have illegally entered the United States from Mexico have refocused attention on a porous border from which many believe the next major attack on Americans could come.

Patrol agents told one Arizona newspaper that 77 males ''of Middle Eastern descent'' were apprehended in June of last year in 2 separate incidents. All were trekking through the mountains and are believed to have been part of a larger group of illegal immigrants. Many were released pending immigration hearings.

Also last July, an Egyptian man United States authorities described as one of their most wanted smugglers of humans was arrested on charges of operating a ring that illegally brought people from Egypt and other Middle Eastern countries to the United States. The indictment says Abdallah and his associates would direct people seeking to reach the United States to travel to one of several Latin American countries, and from there to Guatemala. They would then be transported to America through Mexico in return for payments of thousands of dollars in smuggling fees.

The amendment we are offering tonight will add $315 million to the President's request for the Border Patrol. This will provide for the training and equipping of 2,000 agents. This would be the full amount authorized and will have a dramatic impact on the security-related problems we have on the border.

In order to maintain a fiscally responsible bill, and not increase the top cap of discretionary spending, we are offsetting this increase with an equal reduction in the international affairs section of the budget because protecting our borders from foreign threats is an international affair.

Today, with my colleagues Senators ENSIGN, DOMENICI, CORNYN, MCCAIN, KYL, and FEINSTEIN, I am calling on Congress to do more than add 210 Border Patrol agents that are in the underlying budget. We are asking for the full contingent authorized of 2,000. This is still not enough. And I hope we will be able to come back next year and get up to the full 2,000 again.

But the warning flag has gone up. We must heed the warnings we have been given. Every incident I mentioned is a call to the United States to make sure that our borders with Mexico are secure. We need more Border Patrol agents and more detention facilities to make our borders secure.

The people of our country deserve this security, and our amendment will take one step in the right direction. I hope my colleagues will work with me to pass this in the budget and then later in the Appropriations bill. We must do everything to heed the warning call we have gotten.

Mr. President, I yield the rest of our time to the Senator from Nevada, who has also worked very hard on this amendment. I appreciate very much his cosponsoring this amendment with me today.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. ENSIGN. Mr. President, I thank the senior Senator from Texas for all the work she has done to strengthen our borders. Living in a border State, she understands the difficult issues of protecting our borders. Since 9/11, protecting our borders has taken on a completely different meaning and has only increased the importance of what our amendment is attempting to do.

Mr. President, I rise to call for the Senate to stand by its commitment to increase border security by adding 2,000 new Border Patrol agents.

In the decade before 9/11, al-Qaida studied how to exploit gaps and weaknesses in the border entry systems of the United States and other countries.

This week, intelligence officials confirmed that the terrorist, Zarqawi, plans to infiltrate America through our porous borders and carry out attacks on soft targets—whether it is while we are taking our family to a movie theater, our friends to a restaurant, or our kids to school. Additionally, a yearlong investigation recently concluded after authorities captured 18 people in an alleged plot to smuggle grenade launchers, shoulder-fired missiles, and other Russian military weapons into this country.

Let's face it, the dual threat of the illegal border crossing of people who wish to kill us and the weapons they need to do it on a large scale is very real.

We are not dealing with rational actors. We are not dealing with people who respect life or freedom. We must continue to be diligent in our fight to defeat terror and to protect our homeland.

The amendment we are offering ties directly to one of the important 9/11 Commission Report recommendations prohibiting terrorist travel to our country.

Pre-9/11, INS had only 9,800 Border Patrol agents. With the priorities of the agency concentrated on immigration and narcotics, no major counterterrorism effort was underway.

More than 3 years after the devastating terrorist attacks, the men and women who serve at the border's front line of defense are overwhelmed.

Statistics show that with current personnel levels, our agents only catch about one-third of the estimated 3 million people who cross the border illegally each year. It only took 19 to change the course of this country.

We must commit resources to block terrorists who attempt to enter our country. Last year, I sponsored an amendment to the National Intelligence Reform Act that authorized 2,000 new agents to patrol our borders each year for the next 5 years.

Unfortunately, the President's budget this year only provides funding for 210 agents. This amendment allows Congress to fulfill its commitment by providing the additional $352.4 million needed to fully fund 2,000 Border Patrol agents, and it does it without raising taxes. It does it with an offset to what is called ''function 150,'' or the international relations function.

Doubling the number of Border Patrol agents from pre-9/11 levels will allow increased protection on both our southern and our often neglected northern border, helping to thwart al-Qaida and prevent these terrorists from circumventing our security.

The Commission found that many of the 19 9/11 hijackers, including known operatives, could have been watch-listed and were vulnerable to detection by border authorities. However, without adequate staff and coordinated efforts, the evildoers were allowed unhampered entry.

The world has changed dramatically since 9/11, when terrorists used our open and trusting society against us.

We cannot allow a repeat of that tragedy. This amendment will help give those who guard our frontiers the tools they need to ensure the safety of the citizens of the United States of America.

Mr. President, I yield the floor and reserve the remainder of our time.

Mrs. HUTCHISON. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 4½ minutes.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that Senator CRAIG be listed as a cosponsor of our amendment.

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

Mrs. HUTCHISON. Mr. President, I thank the Senator from Nevada. This is a team effort. I appreciate so much his working with me on this. Our border Senators have been trying to increase border patrol for years.

When I first came to Congress, we doubled our Border Patrol agents from 3,000 to 6,000. We were a country that was porous, both on the borders of Canada and Mexico. But, clearly, we have had more and more influx of illegal aliens that have become a burden in many parts of our country, and now we have a security threat from people who do not live on our borders but are using our borders as a conduit to come into our country. The examples that Senator ENSIGN and I have just mentioned, where we are finding Muslim prayer rugs and instructions in Arabic on how to cross the border of the Rio Grande River, are just wake-up calls that we cannot avoid. So we are, hopefully, going to have the support of Congress to add a full 2,000 Border Patrol agents.

But as important as it is to catch these people, we also need to be able to detain them. Today, many times, because we have no detention facilities, we will say to the people: You must promise to come back in 60 days for your hearing on illegally entering this country.

Well, guess how many come back. Ten percent come back for their hearing. What happened to the other 90 percent? We are finding them in places such as Vermont, New York, and Detroit, MI. That is what happened to them.

Mr. President, it would be irresponsible not to take this threat seriously. We need these Border Patrol agents. We need the detention facilities. We need to keep these people incarcerated to find out why they are trying to enter our country illegally. Every country has the right as a sovereign nation to protect their borders. It is our responsibility to do it.

I hope my colleagues will help us pass this amendment and do the right thing for homeland security. This is a priority, and it must be a priority accepted in this budget.

I yield back the remainder of my time.

AMENDMENT NO. 219

The PRESIDING OFFICER. The next amendment is the amendment of the Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I send my amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mrs. LANDRIEU] proposes an amendment numbered 219.

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

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

The amendment is as follows:

(Purpose: To establish a reserve fund in the event that legislation is passed to provide a 50 percent tax credit to employers that continue to pay the salaries of Guard and Reserve employees who have been called to active duty)

On page 40, after line 8 insert the following:

**SEC. ____. DEFICIT NEUTRAL RESERVE FUND FOR PATRIOTIC EMPLOYERS OF NATIONAL GUARDSMEN AND RESERVISTS.**

In the Senate, if a bill or joint resolution, or if an amendment is offered thereto, or if a conference report is submitted thereon, that provides a 50 percent tax credit to employers for compensation paid to employees who are on active duty status as members of the Guard or Reserve in order to make up the difference between the employee's civilian pay and military pay and/or for compensation paid to a worker hired to replace an active duty Guard or Reserve employee, the chairman of the Committee on the Budget shall adjust the revenue aggregates and other appropriate aggregates, levels, and limits in this resolution to reflect such legislation, to the extent that such legislation would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

Ms. LANDRIEU. Mr. President, I come to the floor to lay down an amendment to provide a place in this budget for the men and women who are placing their lives on the line for us.

A couple of months ago, before we went on our break in December and January, I had the great privilege, actually, of holding this body in a filibuster for 3 days. It was not something

that was planned, but it was something that evolved after I found out that the last huge FSC–ETI bill that we passed in the Senate managed to find tax relief, tax cuts, special tax considerations for seemingly everyone in America except for the men and women in uniform fighting for us.

I know people listening tonight will really not believe what I am saying is true. But they can go to Web sites on this budget to look at the record, or talk to their Guard and National Reserve to see that what I am saying is actually true.

We have passed trillions and trillions of dollars in tax cuts since 2001. It would be one thing if we were taking money out of the budget to do that, but we are actually borrowing money to give tax cuts. We are not just taking money that is just sitting there sort of waiting for us to decide how to use it and then giving it to tax cuts based on some reason about who would need it the most. We are borrowing money, charging it to our children and our grandchildren, and then giving tax cuts to people who arguably do not need it.

Many Democrats have come to the Senate floor and tried to make that case over and over again, and I hope that some of this is getting through.

But whether they are a Democrat, Republican, or Independent, or whether they were for the war in Iraq; whether they think the troops should stay there or come home; or whether they believe there were weapons of mass destruction and we went in for the right reasons or there were not and we went in for the wrong reasons, I think universally in America people believe, no matter what their political persuasion, that if we are going to continue to give tax cuts the first people who should get them are the people who are fighting to protect us.

But in this budget, on page 21, proposed by the President of the United States, in small print, which I am sorry cannot be picked up by the camera, it says:

> The Committee-reported resolution assumes on-budget revenues are reduced by $70.2 billion over five years.

The resolution instructs the Senate Finance Committee to basically give out $70 billion in taxes. So if this budget passes the way it is now, $70 billion is going to have to be given out in taxes, in addition to the $2 trillion we have already passed—these numbers are just mind-boggling; it is impossible for me to describe how much money that is. But this President is intent basically on emptying the Treasury for tax cuts. So I have argued that is not what we should do.

I believe we should balance the budget. I was one of 50 Senators today who voted on the only amendment that actually would have gotten us there, which was the pay-go amendment. We lost by one vote. So I am not going to make that argument tonight again.

I believe that if we are going to give $70 billion in tax cuts, which is what this budget instructs us to do, please, Mr. President, could we please give a tax cut to the men and women in uniform? They are the ones who have left their homes in Louisiana, North Dakota, Tennessee, all over the country, and gone to the front lines to fight for us.

The sad thing about this is that 40 percent of those men and women who go from the Guard and Reserve take a pay cut to fight for us. It is inconceivable to me that this administration, or anybody in the Senate, would stand here tonight and argue for a budget that gives $70 billion in additional tax cuts to people who may or may not need them and yet at the same time ask our soldiers to go to the front line and take a pay cut.

When we come to the floor and go to the Finance Committee and beg and plead on their behalf, could they give them a few pennies, could they give them a few dollars, we are told over and over again, I am sorry, we cannot afford it.

The last ''military tax relief'' the Congress passed was a $1.2 billion bill. I wish I could show how tiny that is. I mean, $1.2 billion is a lot of money, but relative to what we are giving out to everybody else in tax cuts, it is so small. When we did that bill, I went to them and said: Look, can we do better? Our men and women need this tax break. Their employers are trying to keep their paychecks whole. If we give a tax cut to their employers who are voluntarily continuing to pay their active duty Guard and Reserve employees' salaries, perhaps they could at least keep their paycheck. We are not talking about extra money; we are just talking about letting them get their paycheck that they got when they were firemen, policemen, an architect, a doctor, or a lawyer. Let them keep that paycheck.

This is not even really for the soldiers, because these guys and gals are making the sacrifice. This is to keep their wives, their spouses, and their children in their homes, in their automobiles, getting them to the doctor.

For some reason—I do not know why—this Senate, particularly the Republican leadership, refuses to give a tax credit to the Guard and Reserve. So the last time a bill came through, I asked: Could you please attach this amendment to it?

Sorry, Senator LANDRIEU, we cannot afford it. We cannot possibly give the Guard and Reserve a tax cut. Do you not understand, we do not have any money.

I do not know what they are talking about, because this budget is going to give another $70 billion in tax cuts. So please do not even argue with me on the point. I am not going to listen. There is $70 billion given away in this budget again, and I am going to ask for the $1.2 billion out of $70 billion—pennies, pennies—for the Guard and Reserve.

Let me tell you how this affects Guard and Reserve families. This is a letter from Kansas, the State of Senators BROWNBACK and ROBERTS:

> After 9/11 [my husband] was activated . . . His pay was significantly decreased, his health care was in jeopardy, and I was pregnant. Here was my family, making so many sacrifices for our country and our country wasn't taking care of us at all. How could this be happening?

The PRESIDING OFFICER. The Senator from Louisiana has consumed her time.

Ms. LANDRIEU. I ask for 2 additional minutes.

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

Ms. LANDRIEU. Continuing:

> Luckily, our country may not have been taking care of us under the circumstances, but [my husband's company] was. [They] sent us a check to make up the difference in pay for my husband's entire activation. They deserve to be recognized as a great supporter of our military by receiving this tax credit.

This tax credit would go to businesses that are doing the patriotic thing, helping the Guard and Reserve on the front line, keeping them and their families out of bankruptcy, not having to mortgage their house, not having to give up the car while they are fighting for us. This tax credit is going to benefit the thousands of Guard and Reserve in Louisiana and thousands of Guard and Reserve in our country. It is unconscionable that the Senate Finance Committee, or this budget, would contemplate yet more tax cuts for everybody in America and leave out the men and women in uniform.

What is worse about it is every picture we are in is taken with men and women in uniform, with that flag flying, but when it comes to putting them in the budget—we can put them in our campaign pictures, all right, but we cannot put them in the budget.

That is what my amendment does. We are going to vote on it tomorrow. It does not add one penny. It just says to the Finance Committee, go ahead and give away $70 billion again, but the first $1.2 billion is going to be given to the men and women in uniform. They deserve it. Shame on us if we do not put them in.

So we are not going to vote on this tonight, but for the Guard and Reserve in my State, for the Guard and Reserve in New Hampshire, for the Guard and Reserve in South Carolina, North Dakota, and South Dakota, I hope we will get 100 percent of the Senators to vote on this. If anybody wants to debate it, I will stay here all night and debate it as long as anybody wants, but I think my time has been limited.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I have a unanimous consent request to get an order for some more proposed amendments. Tomorrow morning, we are going to convene at 9. Beginning at 9, we have four Members of the Senate who are going to be recognized. We are going to return to the Smith Medicaid amendment for 60 minutes, then we

will go to the Sarbanes CDBG amendment for 15 minutes, then to the Coleman CDBG amendment for 15 minutes, then Senator COCHRAN will be recognized for 10 minutes. After that, there are a series of individuals whose amendment time we are confirming but not necessarily the order in which those amendments will come. Those individuals are Senator KENNEDY on education for 15 minutes; Senators BAUCUS and CONRAD, agriculture, for 30 minutes; Senator BIDEN, COPS Program, for 15 minutes; Senator FEINSTEIN, the SCAAP Program, for 15 minutes; Senator BYRD, the Highway Program, for 15 minutes; Senator SNOWE, the SBA domestic program, for 15 minutes; Senator CLINTON, Prevention First Program, for 15 minutes; Senator LAUTENBERG, the debt limit amendment, for 10 minutes; Senator CONRAD and I will reserve 15 minutes each, for a total of 30 minutes between us.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GREGG. Mr. President, I now yield back the remainder of my time on this resolution, after the expiration of tonight's debate and after the expiration of the agreement which was just reached.

Mr. CONRAD. Mr. President, I will retain all of my time.

That was a joke. It would be a real interesting day tomorrow, wouldn't it?

I just think we should make clear that at the end of this evening we will be yielding back on both sides all of our time with the exception of the time we have laid out in this agreement. Is that correct?

Mr. GREGG. Can we do it right now?

Mr. CONRAD. Yes.

Mr. GREGG. We both yield back all of our time, as proposed.

The PRESIDING OFFICER. So ordered.

Mr. CONRAD. If I could briefly describe to my colleagues the negotiation we have had this evening? I know there will be colleagues who will come tomorrow who will be disappointed. Senator GREGG and I apologize to them in advance. Here is the circumstance that we confront. We have over 70 amendments still pending, not counting the 20-some amendments we have in the queue. If we just do the math, that is 90 amendments. We can do three amendments an hour. That would be 30 hours of steady voting. If we start at 1 o'clock tomorrow and we have to go 30 hours, do the math.

What Senator GREGG and I have tried to do is to at least begin the process at 1 o'clock tomorrow afternoon or thereabouts. Again, for colleagues who are disappointed, I apologize. I know Senator GREGG feels the same way. We would like to have every colleague get all of the time they desire. It is just not possible and reach conclusion.

One other thing I should say to my colleagues, for those who think, couldn't we just go over into Friday morning? We have a number of colleagues who, because of funerals, because of health conditions, cannot be here Friday morning. That means if we do not finish tomorrow night, we are going to be here Friday night. I do not think anybody who has been through this process doesn't understand if we are here Friday night we are going to be here Saturday.

To colleagues who are disappointed, I am sorry, but we have done our level best to give people some amount of time to offer their amendments. I think we have done it in as fair and as equitable a way as is possible.

Mr. GREGG. Mr. President, I do not wish to take time off of Senator SALAZAR's time, but I want to affirm what the Senator from North Dakota has said. I also want to thank the ranking member of the Senate committee and the Democratic leader and, of course, the Republican leader for working very hard to bring about this understanding as to how we are going to proceed on the budget. I think it is the fairest way to proceed, and it does allow the Members to get many of the core issues up and debated. That has been the key here, to make sure the high-visibility issues and the issues that are critical get up and get debated, in the context of the fact that we know these vote-athons take a huge amount of time.

Right now, if we start voting on the present number of amendments we have pending, we will have to vote for 30 straight hours. Obviously, we hope that will not happen, but that is a distinct possibility, that a large percentage of that time will have to be consumed in votes. So we need to get started fairly early tomorrow. That is the purpose of this agreement, so that we can get out of here very late, probably, or very early Friday morning.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 215

Mr. SALAZAR. Mr. President, I call up amendment No. 215, which I filed earlier this evening.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR] proposes an amendment numbered 215.

Mr. SALAZAR. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide additional funding for rural education, rural health access, and rural health outreach programs)

On page 9, line 15, decrease the amount by $65,000,000.

On page 9, line 16, decrease the amount by $14,000,000.

On page 9, line 20, decrease the amount by $36,000,000.

On page 9, line 24, decrease the amount by $12,000,000.

On page 10, line 3, decrease the amount by $3,000,000.

On page 17, line 16, increase the amount by $29,000,000.

On page 17, line 17, increase the amount by $1,000,000.

On page 17, line 21, increase the amount by $17,000,000.

On page 17, line 25, increase the amount by $9,000,000.

On page 18, line 4, increase the amount by $2,000,000.

On page 18, line 16, increase the amount by $36,000,000.

On page 18, line 17, increase the amount by $13,000,000.

On page 18, line 21, increase the amount by $19,000,000.

On page 18, line 25, increase the amount by $3,000,000.

On page 19, line 4, increase the amount by $1,000,000.

Mr. SALAZAR. Mr. President, I rise tonight at this late date to talk about forgotten America, the rural parts of our United States, and to address the issues of education and health care in rural America.

Let me say I want to extend my appreciation and thanks to Senator CONRAD and Senator COLLINS for their work on these issues in the past. I look forward to having their support as we move forward with these amendments.

My amendment will increase funding for the Rural Education Achievement Program, a program that came about through bipartisan efforts that recognize that our rural schools need our help. REAP provides supplemental funding for rural school districts which face significant challenges.

Let me just say that as we look at the issue of education in rural communities and we look at the issue of health care in rural communities, we have to understand that there is a part of the United States of America that has been forgotten, frankly, under both Republican and Democratic administrations. Across the country, some 3,000 counties continue to wither on the vine, where the people who live in those counties, who are mostly agriculturally dependent, do not have the infrastructure or the capacity to address the real needs that are affecting them every day. Those include the issues of education and the issues of health care.

I come from what is one of the poorest counties in America, the County of Conejos. That county has been the poorest county in the United States for a number of different years, so I know firsthand the kinds of challenges that are faced by communities like those communities in Conejos County. Across rural America, no matter where you go, no matter what State you are in, you are going to find these kinds of counties.

The two areas we address here with the amendment are education and health care. First of all, with respect to rural education, a few facts about our rural school districts. Our school districts in rural America account for about one-half of the school districts in our Nation. Rural school districts tend to be the poorest in the Nation. They average less than 40 percent of the per pupil spending in our urban school districts. Rural school districts have less

access to technology, computers, and the Internet than their urban counterparts and, thus, are at risk of being left behind in our global economy.

Rural school districts tend to have higher dropout rates than their urban counterparts. Rural schoolteachers tend to make an average of 15 percent less than urban schoolteachers. Despite decreased pay, rural schoolteachers teach more subjects than their urban counterparts, and rural school districts face significant problems with teacher retention and face serious problems in meeting the Federal Government's definition of ''highly qualified'' under the No Child Left Behind Act.

Those of us who have traveled throughout this country, who have been in many of these rural school districts, know that educational opportunity being brought about for the students in rural schools is very different from that in urban schools. We know that in rural schools they do not have the teachers or the kinds of facilities—the computer technology, the swimming pools, the other parts of the physical facilities—that you find in the wealthier urban settings. So this amendment is a simple statement about the investment needed to help us have the kind of educational opportunity for the children of America who live in the rural parts of our country that have become the forgotten America.

My amendment also addresses the issue of rural health care, restoring funding for the Rural Health Outreach Program, and increases funding for the State Offices of Rural Health Program. These are two programs that are helping us address the health care issues that are faced in rural America. These programs enable the communities to partner with universities, with private practitioners, with hospitals and medical providers to make sure we address rural health care in the way that it is lacking in rural communities.

Let me say a word about the circumstance relating to rural health care. In Colorado, in many of my counties, there is only one nurse practitioner for the entire county. On the western part of our State, in Grand Junction, CO, veterans wait up to 5 months in order to see a doctor.

In Colorado, 756,000 of our citizens are uninsured, and a good majority of them live in rural areas. When they get sick, they either cannot afford to see a doctor or there is a shortage of physicians for them to see. Rural Coloradians tend to have more health care problems so that the lack of health care is life threatening.

We know health care access in our rural communities is in crisis. A few facts bear this out. Forty-five million Americans have no health insurance at all, but 10.2 million of those 45 million Americans live in rural America; 10.2 million of those 45 million Americans live in rural America.

Americans living in rural communities face some of the greatest challenges in obtaining and keeping health insurance.

There are many communities across my State—and I am sure across America—where families in rural communities simply cannot get health insurance, and when they get health insurance they have to pay anywhere from $1,000 to $2,000 a month just to keep that health insurance.

Rural residents are more likely to be covered by Medicaid than their urban counterparts. Residents in rural communities have less access to medical services because there is such a critical shortage of doctors in rural communities across our country.

My amendment will restore some of that funding so that our communities in forgotten America can continue to develop innovative programs to increase access to healthcare.

Let me conclude by saying this is a simple step to help us put the spotlight on the problems that are faced by rural America today. This is not a Republican or a Democratic issue. This is an issue where Democrats and Republicans should stand up and say that we value education in our rural communities and in our rural schools, that we understand the major problems of healthcare that are faced in our rural communities, and that we will stand up to make sure that we are addressing those issues of healthcare in rural America.

I ask unanimous consent that Senator CONRAD be added as a cosponsor.

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

Mr. SALAZAR. I yield the floor.

Mr. CONRAD. Mr. President, can you advise us of the time remaining on this amendment?

The PRESIDING OFFICER. There is 37 seconds in favor of the amendment, 7½ in opposition.

Mr. CONRAD. I ask my colleague if I could have 1 minute of his time on this amendment.

Mr. GREGG. You can have all of it.

Mr. CONRAD. That is very kind. I will take just a minute.

I thank Senator SALAZAR for offering this amendment. This amendment is important to rural States such as mine. This amendment makes a real difference in States such as North Dakota and Colorado in rural education and in funding for rural healthcare outreach.

Senator SALAZAR has proposed an offset to take some of the very significant increase in international affairs and redirect it to rural America. Rural America is hurting in many parts of this Nation.

Right at the heart of the need for revitalization is education and healthcare. Those are two of the areas that have been targeted by Senator SALAZAR's amendment.

This is a very modest amount of money, but it sends a big signal. I hope my colleagues can find it possible to support this amendment.

I thank Senator SALAZAR for his leadership.

At this moment, I would like to call up Senator DORGAN's amendment No. 210 so that it is formally noticed and in the queue. We don't need to say any more about it. It will be part of the voting sequence tomorrow, and Senator DORGAN will have a chance to describe his amendment. Somebody will have a chance to say something on the other side.

Mr. GREGG. Mr. President, I believe Senator LIEBERMAN will be next. I think he is probably on his way. We are running a little ahead of schedule.

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

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

AMENDMENT NO. 210

Mr. CONRAD. Mr. President, apparently Senator DORGAN's amendment No. 210 was not reported so we ask to call it up.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for Mr. DORGAN, for himself, Ms. MIKULSKI, Mr. FEINGOLD, Mr. LEVIN, Mr. KENNEDY, and Mr. LEAHY, proposes an amendment numbered 210.

Mr. CONRAD. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To repeal the tax subsidy for certain domestic companies which move manufacturing operations and American jobs offshore and to use the resulting revenues to reduce Federal deficits and debt by $3.2 billion over 5 years)

On page 3, line 10, increase the amount by $500,000,000.

On page 3, line 11, increase the amount by $600,000,000.

On page 3, line 12, increase the amount by $700,000,000.

On page 3, line 13, increase the amount by $700,000,000.

On page 3, line 14, increase the amount by $700,000,000.

On page 3, line 19, increase the amount by $500,000,000.

On page 3, line 20, increase the amount by $600,000,000.

On page 3, line 21, increase the amount by $700,000,000.

On page 4, line 1, increase the amount by $700,000,000.

On page 4, line 2, increase the amount by $700,000,000.

On page 4, line 24, increase the amount by $500,000,000.

On page 4, line 25, increase the amount by $600,000,000.

On page 5, line 1, increase the amount by $700,000,000.

On page 5, line 2, increase the amount by $700,000,000.

On page 5, line 3, increase the amount by $700,000,000.

On page 5, line 7, decrease the amount by $500,000,000.

On page 5, line 8, decrease the amount by $1,100,000,000.

On page 5, line 9, decrease the amount by $1,800,000,000.

On page 5, line 10, decrease the amount by $2,500,000,000.

On page 5, line 11, decrease the amount by $3,200,000,000.

On page 5, line 15, decrease the amount by $500,000,000.

On page 5, line 16, decrease the amount by $1,100,000,000.

On page 5, line 17, decrease the amount by $1,800,000,000.

On page 5, line 18, decrease the amount by $2,500,000,000.

On page 5, line 19, decrease the amount by $3,200,000,000.

On page 30, line 16, decrease the amount by $500,000,000.

On page 30, line 17, decrease the amount by $3,200,000,000.

Mr. CONRAD. We now have that amendment in the queue and that is what we wanted to accomplish.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 220

Ms. COLLINS. Mr. President, on behalf of the Senator from Connecticut, Mr. LIEBERMAN, and myself, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for Mr. LIEBERMAN, for himself and Ms. COLLINS, proposes an amendment numbered 220.

Ms. COLLINS. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To protect the American people from terrorist attacks by restoring $565 million in cuts to vital first responder programs in the Department of Homeland Security, including the State Homeland Security Grant program, by providing $150 million for port security grants and by providing $140 million to allow for 1000 new border patrol agents)

On page 16 line 15, increase the amount by $715,000,000.

On page 16 line 16, increase the amount by $102,000,000.

On page 16 line 20, increase the amount by $254,000,000.

On page 16 line 24, increase the amount by $220,000,000.

On page 17 line 3, increase the amount by $139,000,000.

On page 23 line 16, increase the amount by $140,000,000.

On page 23 line 17, increase the amount by $112,000,000.

On page 23 line 21, increase the amount by $14,000,000.

On page 23 line 25, increase the amount by $14,000,000.

On page 26 line 14, decrease the amount by $855,000,000.

Ms. COLLINS. Mr. President, I am pleased to join my friend and colleague from Connecticut in offering an amendment to restore funding for the Department of Homeland Security's first responder programs to increase security at our country's borders and to better secure our Nation's seaports.

The administration's budget, unfortunately, would impose severe reductions in grant funding for our first responders, those who are on the front lines in the war on terrorism.

Our amendment restores funding by adding a total of $855 million for Homeland Security funding. This includes $565 million for State Homeland Security programs that support our first responders, $150 million for port security grants, and $140 million to hire 1,000 additional Border Patrol agents.

Our amendment does not provide excessive funding. In fact, it is modest in scope. It would simply restore funding to last year's levels for Homeland Security grant programs such as State Homeland Security grants, the Fire Grant Program, and the Law Enforcement Terrorism Prevention Program.

The amendment will ensure at least the same amount of funding for our Nation's ports as last year, and it takes a modest first step toward increasing the number of border patrol agents as authorized by the Collins-Lieberman Intelligence Reform Act. I note that bill authorized the hiring of 2,000 additional Border Patrol agents. Our amendment authorizes the hiring of only 1,000 additional agents. I note that other Senators this evening, including the soon to be Presiding Officer, have also expressed the support for increasing the number of Border Patrol agents.

This amendment is also offset by reductions in the allowances account, so it will not increase the deficit.

It is a responsible amendment. As we set priorities through this budget resolution, we are faced with many worthy and competing needs and programs. But surely along with national defense improving the security of our homeland must be a priority, and that means providing adequate assistance to those who are on the front lines: Our firefighters, police officers, emergency medical personnel, State and local law enforcement, and emergency managers.

Former Secretary of Homeland Security Tom Ridge perhaps put it best when he said that Homeland Security starts with hometown security. Improving our preparedness is an investment that we must make to strengthen our ability to prevent, detect, and respond if required to terrorist attacks. After all, if the worst happens and we are subject to another attack from terrorists, our citizens are not going to dial the Washington, DC area code. They are going to pick up their phones and dial 9–1-1.

We should always remember who is first on the scene when disaster strikes. We have an obligation to help our first responders be prepared—as well prepared as we can be—because that strengthens the preparedness of our Nation.

Again, this is a modest amendment. There have been other proposals to increase Homeland Security grant funding by billions of dollars.

I recognize we have to strike a balance, that we are operating in an environment of severe budget constraints. That is why Senator LIEBERMAN and I have joined forces to propose what truly is a modest amendment, to simply restore funding to last year's levels.

I think it is the least we can do. I do expect the Senator from Connecticut to be here shortly. I reserve the remainder of our time.

Thank you, Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. 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. GREGG. 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. GREGG. Mr. President, I ask unanimous consent that under the prior agreement which was entered into by myself and Senator CONRAD the time be used in its usual form.

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

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

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

AMENDMENT NO. 220

Mr. LIEBERMAN. Mr. President, I am honored to rise to speak on behalf of the amendment my distinguished colleague and friend Senator COLLINS of Maine has offered to this budget resolution. This amendment will make sure adequate funding is provided for key programs at the Department of Homeland Security.

I am very grateful to Senator COLLINS, who is the chair of the newly named Committee on Homeland Security and Governmental Affairs. I am privileged to serve as the ranking Democrat on that committee. I am very glad to join with Senator COLLINS in offering this amendment because it continues the statement that when it comes to security, whether in the world through the Armed Services Committee or here at home through the Homeland Security Committee, we ought to act in a bipartisan, nonpartisan fashion.

This is genuinely a bipartisan amendment. This amendment and the increases it provides would be paid for by reducing administrative expenses and would not increase the deficit. It would

provide an additional $855 million that we believe is vitally needed to prepare our first responders, to secure our ports, and to strengthen our borders.

Our intelligence and security experts tell us the threat of terrorist attack here at home is one we are going to have to live with for some time to come. The Director of the Central Intelligence Agency, Porter Goss, recently said ''it may only be a matter of time'' before terrorists strike again within the United States with weapons of mass destruction. And new intelligence informs us that the Jordanian terrorist Abu Musab al-Zarqawi, now affiliated with Osama bin Laden, leading a group of terrorists in Iraq, may have conferred with bin Laden about attacks within the United States at nonobvious targets spread throughout this country of ours.

The fact is, we remain vulnerable. We are safer, as the 9/11 Commission said in its report last year, than we were on 9/11, but we are still not yet fully safe.

In a recent letter to the Senate Budget Committee, looking at what I took to be the needs of our country with regard to homeland security, I recommended an additional $8.4 billion in homeland security spending governmentwide, with $4.2 billion going to first responders.

In the current context, that is a large number, but I truly believe every dollar would have been well spent and would have improved and increased our sense of security from terrorism here at home.

The fact is, we have the best military in the world, in the history of the world, as we have seen in Afghanistan and Iraq in recent years. One of the reasons we do, in addition to the extraordinary commitment, skill, and bravery of our personnel, is we have been willing to invest money to provide that first-rate defense.

The same is true here at home. We will not become secure on the cheap. I understand that the $8.4 billion I proposed in my letter to the Budget Committee is not going to find majority support here on the Senate floor. But surely we can agree not to go backwards. Although the administration has recommended increases, some of them targeted to homeland security programs, in its fiscal year 2006 budget, those increases are very modest and very few. And, unfortunately, the proposed budget would actually cut key Department of Homeland Security first responder programs by 32 percent.

It has been said before, but it cannot be said often enough, that our first responders are on the front lines of the war on terror here at home. In fact, they are more than our first responders. They can be hundreds of thousands of additional first preventers. We must give them what they need to do their jobs effectively for us. That means dollars to help train and equip State and local police, firefighters, and emergency medical technicians to be first responders, preventers, and to help detect or disrupt terrorist activity before an attack, and dollars to ensure that should an attack occur, these men and women who serve us will have the training and the equipment they need to respond, to save lives, to localize the damage.

State and localities across our country are using a lot of their own money and taking a lot of initiative on their own to prepare to defend against terrorist attack. But they cannot do it alone, nor should they have to. Therefore, the amendment Senator COLLINS and I are proposing this evening would provide $565 million to restore the administration's proposed cuts to Homeland Security Department first responder programs, to get us back to where we have been.

That would include State homeland security grants, firefighter grants, and emergency management planning grants. Maintaining these programs at their current levels is the least we can do given the enormous demands on our first responders in our municipalities and States.

Mr. President, the Council on Foreign Relations Task Force, headed by our former colleague, Senator Warren Rudman, as an example of one standard of expenditures possibly necessary here, called for nearly $100 billion over 5 years just to prepare first responders. A recent survey by the National Governors Association found that communications interoperability is the top homeland security priority for many States. That is as it says. How can we make sure that in a moment of crisis those first responders from different agencies and different jurisdictions can, in fact, communicate with one another? Only a few States have achieved that interoperability because it is so expensive.

Just last week, New York's Center for Catastrophe Preparedness and Response reported that emergency medical services personnel generally lack not only proper equipment but also proper training.

Without more support, our first responders simply will not be able to provide the help we need if terror strikes.

Second, in our amendment, Senator COLLINS and I also provide for $150 million in dedicated funding for port security. The budget resolution provides none—no funds—in this area. It is hard to overstate the importance of our ports to our economy and transportation network. Ninety-five percent of all our trade flows through our ports, and a potential terrorist attack at one of them would cause economic havoc for our country. In fact, the U.S. Coast Guard has estimated it will cost more than $7 billion to effectively secure America's ports.

Unfortunately, this budget does not guarantee any spending for port security. Rather, it combines a large array of homeland security needs—including port security—into a catch-all fund for infrastructure protection. This fund is too small to cover all infrastructure protection needs. Therefore, the amendment that Senator COLLINS and I introduce tonight would guarantee that port security gets at least the fiscal year 2005 level of $150 million.

Finally, border security. The 9/11 Commission bill passed by Congress and signed by the President at the end of last year authorized 2,000 new Border Patrol agents for this year. The President's budget funds only 210 new agents. These new hires, as I see them, would basically replace agents who were moved from the southern border to beef up staffing at the northern border.

Our amendment would provide $140 million for border security. That would allow the Department of Homeland Security to hire 1,000 new agents in the coming fiscal year, which I am confident—and Senator COLLINS is, too—would be enough to make a noticeable difference in our border defenses.

Mr. President, bottom line: This is a modest proposal. In large part, it is a status quo proposal, keeping us at least where we have been and not moving backward. The experts have told us that we need to invest billions more than we are. We are still learning of new vulnerabilities all the time. We cannot afford to retreat in our efforts, when we know there is still a great distance to go before our first responders are well prepared and other gaps at our borders and ports are closed.

That is the intention of this bipartisan amendment. I urge my colleagues to support it. I thank the Chair and I thank Senator COLLINS for her leadership once again in proposing this amendment. I am proud to stand with her on this, as I have on so many other matters.

I yield the floor.

Mr. GREGG. Mr. President, what is the time situation on this amendment?

The PRESIDING OFFICER. There is no time agreement on this amendment.

Mr. GREGG. I thought we had a half hour from 9 o'clock to 9:30.

The PRESIDING OFFICER. That was not formally locked in.

Mr. GREGG. Assuming we had a half hour, how much time would be remaining?

The PRESIDING OFFICER. There would be 12 minutes left.

Mr. GREGG. So I would have 12 minutes, theoretically?

The PRESIDING OFFICER. Yes, 12 minutes is left in the total half hour. The Senator would control that entire 12 minutes.

Mr. GREGG. I notice that the Senator from Louisiana has an amendment. I think the Senators offering the amendment have completed their statements.

Ms. COLLINS. We are ready to rebut anything that might be said in opposition. But if there were no one speaking in opposition, I would be happy to conclude my remarks.

Mr. GREGG. I thank the Senator. I will give her the opportunity to rebut briefly. I will speak briefly in opposition, so that we can move to the Senator from Louisiana.

Mr. President, this amendment is well-intentioned. Obviously, first responders and the homeland security issues are major issues for us as a nation. We have done a significant amount in this area and, of course, there is a supplemental bouncing around the hallways that has a significant amount of increase for a number of homeland security initiatives.

Earlier this evening, we did an amendment offered by the Senator in the chair and the Senator from Texas, which would add 2,000 border agents. This adds 1,000 border agents. I am not sure when we stop adding border agents tonight. I am thinking maybe there should be a budget point of order that you can only add up to, say, 10,000 or 20,000 border agents in any one given evening.

But as a practical matter, it seems to me that we are getting a little carried away with the border agent additions—even in the context of making political statements.

The amendment itself takes the money out of the 920 fund. I think it is important that people understand that the 920 fund—when you authorize funds out of the 920 fund, you are saying essentially there will be an across-the-board cut in all other accounts of the Federal Government.

This amendment, which has approximately $800 million in it—or something like that—would mean that since it is a discretionary number, half of that would be assessed against the Department of Defense, which would mean you would be cutting DOD by $100 million, education by around $20 million, health care by about $140 million, $150 million. You would be cutting environmental protection by probably $100 million—and so on and so on because it is an across-the-board cut. It has to come from these other accounts on the discretionary side of the ledger. In fact, the education cut would be bigger, much bigger.

Obviously, we have to make choices, and this amendment has decided that homeland security and adding another 1,000 agents on top of the 2,000 already proposed is a priority. But I think it is important that people understand that this is not a situation where the money grows on trees. It comes from taxpayers, and we are trying to limit the amount of money that taxpayers have to spend. Therefore, choices have to be made.

This amendment essentially requires that other accounts of the Federal Government, which have some priority also, such as defense, education, health care, and environmental protection, will be reduced were this amendment to actually be carried to its natural fruition, which I hope it will not be. That being the case, I will reserve my time and, hopefully, we can move on to the Senator from Louisiana.

Does the Senator from Maine wish to comment?

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, if I could just make a couple of comments in response to the Senator from New Hampshire. I will be very quick because I know the Senator from Louisiana has been waiting.

It will be up to the Appropriations Committee to decide how to allocate the cuts that we are proposing in the allowances account. It would not necessarily cut across the board equally. In fact, almost certainly it would not, because the Appropriations Committee will set priorities.

The second point that I want to make has to do with the number of border agents proposed in our amendment. I think that it demonstrates how modest the amendment is that the Senator from Connecticut and I have offered. After all, even though our legislation, the intelligence reform bill, authorized 2,000 additional Border Patrol agents, because we recognized the constraints of the budget we have proposed only going halfway toward that goal, and that is why we chose to authorize just 1,000 additional border agents. It is in recognition of the budget constraints under which we are operating.

So I think the distinguished chairman of the Budget Committee actually helps make the point of how reasonable our approach is, that we chose to go for a more modest number than the previous amendment that was debated this evening.

Furthermore, I point out that that amendment, to the best of my knowledge, was not accepted this evening. It is still a pending amendment.

So this is about setting priorities, and surely we can provide funding just equal to last year's—we are not even proposing an inflation increase—to ensure that we continue to strengthen the preparedness of this Nation.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 223

Mr. VITTER. I call up amendment No. 223 which is at the desk.

The PRESIDING OFFICER. The clerk which report.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 223.

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

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

The amendment is as follows:

(Purpose: To express the sense of the Senate that Congress should provide dedicated funding for port security enhancements)

On page 63, strike line 24, after the second period insert the following: ''In dealing with homeland security assistance grants that relate to port security, Congress should (1) allocate port security grants under a separate, dedicated program intended specifically for port security enhancements, rather than as part of a combined program for many different infrastructure programs that could lead to reduced funding for port security, (2) devise a method to enable the Secretary of Homeland Security to both distribute port security grants to the Nation's port facilities more quickly and efficiently and give ports the financial resources needed to comply with congressional mandates, and (3) allocate sufficient funding for port security to enable port authorities to comply with mandated security improvements, ensure the protection of our Nation's maritime transportation, commerce system, and cruise passengers, strive to achieve funds consistent with the needs estimated by the United States Coast Guard, and recognize the unique threats for which port authorities must prepare.''.

Mr. VITTER. Mr. President, this amendment addresses the very important issue of port security which was spoken about a few minutes ago by another Senator. I am very concerned that the President's budget submission does not fully advance port security because it would merge the present support security grant program with other homeland security infrastructure programs. This amendment would address this issue.

Ports are vital to our Nation and our economy. There are 361 public ports in the U.S. handling over 95 percent of our overseas trade. That accounts for 2 billion tons, $800 billion of domestic and international freight annually. Ports and their maritime industry partners currently make up 27 percent of the GDP, and within the next 15 years many predict the amount of cargo that U.S. ports will handle will double. At that rate, our port facilities would account for as much as one-third of our GDP.

Of course, ports do not only handle imports and exports but also 7 million cruise ship passengers and 113 million passengers on ferries every year. Ports play a vitally important role in the war on terror. Many of our ports are vital to the deployment of our troops, and all of our ports are needed for sustainment cargo. The ports themselves supply 4 million jobs.

In my home State of Louisiana they are particularly important. They are a vital part of our way of life and our economy. We have 5 of the 15 busiest single ports in the Nation. As a Nation, 50 percent of our agricultural products go through our ports.

For all of these reasons, ports are an enormous target for the bad guys, for the terrorists. Therefore, we have been focusing, with good reason, on port security.

The problem is, the President's current budget submission would merge a current and very important port security grant program into other infrastructure programs. I think that would lose tremendous focus in the effort to beef up our port security and get the job done at our Nation's ports. My amendment would address that by doing several things.

First and most importantly, it would state the sense of the Senate that port security grants should not be combined with those other infrastructure programs. Again, we would lose focus by merging port security with all of those other programs.

Secondly, my amendment would say that Congress should determine a

method to enable the Department of Homeland Security to more efficiently and more quickly deliver port security grants to our Nation's ports.

Third, the amendment states that Congress should state funding levels that would strive to get the full job done as estimated by the experts, the U.S. Coast Guard. The Coast Guard says that at least $7 billion is needed to make enhancements to our ports, although some experts say that might be as high as $16 billion.

So I encourage all Senators to support this amendment and help ensure that this important port security grant program is not merged and subsumed into a more general program.

I reserve any remaining time which I have, which I would like to use to talk about another amendment in a minute.

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

AMENDMENT NO. 224

Mr. VITTER. At this point I call up amendment No. 224, at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana (Mr. VITTER) proposes an amendment numbered 224.

Mr. VITTER. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To restore funding for Corps of Engineers environmental programs to fiscal year 2005 levels, and to offset that increase through reductions in general Government spending)

On page 12, line 15, increase the amount by $130,000,000.

On page 12, line 16, increase the amount by $91,000,000.

On page 12, line 19, increase the amount by $130,000,000.

On page 12, line 20, increase the amount by $130,000,000.

On page 12, line 23, increase the amount by $130,000,000.

On page 12, line 24, increase the amount by $130,000,000.

On page 13, line 2, increase the amount by $130,000,000.

On page 13, line 3, increase the amount by $130,000,000.

On page 13, line 6, increase the amount by $130,000,000.

On page 13, line 7, increase the amount by $130,000,000.

On page 24, line 16, decrease the amount by $130,000,000.

On page 24, line 17, decrease the amount by $97,500,000.

On page 24, line 20, decrease the amount by $130,000,000.

On page 24, line 21, decrease the amount by $130,000,000.

On page 24, line 24, decrease the amount by $130,000,000.

On page 24, line 25, decrease the amount by $130,000,000.

On page 25, line 3, decrease the amount by $130,000,000.

On page 25, line 4, decrease the amount by $130,000,000.

On page 25, line 7, decrease the amount by $130,000,000.

On page 25, line 8, decrease the amount by $130,000,000.

Mr. VITTER. Mr. President, this separate amendment numbered 224 is another vitally important part of the budget, which is the budget for the U.S. Army Corps of Engineers. This amendment would increase funding of the Corps of Engineers to nearly last year's levels. Unfortunately, the President has proposed a significant, $130 billion cut from last year's levels. This would simply stay steady from last year's levels, using full offsets so that it would not change the overall topline number of the budget.

The Corps of Engineers' mission is vitally important to the country in two areas in particular—first, for a lot of environmental purposes. This certainly affects Louisiana. In Louisiana, this Corps funding is critically important as we literally fight for our life in the fight against coastal erosion.

As noted by the President himself, over the past 75 years more than 1 million acres of Louisiana coastal plain have been lost into the Gulf of Mexico. Another third of a million could be lost by 2050.

This is such a crisis that we lose a football field of land, which is a fair amount of land, every 38 minutes. That clock does not stop. It is 24 hours a day, 7 days a week, 52 weeks a year.

This, of course, is just related to Louisiana. There are other vitally important environmental projects that the Corps is focused on outside of Louisiana, such as the Florida Everglades, upper Mississippi, and many other important projects.

The second area for which the Corps is vitally important is water projects that build and maintain waterways around the country. That goes directly to the maritime sector of our economy and our national economy and economic growth. The Corps builds and maintains and operates 8,000 water projects across the country. Every year it dredges 900 harbors, operates 275 locks and dams, 75 hydropower facilities, and it manages 4,300 recreation areas. All of this is very important to our country, our way of life and our economy. An enormous part of the economy is maintained by that important work of the Corps.

That is why I believe cutting the Corps' budget in real dollar amounts, by $130 million, is not the way to go. It would hurt our economy. It would hurt economic growth. So my amendment would simply propose to restore the Corps of Engineers' funding to last year's level—no more, what was actually appropriated last year.

It is important to note that my amendment contains a full offset and that would be a decrease in funding from the General Government account. This would be a 0.7 percent reduction in that account, an account which has been increased 8 percent, double the rate of inflation from last year.

I think this is the right thing to do. I urge all my fellow Senators to support this amendment.

I yield back my time.

The PRESIDING OFFICER. The time of the Senator has expired.

AMENDMENT NO. 197, AS MODIFIED

Mr. ALLEN. Mr. President, I will be sending an amendment to the desk and will ask for its immediate consideration. But while a final modification is being made, I will speak on the amendment. Once its been modified, I will ask to call up for consideration.

The amendment I am offering to the budget resolution this evening would provide additional funding for the Aeronautics Program at NASA. There has been much talk over the last 3 days about how Congress's budget is a representation of our Nation's priorities. If that is the case, I believe the priorities in this budget proposal are far out of place regarding our Nation's commitment to aeronautics research and development.

Aeronautics is a very vital and important science to our country. It provides vital innovations and breakthroughs in military and commercial aviation. Our Nation, from the beginning of flight, from the Wright brothers until very recently, has been unrivaled in military aviation power because of the research and development we have undertaken in the field of aeronautics.

My colleague from Virginia, Senator John Warner, and Senator DEWINE of Ohio are joining me in offering this amendment, which will restore vitally needed funds for the NASA Aeronautics Program.

The administration's 2006 budget proposes to cut over $700 million out of NASA's aeronautics budget over the next 5 years—$700 million over the next 5 years. That will reduce the effective levels of NASA's aeronautics investment to about half of the level that it is today. Today's level is about half the level that the funding, adjusted for inflation, was just a decade ago. So a decade ago there was an amount, that has been cut in half, and this proposal is to cut it in half again, which, in effect, means we have a quarter of the budget in research and development in aeronautics that we had just 10 years ago.

In fact, the fiscal year 2006 budget calls for eliminating NASA's entire Vehicle Systems Program, the very initiative that over the last 5 decades has provided major technology advances that have been used on every major civilian and military aircraft over that period of time. The Vehicle Systems Program is a vitally important aspect of NASA, aeronautics, and our country.

I am a competitive person. I think this country needs to be a leader in innovation and technology, whether that is nanotechnology, which is a key technology for the future in a variety of areas from life sciences to medical sciences to energy to microelectronics.

Another key area for our country's competitiveness and our security in the future is aeronautics. The share of the United States of global commercial aviation sales has been declining for

the better part of the last three decades, dropping from 90 percent of market share in 1940 to just over 45 percent last year. In fact, last year was the first time the United States was not first in sales of commercial aircraft.

Despite this decline in market share, U.S. commercial aviation is one of the few areas of U.S. manufacturing where we actually have a positive balance of trade. The administration's proposal is shortsighted, and the kind of ''penny wise, pound foolish'' idea that will hinder the United States's economic growth and eliminate any chance that our commercial aviation industry will be able to regain market share against our global competitors.

Make no mistake, the European Airbus consortium has a specific, targeted, and funded effort to achieve overwhelming dominance of the commercial aviation market by the year 2020.

My amendment sends a message. The message is that as this year's budget process plays out, this Senator and my colleagues as well as colleagues from many parts of our country are going to fight the proposed unwise, harmful cuts to aeronautics research and development. I do not think Americans like losing in aeronautics. Our goal is not only to stop these cuts but also to build a national consensus towards investing even more in aeronautics at NASA.

Mr. President, I ask unanimous consent to have additional information printed in the RECORD on why aeronautics research is important to our Nation.

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

THE IMPORTANCE OF AERONAUTICS

1. Aeronautics is important to the safety of the nation's flying public because:

Air traffic will nearly double in the next decade and will triple in 20 years.

If you calculate out today's accident rate to the number of flights we will have 20 years from now, we will have a major accident once per week, an unacceptable rate.

Our interstate highway and railroad systems, which are already less safe than flying, are also already exceeding capacity and require a huge investment in infrastructure to meet anticipated demand.

2. Aeronautics is important to our national defense because:

Every military aircraft design the U.S. military currently flies incorporates advanced technologies that were developed at NASA Research Centers.

NASA engineers have developed military innovations such as shaping for stealth; multi-axis thrust vectoring exhaust nozzles integrated with aircraft flight-control systems; fly-by-wire flight control technologies; high-strength and high-stiffness fiber composite structures; and tilt-wing rotorcraft technology.

Losing experienced NASA aeronautics engineers and discouraging young engineers from entering this field only harms our national expertise in cutting edge aviation systems.

3. Aeronautics is important to our economy because:

The U.S. aerospace and aviation industry employed 2 million workers in 2001. These workers earn incomes that are 35% higher that the average income in the U.S.

The U.S. is losing serious market share in aviation to Europe; U.S. market share has dropped from 70 to 50 percent in just a decade. The Europeans' ''Aeronautics Vision for 2020'' plans include them gaining irreversible dominance in civil aviation manufacturing.

Many aerospace and aviation industry segments have lost jobs since 1996, and the manufacturing sector of this industry has lost 67,000 jobs since 1998 alone.

The aviation industry has the largest positive balance of trade of all U.S. industries ($33 billion in 1999).

Mr. ALLEN. Mr. President, this amendment would provide a relatively modest increase to the NASA program that has been proposed to be drastically cut in this budget. The Vehicle Systems Program conducts research on the feasibility of hypersonic flight. Hypersonic fight is speed beyond Mach 5, and also research on the development of zero emissions aircraft. The National Institute of Aeronautics is expected to release a report finding the need for increased aeronautics investment and specifically on greater focus on NASA's vehicle systems programs.

The amendment I will be offering would meet these recommendations over the next 5 years.

As I stated, the increases are relatively modest. For fiscal 2006, the amendment calls for an additional $207 million for the Vehicle Systems Program. This additional funding would be offset by reduction in funding for administrative services across all accounts.

I urge my colleagues to consider the importance of aeronautics research, not only for the jobs and the commercial importance for our country but also for our continued national security. Aeronautics is important, because if you look at the R&D and the advancements that will be coming in aeronautics compared to what is going on with our European competitors, our aeronautics engineers are generally older. If we are going to have the next generation of young people involved in aeronautics engineering, we need to have this commitment to R&D.

Moreover, it is essential that our men and women in the Armed Forces have the best aircraft. We currently have air superiority. The reason that we have it is because of the R&D over the past 5 decades. For this country to continue to protect the freedom that we enjoy here on the floor of the Senate and in this Congress we must be able to project our power into areas where precision, stealth, and speed are required. To continue being able to do that, aeronautics R&D is absolutely essential.

I request that my colleagues to support this amendment.

AMENDMENT NO. 197, AS MODIFIED

Mr. ALLEN. Mr. President, I send the amendment to the desk with a modification.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. ALLEN], for himself, Mr. WARNER, and Mr. DEWINE, proposes an amendment numbered 197, as modified.

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

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

The amendment is as follows:

(Purpose: To increase, with an offset, by $1,582,700,000 over fiscal years 2006 through 2010 funding for Transportation (budget function 400) with the amount of the increase intended to be allocated to the Vehicle Systems account of the National Aeronautics and Space Administration for subsonic and hypersonic aeronautics research)

On page 15, line 15, increase the amount by $207,700,000.

On page 15, line 16, increase the amount by $207,700,000.

On page 15, line 19, increase the amount by $313,200,000.

On page 15, line 20, increase the amount by $313,200,000.

On page 15, line 23, increase the amount by $321,900,000.

On page 15, line 24, increase the amount by $321,900,000.

On page 16, line 2, increase the amount by $355,100,000.

On page 16, line 3, increase the amount by $355,100,000.

On page 16, line 6, increase the amount by $384,800,000.

On page 16, line 7, increase the amount by $384,800,000.

On page 26, line 14, decrease the amount by $207,700,000.

On page 26, line 15, decrease the amount by $207,700,000.

On page 26, line 17, decrease the amount by $313,200,000.

On page 26, line 18, decrease the amount by $313,200,000.

On page 26, line 20, decrease the amount by $321,900,000.

On page 26, line 21, decrease the amount by $321,900,000.

On page 26, line 23, decrease the amount by $355,100,000.

On page 26, line 24, decrease the amount by $355,100,000.

On page 21, line 1, decrease the amount by $384,800,000.

On page 21, line 2, decrease the amount by $384,800,000.

Mr. ALLEN. Thank you, Mr. President.

I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. ALLEN. I yield the floor.

AGRICULTURE MANDATORY SPENDING

Mr. CHAMBLISS. Mr. President, I rise today to discuss the budget resolution and its impact on Agriculture Committee mandatory spending programs. Would the distinguished chairman of the Budget Committee engage in a colloquy with me on this subject?

Mr. GREGG. I would be pleased to enter into such a colloquy.

Mr. CHAMBLISS. As I understand it, the budget resolution before us today assumes a total reduction in Agriculture Committee mandatory spending programs of $5.4 billion over the

five-year period covering fiscal years 2006 through 2010. I further understand that $2.8 billion of this total is to be achieved by the Agriculture Committee by changing laws governing mandatory spending programs within its jurisdiction through the budget reconciliation process. Assuming the Agriculture Committee complies with its reconciliation instruction, this leaves an additional $2.6 billion in assumed, but un-reconciled, mandatory spending reductions in Agriculture Committee programs. My understanding is that the additional $2.6 billion in assumed reductions will not impact such programs if the Agriculture Committee chooses not to achieve them. Is my understanding correct?

Mr. GREGG. Yes, your understanding is correct. If the Agriculture Committee complies with its reconciliation instruction, the budget resolution contains no budget enforcement mechanism to achieve the additional $2.6 billion in assumed mandatory spending reductions.

Mr. CHAMBLISS. I would like to explore this a little further because it is an important point. It is possible that subsequent to the completion of the budget reconciliation process, the Agriculture Committee may wish to move legislation that affects programs within its jurisdiction. My understanding is that no budget points of order will lie against such an Agriculture Committee bill as long as it is spending neutral. Is my understanding correct?

Mr. GREGG. Yes, you are correct.

Mr. CHAMBLISS. This clarification is helpful. Unfortunately, there is a lot of confusion on this point. Yesterday, all Senators were sent a letter that among other things suggested that the budget resolution's assumed additional, but un-reconciled, reductions in Agriculture Committee mandatory spending would generally allow a budget point of order to be raised against Agriculture Committee bills subsequent to the completion of the budget reconciliation process. Have you had an opportunity to read this letter?

Mr. GREGG. I have and the letter is very definitely incorrect on this point.

Mr. CHAMBLISS. While I would prefer to not alter any programs under the Agriculture Committee's jurisdiction this year to achieve mandatory spending reductions, our committee has been willing in the past to contribute its fair share to help restrain mandatory spending in previous efforts to reduce the budget deficit. I believe our committee will be willing to do that again this year. In my view, a $2.8 billion reduction over five years in Agriculture Committee mandatory programs is a reasonable contribution given the President's proposal to reduce overall mandatory spending by $61.6 billion. Unfortunately, the House budget resolution instructs the House Agriculture Committee to achieve $5.3 billion in mandatory spending reductions. I strongly request that you keep the Agriculture Committee's reconciliation instruction in the final budget resolution conference report from rising above the Senate's $2.8 billion figure during conference with the House.

I thank the Chairman.

Mr. GREGG. I will do my best to maintain the Senate position in conference with the House.

Mr. VOINOVICH. Mr. President, the Senate is once again working late hours to enact a budget resolution totaling more than $2 trillion and setting major policy guidelines through the reconciliation process. So begins our annual budget process.

From now until September 30, Congress will conduct dozens of hearings and hold countless meetings, while Members of both Houses deliver innumerable speeches and spend long hours of debate over every subtle nuance of the Federal budget process.

Over the next 8 months, Congress will consider a budget resolution, a budget reconciliation package, and as many as 13 separate appropriations bills—the latter only if we do not combine those appropriations bills into one massive spending bill, as has been the practice in recent years.

By the time Congress adjourns—hopefully in early October but more likely in mid November—a majority of votes taken in the Senate will relate to the budget process.

Indeed, as my colleague, the distinguished chairman of the Budget Committee, Senator DOMENICI, has pointed out, 73 percent of the Senate's votes in 1996 were budget related, 65 percent in 1997, and 51 percent in 1998. It is no wonder each year it is quite common for the same subject to be voted upon three or four times during the course of the entire budget process. It is a heck of a way to run a railroad, but what is really unbelievable is this whole process is repeated each year.

I say enough is enough. It is time to bring rationality to our Nation's budget process.

It is a fact that Congress spends too large a portion of its time debating and voting on items related to the Federal budget. Meanwhile, most other congressional functions are not given proper attention. CBO reports that last year Congress appropriated over $170 billion for 167 programs whose authorizations had expired. This is not the fault of the appropriators. No one expects them to not fund veterans health care or other critical programs due to an expired authorization. It is the fault of a process that simply does not leave us enough time to adequately review and reauthorize important Government programs.

We need to reestablish our priorities so we may effectively do the work of the people, make sure that the Federal Government is running at peak efficiency and deliver value, which is quality service for the least amount of money.

I believe we have an excellent opportunity to do that this year.

One of the first bills I cosponsored when I became a Senator was a measure introduced by Senator PETE DOMENICI that would establish a 2-year budget—just like we have in about 20 States, including the State of Ohio. I believe enactment of this bill would have provided an important tool in the efficient use of Federal funds while strengthening Congress's proper oversight role. Unfortunately, we were unable to pass that legislation and the issue has lain idle over the past several years. Now is the time to take it up again.

Because Congress produces annual budgets, Congress does not spend nearly as much time as it should on oversight of the various Federal departments and agencies due to the time and energy consumed by the budget resolution, budget reconciliation, and appropriations process.

Not only is this a problem for Congress, but each executive branch agency and department must spend a significant amount of its time on each annual budget cycle.

Again, as my colleague, Senator DOMENICI pointed out in 2000, the executive branch spends 1 year putting together a Federal budget, 1 year explaining that Federal budget before Congress, and 1 year implementing the budget eventually passed by Congress.

Even the most diligent Cabinet Secretary cannot keep track of all the oversight he or she is supposed to accomplish if they are trapped in this endless budget cycle.

A biennial budget will help Congress and the executive branch avoid this lengthy process. Since each particular Congress lasts only 2 years, a biennial budget would allow us to consider a 2-year funding proposal during 1 year, while reserving the second year for Government oversight.

As chairman of the Subcommittee on Oversight of Government Management and Restructuring in the Governmental Affairs Committee, I have noted that even though the General Accounting Office conducts numerous reports documenting Government inefficiencies that need to be corrected, most GAO reports sit on the shelf because there is no time to conduct detailed hearings.

When oversight hearings are held, nearly everyone in the executive branch knows—from career bureaucrats to Cabinet Secretaries—that they need only weather the immediate storm when they are asked to come to the Hill to testify.

That is because once they answer the criticisms that have been leveled in these GAO reports, and explain how they are going to improve the situation, it is over; the worst has passed. Rarely do they have to worry about followup hearings to make sure they have implemented the proper remedies because they know Congress just will not have the time to conduct future hearings.

A 2 year budget cycle gives Congress time to do that legislative oversight and makes it harder for agencies to avoid giving answers.

Two-year budgeting also gives Congress and agencies time to plan for the future instead of always reacting to the past. Federal agencies are required to have 5-year strategic plans but they need longer term budgets to match their funding to their planning.

For my colleagues who are tired of the seemingly endless budget and appropriations cycles and are frustrated at the inability to devote enough time to the oversight duties of their committees, I urge them to join in cosponsoring this legislation. I also urge my House colleagues to review the merits of the biennial budget process and act upon legislation as expeditiously as possible for the good of America.

The point I am making is this. It is time for this Congress to adopt a 2–year budget cycle instead of the one we have had for too many years. It will help us do a better job in terms of budgeting; it will allow Congress and the agencies time to plan more effectively and certainly get us to do the oversight that is so badly needed by this Congress.

I sincerely wish we were about to vote on a biennial budgeting bill instead of merely a sense-of-the-Senate-resolution. Nevertheless, we can at least send a message to our colleagues telling them the Senate does not intend to let this issue simply fade away. I urge my colleagues to vote yes on this resolution. I ask that the text of my amendment No. 175 be printed in the RECORD.

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

(Purpose: To express the sense of the Senate that Congress should enact a biennial budget for the Federal Government)

On page 65, after line 25, insert the following:

**SEC. _____. SENSE OF THE SENATE SUPPORTING BIENNIAL BUDGETING.**

It is the sense of the Senate that Congress should enact a biennial budget for the Federal Government.

Mr. CORZINE. Mr. President, the process of developing a budget each year provides an opportunity to take stock of our priorities as a nation.

The President outlines his priorities through his budget, but it is the Congress, with its control of the purse strings, that is ultimately charged with the responsibility of fashioning and enacting legislation.

Regrettably, the priorities reflected in this budget resolution—which mirror those in the administration's budget proposal—are wrong for America and certainly wrong for the people of New Jersey.

In New Jersey, we are particularly sensitive to the choices made by this administration and its allies in Congress, since we provide the greatest contribution of taxes paid relative to what we get back from the Federal Government. Our return on the Federal dollar has fallen from 70 cents to a meager 57 cents under the Bush administration. This budget will only further increase the strain on New Jersey's citizens, especially our most vulnerable: our children, our disabled, and our seniors.

According to the resolution before us, this administration and this congressional leadership's priorities include underfunding No Child Left Behind by an astounding $12 billion next year, which means that 53,152 students in New Jersey will not be served by the title I program and 32,822 fewer kids in New Jersey will have a safe place to go after school. I am disappointed that this body on Monday rejected an opportunity to restore some of this funding.

According to this resolution, Republican leadership's priorities include cutting $15 billion from the Medicaid Program over the next 5 years. If these cuts take effect, New Jersey would lose $90 million a year in Federal Medicaid funding.

I asked my State to tell me what they would do if they lost this funding. They told me there are two options: The State will either have to eliminate health insurance for more than 20,000 low-income children and pregnant women who are considered ''optional'' beneficiaries because they earn just above 133 percent of the poverty level, which is $20,000 for a family of four; or, the State could eliminate ''optional'' services, including dental care, hearing aid services, psychological services, and medical daycare for individuals with Alzheimer's and dementia.

The Republican leadership's priorities include cutting Amtrak's entire operating subsidy. I doubt the 82,000 commuters who ride New Jersey Transit trains every day would agree with this policy choice, since their trains operate along Amtrak's Northeast corridor rail. Neither, I know, would the literally millions who rely on Amtrak to travel interstate.

Let's not forget cuts for our veterans and first responders and weakened investment in community development. The list goes on and on.

All in all, under President Bush's budget, my home State of New Jersey stands to lose nearly $300 million next year, adjusted for inflation, according to the Center on Budget and Policy Priorities and that is before you even estimate his implied cuts to Medicaid. If Congress fails to act, cuts under our budget could be of a similar magnitude.

These cuts do not come as part of some shared sacrifice driven by tough fiscal times, as some would have us believe. Most of these program cuts are only a drop in the bucket compared to the cost of President Bush's tax cuts for the most fortunate.

In all, the Bush administration has reduced Federal revenues to their lowest level as a share of the economy since the 1950s. As a consequence, we no longer have the resources to deal with the Nation's priorities—that is why they want to cut funding for veterans and education and health care and community development.

Next year, people with incomes greater than $1 million will receive $32 billion from President Bush's tax breaks. Compare this $32 billion cost to the $220 million that the President has proposed cutting from the Low Income Heating Assistance Program, which helps low-income families and seniors pay their heating and cooling bills. We would literally be throwing people out in the cold—405,000 of them, to be precise, or more than 7,000 in New Jersey—to pay for less than 1 percent of President Bush's tax breaks for millionaires.

This choice simply does not reflect our Nation's fundamental values. I don't think it reflects the values of even those benefiting most from it. Nor does it address the real needs of working families in New Jersey and across America.

That reality includes rising health care costs that are driving families into bankruptcy like never before and preventing businesses from creating jobs. It includes growing wage disparity and a labor market that's stayed weaker for longer coming out of a recession than any other time on record.

According to the Tax Policy Center of the Urban Institute and the Brookings Institution, more than 70 percent of the benefits of the President's tax breaks enacted in 2001 and 2003 go to the 20 percent of taxpayers with the highest incomes. More than 25 percent of the taxcut benefits go to the top 1 percent.

I believe that America stays strong by investing in its people and its communities, not by abandoning them.

Let's remember the context. Since President Bush took office, the Federal budget deficit has deteriorated every year. This year, we are expected to be $427 billion in the hole.

In light of this record, President Bush and his Congressional allies' recent claims of fiscal responsibility simply are not credible. This budget makes those claims even less credible by achieving much of its purported ''cost savings'' by passing the buck to State and local governments.

Lowering the numbers here in Washington is not the same thing as fiscal discipline if this is simply an exercise in shifting cost burdens to states and communities. That is hardly a plus for the American people and certainly not for New Jersey.

Our States are already stretched too thin. In New Jersey, we have a budget shortfall of $4–$5 billion and annual property tax increases of 7 percent. Much of the reality for States in budget and tax policy has been the result of cost burdens and unfunded mandates passed down from this administration and its allies in Congress.

We have heard claims from the other side that their tax cuts for the most fortunate are somehow responsible for providing a boost to our economy. But as any serious minded economist not on the Republican payroll will tell you, the real story of our modest growth has

been the longest sustained monetary expansion on record by the Federal Reserve.

Claims that the tax cuts are responsible for significant economic growth are reminiscent of a rooster taking credit for the Sun coming up.

The more noticeable result of the tax cuts has been an explosion in our Nation's debt, starting with the $1.8 trillion cost over 10 years of making the cuts permanent. If we continue along the path set by this administration, by 2015, each family's share of the national debt will be $73,563. This is simply unacceptable.

As we develop this year's budget, I hope we take a long, hard look at the priorities our Nation has followed under this president. Because, in my view, those priorities need major changes.

As I said earlier, it is the job of the President to reflect his priorities, but it is the role of Congress to reflect the priorities of America, of our families, and of our workers.

I hope we will not fail them.

Mr. THOMAS. Mr. President, as I listen to the arguments coming from the other side this week, I think it is important that we clear up a few misconceptions. A couple of common themes are being emphasized with which I fundamentally disagree.

First of all, it is being alleged that the Federal Government is ''cutting'' spending. In fact, we are not ''cutting'' anything. Defense spending under this budget would rise by 4.3 percent over last year. Other discretionary spending would also rise.

Mandatory spending will similarly increase—in some cases substantially. Medicare, for example, is slated to rise by 12.7 percent. So to say we are ''decreasing'' funding is just not true. The savings to which we refer result from slowing projected increases in spending. We should not assume that just because we go from one year to the next we should automatically be increasing all of our current obligations.

Secondly, it is alleged that we are ''cutting'' programs. In fact, what we are talking about here are overall budget numbers. Nothing about this resolution allocates specific dollars to specific programs. While it is true that the President's budget has made recommendations to cease Federal funding of certain programs, allocation of the final budget number is the job of the appropriators. In addition, the majority of the programs about which I have heard complaint are areas properly left to State authority and are not within the powers enumerated to the Federal Government. For example, of course education is a priority. But specifics of education and available programs are not within the purview of the Federal Government. They are properly left to the States. That said, under this President and this Congress, overall investment in elementary and secondary education exceeds $500 billion annually, surpassing spending on national defense and exceeding per-pupil education spending of every other country except Switzerland.

Finally, we are hearing a lot of rhetoric about ''tax cuts for the rich.'' I would first point out that many of these ''rich'' are small business owners who are trying to make capital investments and meet payroll. Secondly, we must all remember that money belongs first to those who earn it, and taxes are the share an individual's earnings that is paid to support the Government. The money isn't ours first. It is theirs. Limiting Government to its essential purposes and allowing people to keep more of their own money is something we all should strive to accomplish. The burden of government has grown entirely too large and way beyond what our Founders intended.

These same people who rail about deficit increases ''resulting from tax cuts for the rich'' are not advocating fiscal restraint on the spending side. To the contrary, they consistently argue for bigger and bigger increases in Federal spending and more and more entitlement programs funded by the Federal Government. During last year's budget debate, many of these same Senators voted for $400 billion in additional spending.

If we are to be serious about reducing the deficit, we cannot continue to spend at the current pace. Our largest entitlement programs—Medicare, Medicaid, and Social Security—are already in deep financial trouble going forward into the near future. At some point, we have to hold the line.

Mr. ENZI. I want to begin by complimenting Chairman GREGG, Senator CONRAD, and our leadership for bringing the budget resolution to the floor. Last week the Budget Committee reported out the resolution on a party line vote, after a full day of debating and voting on amendments. I am encouraged by the pace at which we are moving forward. It was only 5 weeks ago that President Bush sent his proposal to the Hill for Congress to review.

Last year we passed a budget out of the committee and on the Senate floor but were unable to reach an agreement on a Conference Report. That was unfortunate for a lot of reasons. The Budget Resolution sets a blueprint that Congress is supposed to follow for the year. It establishes spending guidelines, and procedural hurdles for the floor when we fail to live by these guidelines. Chairman GREGG and Senator CONRAD have worked tirelessly to get us where we are today. I commend them for that, and hope that this pace will continue so we can have a budget resolution conference report voted on quickly.

The budget process forces Congress to contemplate our legislative and spending priorities each year. However, I'd like to remind everybody we're not debating appropriations today. My colleagues from the other side of the aisle will try to make this budget debate about proposed cuts to individual programs and pet projects, but we're not cutting any individual programs today. Let me say that again, we're not cutting any individual programs today. We are not making the decisions this week as to which individual programs will be funded. We are setting overall funding levels that will hold our colleagues' spending in check down the road.

However, despite this fact, we are going to hear amendment after amendment that proposes to increase funding for one program or another by increasing taxes.

For example, an amendment that proposes to increase funding under function 750 for COPS grants by eliminating tax relief for working Americans does not guarantee that funding will actually find its way into those grant accounts. That decision will be made by the appropriators and the Senate during the debate on appropriations. That means much of the rhetoric we will hear throughout the debate is political, not practical. Right now, we can only decide the amount of money, not where it will end up.

Setting the overall funding level for fiscal year 2006 is especially challenging, because I think most of us agree that deficit reduction must be a top priority. When I read the administration's budget request they presented in February, I saw that President Bush proposed the first budget since Ronald Reagan that cut non-security discretionary spending.

I have a long track record in support of deficit reduction, and I am committed to helping President Bush and Chairman GREGG achieve this goal. As we know from marking up the resolution last week, the committee-reported resolution contains instructions that would require authorizing committees to reduce mandatory spending. Many of these cuts will come from programs that I oversee in my role as chairman of the HELP Committee.

I am committed to reviewing and strengthening programs under HELP's jurisdiction to ensure they are cost effective, not duplicative, and that accountability is required. Because Federal dollars are limited, we need to focus our resources on opportunities where programs will make a difference, and where results can be measured.

One main priority for the committee this year is reauthorization of the Higher Education Act. The committee-reported resolution and the President's budget both propose spending cuts, while also making room for new initiatives. Critics of the President may claim that we are unreasonably cutting education spending. However, in addition to required savings, the resolution also contains a $5 billion reserve fund for new initiatives. My colleagues who have worked on education policy understand that there are reforms to lending programs we can work toward that shouldn't be contentious. I want to work with all of my colleagues, particularly those on the other side of the

aisle, to craft a bipartisan reauthorization bill that enhances access to higher education for poor and middle class families. Higher ed reauthorization should be a bipartisan bill, like it has been historically.

The resolution also proposes deficit reduction from savings associated with changes to the Pension Benefit Guaranty Corporation. Right now the PBGC has a deficit of $23 billion. The Committee-reported Resolution incorporates a $5.3 billion reduction of that deficit over 5 years. Only a small part of this can be accomplished through reconciliation. The HELP Committee will collaborate with the Finance Committee to reach this goal in the context of comprehensive pension reform. Chairman GRASSLEY and I are committed to restoring the financial stability of the defined benefit system. The solvency of the PBGC is a critical component of these reforms.

I am pleased the resolution again identifies tax relief as a top priority this year. The resolution includes reconciliation instructions that will allow $70 billion of tax cuts through the reconciliation process. I hope this will enable the Finance Committee and our leadership to keep in place the tax relief that has produced 21 consecutive months of job creation and produced more than 3 million new jobs. These progrowth tax policies have jumpstarted American business, and yielded continued increases in technology, infrastructure and equipment investments. We need to keep the trend going. The committee-reported resolution allows the Finance Committee to extend key provisions like the reduction in tax rates on capital gains and dividends, the increase in expensing for small business under Section 179 and the ability of individuals in states without income taxes to deduct their local and state sales tax from their Federal income tax liability. I want to thank Chairman GRASSLEY for his leadership at the Finance Committee these past 4 years.

The resolution also demonstrates a commitment to energy development in Wyoming and in the entire United States. It is the first step towards developing a comprehensive energy policy in the 109th Congress. The energy reserve fund and the reconciliation instructions for an energy tax incentives package will lay the footwork for a policy that will help our Nation meet its energy needs in a fiscally responsible manner. Specifically, I would like to reinforce my support for recognizing the importance of developing lean coal technologies, something that is vital for the economy of Wyoming. I look forward to working so that these technologies receive the funding necessary to become viable.

I again want to thank Chairman GREGG and his staff for their hard work on this resolution. They have all worked tirelessly, through many weekends, to get us here today. I yield the floor.

Mr. GREGG. Mr. President, we are now at the end of the day. It has been a long day, especially for staff. We appreciate their effort and their courtesy.

I note that there are now pending approximately 25 amendments to this resolution. There are still approximately 70 or so amendments that we have been told may be offered. Tomorrow, when we begin voting, which will occur, it appears, around 1:20, we have to vote those 25 amendments, and that in and of itself would take 8 hours. If any percentage of the ones that are still pending have to be voted, you can presume a significant additional amount of time. So we could be here quite late tomorrow night, and our colleagues should be aware of that as they move into tomorrow.

It also should be noted that almost all the amendments that have been offered today—there have been one or two exceptions, or maybe three or four exceptions—have essentially attempted to increase spending. Some have offset that spending increase with reductions in accounts which actually exist. A couple of the amendments, such as one of the amendments on Border Patrol, takes the money that it spends on Border Patrol and moves it over from other accounts in international affairs. Most of the amendments spend additional funds by raising taxes or by doing what is known as the 920 account, which amounts to an across-the-board cut, for all intents and purposes, of other accounts within the Government.

It is going to be interesting to see when we have completed this budget process whether there really is a willingness to fiscal discipline within the Congress, especially within the Senate which is controlled by a party that alleges itself to be fiscally disciplined. We are going to determine that sometime very late tomorrow night or early Friday morning. But clearly the issue is in question.

## MORNING BUSINESS

### TRIBUTE TO THE REVEREND DENVIS RUSH

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a lifelong Kentuckian who dedicated his life to serving others, the Reverend Denvis Rush. Known to many simply as ''Preacher,'' the Reverend Rush was a Kentucky icon who passed away earlier this year at the age of 85 from complications of liver cancer.

The Reverend Rush began preaching at the age of 18. His 66-year career spanned eight different churches in Eastern Kentucky and allowed him to embark on mission trips to Indonesia, Africa, South America, and Korea. He touched thousands of lives by officiating at numerous baptisms, weddings, and funerals. Despite his illness, he continued to preach and stood before his congregation for a final time the Sunday before he passed away.

In addition to his ministerial duties, the Reverend Rush was a longtime chairman of the Oneida Baptist Institute's school board and served on the executive board of the Kentucky Baptist Convention. He was also active in other community organizations where he and his wife of 63 years, Juanita, would donate their time and energy to help improve the quality of life of those around them. The Reverend Rush is survived by his wife; a daughter, Joyce Rush Woods; four sisters; a brother; four grandchildren and seven great-grandchildren.

The Reverend Rush was a very modest man who, when asked to reflect on his lifetime of achievement, said, ''I haven't done it. The Lord's done it, through a little old nobody.'' But the thousands of people he touched all certainly thought he was somebody, somebody special. Mr. President, today I ask my colleagues to join me in expressing our sympathy to the family and friends of the late Rev. Denvis Rush by honoring and recognizing all of the contributions he made to communities in Kentucky and around the world. He will be missed.

Mr. President, I ask unaminous consent to print in the RECORD an article from The Lexington Herald-Leader, ''Denvis Rush, minister, dies,'' about the Reverend Rush's life.

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

[From the Lexington Herald Leader, Feb. 9, 2005]

''DENVIS RUSH, MINISTER, DIES; HAD CONDUCTED REVIVALS ON 4 CONTINENTS''

(By Jennifer Hewlett)

The Rev. Denvis Rush held revivals on four continents. He officiated at thousands of funerals and weddings in Laurel and Clay counties and other Eastern Kentucky counties. For decades he preached several times a week at Kentucky churches.

When he found out that he had liver cancer in November, he declined to undergo chemotherapy because he knew it would sap his energy. He wanted to use every bit he had left to preach the word of God, friends said.

The Rev. Rush, a Baptist minister for more than 66 years, died Monday at Marymount Hospital in London. He was 85 and lived in London. In addition to his family, he leaves behind thousands of friends whose lives he deeply touched.

''There were times in his life when he had more influence on the people of Clay County than any elected official would have, and that's saying a whole lot,'' said the Rev. Thermon Taylor, pastor emeritus of Liberty Baptist Church in London and a longtime friend.

''He did so many things for the people in Clay County and Jackson and Perry and Leslie. . . His influence is extremely wide,'' Taylor said.

PREACHING AT 18

The Rev. Rush, a Laurel County native, began preaching at age 18 and pastored his first church, Laurel River Baptist Church in London, soon afterward. He was pastor of Providence Baptist Church near London at his death.

Before moving to Providence about 14 years ago, he pastored Horse Creek Baptist Church in Clay County for 37 years. During

several of those years, the Rev. Rush pastored Lily Grove Baptist Church, an African-American church in Clay County, at the same time.

''There was no color barrier with him. He was color blind,'' Taylor said. ''He helped them build a new church. He did a lot of the work himself with his two hands. . . . They loved him and he did them.''

At one time, the Rev. Rush was a member of the executive board of the Kentucky Baptist Convention.

''Whenever decisions were to be made within our association, one of the questions always asked was 'What does Brother Rush think about it?' '' said Roy Faulkner, director of missions for the Laurel River Baptist Association.

''He's an icon in Kentucky among Baptists.''

For decades, Rev. Rush was Oneida Baptist Institute's biggest cheerleader, said Kay Underwood, administrative coordinator at the school and wife of the school's president, W.F. Underwood.

For several years, the Rev. Rush, who had been a longtime chairman of the school's board, hauled groceries donated by an area wholesale grocer to the Clay County school for the students, faculty and staff members. He bought a truck just for that purpose.

''He has really been a wonderful ambassador for Oneida,'' Kay Underwood said. ''One of our buildings is named after him and his wife, Juanita.''

The minister, Underwood said, wasn't a wealthy man who could give a lot of money to the school, which has more than 300 students in grades six through 12, but he was a major influence on others who could.

''One of the tender things to me . . . he had a heart for children. He loved anything a child did. . . . This was a man who was a preacher, a man of God who was busy, busy, busy, but he was never too busy for a little child. I think that's why he had such a heart for Oneida,'' she said.

For the past five years, the Rev. Rush was the mission's teacher and coordinator at Laurel Lake Baptist Camp outside Corbin.

When he was at the camp, ''it was sort of like the Pied Piper, with kids following him all over the campus,'' Faulkner said.

CLEAR CREEK SCHOLARSHIPS

There is a scholarship at Clear Creek Bible College in Bell County named for the Rev. Rush, who studied there. Money for the scholarship was contributed by people whose lives he touched.

The Rev. Rush influenced many young preachers, Taylor said.

WORLDWIDE REVIVALIST

Over the years, the Rev. Rush held revivals not only in North America, but in Africa, Asia and South America.

Taylor recalled one mission trip to Brazil that the Rev. Rush took. While there, he gave witness to an elderly man on his front porch. A teenage girl inside the house told the Rev. Rush through an interpreter that she needed his help when he finished with the old man.

''She said, ''I'm 16 years old and I've got AIDS and I'm dying.' He taught her how to become a Christian,'' Taylor said.

''He had more understanding. He knew how to talk to people,'' Taylor said.

''His heart was in missions. . . . He told me just a week or so ago that if he had one thing he could do again was he'd like to go back and preach in Kenya one more time,'' Faulkner said.

The Rev. Rush preached for the last time Sunday. He preached twice that day. He was to have preached at a funeral today, having agreed to do so less than a couple of hours before he died. After he found out he didn't have long to live, he held a revival and officiated at several funerals and weddings.

The Rev. Rush is survived by his wife, Juanita Rudder Rush; a daughter, Joyce Rush Woods of Manchester; four sisters; a brother; four grandchildren and seven great grandchildren.

## HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS LANDON GILES

Mrs. LINCOLN. Mr. President. I rise today to honor the life of Landon S. Giles. Private First Class Giles was a passionate and free-spirited young man who lived his life with an admirable sense of adventure and courage. He was also a brave soldier who proudly and honorably served his Nation in uniform. In doing so, he gave his life while improving the lives of those he saw as less fortunate while helping to bring freedom and hope to a land that has known only oppression and fear. The way he lived his life is a testament to the kind of person he was. The State of Arkansas and our Nation will mourn his loss but will remain forever grateful of the service he rendered on behalf of us all.

PFC Giles was born and raised in the southwestern Arkansas town of Arkadelphia. From an early age, his sense of adventure and his athleticism would contribute to the way he spent his childhood. If he wasn't playing golf, football or baseball, he was most likely hiking or on a hunting trip with friends and family. Above all, PFC Giles loved to travel, where he could experience foreign cultures, see new places and meet new people. His father's job required an extensive amount of travel overseas and it allowed him the opportunity to do just that.

Through travels with his father, PFC Giles had the opportunity to see much of the world. When he was just 12, he became a certified scuba diver while diving at Sipadan, an island off the coast of Malaysia. Additionally, he would go on to experience memorable journeys such as climbing volcanoes in the South Pacific, deep-sea fishing off the coast of Australia, surfing in Hawaii, and riding an elephant through parts of Thailand. It was a rare privilege of which he took full advantage. It was an adventure that required courage and imagination and he loved every minute of it. Such was his life.

Wherever that life took him, his friendly personality and outgoing nature provided him with a natural gift for making friends quickly and easily. At the same time, his work ethic, dedication, and discipline earned him the respect of his teachers and coaches. Throughout his time at Arkadelphia High School, PFC Giles would call upon these traits when he spoke of entering the military. Shortly before his graduation, he joined the United States Army through their delayed-entry program. Since he had not yet reached the age of 18, he asked his mother, Kim, to fill out the necessary paperwork. Although she disapproved of his decision, she also saw how determined and passionate he felt about it and ultimately complied.

A month after his graduation last May, PFC Giles entered the Army as an indirect fire infantryman, assigned to the Army's 3rd Infantry based in Fort Stewart, GA. The day he was deployed to the Middle East for Operation Iraqi Freedom, his sister, Jennifer, told him she didn't want him to go to war. In a gesture befitting of who he was, he replied simply ''it's better I go and not come home than someone with a wife and children.'' In Iraq, his courage was surpassed only by his selflessness. He often spoke of his heartfelt belief that the Iraqis were being treated unjustly and had no one to fight for their rights. He became a champion of this cause and while proudly serving his country, was also proud to help the people of Iraq in their fight for freedom. Tragically, after serving in Iraq for only a few weeks, he was killed when an improvised explosive device detonated near his patrol on February 26.

Back in the community he called home, countless friends and neighbors, as well as strangers who simply wanted to pay their respects, lined the procession to his burial service. Many held small American flags in their hands, others simply held their hands over their heart. The community's outpouring of grief was tempered only by its outpouring of appreciation. Their fallen hero had returned home and it was readily apparent that his sacrifice would not soon be forgotten.

Landon Giles was an inspiration, not only because of the way he lived his life, but because of who he was. He was a loving son, brother, and friend, and he was also a hero. Although his time with us was way too short, his legacy will forever live on in the example he set and the many lives he touched. In the words of his mother Kim, ''I want him to be remembered as a strong, brave, compassionate person who put his life on the line to defend our country and help those less fortunate than us.''

My thoughts and prayers go out to all those who knew and loved this special young man.

## CO-SPONSORSHIP CHANGE S. 379

Ms. MIKULSKI. Mr President, today I rise to ask for a clarification in the CONGRESSIONAL RECORD from yesterday, dated March 15, 2004. The RECORD mistakenly reported that I was to be added as a cosponsor of S. 379, the Firearm Manufacturers Protection Act. Apparently, my name was typed into the RECORD instead of that of Senator MITCH MCCONNELL who had requested to be added as a cosponsor of that bill. I wanted the RECORD to reflect that I never requested to be added to the bill. As I hope my record reflects, I have been a strong opponent of the gun immunity bill because it puts one industry's bottomline ahead of the families

and victims of gun violence. I opposed this bill and will continue to oppose it because it slams closed the courthouse door to those seeking justice for victims of gun violence, such as the victims of the horrific sniper who terrorized the citizens of DC, Maryland, and Virginia just a short time ago.

## VOTE EXPLANATION

Mr. REED. Mr. President, I would like the RECORD to reflect that I was necessarily absent for the vote on the Byrd amendment offered to S. Con. Res. 118 on Wednesday, March 16, 2005. Had I been present for this vote, I would have voted in favor of the amendment.

## COLONEL PETE BUNCE, USAF

Mr. CONRAD. Mr. President, today I would like to pay tribute to Colonel Pete Bunce of the United States Air Force. Over the past few years, he has earned my personal thanks many times over for a job well done.

Many of us in the Senate know Colonel Bunce, who for the last 3 years has served as liaison to the both the Budget and Appropriations Committees. He has been a strong advocate for the Air Force and has worked tirelessly to improve communications between the Air Force and the Senate.

Colonel Bunce has been a good friend to the State of North Dakota and to this Senator. He has provided important assistance to me in organizing many meetings with the top leadership of the Air Force and the Department of Defense. Community leaders from the three North Dakota communities with the closest ties to the Air Force—Fargo, Grand Forks, and Minot—have all been able to join me for high-level Pentagon visits thanks to his help. He and his staff have also always been tremendously helpful in the Budget Committee's deliberations on national defense spending.

His professional advice helped me better understand the costs and sacrifices made by our military personnel during this war. I know many of my colleagues feel the same way. His personal testimony as the parent of a troop in harm's way was even more valuable. Pete's son, Justin, came home wounded from Iraq. Just as he was recovering from that injury, he was in a serious car accident. I want Pete to know that he, Justin, and the entire Bunce family are in my thoughts and prayers.

While I have relied on Colonel Bunce's military advice, I have valued his friendship even more. Pete, as you enter into a well deserved retirement, please know that you go with the best wishes of this Senator and all of us in the Senate.

## LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

Last February, a 37-year-old gay man was brutally murdered because of his sexual orientation. The attacker allegedly poured gasoline over the victim and set him on fire while he slept. The police are investigating the incident as a hate crime.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

## CELEBRATING IDAHO HEROES

Mr. CRAIG. Mr. President, I rise to recognize Ms. Tina Taysom and Mr. Greg Cannell of American Falls, ID, for their heroic actions in saving the life of a rural mail carrier who skidded off a winding mountain road and into a nearby river in Idaho.

On December 1, 2003, Ron Meadville, a rural mail carrier, was returning from his 110-mile route along the remote North Fork road northwest of Salmon, ID. Friends Tina Taysom and Greg Cannell were traveling ahead of Meadville on the same road. They pulled over to look at some deer, and Meadville passed them. When they pulled back on the road and rounded a bend, they couldn't see the mail truck but saw a set of skid marks that veered off the road, toward the near-frozen river. Meadville had hit a patch of ice that sent his truck hurtling over the 25-foot embankment to land upside down in the Salmon River, in more than 5 feet of 33-degree water.

Greg Cannell and Tina Taysom acted immediately. They stopped their truck, jumped out, slid down the steep embankment, and plunged into the river. After several strenuous attempts, they were able to pull open the truck door, grab Meadville's hand, and pull him out through an opening between the seat and the doorjamb. By this time, Meadville was experiencing hypothermia. Taysom and Cannell pulled Meadville up the embankment to their vehicle. Meadville managed to tell them he lived about a mile away, and they took him to his home, where they helped Meadville's wife care for him. They refused any care for themselves until they knew Meadville was safe.

Greg Cannell and Tina Taysom put themselves in harm's way to save a stranger. They refuse to be called heroes, but they are truly heroes to Ron Meadville and his family. Without their courageous actions, Ron Meadville would not be alive today. Their actions truly were heroic, and it is a pleasure for me to honor them and share their story.

## ADDITIONAL STATEMENTS

### CONGRATULATIONS TO THE KENTUCKY NEW ERA/ROTARY REGIONAL MIDDLE SCHOOL ACADEMIC ALL-STAR TEAM PROGRAM

• Mr. BUNNING. Mr. President, I rise today to recognize nominees for the Regional Middle School Academic All-Star Team from the Pennyroyal region in western Kentucky.

The regional Academic All-Star program's purpose is to recognize top academic scholars and performers. Students from Caldwell, Christian, Trigg and Todd Counties of Kentucky were nominated based on their academic performance in seven disciplines: English, foreign language, journalism, mathematics, science, social studies, and the creative and performing arts. The students are judged on their core academic score, the curriculum of the student, their grade point average, academic honors earned, unique accomplishments and achievements, extracurricular activities, employment history, and an autobiographical essay.

Education is the foundation upon which we reach our human potential. Students in Kentucky are developing their talents, furthering their education, and pursuing their aspirations in life through programs like the Academic All-Star program. Encouragement and recognition develop confidence and achievement among young Americans—the future leaders of our country.

The following students have been nominated for their academic excellence: Alicia Lynn Morris, North Drive Middle School; Ashley Chewning, University Heights Academy; Brittany S. Hurt, Hopkinsville Middle School; Chelsea Barnett, Christian Co. Middle School; Corrinna M. Kinnard, Sts. Peter & Paul Catholic School; Janelle Nichol Gilmer, Todd Co. Middle School; Megan Gray, Mahaffey Middle School; Sam Mitchell, Caldwell Co. Middle School; Sherry Cheatham, Heritage Christian Academy; Wesley Croom, Trigg Co. Middle School; Bree Raquel Hokulani Goodwin, North Drive Middle School; Elizabeth Settle, University Heights Academy; Emily Beatty, Todd Co. Middle School; Kate Milani, Mahaffey Middle School; Laura Beth Baggett, Heritage Christian Academy; Morgan C. Murray, Sts. Peter & Paul Catholic School; Sarah C. Hazelmyer, Trigg Co. Middle School; Shelley L. Traylor, Caldwell Co. Middle School; Taylor Queen, Christian Co. Middle School; Wendy A. Johnson, Hopkinsville Middle School; Andrew Landreth, Caldwell Co. Middle School; Jacob Kyle Langston, North Drive Middle School; Jonathan A. Chavez, Sts. Peter & Paul

Catholic School; Megan Jones, Mahaffey Middle School; Melissa Starks, Trigg Co. Middle School; Molly Ware Stuard, Todd Co. Middle School; Nadeem Ramzi Haroun, Hopkinsville Middle School; Rachel Brown, Heritage Christian Academy; Sarah Elaine Howell, Christian Co. Middle School; Sarah Elizabeth Fields, University Heights Academy; Chelsea Rae Prince, North Drive Middle School; Chris Kirkman, Heritage Christian Academy; Erin Hamilton Oakley, Trigg Co. Middle School; George W. Barnes, Sts. Peter & Paul Catholic School; Helen G. Crenshaw, Hopkinsville Middle School; Hunter Carroll, Todd Co. Middle School; John Paul Bointnott, Caldwell Co. Middle School; Kalleb Anderson Greene, University Heights Academy; Kelsey Fish, Mahaffey Middle School; Lindsay Elizabeth Gray, Christian Co. Middle School.

These students embody the spirit, commitment, and sacrifice that we all should strive for in our daily lives. The citizens of Kentucky should be proud to have these young men and women in their community. Their example of dedication and hard work should be an inspiration to the entire Commonwealth. I extend my thanks to these students for their efforts, and I am proud to bring their accomplishments to the attention of the Senate.●

## BONEAL INCORPORATED

● Mr. BUNNING. Mr. President, I pay tribute and congratulate Boneal Incorporated of Means, KY. This company has been named Regional Prime Contractor of the Year for Region IV by the Small Business Administration in Washington, DC.

Boneal has been chosen for this award among companies from Kentucky, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia and Florida. Boneal is now eligible to win the Small Business Administration's National Prime Contractor of the Year Award, which will be given out during Small Business Week from April 25 to 28.

This is not the first time Boneal has been recognized for its success. In both 2000 and 2001, Boneal received the Quality Supplier Award from the United States Postal Service. In 2002, the company was named ''Kentucky Industry of the Year'' by Associated Industries of Kentucky and received the ''2002 Small Business Administration Award for Excellence.''

The citizens of Kentucky should be proud of this small company. Their success serves as an example of how Kentucky's economy can take off and adjust to the 21st Century. Boneal Incorporated's know-how and hard work should be an inspiration to the business community of the Commonwealth. I wish them continued success in the future.●

## HOUSING OPPORTUNITIES OF NORTHERN DELAWARE

● Mr. CARPER. Mr. President. I rise today to recognize Fair Housing Month and the efforts of Housing Opportunities of Northern Delaware, HOND. On April 4, 2005, HOND will hold their 22nd Annual Proclamation Signing Ceremony. Their theme for this year will be ''Diversifying our neighborhoods with quality by building relationships through culture and lifestyles.''

In April 2005, the nation will observe the 37th anniversary of the passage of the Fair Housing Act, the groundbreaking legislation that affirmed in this country the right of every citizen to obtain the housing of their choice without being limited by race, color, religion, national origin, sex, disability or familial status.

Housing Opportunities of Northern Delaware, Inc. is a non-profit organization promoting fair and equal housing opportunities in the sale and rental of housing in Delaware. HOND also provides housing programs which support the mission of equal access to housing and provides information about the law and housing programs available to Delaware residents. HOND is governed by a board of directors composed of a cross-section of business and community representatives.

HOND is unique in that they were created primarily to provide fair housing law education to Delaware residents. Their mission is to eradicate housing discrimination through education, advocacy, and enforcement of local and national laws, and to promote fair and equal access to housing in rental, sales, homeowner insurance, and mortgages wherever one may choose to live.

It is well known that fair housing opens doors of opportunity. To communicate this belief, HOND focuses its activities around six functions. The first is education. HOND provides current information about housing and fair housing practices to existing community groups and counseling agencies. A variety of workshops, seminars and literature are developed for consumers, community groups, housing professionals and private business persons.

The second is compliance. HOND works with and encourages realtors, bankers, apartment managers, landlords and others to comply with fair housing regulations. HOND also works closely with government agencies including FDIC, HUD, State Human Relations Office and Commission, the City of Wilmington and New Castle County.

Direct assistance is the third function. HOND provides assistance and counseling to individuals who believe they are victims of unfair housing practices. HOND works with community groups and counseling agencies that are interested in fair housing.

The fourth function is advocacy. HOND monitors legislation of local, State, and national levels and serves as an advocate for fair housing.

Research is the fifth function. HOND develops and conducts research projects to eliminate inequitable housing practices. Consumers, community groups, and public and private housing organizations participate in these research projects.

Finally, there are special projects. HOND works with community groups, agencies, and others who have projects in mind to promote fair housing.

I rise today to thank Housing Opportunities of Northern Delaware, Inc. for all that they do in Delaware to better the lives of our residents. Their focus on serving our community is laudable, and I look forward watching their continued success and the impact it has on the people of Delaware.●

## THE VETERANS OF FOREIGN WARS NATIONAL HOME FOR CHILDREN

● Mr. LEVIN. Mr. President, I would like to take this opportunity to recognize the services of the Veterans of Foreign Wars, VFW, National Home for Children. Located in Eaton Rapids, MI, the VFW Home for Children has spent the past 80 years caring for the children and families of our Nation's veterans. The National Home's uniquely designed facility provides housing, food, health care, education, training, and counseling for the orphaned children and single-parent families in their care. With 70 buildings, 36 individual family homes, a community center, a guest lodge, and a chapel, the National Home is well-equipped to serve VFW-connected children from around the country.

The VFW National Home for Children provides two distinct programs for its residents: the Residential Program and the Single Parent Family Program. Children without a parent or guardian are placed in the Residential Program and live with professional childcare workers until they graduate from high school or are reunited with a family member. Single parent families are placed in a 3-year program that helps the parent or guardian develop the skills necessary to become self-sufficient. Both programs strive to ensure that the children maintain as normal a living arrangement as possible. Therefore, the community is structured as a typical American neighborhood and is fully integrated into the surrounding community. Children attend public school, live in brick homes instead of dormitories, and are encouraged to participate in community-wide events. Most importantly, both of these programs provide the children involved with what they need the most—a normal childhood.

The VFW National Home for Children is the only organization of its kind in the United States. Their innumerable services have touched the lives of thousands of children and families. Whether it is an orphaned child who has lived at the National Home since infancy, or a struggling family that needs help getting on their feet, virtually everyone

leaves the National Home stronger and in a better position than when they arrived.

I know my Senate colleagues join me in offering our congratulations and sincere appreciation to the VFW National Home for Children. We applaud and admire the valuable work of the dedicated donors, staff, and volunteers. We commend the VFW National Home for Children as they continue to improve the lives of these families.●

## MESSAGE FROM THE HOUSE

At 12:13 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to the following resolution:

H. Res. 147. Resolution electing members to the Joint Committee on Printing and the Joint Committee of Congress on the Library.

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1268. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, and for other purposes.

## MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1268. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, and for other purposes; to the Committee on Appropriations.

## 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–1294. A communication from the Acting Chair, Federal Subsistence Board, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled '' Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2005–2006 Subsistence Taking of Fish and Shellfish Regulations'' (RIN1018–AT46) received on March 16, 2005; to the Committee on Energy and Natural Resources.

EC–1295. A communication from the Assistant Secretary, Investment Management, Office of Regulatory Policy, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Redemption Fees for Redeemable Securities'' (RIN3235–AJ17) received on March 16, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–1296. A communication from the Principal Deputy for Personnel and Readiness, Office of the Under Secretary of Defense, Department of Defense, transmitting, pursuant to law, a report of the authorization to wear the insignia of the grade of rear admiral (lower half); to the Committee on Armed Services.

EC–1297. A communication from the Assistant Secretary for Administration and Management, Competitive Sourcing Official, Department of Labor, transmitting, pursuant to law, a report of the Department's 2004 Inventory of Inherently Governmental Activities and 2004 Inventory of Commercial Activities; to the Committee on Health, Education, Labor, and Pensions.

EC–1298. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the monthly report on the status of licensing and regulatory duties; to the Committee on Environment and Public Works.

EC–1299. 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 ''Alabama: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 7884–4) received on March 16, 2005; to the Committee on Environment and Public Works.

EC–1300. 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 ''Approval and Promulgation of Maintenance Plan Revisions; Ohio'' (FRL No. 7886–7) received on March 16, 2005; to the Committee on Environment and Public Works.

EC–1301. 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 ''Approval and Promulgation of Air Quality Implementation Plans; Maine; Control of Total Reduced Sulfur From Kraft Pulp Mills: Withdrawal of Direct Final Rule; and Correction'' (FRL No. 7884–7) received on March 16, 2005; to the Committee on Environment and Public Works.

EC–1302. 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 ''Approval and Promulgation of Air Quality Implementation Plans; Oregon Visibility Protection Plan'' (FRL No. 7881–4) received on March 16, 2005; to the Committee on Environment and Public Works.

EC–1303. 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 ''Finding of Failure to Submit Section 110 State Implementation Plans; for Interstate Transport for the National Ambient Air Quality Standards for 8-hour Ozone and PM2.5'' (FRL No. 7885–7) received on March 16, 2005; to the Committee on Environment and Public Works.

EC–1304. 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 ''National Emission Standards for Hazardous Air Pollutants: Delegation of Authority of Texas'' (FRL No. 7886–4) received on March 16, 2005; to the Committee on Environment and Public Works.

EC–1305. 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 ''Altering the Jurat to Avoid Tax'' (Rev. Rul. 2005–18) received on March 16, 2005; to the Committee on Finance.

EC–1306. 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 ''Frivolous Arguments Regarding Waiver of Social Security Benefits Used to Avoid Tax'' (Rev. Rul. 2005–17) received on March 16, 2005; to the Committee on Finance.

EC–1307. 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 ''Frivolous Arguments Regarding Opposition to Government Policies and Programs Used to Avoid Tax'' (Rev. Rul. 2005–20) received on March 16, 2005; to the Committee on Finance.

EC–1308. 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 ''Frivolous Constitutional Arguments Used to Avoid Tax'' (Rev. Rul. 2005–19) received on March 16, 2005; to the Committee on Finance.

EC–1309. 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 ''Frivolous 'Straw Man' Claim Used to Avoid Tax'' (Rev. Rul. 2005–21) received on March 16, 2005; to the Committee on Finance.

EC–1310. A communication from the Acting Chief, Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Charitable Remainder Trusts; Application of Ordering Rule'' (RIN1545–AW35) received on March 16, 2005; to the Committee on Finance.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, without amendment:

S. 161. A bill to provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership (Rept. No. 109–40).

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. DOMENICI for the Committee on Energy and Natural Resources.

*Patricia Lynn Scarlett, of California, to be Deputy Secretary of the Interior.

*Jeffrey Clay Sell, of Texas, to be Deputy Secretary of Energy.

*Nomination was reported with recommendation that it be confirmed subject to the nominees's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## 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. LUGAR:

S. 632. A bill to authorize the extension of unconditional and permanent nondiscriminatory treatment (permanent normal trade relations treatment) to the products of Ukraine, and for other purposes; to the Committee on Finance.

By Mr. JOHNSON:

S. 633. A bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CHAMBLISS:

S. 634. A bill to amend the Trade Sanctions Reform and Export Enhancement Act of 2000 to clarify allowable payment terms for sales of agricultural commodities and products to Cuba; to the Committee on Foreign Relations.

By Mr. SANTORUM (for himself, Mr. CONRAD, and Mrs. MURRAY):

S. 635. A bill to amend title XVIII of the Social Security Act to improve the benefits under the medicare program for beneficiaries with kidney disease, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY:

S. 636. A bill to direct the Inspector General of the Department of Justice to submit semi-annual reports regarding settlements relating to false claims and fraud against the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN (for himself, Mrs. LINCOLN, Mr. CARPER, Mr. PRYOR, Ms. LANDRIEU, Mr. NELSON of Florida, Mr. CORZINE, Mr. LAUTENBERG, Ms. CANTWELL, and Mr. LIEBERMAN):

S. 637. A bill to establish a national health program administered by the Office of Personnel Management to offer health benefits plans to individuals who are not Federal employees, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY (for herself, Ms. COLLINS, Mrs. BOXER, Ms. CANTWELL, Mrs. CLINTON, Mr. CORZINE, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. SCHUMER, Ms. SNOWE, and Mr. STEVENS):

S. 638. A bill to extend the authorization for the ferry boat discretionary program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CORZINE (for himself, Mr. LAUTENBERG, Mrs. LINCOLN, Mr. LEAHY, Mr. REID, Mr. KERRY, Mr. JOHNSON, Mr. COCHRAN, Mr. NELSON of Nebraska , and Mr. DAYTON):

S. 639. A bill to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 years of age to 55 years of age; to the Committee on Armed Services.

By Mr. CHAMBLISS (for himself and Mr. NELSON of Nebraska):

S. 640. A bill to amend title 10, United States Code, to provide for the establishment of a unified combatant command for military intelligence, and for other purposes; to the Select Committee on Intelligence.

By Mrs. HUTCHISON (for herself, Mr. FRIST, and Mr. CORNYN):

S. 641. A bill to award a congressional gold medal to Michael Ellis DeBakey, M.D; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FRIST (for himself, Mr. ALEXANDER, Mr. TALENT, Mr. ENZI, Mr. ENSIGN, Mr. SESSIONS , Mr. CRAIG, Mr. ALLEN, Mr. BURNS, Mr. CHAMBLISS, Mr. BUNNING, Mr. SMITH, Mr. VITTER, Mr. GRAHAM, Mr. CORNYN, Mr. SANTORUM, Mr. GRASSLEY, Mr. INHOFE, Mr. BROWNBACK, Mr. NELSON of Nebraska, and Mr. NELSON of Florida):

S. 642. A bill to support certain national youth organizations, including the Boy Scouts of America, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBERTS (for himself and Mr. HARKIN):

S. 643. A bill to amend the Agricultural Credit Act of 1987 to reauthorize State mediation programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BROWNBACK (for himself, Mr. BINGAMAN, Ms. CANTWELL, and Mr. DODD):

S. 644. A bill to establish new special immigrant categories, and for other purposes; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Mr. CORZINE, Mr. SCHUMER, Mrs. BOXER, Mr. KENNEDY, Mr. DURBIN, Ms. MIKULSKI, Mr. SARBANES, Mr. REED, Mr. AKAKA, Mr. DODD, and Mrs. CLINTON):

S. 645. A bill to reinstate the Public Safety and Recreational Firearms Use Protection Act; to the Committee on the Judiciary.

By Mr. SHELBY:

S.J. Res. 10. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 per centum of the gross national product of the United States during the previous calendar year; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S.J. Res. 11. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SANTORUM (for himself, Mrs. HUTCHISON, Mr. KENNEDY, Mr. MARTINEZ, Mr. LEVIN, and Mr. LUGAR):

S. Res. 83. A resolution commemorating the 65th Anniversary of the Black Press of America; to the Committee on the Judiciary.

## ADDITIONAL COSPONSORS

S. 185

At the request of Mr. NELSON of Florida, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 185, a bill to amend title 10, United States Code, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan.

S. 296

At the request of Mr. KOHL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 296, a bill to authorize appropriations for the Hollings Manufacturing Extension Partnership Program, and for other purposes.

S. 339

At the request of Mr. REID, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 339, a bill to reaffirm the authority of States to regulate certain hunting and fishing activities.

S. 378

At the request of Mr. BIDEN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 378, a bill to make it a criminal act to willfully use a weapon with the intent to cause death or serious bodily injury to any person while on board a passenger vessel, and for other purposes.

S. 394

At the request of Mr. CORNYN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 394, a bill to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes.

S. 397

At the request of Mr. CRAIG, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 397, a bill to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others.

S. 468

At the request of Mr. AKAKA, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 468, a bill to amend the Higher Education Act of 1965 to enhance literacy in finance and economics, and for other purposes.

S. 484

At the request of Mr. WARNER, the names of the Senator from Montana (Mr. BURNS) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 484, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 495

At the request of Mr. BROWNBACK, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 495, a bill to impose sanctions against perpetrators of crimes against humanity in Darfur, Sudan, and for other purposes.

S. 513

At the request of Mr. GREGG, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor

of S. 513, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions .

S. 539

At the request of Mr. MARTINEZ, the names of the Senator from Alaska (Mr. STEVENS) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 539, a bill to amend title 28, United States Code, to provide the protections of habeas corpus for certain incapacitated individuals whose life is in jeopardy, and for other purposes.

S. 558

At the request of Mr. REID, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 558, a bill to amend title 10, United States Code, to permit certain additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special compensation and to eliminate the phase-in period under current law with respect to such concurrent receipt.

S. 586

At the request of Mr. BOND, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 586, a bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments.

S. 589

At the request of Mr. CORNYN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 589, a bill to establish the Commission on Freedom of Information Act Processing Delays.

S. 593

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 593, a bill to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries.

S. RES. 31

At the request of Mr. COLEMAN, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. Res. 31, a resolution expressing the sense of the Senate that the week of August 7, 2005, be designated as ''National Health Center Week'' in order to raise awareness of health services provided by community, migrant, public housing, and homeless health centers, and for other purposes.

S. RES. 82

At the request of Mr. FRIST, his name was added as a cosponsor of S. Res. 82, a resolution urging the European Union to add Hezbollah to the Eurpoean Union's wide-ranging list of terrorist organizations.

AMENDMENT NO. 146

At the request of Mrs. DOLE, her name was added as a cosponsor of amendment No. 146 intended to be proposed to S. Con. Res. 18, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of amendment No. 146 intended to be proposed to S. Con. Res. 18, supra.

AMENDMENT NO. 149

At the request of Mr. AKAKA, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Washington (Ms. CANTWELL), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of amendment No. 149 proposed to S. Con. Res. 18, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

AMENDMENT NO. 155

At the request of Mrs. CLINTON, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Rhode Island (Mr. REED), the Senator from New Jersey (Mr. CORZINE), the Senator from Indiana (Mr. BAYH) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 155 intended to be proposed to S. Con. Res. 18, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

AMENDMENT NO. 158

At the request of Mr. BAUCUS, his name was added as a cosponsor of amendment No. 158 proposed to S. Con. Res. 18, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

AMENDMENT NO. 168

At the request of Ms. CANTWELL, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 168 proposed to S. Con. Res. 18, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

AMENDMENT NO. 169

At the request of Mr. SANTORUM, the names of the Senator from Indiana (Mr. BAYH), the Senator from Arkansas (Mr. PRYOR) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of amendment No. 169 intended to be proposed to S. Con. Res. 18, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

AMENDMENT NO. 172

At the request of Mr. HARKIN, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Michigan (Mr. LEVIN), the Senator from Wisconsin (Mr. KOHL), the Senator from Connecticut (Mr. DODD) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of amendment No. 172 proposed to S. Con. Res. 18, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LUGAR:

S. 632. A bill to authorize the extension of unconditional and permanent nondiscriminatory treatment (permanent normal trade relations treatment) to the products of Ukraine, and for other purposes; to the Committee on Finance.

Mr. LUGAR. Mr. President, I rise today in support of a bill that I have introduced authorizing the extension of permanent normal trade relations treatment. Ukraine is still subject to the provisions of the Jackson-Vanik amendment to the Trade Act of 1974, which sanctions nations for failure to comply with freedom of emigration requirements. Our bill would repeal permanently the application of Jackson-Vanik to Ukraine.

In the post Cold War era, Ukraine has demonstrated a commitment to meet these requirements, and in addition, has expressed a strong desire to abide by free market principles and good governance. Last November, I served as President Bush's personal representative to the runoff election between Prime Minister Yanukovich and Victor Yushchenko. During that visit, I promoted free and fair election procedures that would strengthen worldwide respect for the legitimacy of the winning candidate. Unfortunately, that was not possible. The Government of Ukraine allowed, or aided and abetted, wholesale fraud and abuse that changed the results of the election. It is clear that Prime Minister Yanukovich did not win the election.

In response, the people of Ukraine rallied in the streets and demanded justice. After tremendous international pressure and mediation, Ukraine repeated the runoff election on December 26. A newly named Central Election Commission and a new set of election laws led to a much improved process. International monitors concluded that the process was generally free and fair. This past weekend Victor Yushchenko was inaugurated as President of Ukraine.

Extraordinary events have occurred in Ukraine over the last three months.

A free press has revolted against government intimidation and reasserted itself. An emerging middle class has found its political footing. A new generation has embraced democracy and openness. A society has rebelled against the illegal activities of its government. It is in our interest to recognize and protect these advances in Ukraine.

The United States has a long record of cooperation with Ukraine through the Nunn-Lugar Cooperative Threat Reduction. Ukraine inherited the third largest nuclear arsenal in the world with the fall of the Soviet Union. Through the Nunn-Lugar Program the United States has assisted Ukraine in eliminating this deadly arsenal and joining the Nonproliferation Treaty as a non-nuclear state.

One of the areas where we can deepen U.S.-Ukrainian relations is bilateral trade. Our trade relations between the U.S. and Ukraine are currently governed by a bilateral trade agreement signed in 1992. There are other economic agreements in place seeking to further facilitate economic cooperation between the U.S. and Ukraine, including a bilateral investment treaty which was signed in 1996, and a taxation treaty signed in 2000. In addition, Ukraine commenced negotiations to become a member of the World Trade Organization in 1993, further demonstrating its commitment to adhere to free market principles and fair trade. In light of its adherence to freedom of emigration requirements, democratic principles, compliance with threat reduction and several agreements on economic cooperation, the products of Ukraine should not be subject to the sanctions of Jackson-Vanik.

There are areas in which Ukraine needs to continue to improve. These include market access, protection of intellectual property and reduction of tariffs. The U.S. must remain committed to assisting Ukraine in pursuing market economic reforms. The permanent waiver of Jackson Yanik and establishment of permanent normal trade relations will be the foundation on which further progress in a burgeoning economic partnership can be made.

I am hopeful that my colleagues will join me in supporting this important legislation. It is essential that we act promptly to bolster this burgeoning democracy and promote stability and in this region.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. 632

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

**SECTION 1. FINDINGS.**

Congress finds that Ukraine—

(1) allows its citizens the right and opportunity to emigrate, free of any heavy tax on emigration or on the visas or other documents required for emigration and free of any tax, levy, fine, fee, or other charge on any citizens as a consequence of the desire of such citizens to emigrate to the country of their choice;

(2) has received normal trade relations treatment since concluding a bilateral trade agreement with the United States that entered into force on June 23, 1992, which remains in force and provides the United States with important rights;

(3) has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974 since 1997;

(4) has committed itself to ensuring freedom of religion and preventing intolerance;

(5) has committed itself to continuing its efforts to return religious property to religious organizations in accordance with existing law;

(6) has taken significant steps demonstrating its intentions to build a friendly and cooperative relationship with the United States including participating in peacekeeping efforts in Europe; and

(7) has made progress toward meeting international commitments and standards in the most recent Presidential runoff elections, including in the implementation of Ukraine's new elections laws.

**SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO UKRAINE.**

(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF UNCONDITIONAL AND PERMANENT NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(1) determine that such title should no longer apply to Ukraine; and

(2) after making a determination under paragraph (1) with respect to Ukraine, proclaim the extension of unconditional and permanent nondiscriminatory treatment (permanent normal trade relations treatment) to the products of that country.

(b) TERMINATION OF APPLICATION OF TITLE IV.—On and after the effective date of the extension under subsection (a)(2) of nondiscriminatory treatment to the products of Ukraine, chapter 1 of title IV of the Trade Act of 1974 shall cease to apply to that country.

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By Mr. JOHNSON:

S. 633. A bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States; to the Committee on Banking, Housing, and Urban Affairs.

Mr. JOHNSON. Mr. President, I rise today to introduce the American Veterans Disabled for Life Commemorative Coin Act of 2005.

This bill will authorize the Secretary of the Treasury to mint a commemorative coin (500,000) honoring the millions of veterans of the United States Armed Forces who were disabled while serving our country. Revenues from the surcharge on the coin would go to the Disabled Veterans' LIFE Memorial Foundation to help cover the costs of building the American Veterans Disabled for Life Memorial in Washington, DC. The mint date is scheduled for January 1, 2010.

In its own distinctive way, the American Veterans Disabled for Life Memorial will also allow the American people to show their appreciation to those who died defending freedom by honoring the disabled veterans who still live among us. It is not only appropriate, but necessary, to recognize the special sacrifices that disabled veterans have made to this country. It has been said that ''poor is the Nation which has no heroes. Poorer still is the Nation which has them, but forgets.'' The creation of this memorial will ensure that we, as a Nation, do not forget those who have been forever changed in service to our country.

The three-acre site for the Memorial is located on Washington Avenue at 2nd Street, SW., across from the U.S. Botanic Gardens, and in full view of the U.S. Capitol building. Federal legislation for the Memorial, Public Law 106–348, was signed into law by President Bill Clinton on October 24, 2000. Sponsors included Senator JOHN MCCAIN, Senator Max Cleland, Congressman SAM JOHNSON, and Congressman JACK MURTHA. The National Capital Planning Commission unanimously approved the Capitol Hill location on October 10, 2001.

We have an obligation to assure that the men and women who each day endure the costs of freedom are never forgotten. The American Veterans Disabled for Life Commemorative Coin Act of 2005 will honor these veterans and help fund the American Veterans Disabled for Life Memorial.

The Disabled Veterans LIFE Memorial Foundation was co-founded in 1996 by the Lois Pope Life Foundation and the Disabled American Veterans. Lois Pope, one of America's leading philanthropists, is the founder and President of the Lois Pope Leaders in Furthering Education Foundation. In addition to supporting veterans programs, this organization provides awards for medical research, scholarships, and summer camp programs. Formed in 1920, the Disabled American Veterans is a nonprofit organization representing America's disabled veterans, their families, and survivors.

The drive to build the Memorial, which is scheduled for completion within the next several years, is well under way, but has a long way to go. Prominent national figures including Retired Army General H. Norman Schwarzkopf, Poet Laureate Dr. Maya Angelou, and New York Giants star defensive end Michael Strahan are lending their support to this effort. I ask my colleagues in the Senate to join me in supporting America's disabled veterans with this important legislation.

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By Mr. CHAMBLISS:

S. 634. A bill to amend the Trade Sanctions Reform and Export Enhancement Act of 2000 to clarify allowable payment terms for sales of agricultural commodities and products to Cuba; to the Committee on Foreign Relations.

Mr. CHAMBLISS. Mr. President, today I rise to introduce legislation to reverse the unilateral change by the Department of Treasury's Office of

Foreign Assets Control (OFAC) that threatens future sales of U.S. agricultural products to Cuba.

Four years ago, Congress passed the Trade Sanctions Reform and Export Enhancement Act (TSREEA), allowing sales of food and medicine to Cuba for the first time in nearly four decades. The Act did not signal an end to the embargo or efforts to do so but merely exempted food and medicine from unilateral sanctions that harm local populations.

Cuba first purchased U.S. agricultural products under the new authorities in December 2001. Since that time, Cuba has contracted to purchase approximately $1.25 billion worth of U.S. agricultural goods. According to the U.S. Department of Agriculture, U.S. agriculture, fish and forest product exports to Cuba in fiscal year 2004 totaled $402 million, up 115 percent from a year earlier. The leading export items last year were rice, $65 million, poultry meat, $62 million, wheat, $57 million, corn, $51 million, and soybeans, $38 million, from more than 40 States in this country. Although U.S. agricultural trade with Cuba experienced tremendous growth in the past four years, the future is now in doubt.

Late last year, OFAC and the State Department started considering actions to further tighten trade requirements on Cuba. At issue is the term ''cash in advance'' and the sale of licensed agricultural products. On February 22, 2005, after repeated urgings by Members of Congress to the contrary, OFAC amended the Cuban Assets Control Regulations to clarify the term whereby goods cannot leave the U.S. port at which they are loaded until payment is received by the seller or the seller's agent. The interpretation by OFAC runs counter to general trade practices and will likely shut down U.S. agricultural exports to Cuba.

Currently, U.S. exporters require payment before turning over title and control of the goods. The exporters routinely ship U.S. goods to Cuba where they remain under the custody of the seller until such time as the seller certifies full payment. Only then are the goods released to Cuba. At no time is credit extended in any form to Cuba. This standard method of doing business has been in practice since sales to Cuba began.

TSREEA was meant to expand access for agricultural producers to the Cuban market. By taking into consideration the unique nature of agriculture trade with Cuba, my legislation intends to overturn OFAC's new definition of ''cash in advance''. We should not be making it harder to export agricultural products when the United States is experiencing a massive trade deficit. I am committed to helping expand opportunities at home and abroad for our nation's farmers and ranchers. I look forward to working with my colleagues in the Senate on this important issue.

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By Mr. SANTORUM (for himself, Mr. CONRAD, and Mrs. MURRAY):

S. 635. A bill to amend title XVIII of the Social Security Act to improve the benefits under the medicare program for beneficiaries with kidney disease, and for other purposes; to the Committee on Finance.

Mr. CONRAD. Mr. President, I rise today in support of the Kidney Care Quality Act, which Senator SANTORUM and I introduce today. With all of the attention now being paid to improving the quality of health care Americans receive, we believe it is important for Congress to reaffirm our commitment to patients with kidney failure.

As part of this commitment, Congress should ensure that these patients receive high quality care and should take steps to improve the Medicare End Stage Renal Disease, ESRD, program. This bill would do just that. First, it establishes a quality demonstration project to reward high quality dialysis providers. It also establishes education programs to assist patients with kidney disease to learn important self-management skills that will help them manage their disease more effectively and improve their quality of life. The bill also seeks to help individuals before they develop irreversible kidney failure by teaching individuals about the factors that lead to chronic kidney disease, the precursor to kidney failure, and how to prevent it, treat it, and, most importantly, avoid it.

Additionally, we recognize that some patients who currently receive dialysis in dialysis facilities and hospitals could benefit by receiving the treatments in their homes. Even though home dialysis can improve patients' quality of life by allowing them to remain employed and to participate in other activities that promote well-being, only a small number of patients select the home dialysis option. According to the U.S. Renal Data System, less than one percent of all ESRD patients relied on home dialysis in 2001. The bill we are introducing today would require the Department of Health and Human Services to identify barriers patients face in choosing home dialysis benefits and take steps toward eliminating them.

Improving the ESRD program payment system is also a critical component of promoting high quality care for patients with kidney failure. Medicare established the first prospective payment system, PPS, in the ESRD program in the early 1980s. Since that time, we have learned a great deal about how the PPS methodology works. Yet, the ESRD program remains the only Medicare PPS that does not receive an annual update. As a result, dialysis facilities have difficulty hiring qualified health care professionals because they simply cannot match the salaries offered by hospitals and other providers that do receive an annual update. For 2005, MedPAC has calculated a projected margin on dialysis services of −0.03 percent when combining the composite rate and injectible drugs. Without a fair reimbursement rate, providers face significant hurdles in attracting high quality health care professionals. Our bill addresses this ongoing problem to ensure that providers receive fair payment for the services they provide.

Congress must reaffirm its commitment to Americans with kidney failure by improving the program through new educational programs, quality initiatives, and payment reform. The Kidney Care Quality Act is a comprehensive bill that moves the program in that direction. I urge my colleagues to join with me in supporting this important legislation.

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By Mr. GRASSLEY:

S. 636. A bill to direct the Inspector General of the Department of Justice to submit semi-annual reports regarding settlements relating to false claims and fraud against the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

Mr. GRASSLEY. Mr. President, today I am re-introducing a bill directing the Inspector General of the Department of Justice to submit semi-annual reports regarding settlements relating to false claims and fraud against the United States.

The False Claims Act, 31 U.S.C. § 3729 et seq., is the government's single most effective program for recouping money improperly obtained from the United States by false claims and fraud. Initially passed during the Civil War at President Abraham Lincoln's request to suppress fraud against the Union Army, the FCA was modernized and updated in 1986. Since President Ronald Reagan signed the 1986 amendments into law, settlements and judgments in FCA cases have exceeded $13 billion. No other anti-fraud program of the Federal Government can match this result.

Despite the significance of these results, the Congress does not have a way to evaluate the performance of the FCA program. While the program, which is overseen by the Civil Division of the Department of Justice, appears to be doing well, it is not known at this time how the program is performing as compared to its potential. What percentage of the various frauds perpetrated against the United States is recouped in False Claims Act cases? How effectively does DoJ capture the multiple damages and penalties provided for by the act? How quickly does DoJ move FCA cases? How effectively does DoJ use the tools provided to it by the FCA, such as civil investigative demands? How effectively does DoJ use relators and how well does it reward them?

The purpose of this bill is to answer these questions. The bill requires DoJ to submit certain information that will allow Congress to evaluate the Department's performance in managing FCA cases. Thus, under this bill the Department of Justice will be required to describe its settlements of FCA cases. The report to Congress shall include a

description of the estimated damages suffered by the United States, the amount recouped, the multiplier used to calculate the settlement amount, the criminal fines collected and whether the defendants were held liable in previous cases. The report will also inform Congress as to whether the defendants have been required to enter into corporate integrity agreements.

In addition, in order to understand how the program is working, the Department of Justice will be required to inform Congress as to whether civil investigative demands were issued. The Department will also be required to provide certain information about the conduct of qui tam cases initiated by whistleblowers. For example, Congress will receive information about the length of time cases are under seal, whether whistleblowers (technically termed ''relators'') sought a fairness hearing regarding a settlement and what share of the settlement they received. The Congress would also receive information about whether the agency that suffered from the fraud involved participated in the settlement.

In regard to cases involving Medicaid Fraud, the report will provide Congress with the details of how much money was returned to each state participating in the settlement. In a time when many states are struggling with their Medicaid budgets, the Congress needs to know how effectively DoJ is in suppressing Medicaid fraud and returning money to the states.

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. 636

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

**SECTION 1. FALSE CLAIMS SETTLEMENTS.**

Section 8E of the Inspector General Act (5 U.S.C. App.) is amended by adding at the end the following:

''(e)(1) In preparing the semi-annual report under section 5, the Inspector General of the Department of Justice shall describe each settlement or compromise of any claim, suit, or other action entered into with the Department of Justice that—

''(A) relates to an alleged violation of section 1031 of title 18, United States Code, or section 3729 of title 31, United States Code (including all settlements of alternative remedies); and

''(B) results from a claim of damages in excess of $100,000.

''(2) The descriptions of each settlement or compromise required to be included in the semi-annual report under paragraph (1) shall include—

''(A) the overall amount of the settlement or compromise and the portions of the settlement attributed to various statutory authorities;

''(B) the amount of actual damages estimated to have been sustained and the minimum and maximum potential civil penalties incurred as a consequence of the defendants that is the subject of the settlement or compromise;

''(C) the basis for the estimate of damages sustained and the potential civil penalties incurred;

''(D) the amount of the settlement that represents damages and the multiplier or percentage of the actual damages applied in the actual settlement or compromise;

''(E) the amount of the settlement that represents civil penalties and the percentage of the potential penalty liability captured by the settlement or compromise;

''(F) the amount of the settlement that represents criminal fines and a statement of the basis for such fines;

''(G) the length of time involved from the filing of the complaint until the finalization of the settlement or compromise, including—

''(i) the date of the original filing of the complaint;

''(ii) the time the case remained under seal;

''(iii) the date upon which the Department of Justice determined whether or not to intervene in the case; and

''(iv) the date of settlement or compromise;

''(H) whether any of the defendants, or any divisions, subsidiaries, affiliates, or related entities, had previously entered into 1 or more settlements or compromises related to section 1031 of title 18, United States Code, or section 3730(b) of title 31, United States Code, and if so, the dates and monetary size of such settlements or compromises;

''(I) whether the defendant or any of its divisions, subsidiaries, affiliates, or related entities—

''(i) entered into a corporate integrity agreement related to the settlement or compromise; and

''(ii) had previously entered into 1 or more corporate integrity agreements related to section 3730(b) of title 31, United States Code, and if so, whether the previous corporate integrity agreements covered the conduct that is the subject of the settlement or compromise being reported on or similar conduct;

''(J) in the case of settlements involving medicaid, the amounts paid to the Federal Government and to each of the States participating in the settlement or compromise;

''(K) whether civil investigative demands were issued in process of investigating the case;

''(L) in *qui tam* actions, the percentage of the settlement amount awarded to the relator, and whether or not the relator requested a fairness hearing pertaining to the percentage received by the relator or the overall amount of the settlement;

''(M) the extent to which officers of the department or agency that was the victim of the loss resolved by the settlement or compromise participated in the settlement negotiations; and

''(N) the extent to which relators and their counsel participated in the settlement negotiations.''.

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By Mrs. MURRAY (for herself, Ms. COLLINS, Mrs. BOXER, Ms. CANTWELL, Mrs. CLINTON, Mr. CORZINE, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. SCHUMER, Ms. SNOWE, and Mr. STEVENS):

S. 638. A bill to extend the authorization for the ferry boat discretionary program, and for other purposes; to the Committee on Environment and Public Works.

Mrs. MURRAY. Mr. President, I rise today to introduce legislation that will greatly enhance Federal participation in financing and improving our Nation's ferry transportation system.

Today I again introduce the Ferry Transportation Enhancement Act, or Ferry-TEA. I am proud to have Senators COLLINS, BOXER, CANTWELL, CLINTON, CORZINE, FEINSTEIN, KENNEDY, SCHUMER, SNOWE, and STEVENS as original cosponsors. This bill will provide significantly more resources to State governments, public ferry systems, and public entities responsible for developing facilities for ferries.

Specifically, the bill would: provide $150 million a year for the Federal Highway Administration's Ferry Boat Discretionary Program. This is approximately four times the $38 million a year that is currently being provided under this program; add ''ferry maintenance facilities'' to the list of allowable use of funds under this program; add ''ferries'' to the Clean Fuels Program; establish a Ferry Joint Program Office to coordinate federal programs affecting ferry boat and ferry facility construction, maintenance, and operations and to promote ferry service as a component of the nation's transportation system; establish an information database on ferry systems, routes, vessels, passengers and vehicles carried; and establish an institute for ferries to conduct R&D, conduct training programs, encourage collaborative efforts to promote ferry service, and preserve historical information. This will parallel institutes that now exist for highways, transit, and rail.

Currently, the Federal investment in ferries is only one-tenth of one percent of the total Surface Transportation Program. There is virtually no coordination at the federal level to encourage and promote ferries as there are for other modes of transportation.

We need better coordinated ferry services because it's the sole means of surface transportation in many areas of the country, including, Hawaii, Alaska and my home State of Washington.

Ferries are also the preferred, and the only feasible, method of commuting from home to work in places like Washington State, New York/New Jersey, North Carolina, Hawaii and Alaska.

Finally, in many States like my home State of Washington they are an important part of the tourism industry and represent a part of our cultural identity.

The symbol of ferries moving people and vehicles on the waterways of the Puget Sound is as much a part of our cultural identity as computers, coffee, commercial aircraft and the Washington Apple.

Ferry use is growing.

In Washington State our ferry system—the Nation's largest—transports approximately 26 million passengers each year and carries 11 million vehicles. This is more passengers in my one state than Amtrak transports on a yearly basis nationwide.

Other systems that serve New York/New Jersey, North Carolina, San Francisco, and Alaska also have significant numbers of passengers using the ferries.

The Nation's six largest ferry systems recently carried 73 million people and 13 million vehicles in just one year.

The growth projection for ferry use is very high. For these larger systems, it is projected that by 2009 there will be a 14-percent increase in passengers and a 17-percent increase in vehicles being carried by ferries compared to 2002.

In San Francisco, that projection is a 46-percent increase.

It is clear that many people are using ferries and more will be using them in the future.

This is all with very little help from the Federal Government.

Our investment in ferries pails in comparison to the federal investments in highways and other forms of mass transit.

Our bill would provide the needed funding for these growing systems for new ferry boat construction, for ferry facilities and terminals, and for maintenance facilities.

The bill also would make ferries eligible under the Clean Fuels Program.

Like busses, ferries are a form of mass transit that is environmentally cleaner than mass use of cars and trucks. Making them eligible for the Clean Fuels Program will encourage boat makers to design cleaner and more efficient vessels in the future. This will make ferry travel an even more environmentally friendly means of transportation than it already is today.

During the 108th Congress, I, with the help of several of my colleagues, was able to attach an amendment to the surface transportation reauthorization bill—SAFETEA. That amendment would have increased the funding for the Ferry Boat Discretionary Program from $38 million per year to $120 million per year and make other changes.

I thank Chairman INHOFE, Chairman BOND, and Senators JEFFORDS and REID for working with us to include that important amendment.

As we again move to the Senate consideration of the reauthorization bill in the near future, I look forward to working with my cosponsors and the leaders of the Committee, which now includes Senator BAUCUS, to see all the elements of Ferry-TEA is included in the bill.

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. 638

*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 ''Ferry Transportation Enhancement Act''.

**SEC. 2. AUTHORIZATION OF FUNDING FOR CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.**

(a) FUNDING.—Section 1064(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 129 note) is amended to read as follows:

''(c) FUNDING.—

''(1) IN GENERAL.—There shall be available, out of the Highway Trust Fund (other than the Mass Transit Account), to the Secretary for obligation at the discretion of the Secretary $150,000,000 for each of the fiscal years 2004 through 2009. Sums made available to carry out this section shall remain available until expended.

''(2) ALLOCATION OF FUNDS.—The Secretary shall give priority in the allocation of funds under this section to those ferry systems, and public entities responsible for developing facilities for ferries, that carry the greatest number of passengers and vehicles, carry the greatest number of passengers in passenger-only service, or provide critical access to areas that are not well-served by other modes of surface transportation.''.

**SEC. 3. ELIGIBILITY OF FERRY MAINTENANCE FACILITIES FOR FEDERAL FUNDING.**

(a) MAINTENANCE FACILITIES.—Section 129(c) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting ''and maintenance'' after ''terminal''; and

(2) in paragraph (3), by inserting ''or maintenance'' after ''terminal'' each place it appears.

(b) CONFORMING AMENDMENTS.—Section 1064 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 129 note) is amended by inserting ''and maintenance'' after ''terminal'' each place it appears.

**SEC. 4. ELIGIBILITY OF FERRIES FOR CLEAN FUELS PROGRAM.**

Section 5308 of title 49, United States Code, is amended—

(1) in clauses (i) and (iii) of subsection (a)(3)(A) and in subsection (e), by inserting ''or ferries'' after ''buses'' each place it appears;

(2) in subsection (e), by inserting ''or ferry'' after ''bus'' each place it appears;

(3) in the heading for subsection (e)(2), by inserting ''OR FERRIES'' after ''BUSES''; and

(4) in the heading for subsection (e)(3), by inserting ''OR FERRY'' after ''BUS''.

**SEC. 5. FERRY JOINT PROGRAM OFFICE.**

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Ferry Joint Program Office (in this section, referred to as the ''Office'') to coordinate Federal programs affecting ferry boat and ferry facility construction, maintenance, and operations and to promote ferry service as a component of the Nation's transportation system. The Ferry Joint Program Office shall coordinate ferry and ferry-related programs within the Department of Transportation (including the Federal Highway Administration, the Federal Transit Administration, the Maritime Administration, and the Bureau of Transportation Statistics) and with the Department of Homeland Security and other Federal and State agencies, as appropriate.

(b) FUNCTIONS.—The functions of the Office shall include—

(1) ensuring resource accountability;

(2) coordinating policy relating to ferry transportation among the various agencies of the Department of Transportation and other departments of the United States Government;

(3) providing strategic leadership for ferry research, development, testing, and deployment; and

(4) promoting ferry transportation as a means to reduce social, economic, and environmental costs associated with traffic congestion.

**SEC. 6. NATIONAL FERRY DATA BASE.**

(a) IN GENERAL.—The Secretary of Transportation shall maintain a national ferry database, which shall contain current information regarding ferry systems, routes, vessels, passengers and vehicles carried, funding sources, and any other information that the Secretary determines to be useful. The Secretary shall utilize data from the study conducted under section 1207(c) of the Transportation Equity Act for the 21st Century (23 U.S.C. 129 note), and make modifications to that data, as appropriate.

(b) UPDATED DATABASE.—The Secretary shall produce the first updated version of the national ferry database not later than 1 year after the date of enactment of this Act and shall update such database every 2 years after such date.

(c) PUBLIC ACCESSIBILITY.—The Secretary shall ensure that the national ferry database is easily accessible to the public.

**SEC. 7. NATIONAL FERRY TRANSPORTATION INSTITUTE.**

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall award grants to an institution of higher education to establish a National Ferry Transportation Institute (referred to in this section as the ''Institute'').

(b) ADMINISTRATION.—The Secretary shall develop and administer the Institute in cooperation with the Department of Transportation, State transportation departments, public ferry transportation authorities, private ferry operators, ferry boat builders, ferry employees, and other institutions of higher education and research institutes.

(c) FUNCTIONS.—The Institute shall—

(1) conduct research and recommend development activities on methods of improving ferry transportation programs in the United States, including methods of reducing wake and providing alternative propulsion;

(2) develop and conduct training programs for ferry system employees, Federal Government employees, and other individuals, as appropriate, on recent developments, techniques, and procedures pertaining to the construction and operation of ferries;

(3) encourage and assist collaborative efforts by public and private entities to preserve, improve, and expand the use of ferries as a mode of transportation; and

(4) preserve, utilize, and display historical information about the use of ferries in the United States and in foreign countries.

(d) LOCATION.—In selecting the location for the Institute, the Secretary shall consider—

(1) the importance of public and private ferries to the region's transportation system, including both regional travel and long-range travel and service to isolated communities;

(2) the historical importance of ferry transportation to the region;

(3) the history and diversity of the region's maritime community, including ferry construction and repair and other shipbuilding activities;

(4) the anticipated growth of ferry service and ferry boat building in the region;

(5) the availability of public-private collaboration in the region; and

(6) the presence of nationally recognized research universities in the region.

(e) FUNDING.—There are authorized to be appropriated to the Secretary of Transportation $2,000,000 for each of the fiscal years 2004 through 2009, to carry out the provisions of this section. The Secretary may authorize the acceptance and expenditure of funding provided to the Institute by public and private entities.

(f) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit a report to Congress describing the activities of the Institute and the progress in carrying out this section.

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By Mr. CORZINE (for himself, Mr. LAUTENBERG, Mrs. LINCOLN,

MR. LEAHY, Mr. REID, Mr. KERRY, Mr. JOHNSON, Mr. COCHRAN, Mr. NELSON of Nebraska, and Mr. DAYTON):

S. 639. A bill to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 years of age to 55 years of age; to the Committee on Armed Services.

Mr. CORZINE. Mr. President, I rise today to introduce legislation lowering the retirement age for National Guard and Reserves from 60 to 55. This legislation, which I introduced last year, is an extremely modest step toward treating our reservists fairly and in accordance with the enormous sacrifices they are making. This bipartisan legislation is co-sponsored by Senators COCHRAN, LAUTENBERG, LINCOLN, LEAHY, REID, KERRY, JOHNSON, BEN NELSON and DAYTON.

This bill merely brings the retirement age for reservists down to the Federal civil servant retirement age, as was intended when the reservist retirement age was set fifty years ago. Our reservists are making enormous sacrifices, risking their lives in combat zones, and, in far too many instances, dying for their country. At the very least, they should have the same benefits as Federal civil servants.

But, there are other, bigger reasons for giving our reservists more equitable benefits. America has never placed greater demands on its reservists than it does now. Since September 11, 2001, more than 412,000 Guard and Reserve members have been called up, including 6,800 New Jersey National Guard members and 2,240 New Jersey Reservists. Many of them have been sent for yearlong combat tours in Iraq or Afghanistan.

We have entered a new era in which our reservists are no longer ''weekend warriors.'' They are accepting the lengthy deployments and combat roles previously reserved to regular active duty forces. Well over forty percent of the troops currently serving in Iraq are members of the National Guard and Reserves. It is time that their benefits more closely reflect those granted to active duty servicemembers. Lowering the retirement age for reservists to 55, when active duty servicemembers receive retirement benefits after 20 years, regardless of age, is a modest step toward fairness and equity.

At a time when reservist recruitment is falling short, an improvement in benefits will help fill critical gaps. According to recent reports, the Army Guard missed its recruiting goal by 12 percent in the last fiscal year. For the first four months of fiscal 2005, recruitment is 24 percent behind. Just a few weeks ago, on February 24, Lt. Gen. Roger Schultz, director of the Army Guard, was quoted in the Dallas Morning News saying ''No doubt, if we kept up this pace for extended periods, our force would come apart.'' And, as the Baltimore Sun reported, the head of the Army Reserve, Lt. Gen. James Helmly, told the Army Chief of Staff that his arm of the service was in danger of becoming a ''broken force'' under the current operations tempo.

By providing our reservists with the benefits they deserve, we can help reverse this course. We will also be sending a powerful message: that we value your service and recognize the incredible sacrifices you are making. And we will truly be honoring our heroes.

This bill has broad support and has been endorsed by key members of the Military Coalition, including the Reserve Officers Association, Veterans of Foreign Wars, the Military Officers Association of America, the Air Force Sergeants Association, the Air Force Association, the Retired Enlisted Association, the Fleet Reserve Association, the Naval Reserve Association, and the National Guard Association.

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. 639

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

**SECTION 1. REDUCTION IN AGE FOR RECEIPT OF MILITARY RETIRED PAY FOR NONREGULAR SERVICE.**

(a) REDUCTION IN AGE.—Section 12731(a)(1) of title 10, United States Code, is amended by striking ''at least 60 years of age'' and inserting ''at least 55 years of age''.

(b) APPLICATION TO EXISTING PROVISIONS OF LAW OR POLICY.—With respect to any provision of law, or of any policy, regulation, or directive of the executive branch, that refers to a member or former member of the uniformed services as being eligible for, or entitled to, retired pay under chapter 1223 of title 10, United States Code, but for the fact that the member or former member is under 60 years of age, such provision shall be carried out with respect to that member or former member by substituting for the reference to being 60 years of age a reference to the age in effect for qualification for such retired pay under section 12731(a) of title 10, United States Code, as amended by subsection (a).

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the first day of the first month beginning on or after the date of the enactment of this Act and shall apply to retired pay payable for that month and subsequent months.

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By Mrs. HUTCHISON (for herself, Mr. FRIST, and Mr. CORNYN):

S. 641. A bill to award a congressional gold medal to Michael Ellis DeBakey, M.D.; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. HUTCHISON. Mr. President, I rise today to acknowledge the lifetime achievements of Dr. Michael Ellis DeBakey, a public servant and world-renowned cardiologist, by offering legislation to award him the Congressional Gold Medal.

Throughout his life Dr. DeBakey has made numerous advances in the field of medicine. When he was only 23 years of age and still attending medical school, Dr. DeBakey developed a roller pump for blood transfusions—the precursor and major component of the heart-lung machine used in the first open-heart operation. This device later led to national recognition for his expertise in vascular disease. His service to our country did not stop there.

Dr. DeBakey put his practice on hold and volunteered for military service during World War II with the Surgeon General's staff. During this time, he received the rank of Colonel and Chief of Surgical Consultants Division.

As a result of his military and medical experience, Dr. DeBakey made numerous recommendations to improve the military's medical procedures. His efforts led to the development of mobile army surgical hospitals, better known as MASH units, which earned him the Legion of Merit in 1945.

After WWII, Dr. DeBakey continued his hard work by proposing national and specialized medical centers for those soldiers who were wounded or needed follow-up treatment. This recommendation evolved into the Veterans Affairs Medical Center System and the establishment of the commission on Veterans Medical Problems of the National Research Council.

In 1948, Dr. DeBakey joined the Baylor University College of Medicine, where he started its first surgical residency program and was later elected the first President of Baylor College of Medicine.

Adding to his list of accomplishments Dr. DeBakey performed the first successful procedure to treat patients with anyeurysms. In 1964, Dr. DeBakey performed the first successful coronary bypass surgery, opening the doors for surgeons to perform preventative procedures to save the lives of many people with heart disease. He was also the first to successfully use a partial artificial heart. Later that same year, President Lyndon B. Johnson appointed Dr. DeBakey as Chairman of the President's Commission on Heart Disease, Cancer and Stroke, which led to the creation of Regional Medical Programs. These programs coordinate medical schools, research institutions and hospitals to enhance research and training.

Dr. DeBakey continued to amaze the medical world when he pioneered the field of telemedicine by performing the first open-heart surgery transmitted over satellite and then supervised the first successful multi-organ transplant, where a heart, both kidneys and a lung were transplanted from a single donor into four separate recipients.

These accomplishments have led to national recognition. Dr. DeBakey has received both the Presidential Medal of Freedom with Distinction from President Johnson and the National Medal of Science from President Ronald Reagan.

Recently, Dr. DeBakey worked with NASA engineers to develop the DeBakey Ventricular Assist Device, which may eliminate the need for some patients to receive heart transplants.

I stand here today to acknowledge Dr. DeBakey's invaluable work and significant contribution to medicine by offering a bill to award him the Congressional Gold Medal. His efforts and innovative surgical techniques have since saved the lives of thousands, if not millions, of people. I ask my Senate colleagues to join me in recognizing the profound impact this man has had on medical advances, the delivery of medicine and how we care for our Veterans. Although, Dr. DeBakey is not a native of Texas, he has made Texas proud. He has guided the Baylor College of Medicine and the city of Houston into becoming a world leader in medical advancement. On behalf of all Texans, I thank Dr. DeBakey for his lifetime of commitment and service not only to the medical community but to the world. 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. 641

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

**SECTION 1. FINDINGS.**

The Congress makes the following findings:

(1) Michael Ellis DeBakey, M.D., was born on September 7, 1908 in Lake Charles, Louisiana, to Shaker and Raheeja DeBakey.

(2) Dr. DeBakey, at the age of 23 and still a medical student, reported a major invention, a roller pump for blood transfusions, which later became a major component of the heart-lung machine used in the first successful open-heart operation.

(3) Even though Dr. DeBakey had already achieved a national reputation as an authority on vascular disease and had a promising career as a surgeon and teacher, he volunteered for military service during World War II, joining the Surgeon General's staff and rising to the rank of Colonel and Chief of the Surgical Consultants Division.

(4) As a result of this first-hand knowledge of military service, Dr. DeBakey made numerous recommendations for the proper staged management of war wounds, which led to the development of mobile army surgical hospitals or MASH units, and earned Dr. DeBakey the Legion of Merit in 1945.

(5) After the war, Dr. DeBakey proposed the systematic medical follow-up of veterans and recommended the creation of specialized medical centers in different areas of the United States to treat wounded military personnel returning from war, and from this recommendation evolved the Veterans Affairs Medical Center System and the establishment of the Commission on Veterans Medical Problems of the National Research Council.

(6) In 1948, Dr. DeBakey joined the Baylor University College of Medicine, where he developed the first surgical residency program in the City of Houston, and today, guided by Dr. DeBakey's vision, the College is one of the most respected health science centers in the Nation.

(7) In 1953, Dr. DeBakey performed the first successful procedures to treat patients who suffered aneurysms leading to severe strokes, and he later developed a series of innovative surgical techniques for the treatment of aneurysms enabling thousands of lives to be saved in the years ahead.

(8) In 1964, Dr. DeBakey triggered the most explosive era in modern cardiac surgery, when he performed the first successful coronary bypass, once again paving the way for surgeons world-wide to offer hope to thousands of patients who might otherwise succumb to heart disease.

(9) Two years later, Dr. DeBakey made medical history again, when he was the first to successfully use a partial artificial heart to solve the problems of a patient who could not be weaned from a heart-lung machine following open-heart surgery.

(10) In 1968, Dr. DeBakey supervised the first successful multi-organ transplant, in which a heart, both kidneys, and lung were transplanted from a single donor into 4 separate recipients.

(11) In 1964, President Lyndon B. Johnson appointed Dr. DeBakey to the position of Chairman of the President's Commission on Heart Disease, Cancer and Stroke, leading to the creation of Regional Medical Programs established ''to encourage and assist in the establishment of regional cooperative arrangements among medical schools, research institutions, and hospitals, for research and training''.

(12) In the mid-1960's, Dr. DeBakey pioneered the field of telemedicine with the first demonstration of open-heart surgery to be transmitted overseas by satellite.

(13) In 1969, Dr. DeBakey was elected the first President of Baylor College of Medicine.

(14) In 1969, President Lyndon B. Johnson bestowed on Dr. DeBakey the Presidential Medal of Freedom with Distinction, and in 1985, President Ronald Reagan conferred on him the National Medal of Science.

(15) Working with NASA engineers, he refined existing technology to create the DeBakey Ventricular Assist Device, one-tenth the size of current versions, which may eliminate the need for heart transplantation in some patients.

**SEC. 2. CONGRESSIONAL GOLD MEDAL.**

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design, to Michael Ellis DeBakey, M.D., in recognition of his many outstanding contributions to the Nation.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

**SEC. 3. DUPLICATE MEDALS.**

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

**SEC. 4. STATUS OF MEDALS.**

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

**SEC. 5. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.**

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 3 shall be deposited into the United States Mint Public Enterprise Fund.

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By Mr. FRIST (for himself, Mr. ALEXANDER, Mr. TALENT, Mr. ENZI, Mr. ENSIGN, Mr. SESSIONS, Mr. CRAIG, Mr. ALLEN, Mr. BURNS, Mr. CHAMBLISS, Mr. BUNNING, Mr. SMITH, Mr. VITTER, Mr. GRAHAM, Mr. CORNYN, Mr. SANTORUM, Mr. GRASSLEY, Mr. INHOFE, Mr. BROWNBACK, Mr. NELSON of Nebraska, and Mr. NELSON of Florida):

S. 642. A bill to support certain national youth organizations, including the Boy Scouts of America, and for other purposes; to the Committee on the Judiciary.

Mr. FRIST. Mr. President, I am pleased to announce that my Senate colleagues and I will be introducing the ''Support Our Scouts Act of 2005'' today.

This legislation will ensure that the Defense Department can and will continue to provide the Scouts the type of support it has provided in the past, such as at Jamborees and on bases. This bill also ensures Scouts have equal access to public facilities, forums, and programs that are open to a variety of other youth or community organizations.

Why am I introducing this legislation? Since the Supreme Court decided Boy Scouts of America v. Dale, Boy Scouts of America's relationship with government at all levels has been the target of multiple lawsuits.

The Federal Government is defending a lawsuit brought by the ACLU aimed at severing ties between Boy Scouts and the Department of Defense and the Department of Housing and Urban Development. The effect of these attempts at exclusion at the Federal, State, and local levels are far-reaching and has had a discernible ''chilling'' effect on government support for our Scouts.

This is the greatest legal challenge facing Boy Scouts today. Boy Scouts of America, like other non-profit youth organizations, depend, on its ability to use public facilities and participate in these programs and forums. The Support Our Scouts Act of 2005 addresses these issues by removing any doubt that Federal agencies may welcome Scouts to hold meetings and go camping on Federal property.

The Boy Scouts of America is a congressionally chartered organization. Pentagon support for Scouts is authorized in U.S. law. It serves a patriotic, charitable, and educational purpose. Since 1910, Boy Scout membership has totaled more than 110 million young Americans.

Today, more than 3.2 million youths and 1.2 million adults are members of the Boy Scouts and are dedicated to fulfilling the Boy Scouts' mission. That number includes more than 40

members of the United States Senate and more than 150 members of the House of Representatives who have been involved in Scouting. I was a Boy Scout, and all three of my sons were as well. This unique American institution is committed to preparing our youth for the future by instilling in them values such as honesty, integrity, and character.

Through exposure to the outdoors, hard work, and the virtues of civic duty, the Boy Scouts have developed millions of Americans into superb citizens and future leaders.

The Support Our Scouts Act ratifies our longstanding commitment to this valued civic organization. It clarifies that no Federal law, including any rule, regulation, directive, instruction, or order, shall be construed to limit any Federal agency from providing any form of support to the Boy Scouts of America or the Girl Scouts of the United States of America or any organization chartered by the Boy Scouts of America or the Girl Scouts of the United States of America.

Activities supported include holding meetings, jamborees, camporees, or other scouting activities on Federal property, or hosting or sponsoring any official event of such organization. The Scouts Act is also being introduced by a bipartisan group of Members in the House. I believe this bill will receive broad, bipartisan support in both chambers of Congress and that we will pass it this year. It is common sense legislation that all fair and reasonable people can support. I encourage Scout supporters—indeed, all Americans—to contact their Senators and Representatives and ask them to support the ''Support Our Scouts Act of 2005.''

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. 642

*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 ''Support our Scouts Act of 2005''.

**SEC. 2. SUPPORT FOR YOUTH ORGANIZATIONS.**

(a) DEFINITIONS.—In this section—

(1) the term ''Federal agency'' means each department, agency, instrumentality, or other entity of the United States Government; and

(2) the term ''youth organization'' means any organization described under part B of subtitle II of title 36, United States Code, that is intended to serve individuals under the age of 21 years.

(b) IN GENERAL.—

(1) SUPPORT FOR YOUTH ORGANIZATIONS.—No Federal law (including any rule, regulation, directive, instruction, or order) shall be construed to limit any Federal agency from providing any form of support for a youth organization (including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America) that would result in that Federal agency providing less support to that youth organization (or any similar organization chartered under the chapter of title 36, United States Code, relating to that youth organization) than was provided during each of the preceding 4 fiscal years.

(2) TYPES OF SUPPORT.—Support described under paragraph (1) shall include—

(A) holding meetings, camping events, or other activities on Federal property; and

(B) hosting any official event of such organization.

**SEC. 3. EQUAL ACCESS FOR YOUTH ORGANIZATIONS.**

Section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5309) is amended—

(1) in the first sentence of subsection (b) by inserting ''or (e)'' after ''subsection (a)''; and

(2) by adding at the end the following:

''(e) EQUAL ACCESS.—

''(1) DEFINITION.—The term 'youth organization' means any organization described under part B of subtitle II of title 36, United States Code, that is intended to serve individuals under the age of 21 years.

''(2) IN GENERAL.—No State or unit of general local government that has a designated open forum, limited public forum, or nonpublic forum and that is a recipient of assistance under this chapter shall deny equal access or a fair opportunity to meet to, or discriminate against, any youth organization, including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America, that wishes to conduct a meeting or otherwise participate in that designated open forum, limited public forum, or nonpublic forum.''.

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By Mr. BROWNBACK (for himself, Mr. BINGAMAN, Ms. CANTWELL, and Mr. DODD):

S. 644. A bill to establish new special immigrant categories, and for other purposes; to the Committee on the Judiciary.

Mr. BROWNBACK. Mr. President, many innocent human beings are forced from their homes and separated from their families because of war and civil strife. We are seeing it right now in Darfur, Sudan where over 2 million have been displaced from their homes due to the conflict and ongoing genocide. It is frightening to think that some of those people are still susceptible to persecution just for being a woman or a child. I have heard stories that the refugees and internally displaced persons (IDPs) are still not safe from being persecuted by their attackers. Today, I am pleased to introduce legislation that will save the lives of some of the world's most vulnerable populations.

The Widows and Orphans Act of 2005, similar to the one I introduced last Congress, will benefit women and children fleeing war and civil strife, who are often vulnerable and in grave danger. They may not be fleeing political persecution—something that would allow them to apply for refugee status—but they may nevertheless be subjected to violence or exploitation. When a culture does not recognize female heads of households, when a young child loses his or her family structure, or when a woman's home community will not allow her to return at the end of hostilities, abuse and exploitation often follow.

For example, a widow fleeing an armed conflict risks being raped, being sold into sexual slavery or becoming a victim of violence. In another example, a child who loses his or her parents when fleeing a conflict is in grave danger of sexual exploitation and forced servitude. The child could even be forced into service as a child soldier, as we have seen happen to scores of children in Northern Uganda. Even within a refugee camp—a place that might otherwise be thought of as safe—women and children face forced prostitution and involuntary servitude.

U.S. and international law does not currently provide refugee protection for age and sex-based violence. The Widows and Orphans Act of 2005 is much-needed legislation which would fill this void by admitting as special immigrants children and females at risk of harm. Under this bill, government officials, the United Nations High Commissioner for Refugees (UNHCR), and appropriate non-governmental organizations will be able to identify vulnerable women and children for consideration as special immigrants who then can gain permanent residence in the United States.

This legislation will allow officials in the field—those monitoring armed conflict and civil strife and those in refugee camps—to identify women and children who face harm because of their sex or age and refer them for consideration as special immigrants. The bill will essentially speed up the acceptance process by allowing officials with first-hand knowledge of cases to step in and identify those in dire need. With reliable security measures, it will also help eliminate fraud and abuse from those who wish to do us harm.

For widows and orphans, abuse and exploitation are immediate dangers. This legislation provides officials at the grass-roots level the ability to prevent further harm from coming upon those who have already faced terrible situations.

More than 80 percent of the world's displaced people are women and children, and thousands of them are waiting patiently for the OK to enter our country. While they wait, they are often victimized; some even die waiting. We must not stand by as they are left to die.

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By Mr. LAUTENBERG (for himself, Mr. CORZINE, Mr. SCHUMER, Mrs. BOXER, Mr. KENNEDY, Mr. DURBIN, Ms. MIKULSKI, Mr. SARBANES, Mr. REED, Mr. AKAKA, Mr. DODD, and Mrs. CLINTON):

S. 645. A bill to reinstate the Public Safety and Recreational Firearms Use Protection Act; to the Committee on the Judiciary.

Mr. LAUTENBERG. Mr. President, I rise to speak about a common sense bill that will protect American citizens and law enforcement officers. The Assault Weapons Ban and Law Enforcement Protection Act is designed to restore and strengthen the ban on assault weapons that expired on September 13, 2004.

The Government Accountability Office recently reported that 47 people on the terrorist watch list legally purchased firearms in this country last year. I personally believe that a person on the terrorist watch list, who isn't allowed to board a commercial airliner, should not be able to purchase any weapon. But they especially shouldn't be able to buy assault weapons, which possess unique, military-bred, anti-personnel design characteristics. These features, taken together, make it easy for a shooter to simply point a weapon—as opposed to taking careful aim—and quickly spray a wide area with a lethal hail of bullets.

These features make assault weapons especially attractive to terrorists and criminals, and virtually useless to hunters or sport shooters.

Before the previous ban on assault weapons expired last November, some attempted to justify that expiration by saying that it wasn't working as intended.

That is true. Some gun manufacturers were exploiting loopholes in the law by selling kits that made it possible to modify legal firearms into assault-style weapons, or by changing a few features of a weapon so it would slip through the legal definition of an assault rifle. The proper response to these abuses was not to let the ban expire, however. Instead, we should have fixed the ban so it really kept assault-style weapons out of the hands of criminals and terrorists. This bill will do that.

It improves and simplifies the definition of assault weapons; expands the scope of the ban to include conversion parts kits that can be purchased through the mail and used to build an assault weapon; regulates the transfer of grandfathered assault weapons; clarifies definitions of assault weapon characteristics; and enhances tracing of assault weapons.

Keeping assault weapons out of the hands of terrorists and criminals is simply a matter of common sense. Innocent lives are at stake—including the lives of law enforcement officers who are our last line of defense against terrorists who would attack our communities. Make no mistake—military-style assault weapons are a threat to cops on the street.

An analysis of FBI data found that one in five law enforcement officers slain in the line of duty between January 1, 1998, and December 31, 2001, were killed with assault weapons. How many of those officers would be alive today if criminals hadn't been able to get their hands on assault weapons?

Hundreds of organizations are on record in support of a ban on assault weapons, including the Anti-Defamation League, Brady Campaign to Prevent Gun Violence united with the Million Mom March, Consumer Federation of America, National Coalition Against Domestic Violence, National League of Cities, and Voices for America's Children. I urge all of my colleagues to support this common-sense measure.

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. 645

*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 ''Assault Weapons Ban and Law Enforcement Protection Act of 2005''.

**SEC. 2. RESTRICTION ON MANUFACTURE, TRANSFER, AND POSSESSION OF CERTAIN SEMIAUTOMATIC ASSAULT WEAPONS.**

(a) RESTRICTION.—Section 922 of title 18, United States Code, is amended by adding after subsection (u) the following:

''(v)(1) It shall be unlawful for a person to manufacture, transfer, or possess a semiautomatic assault weapon.

''(2) Paragraph (1) shall not apply to the possession or transfer of any semiautomatic assault weapon otherwise lawfully possessed under Federal law on the date of enactment of this subsection.

''(3) Paragraph (1) shall not apply to any firearm that—

''(A) is manually operated by bolt, pump, level, or slide action;

''(B) has been rendered permanently inoperable; or

''(C) is an antique firearm.

''(4) Paragraph (1) shall not apply to—

''(A) the manufacture for, transfer to, or possession by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State, or a transfer to or possession by a law enforcement officer employed by such an entity for purposes of law enforcement (whether on or off duty);

''(B) the transfer to a licensee under title I of the Atomic Energy Act of 1954 for purposes of establishing and maintaining an on-site physical protection system and security organization required by Federal law, or possession by an employee or contractor of such licensee onsite for such purposes or off-site for purposes of licensee-authorized training or transportation of nuclear materials;

''(C) the possession, by an individual who is retired from service with a law enforcement agency and is not otherwise prohibited from receiving a firearm, of a semiautomatic assault weapon transferred to the individual by the agency upon such retirement; or

''(D) the manufacture, transfer, or possession of a semiautomatic assault weapon by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Secretary.

''(5) It shall be unlawful for any person to transfer a semiautomatic assault weapon to which paragraph (1) does not apply, except through—

''(A) a licensed dealer, and for purposes of subsection (t) in the case of such a transfer, the weapon shall be considered to be transferred from the business inventory of the licensed dealer and the dealer shall be considered to be the transferor; or

''(B) a State or local law enforcement agency if the transfer is made in accordance with the procedures provided for in subsection (t) of this section and section 923(g).

''(6) The Attorney General shall establish and maintain, in a timely manner, a record of the make, model, and date of manufacture of any semiautomatic assault weapon which the Attorney General is made aware has been used in relation to a crime under Federal or State law, and the nature and circumstances of the crime involved, including the outcome of relevant criminal investigations and proceedings. The Attorney General shall annually submit the record to Congress and make the record available to the general public.''.

(b) DEFINITION OF SEMIAUTOMATIC ASSAULT WEAPON.—Section 921(a) of title 18, United States Code, is amended by adding after paragraph (29) the following:

''(30) The term 'semiautomatic assault weapon' means any of the following:

''(A) RIFLES.—The following rifles or copies or duplicates thereof—

''(i) AK, AKM, AKS, AK–47, AK–74, ARM, MAK90, Misr, NHM 90, NHM 91, SA 85, SA 93, VEPR;

''(ii) AR–10;

''(iii) AR–15, Bushmaster XM15, Armalite M15, or Olympic Arms PCR;

''(iv) AR70;

''(v) Calico Liberty;

''(vi) Dragunov SVD Sniper Rifle or Dragunov SVU;

''(vii) Fabrique National FN/FAL, FN/LAR, or FNC;

''(viii) Hi-Point Carbine;

''(ix) HK–91, HK–93, HK–94, or HK–PSG–1;

''(x) Kel-Tec Sub Rifle;

''(xi) M1 Carbine;

''(xii) Saiga;

''(xiii) SAR–8, SAR–4800;

''(xiv) SKS with detachable magazine;

''(xv) SLG 95;

''(xvi) SLR 95 or 96;

''(xvii) Steyr AUG;

''(xviii) Sturm, Ruger Mini–14;

''(xix) Tavor;

''(xx) Thompson 1927, Thompson M1, or Thompson 1927 Commando; or

''(xxi) Uzi, Galil and Uzi Sporter, Galil Sporter, or Galil Sniper Rifle (Galatz).

''(B) PISTOLS.—The following pistols or copies or duplicates thereof—

''(i) Calico M–110;

''(ii) MAC–10, MAC–11, or MPA3;

''(iii) Olympic Arms OA;

''(iv) TEC–9, TEC–DC9, TEC–22 Scorpion, or AB–10; or

''(v) Uzi.

''(C) SHOTGUNS.—The following shotguns or copies or duplicates thereof—

''(i) Armscor 30 BG;

''(ii) SPAS 12 or LAW 12;

''(iii) Striker 12; or

''(iv) Streetsweeper.

''(D) DETACHABLE MAGAZINE RIFLES.—A semiautomatic rifle that has an ability to accept a detachable magazine, and that has—

''(i) a folding or telescoping stock;

''(ii) a threaded barrel;

''(iii) a pistol grip;

''(iv) a forward grip; or

''(v) a barrel shroud.

''(E) FIXED MAGAZINE RIFLES.—A semiautomatic rifle that has a fixed magazine with the capacity to accept more than 10 rounds, except for an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

''(F) DETACHABLE MAGAZINE PISTOLS.—A semiautomatic pistol that has the ability to accept a detachable magazine, and has—

''(i) a second pistol grip;

''(ii) a threaded barrel;

''(iii) a barrel shroud; or

''(iv) the capacity to accept a detachable magazine at a location outside of the pistol grip.

''(G) FIXED MAGAZINE PISTOLS.—A semiautomatic pistol with a fixed magazine that has the capacity to accept more than 10 rounds.

''(H) SEMIAUTOMATIC SHOTGUNS.—A semiautomatic shotgun that has—

''(i) a folding or telescoping stock;

''(ii) a pistol grip;

''(iii) the ability to accept a detachable magazine; or

''(iv) a fixed magazine capacity of more than 5 rounds.

''(I) OTHER SHOTGUNS.—A shotgun with a revolving cylinder.

''(J) FRAMES OR RECEIVERS.—A frame or receiver that is identical to, or based substantially on the frame or receiver of, a firearm described in any of subparagraphs (A) through (I) or (L).

''(K) CONVERSION KITS.—A conversion kit.

''(L) MILITARY OR LAW ENFORCMENT WEAPONS.—A semiautomatic rifle or shotgun originally designed for military or law enforcement use, or a firearm based on the design of such a firearm, that is not particularly suitable for sporting purposes, as determined by the Attorney General. In making the determination, there shall be a rebuttable presumption that a firearm procured for use by the United States military or any Federal law enforcement agency is not particularly suitable for sporting purposes, and a firearm shall not be determined to be particularly suitable for sporting purposes solely because the firearm is suitable for use in a sporting event.''.

(c) PENALTIES.—

(1) VIOLATION OF SECTION 922(V).—Section 924(a)(1)(B) of title 18, United States Code, is amended by striking ''or (q) of section 922'' and inserting ''(r), or (v) of section 922''.

(2) USE OR POSSESSION DURING CRIME OF VIOLENCE OR DRUG TRAFFICKING CRIME.—Section 924(c)(1)(B)(i) of title 18, United States Code, is amended by inserting ''or semiautomatic assault weapon,'' after ''short-barreled shotgun,''.

(d) IDENTIFICATION MARKINGS FOR SEMIAUTOMATIC ASSAULT WEAPONS.—Section 923(i) of title 18, United States Code, is amended by adding at the end the following: ''The serial number of any semiautomatic assault weapon manufactured after the date of the enactment of this sentence shall clearly show the date on which the weapon was manufactured.''.

(e) RELATED DEFINITIONS.—Section 921(a) of such title is amended by adding at the end the following:

''(36) BARREL SHROUD.—The term 'barrel shroud' means a shroud that is attached to, or partially or completely encircles, the barrel of a firearm so that the shroud protects the user of the firearm from heat generated by the barrel, but does not include a slide that encloses the barrel, and does not include an extension of the stock along the bottom of the barrel which does not encircle or substantially encircle the barrel.

''(37) CONVERSION KIT.—The term 'conversion kit' means any part or combination of parts designed and intended for use in converting a firearm into a semiautomatic assault weapon, and any combination of parts from which a semiautomatic assault weapon can be assembled if the parts are in the possession or under the control of a person.

''(38) DETACHABLE MAGAZINE.—The term 'detachable magazine' means an ammunition feeding device that can readily be inserted into a firearm.

''(39) FIXED MAGAZINE.—The term 'fixed magazine' means an ammunition feeding device contained in, or permanently attached to, a firearm.

''(40) FOLDING OR TELESCOPING STOCK.—The term 'folding or telescoping stock' means a stock that folds, telescopes, or otherwise operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability, of a firearm.

''(41) FORWARD GRIP.—The term 'forward grip' means a grip located forward of the trigger that functions as a pistol grip.

''(42) PISTOL GRIP.—The term 'pistol grip' means a grip, a thumbhole stock, or any other characteristic that can function as a grip.

''(43) THREADED BARREL.—The term 'threaded barrel' means a feature or characteristic that is designed in such a manner to allow for the attachment of a firearm as defined in section 5845(a) of the National Firearms Act (26 U.S.C. 5845(a)).''.

**SEC. 3. BAN OF LARGE CAPACITY AMMUNITION FEEDING DEVICES.**

(a) PROHIBITION.—Section 922 of title 18, United States Code, as amended by section 2(a), is amended by adding after subsection (v) the following:

''(w)(1)(A) Except as provided in subparagraph (B), it shall be unlawful for a person to transfer or possess a large capacity ammunition feeding device.

''(B) Subparagraph (A) shall not apply to the possession or transfer of any large capacity ammunition feeding device otherwise lawfully possessed in the United States on the date of enactment of this subsection.

''(2) It shall be unlawful for any person to import or bring into the United States a large capacity ammunition feeding device.

''(3) This subsection shall not apply to—

''(A) the manufacture for, transfer to, or possession by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State, or a transfer to or possession by a law enforcement officer employed by such an entity for purposes of law enforcement (whether on or off duty);

''(B) the transfer to a licensee under title I of the Atomic Energy Act of 1954 for purposes of establishing and maintaining an onsite physical protection system and security organization required by Federal law, or possession by an employee or contractor of such licensee onsite for such purposes or off-site for purposes of licensee-authorized training or transportation of nuclear materials; or

''(C) the manufacture, transfer, or possession of any large capacity ammunition feeding device by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Secretary.

''(4) It shall be unlawful for a licensed manufacturer, licensed importer, or licensed dealer who transfers a large capacity ammunition feeding device that was manufactured on or before the date of enactment of this subsection, to fail to certify to the Attorney General before the end of the 60-day period that begins with the date of the transfer, in accordance with regulations prescribed by the Attorney General, that the device was manufactured on or before the date of enactment of this subsection.''.

(b) DEFINITION OF LARGE CAPACITY AMMUNITION FEEDING DEVICE.—Section 921(a) of title 18, United States Code, as amended by section 2(b), is amended by adding after paragraph (30) the following:

''(31) The term 'large capacity ammunition feeding device'—

''(A) means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition; but

''(B) does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.''.

(c) PENALTY.—Section 924(a)(1)(B) of title 18, United States Code, as amended by section 2(c), is amended by striking ''or (v)'' and inserting ''(v), or (w)''.

(d) IDENTIFICATION MARKINGS FOR LARGE CAPACITY AMMUNITION FEEDING DEVICES.—Section 923(i) of title 18, United States Code, as amended by section 2(d), is amended by adding at the end the following: ''A large capacity ammunition feeding device manufactured after the date of the enactment of this sentence shall be identified by a serial number that clearly shows that the device was manufactured or imported after the effective date of this subsection, and such other identification as the Attorney General may by regulation prescribe.

(e) BAN ON TRANSFER OF SEMIAUTOMATIC ASSAULT WEAPON WITH LARGE CAPACITY AMMUNITION FEEDING DEVICE.—

(1) IN GENERAL.—Section 922 of title 18, United States Code, is amended by inserting at the end the following:

''(z) It shall be unlawful for any person to transfer any assault weapon with a large capacity ammunition feeding device.''.

(2) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

''(8) Whoever knowingly violates section 922(z) shall be fined under this title, imprisoned not more than 10 years, or both.

''(9) Whoever knowingly violates section 922(w)(4) shall be fined under this title, imprisoned not more than 5 years, or both.''.

**SEC. 4. STUDY BY ATTORNEY GENERAL.**

(a) STUDY.—The Attorney General shall investigate and study the effect of this Act and the amendments made by this Act, and in particular shall determine their impact, if any, on violent and drug trafficking crime. The study shall be conducted over a period of 18 months, commencing 12 months after the date of enactment of this Act.

(b) REPORT.—Not later than 30 months after the date of enactment of this Act, the Attorney General shall prepare and submit to Congress a report setting forth in detail the findings and determinations made in the study under subsection (a).

**SEC. 5. UNLAWFUL WEAPONS TRANSFERS TO JUVENILES.**

Section 922(x) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking the period and inserting a semicolon; and

(B) by adding at the end the following:

''(C) a semiautomatic assault weapon; or

''(D) a large capacity ammunition feeding device.''; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking the period and inserting a semicolon; and

(B) by adding at the end the following:

''(C) a semiautomatic assault weapon; or

''(D) a large capacity ammunition feeding device.''.

**SEC. 6. EFFECTIVE DATE.**

This Act and the amendments made by this Act shall take effect on the date of enactment of this Act.

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By Mr. SHELBY:

S.J. Res. 10. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 per centum of the gross national product of the United States during the previous calendar year; to the Committee on the Judiciary.

Mr. SHELBY. Mr. President, as we continue to debate the Federal Government's fiscal year 2006 budget, I can think of no better time to discuss the need for a balanced budget amendment to the Constitution. It is for that reason that I stand before you today—to

introduce a balanced budget amendment to the Constitution.

This is the same amendment that I have introduced every Congress since the 97th Congress. Throughout my tenure in Congress, during good economic times and bad, I have devoted much time and attention to this idea because I believe that one of the most important things the Federal Government can do to enhance the lives of all Americans and future generations is to balance the Federal budget.

Our Founding Fathers, wise men indeed, had great concerns regarding the capability of those in government to operate within budgetary constraints. Alexander Hamilton once wrote that: ''. . . there is a general propensity in those who govern, founded in the constitution of man, to shift the burden from the present to a future day.'' Thomas Jefferson commented on the moral significance of this ''shifting of the burden from the present to the future.'' He said: ''the question whether one generation has the right to bind another by the deficit it imposes is a question of such consequence as to place it among the fundamental principles of government. We should consider ourselves unauthorized to saddle posterity with our debts and morally bound to pay them ourselves.''

I completely agree with these sentiments. History has shown that Hamilton was correct. Those who govern have, in fact, saddled future generations with the responsibility of paying for their debts. Over the past 30 years, annual deficits have become routine and the Federal Government has built up massive debt. Furthermore, Jefferson's assessment of the significance of this is also correct: intergenerational debt shifting is morally wrong.

Over the years, we have witnessed countless ''budget summits'' and ''bipartisan budget deals,'' and we have heard, time and again, the promises of ''deficit reduction.'' But despite all of these charades, the Federal budget remains severely out of balance today. The truth is, it will never be balanced as long as the President and the Congress are allowed to shortchange the welfare of future generations to pay for current consumption. This is evidenced by the fact that I stood in this same place, introducing this same legislation during both the 106th and the 107th Congresses while the Federal budget was actually in balance. But alas, I stand here today with an enormous Federal deficit and a ballooning Federal debt.

A balanced budget amendment to the Constitution is the only certain mechanism to break the cycle of deficit spending and ensure that the Government does not continue to saddle our children and grandchildren with the current generation's debts. A permanently balanced budget would have a considerable impact in the everyday lives of the American people. A balanced budget would dramatically lower interest rates thereby saving money for anyone with a home mortgage, a student loan, a car loan, credit card debt, or any other interest rate sensitive payment responsibility. Simply by balancing its books, the Federal Government would put real money into the hands of hard working people. Moreover, if the governments demand for capital is reduced, more money would be available for private sector use, which in turn, would generate substantial economic growth and create thousands of new jobs.

More money in the pockets of Americans and more job creation by the economy can become a reality with a simple step—a balanced budget amendment. On the other hand, without a balanced budget amendment, the Government will continue to waste the taxpayers' money on unnecessary interest payments. In fiscal year 2004, the Federal Government spent more than $321 billion just to pay the interest on the national debt. That is more than the amount spent on all education, job training, and crime programs combined.

We might as well be taking these hard-earned tax dollars and pouring them down the drain. I believe that this money could be better spent on improving education, developing new medical technologies, finding a cure for cancer, or even returning it to the people who earned it in the first place. But instead, about 15 percent of the Federal budget is being wasted on interest payments because advocates of big government continue to block all efforts to balance the budget.

A balanced budget amendment to the Constitution can be the solution to this perpetual problem. A balanced budget amendment will put us on a path to paying off our national debt, which is currently almost $8 trillion. This amendment will help ensure that taxpayers' money will no longer be wasted on interest payments.

Opponents of a balanced budget amendment treat it as if it is something extraordinary. They are right, a balanced Federal budget would be extraordinary. And I believe that adopting an amendment that would require the Federal Government to do what every American already has to do—balance their checkbook—is exactly what this country needs to prove that Washington is serious about accomplishing this extraordinary feat. A balanced budget amendment is simply a promise to the American people that the Government will spend their hard-earned tax dollars responsibly. I think that we owe our constituents and future generations of Americans that much.

We do not need any more budget deals or false promises from Washington to reduce the deficit. What we need is a hammer to force Congress and the President to agree on a balanced budget, not just this year, but forever. A constitutional amendment to balance the Federal budget is the only hammer forceful enough to make that happen.

I urge my colleagues to join with me in supporting this important legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S.J. RES. 10

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within 7 years of the date of final passage of this joint resolution:

''ARTICLE—

''SECTION 1. The total amount of money expended by the United States in any fiscal year shall not exceed the total amount of revenue received by the United States during such fiscal year, except revenue received from the issuance of bonds, notes, or other obligations of the United States.

''SECTION 2. The total amount of money expended by the United States in any fiscal year shall not exceed the amount equal to 20 per centum of the gross national product of the United States during the last calendar year ending before the beginning of such fiscal year.

''SECTION 3. Sections 1 and 2 of this Article shall not apply during any fiscal year during any part of which the United States is at war as declared by Congress under section 8 of Article I of the Constitution.

''SECTION 4. Sections 1 and 2 of this Article may be suspended by a concurrent resolution approved by a three-fifths vote of the Members of each House of Congress. Any suspension of sections 1 and 2 of this Article under this section shall be effective only during the fiscal year during which such suspension is approved.

''SECTION 5. This Article shall take effect on the first day of the first fiscal year beginning after the date of the adoption of this Article.

''SECTION 6. Congress shall have power to enforce this Article by appropriate legislation.''.

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By Mrs. FEINSTEIN:

S.J. Res. 11. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce legislation amending the Constitution to permit direct popular elections for the Presidency and Vice Presidency of the United States.

I am mindful of the fact that altering the text of one of our country's most sacred documents requires careful thought, study and debate. But for me the status quo raises too many problems and questions.

The Electoral College is an archaic system. It may have been suitable during the founding years of the Republic. But it is hardly appropriate for the 21st century modern democracy that we have become.

Fundamental fairness dictates that we have a single, nationwide count of popular votes. Hopefully my proposal represents the starting point for how best to structure a system to accomplish that.

My approach is simple: the President is elected through a direct popular vote of the American people. Every American's vote counts the same, whether they live in Florida, Maine, California, or Nebraska. All the complexities of the current electoral college system are swept away. With my legislation the winner of the presidency is the individual who tallies the most votes cast in the election.

For those who believe the Electoral College is a reasonable basis for electing the President, consider the following: would a foreign country today, creating a new democratic election system from scratch, rely on the U.S. Electoral College as a model? Not likely.

Let me begin by offering a few facts and observations about the current system: the Electoral College allows a candidate to lose 39 States in a general election but still win the Presidency; the Electoral College allows a candidate to lose a general election, by 10 million popular votes or more, yet still be elected President; in a recent presidential election a candidate received nearly 20 million popular votes, roughly 19 percent of all votes cast, but that translated into 0 electoral votes; the Electoral College allows an elector to refuse to represent the majority of popular votes cast for a presidential candidate in his State's election—he can arbitrarily switch sides and throw his lot in with an alternative candidate, which has happened nine times since 1820; when a presidential election produces a 269 to 269 tie in electoral votes between candidates, the President is chosen through a ''contingent'' election conducted by the House of Representatives with each state's delegation casting a single vote—which unfairly grants equal status to California, whose population is 35.5 million, and Wyoming, whose population is 500,000; making matters worse, when such a ''contingent election'' occurs, House members are not bound to support the candidate who won the popular vote in the State they collectively represent—they are free to vote as they see fit; the two ''constant'' or ''senatorial'' electors automatically assigned to each State give less populous states a disproportionate advantage in the Electoral College vote count compared to States with more sizable populations; the winner-take-all concept for awarding a State's electoral votes disenfranchises all voters in a State who supported a losing candidate in that State; and finally, the Electoral College undermines national campaigns by causing presidential candidates to focus on a handful of contested States and ignore the concerns of tens of millions of Americans living in other States.

The political and substantive utility of this system, full of pitfalls and loopholes, is very hard to discern. Voter apathy is a function of a system signaling to people that their vote does not count, and the Electoral College manages that in spades.

Now, I don't take this effort on lightly, because we have amended the Constitution a mere twenty-seven times since the founding of the nation. But as a matter of practical necessity, fairness and common sense, we need to consider the inherent inequities involved with the Electoral College.

My hope is that we can treat this in a bipartisan and nonparochial manner that benefits the whole of the country. I appreciate that states and regions are affected differently, California among them, but my motivations derive from improving the American federalist system in a way that eliminates undue consequences.

I have not been solicited by any particular interest group, constituency, or voting bloc to amend the Constitution. At bottom, I believe this is a matter of serious import. Good public policy demands that we give this subject sustained attention and I intend to do that through the Senate hearing process.

There was a time, of course, when the Electoral College adequately represented the voting needs of the country. In the 1780s there were no formal political parties as such, no experience with conducting national campaigns for office, and no lack of mistrust among States large and small about protecting their interests.

The Founding Fathers understood: first, the social, economic and political disconnectedness that existed among the States; second, the federalist system of governance was only beginning to take root; third, the dearth of news and communications networks across the country made national campaigning difficult; and fourth, the likelihood that a local ''favorite son'' or regional candidate would prevail in a national presidential election.

This combination of factors justified an indirect election of the President through a College of Electors.

Inimical reasons existed for going this route as well. Had the Framers of the Constitution adopted the one man, one vote system, Northern States that permitted blacks to vote in popular national elections could have exercised greater influence in electing the President than southern states. And States that independently extended rights of suffrage to women also could have gained an advantage.

The 15th Amendment in 1870 extending voting rights to Black men and many years later women gaining those same rights laid these issues to rest. With the obstacles of racism and sexism now gone as reasons justifying the creation, of the Electoral College, the puzzlement over why we haven't updated the presidential election system only continues.

Regardless, as a means to reconcile the interests of State governments and the Federal government, of northern and southern states, of majority and minority interests groups, and to let all these voices be heard come election time, the Electoral College was considered a just compromise. Its basic form was adopted during the Constitutional Convention of 1787.

Political events occurred soon thereafter, though, prompting passage of the 12th Amendment and the first major changes in the Electoral College system. The presidential election of 1800, between Thomas Jefferson and Aaron Burr, ended in a tie of electoral votes, causing the House of Representatives to break the deadlock through a ''contingent election''. A messy political imbroglio ensued. It was only after many rounds of negotiations that Jefferson won the Presidency.

Importantly, the 12th Amendment to the Constitution passed in 1804 to streamline the process of contingent elections. I would observe that passage of the 12th Amendment confirmed that the Electoral College system was, and remains, appropriately subject to change.

Legislators in 1804 did not delay in amending the Constitution for reasons of fairness and practicality, and nor should we in 2004 fail to address the imperfect design that thwarts the will of the American public.

Even with the 12th Amendment in place, the Electoral College managed to turn logic on its head in presidential elections throughout the 19th century. Minority presidents, so-called for winning the electoral vote but losing the popular vote, were elected three times—John Quincy Adams in 1824, Rutherford B. Hayes in 1876, and Benjamin Harrison in 1888.

And in 2000 the same problem re-surfaced, the fourth time in our Nation's short history, with Vice President Al Gore edging George Bush by 537,895 popular votes, but losing the electoral college by a mere 5 votes.

The Nation can be thankful, frankly, that we have only had disputed elections in just these four instances. A shift of a few thousand votes from one candidate to another in past presidential elections could have ordained similar disarray. Some noteworthy examples include: despite losing the popular vote by the sizable margin of 1.7 million votes, Gerald Ford in 1976 needed only 5,559 more votes in Ohio and 3,687 in Hawaii to reach the magical number of 270 electoral votes and he would have been returned to the White House.

And had California, Illinois and Ohio posited 29,000 more votes in Thomas Dewey's column, he lost the over popular vote by a wide margin, 2.1 million, in 1948, the face of history may have been changed forever with Harry Truman never returning to the White House.

And most recently, a shift of a mere 68,000 votes in Ohio from President George Bush's column to JOHN KERRY would have allowed the Democrat to

win the electoral vote count, 271 to 267, and the Presidency, even though Bush enjoyed a sizable 3.5 million margin in popular votes cast.

According to some estimates, we have had no fewer than 22 near misses, all of which could have ended up as contentious as the 2000 contest. We are tempting fate by ignoring this problem: sooner or later a dramatic incongruity will occur between an electoral vote winner contrasted against a different popular vote winner whose margin of victory runs into the millions.

Electoral College anomalies don't end with disparities between the electoral and popular vote winners. The phenomenon of the ''Faithless Elector'' reflects a further structural defect in the Electoral College System.

History shows that electors have not been faithful to the presidential and vice presidential tickets winning the most votes in their respective states. They may initially pledge to the winning candidate, but enjoy individual discretion to change their vote when electoral votes are formally counted.

Contemporary examples are as follows: in 1968, Dr. Lloyd Bailey, a North Carolina elector initially pledged to Republican Richard Nixon, switched his vote to George Wallace of the American Independent Party; in 1972, Roger MacBride, a Virginia elector for Richard Nixon switched his vote to John Hospers of the Libertarian Party; in 1976, Mike Padden, a Washington elector for Gerald Ford voted for Ronald Reagan; in 1988, Margarat Leach, a West Virginia elector for Michael Dukakis, voted instead for Lloyd Bentsen, an unusual decision to exchange the positions of the Presidential and Vice Presidential candidates; and in 2000, Barbara Lett-Simmons, a District of Columbia elector for Democrat Albert Gore Jr., cast a blank ballot.

These arbitrary decisions did not affect the outcome in each of those presidential election years. But they all flouted the electoral will of the people.

The fact that such capricious switching is permitted, irrespective of the outcomes of the popular vote results in the states in question, is cause for great concern. What might happen if electors break their pledges to a particular candidate en masse? Is that possible and legally enforceable? The answer appears to be yes.

In this vein, it does not require a stretch of the imagination to envision three or more candidates splitting the electoral tally of votes such that none received the requisite majority of 270 to win the White House.

In that situation, what prevents one of the candidates directing his electors to another candidate, before the formal meeting of the Electors to count and certify the electoral votes occurs in the month following the November election, to allow him to gain the necessary majority of 270 in exchange for policy concessions or worse, a massive cash payment? Would that kind of corrupt transaction be allowed? What element of the current Electoral College system prevents such an unfortunate outcome?

This may not be likely, given our strong two party system, but it is possible. Yet we tolerate the risk of it happening, year after year, because we assume it will never occur. Someday we may regret our indecision to fix what we know is wrong with the Electoral College system.

Twenty-five years ago in the 96th Congress, a majority of the Senate voted 51 to 48 to support abolishing the Electoral College and replace it with direct popular elections. That legislation, S.J. Res. 26, fell short of the necessary two-thirds required for a constitutional amendment, but I am encouraged that more than half the body supported the concept.

A few years before that, the House voted overwhelmingly in the 91st Congress, by a vote of 338 to 70, for the direct popular election of the President. Alas, the effort fell short in the Senate.

I am prepared to press the case for this idea, on a bipartisan basis, through extensive committee deliberations and onto the Senate floor. The time has come for the Senate to reconsider the essential building blocks of our democracy.

Some might claim that offering a constitutional amendment is a political gambit to overcome my own State's weak position in the Electoral College voting system. It is a fact that smaller States, such as South Dakota, Wyoming, and others, maintain disproportionate influence in the process compared to California.

I would respond to that as follows: my approach does equate the vote of a Californian, Rhode Islander and South Dakotan as being equal. But it also means that millions of votes cast for Republican candidates in future presidential races in my home state will have meaning and value. Their votes will count for something.

In the 2000 race, George Bush received over 4.5 million votes in California. That should have counted for something—but it did not. All 54 of California's electoral votes went to Vice President Al Gore.

Given the domination of Democratic presidential candidates in California in the modern era, it is clear that my party would not benefit from a direct popular election in California.

But for me, this is about principle over politics. It is the right thing to do, even if it gives renewed life to Republican presidential candidates in my home State.

As it stands now, California is not a place where Republican and Democratic presidential candidates genuinely compete for votes. They come to California to fill their campaign coffers but take a pass with real voters. That needs to change—for California, yes, but also for New York, Texas, for Utah and for so many other States in the country.

I have tried to understand the counterarguments to a nationwide popular vote. They reflect a desire to empower both regional and rural interests, and deny major population centers from having excessive power. I appreciate the notion that we don't want clusters of cities and particular regions where the greatest numbers of Americans reside, New York City, Chicago, Los Angeles, to dominate the electoral landscape.

At the same time, a presidential candidate's priorities, record and vision for the country will determine how far he goes in the nominating and general election process. Stitching together a cross section of American voters, who represent different economic and social backgrounds, professions, parts of the country, religious faiths, and so much more holds the key to attaining a winning plurality or majority of votes in presidential races.

I would contend that it is up to the candidates to appeal to the broadest group of Americans but to level the playing field in doing so. In that process each American's vote, regardless of where that person lives in the country, should be counted equally.

Right now, that is just not the case. Our system is not undemocratic, but it is imperfect, and we have the power to do something about it.

I ask unanimous consent that the text of the Electoral College Abolition Resolution be printed in the RECORD.

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

S.J. RES. 11

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission to the States for ratification:

''ARTICLE—

''SECTION 1. The President and Vice President shall be elected by the people of the several States and the district constituting the seat of government of the United States. The persons having the greatest number of votes for President and Vice President shall be elected.

''SECTION 2. The voters in each State shall have the qualifications requisite for electors of Representatives in Congress from that State, except that the legislature of any State may prescribe less restrictive qualifications with respect to residence and Congress may establish uniform residence and age qualifications. Congress may establish qualifications for voters in the district constituting the seat of government of the United States.

''SECTION 3. Congress may determine the time, place, and manner of holding the election, and the entitlement to inclusion on the ballot. Congress shall prescribe by law the time, place, and manner in which the results of the election shall be ascertained and declared.

''SECTION 4. Each voter shall cast a single vote jointly applicable to President and Vice President in any such election. Names of candidates shall not be joined unless both candidates have consented thereto, and no

candidate shall consent to being joined with more than one other person.

''SECTION 5. Congress may by law provide for the case of the death of any candidate for President or Vice President before the day on which the President-elect or the Vice President-elect has been chosen, and for the case of a tie in any such election.

''SECTION 6. This article shall take effect one year after the twenty-first day of January following ratification.''.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 83—COMMEMORATING THE 65TH ANNIVERSARY OF THE BLACK PRESS OF AMERICA

Mr. SANTORUM (for himself, Mrs. HUTCHISON, Mr. KENNEDY, Mr. MARTINEZ, Mr. LEVIN, and Mr. LUGAR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 83

Whereas on February 29, 1940, the Black Press of America gathered for the first time in Chicago, Illinois;

Whereas the Black Press of America joins together over 200 African-American community newspapers from across the United States;

Whereas the African-American press has profoundly influenced the fight for the rights of African-Americans;

Whereas African-American newspapers articulated the ideals of freedom and equality during those times in the history of the United States when the country failed to honor its commitment to the founding principles of the Nation;

Whereas the African-American press has fostered pride, solidarity, and self-reliance within the African-American community;

Whereas the African-American press has had a profound influence on the rise of opinion, leadership, and group action among African-Americans;

Whereas the African-American press has operated as an instrument of social change for decades as it has protested inequality and spotlighted the achievements of African-Americans;

Whereas African-American newspapers continue to broaden the social discourse surrounding the struggle of today's African-Americans for equal opportunity; and

Whereas commemorating the Black Press of America acknowledges the significant role all African-American newspapers have played in the history of the United States: Now, therefore, be it

*Resolved*, That the Senate commemorates the 65th Anniversary of the Black Press of America by recognizing—

(1) the significant contributions all African-American newspapers have made from the time of slavery and segregation to today; and

(2) the continued contributions African-American newspapers make to the ideal of equal opportunity for all Americans.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 173. Mr. SPECTER (for himself, Mr. HARKIN, Mrs. LINCOLN, Mr. TALENT, and Ms. CANTWELL) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

SA 174. Mr. COLEMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 175. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 176. Mr. COLEMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 177. Mr. KENNEDY (for himself, Mr. DODD, Mrs. MURRAY, Mr. LIEBERMAN, Mr. CORZINE, Mr. KERRY, Mr. SARBANES, and Mr. REED) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 178. Mr. LIEBERMAN (for himself, Mrs. CLINTON, and Mr. AKAKA) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 179. Mr. BAUCUS (for himself, Mr. KENNEDY, Mrs. CLINTON, Mr. DODD, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 180. Ms. MIKULSKI (for herself, Mr. DODD, Mrs. MURRAY, Mr. KENNEDY, Mr. LEVIN, and Mr. CORZINE) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 181. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 182. Mr. LOTT (for himself, Mr. COCHRAN, Ms. COLLINS, Ms. SNOWE, Ms. LANDRIEU, and Mr. VITTER) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 183. Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 184. Mr. SALAZAR (for himself, Mr. DORGAN, Mr. OBAMA, Mr. CONRAD, Mrs. MURRAY, Mr. JEFFORDS, Ms. CANTWELL, Mr. LEVIN, Mr. KENNEDY, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 185. Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 186. Mr. FEINGOLD (for himself, Mr. CHAFEE, Mr. SALAZAR, Ms. COLLINS, Mr. CONRAD, Ms. SNOWE, Mr. LIEBERMAN, Mr. VOINOVICH, Ms. CANTWELL, Mr. OBAMA, Mrs. FEINSTEIN, Mr. HARKIN, and Mr. CARPER) proposed an amendment to the concurrent resolution S. Con. Res. 18, supra.

SA 187. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 188. Mrs. FEINSTEIN (for herself, Mr. KYL, Mrs. HUTCHISON, Mr. BINGAMAN, and Mr. AKAKA) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 189. Mr. DODD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 190. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 191. Mr. DODD (for himself, Mrs. BOXER, Mr. KENNEDY, Mr. JEFFORDS, Mr. BIDEN, Ms. MIKULSKI, Mrs. MURRAY, Mrs. CLINTON, Mr. DURBIN, Mr. KERRY, Mr. KOHL, Mr. AKAKA , Mrs. FEINSTEIN, Mr. JOHNSON, Mrs. LINCOLN, Ms. STABENOW, Ms. CANTWELL, Mr. CORZINE, Mr. LAUTENBERG, and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 192. Mrs. LINCOLN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 193. Mr. DODD (for himself, Mr. LEAHY, Mrs. CLINTON, and Mr. KERRY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 194. Mr. HATCH (for himself, Mr. GRASSLEY, Mr. BAUCUS, Mr. ROCKEFELLER, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 195. Mr. KENNEDY (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. LAUTENBERG, and Mr. OBAMA) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 196. Mrs. CLINTON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 197. Mr. ALLEN (for himself, Mr. WARNER, and Mr. DEWINE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra.

SA 198. Mr. ALLEN (for himself, Mr. WARNER, and Mr. DEWINE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 199. Mr. KENNEDY (for himself, Mr. CORZINE, Mr. KERRY, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 200. Ms. CANTWELL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 201. Mr. DODD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 202. Mr. DAYTON (for himself, Mr. AKAKA, Mr. LIEBERMAN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 203. Mr. LEAHY (for himself, Mr. KENNEDY, Ms. MIKULSKI, Mr. FEINGOLD, Mr. DURBIN, Mr. BIDEN, and Mr. OBAMA) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 204. Mr. BINGAMAN (for Mr. SMITH (for himself, Mr. BINGAMAN, Mr. COLEMAN, Mr. BAUCUS, Mr. DEWINE, Ms. SNOWE, and Mr. CHAFEE)) proposed an amendment to the concurrent resolution S. Con. Res. 18, supra.

SA 205. Mr. BAYH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 206. Mr. BAUCUS (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 207. Mr. CARPER proposed an amendment to the concurrent resolution S. Con. Res. 18, supra.

SA 208. Mr. COCHRAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 209. Mr. COCHRAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 210. Mr. DORGAN (for himself, Ms. MIKULSKI, Mr. FEINGOLD, Mr. LEVIN, Mr. KENNEDY, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra.

SA 211. Mr. DORGAN (for himself, Ms. CANTWELL, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 212. Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 213. Mr. PRYOR (for himself, Mrs. LINCOLN, Mr. REED, Ms. LANDRIEU, Mr. CORZINE, Mr. LEAHY, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 214. Ms. SNOWE (for herself, Mr. WYDEN, Mr. FEINGOLD, Mr. MCCAIN, and Mrs. FEINSTEIN) proposed an amendment to the concurrent resolution S. Con. Res. 18, supra.

SA 215. Mr. SALAZAR (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra.

SA 216. Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 217. Mr. KOHL (for himself, Mr. HATCH, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 218. Mrs. HUTCHISON (for herself, Mr. CRAIG, Mr. ENSIGN, Mr. DOMENICI, Mr. CORNYN, Mr. KYL, Mr. MCCAIN, and Mrs. FEINSTEIN) proposed an amendment to the concurrent resolution S. Con. Res. 18, supra.

SA 219. Ms. LANDRIEU proposed an amendment to the concurrent resolution S. Con. Res. 18, supra.

SA 220. Ms. COLLINS (for Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mrs. CLINTON)) proposed an amendment to the concurrent resolution S. Con. Res. 18, supra.

SA 221. Mr. BAYH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 222. Mr. LEVIN (for himself, Mr. JEFFORDS, Ms. STABENOW, Mr. SARBANES, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

SA 223. Mr. VITTER proposed an amendment to the concurrent resolution S. Con. Res. 18, supra.

SA 224. Mr. VITTER proposed an amendment to the concurrent resolution S. Con. Res. 18, supra.

## TEXT OF AMENDMENTS

**SA 173.** Mr. SPECTER (for himself, Mr. HARKIN, Mrs. LINCOLN, Mr. TALENT, and Ms. CANTWELL) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 17, line 16, increase the amount by $500,000,000.

On page 17, line 17, increase the amount by $500,000,000.

On page 18, line 16, increase the amount by $1,500,000,000.

On page 18, line 17, increase the amount by $1,500,000,000.

On page 26, line 14, decrease the amount by $2,000,000,000.

On page 26, line 15, decrease the amount by $2,000,000,000.

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**SA 174.** Mr. COLEMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 17, line 16, increase the amount by $1,479,000,000.

On page 17, line 17, increase the amount by $354,960,000.

On page 17, line 21, increase the amount by $1,094,460,000.

On page 17, line 25, increase the amount by $29,580,000.

On page 24, line 16, decrease the amount by $1,479,000,000.

On page 24, line 17, decrease the amount by $354,960,000.

On page 24, line 21, decrease the amount by $1,094,460,000.

On page 24, line 25, decrease the amount by $29,580,000.

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**SA 175.** Mr. VOINOVICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 65, after line 25, insert the following:

**SEC. _____. SENSE OF THE SENATE SUPPORTING BIENNIAL BUDGETING.**

It is the sense of the Senate that Congress should enact a biennial budget for the Federal Government.

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**SA 176.** Mr. COLEMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 17, line 16, increase the amount by $1,479,000,000.

On page 17, line 17, increase the amount by $354,960,000.

On page 17, line 21, increase the amount by $1,094,460,000.

On page 17, line 25, increase the amount by $29,580,000.

On page 26, line 14, decrease the amount by $1,479,000,000.

On page 26, line 15, decrease the amount by $354,960,000.

On page 26, line 18, decrease the amount by $1,094,460,000.

On page 26, line 21, decrease the amount by $29,580,000.

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**SA 177.** Mr. KENNEDY (for himself, Mr. DODD, Mrs. MURRAY, Mr. LIEBERMAN, Mr. CORZINE, Mr. KERRY, Mr. SARBANES, AND MR. REED) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On Page 3, line 10, increase the amount by $1,446,000,000.

On Page 3, line 11, increase the amount by $7,606,000,000.

On Page 3, line 12, increase the amount by $1,332,000,000.

On Page 3, line 13, increase the amount by $454,000,000.

On Page 3, line 14, increase the amount by $110,000,000.

On Page 3, line 19, increase the amount by $1,446,000,000.

On Page 3, line 20, increase the amount by $7,606,000,000

On Page 3, line 21, increase the amount by $1,332,000,000.

On Page 4, line 1, increase the amount by $454,000,000.

On Page 4, line 2, increase the amount by $110,000,000.

On Page 4, line 7, increase the amount by $5,389,000,000.

On Page 4, line 8, increase the amount by $5,000,000.

On Page 4, line 9, increase the amount by $15,000,000.

On Page 4, line 10, increase the amount by $25,000,000.

On Page 4, line 11, increase the amount by $40,000,000.

On Page 4, line 16, increase the amount by $723,000,000.

On Page 4, line 17, increase the amount by $3,803,000,000.

On Page 4, line 18, increase the amount by $666,000,000.

On Page 4, line 19, increase the amount by $227,000,000.

On Page 4, line 20, increase the amount by $55,000,000.

On page 4, line 24, increase the amount by $723,000.000.

On page 4, line 25, increase the amount by $3,803,000,000.

On page 5, line 1, increase the amount by $666,000,000.

On page 5, line 2, increase the amount by $227,000,000.

On page 5, line 3, increase the amount by $55,000,000.

On page 5, line 7, decrease the amount by $723,000,000.

On page 5, line 8, decrease the amount by $4,526,000,000.

On page 5, line 9, decrease the amount by $5,192,000,000.

On page 5, line 10, decrease the amount by $5,419,000,000.

On page 5, line 11, decrease the amount by $5,474,000,000.

On page 5, line 15, decrease the amount by $723,000,000.

On page 5, line 16, decrease the amount by $4,526,000,000.

On page 5, line 17, decrease the amount by $5,192,000,000.

On page 5, line 18, decrease the amount by $5,419,000,000.

On page 5, line 19, decrease the amount by $5,474,000,000.

On page 17, line 16, increase the amount by $5,389,000,000.
On page 17, line 17, increase the amount by $723,000,000.
On page 17, line 20, increase the amount by $5,000,000.
On page 17, line 21, increase the amount by $3,803,000,000.
On page 17, line 24, increase the amount by $15,000,000.
On page 17, line 25, increase the amount by $666,000,000.
On page 18, line 3, increase the amount by $25,000,000.
On page 18, line 4, increase the amount by $227,000,000.
On page 18, line 7, increase the amount by $40,000,000.
On page 18, line 8, increase the amount by $55,000,000.
On page 30, line 16, decrease the amount by $1,446,000,000.
On page 30, line 17, decrease the amount by $10,948,000,000.
On page 36, line 21, increase the amount by $8,000,000.
On page 36, line 22, increase the amount by $8,000,000.
On page 36, line 23, increase the amount by $93,000,000.
On page 36, line 24, increase the amount by $93,000,000
On page 48, line 6, increase the amount by $5,381,000,000.
On page 48, line 7, increase the amount by $715,000,000.

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**SA 178.** Mr. LIEBERMAN (for himself, Mrs. CLINTON, and Mr. AKAKA) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $1,674,000,000.
On page 3, line 11, increase the amount by $1,420,000,000.
On page 3, line 12, increase the amount by $1,150,000,000.
On page 3, line 13, increase the amount by $640,000,000.
On page 3, line 14, increase the amount by $48,000,000.
On page 3, line 19, increase the amount by $1,674,000,000.
On page 3, line 20, increase the amount by $1,420,000,000.
On page 3, line 21, increase the amount by $1,150,000,000.
On page 4, line 1, increase the amount by $640,000,000.
On page 4, line 2, increase the amount by $48,000,000.
On page 4, line 7, increase the amount by $2,490,000,000.
On page 4, line 16, increase the amount by $837,000,000.
On page 4, line 17, increase the amount by $710,000,000.
On page 4, line 18, increase the amount by $575,000,000.
On page 4, line 19, increase the amount by $320,000,000.
On page 4, line 20, increase the amount by $24,000,000.
On page 4, line 24, increase the amount by $837,000,000.
On page 4, line 25, increase the amount by $710,000,000.
On page 5, line 1, increase the amount by $575,000,000.
On page 5, line 2, increase the amount by $320,000,000.
On page 5, line 3, increase the amount by $24,000,000.
On page 5, line 7, decrease the amount by $837,000,000.
On page 5, line 8, decrease the amount by $1,547,000,000.
On page 5, line 9, decrease the amount by $1,122,000,000.
On page 5, line 10, decrease the amount by $2,442,000,000.
On page 5, line 11, decrease the amount by $2,466,000,000.
On page 5, line 15, decrease the amount by $837,000,000.
On page 5, line 16, decrease the amount by $1,547,000,000.
On page 5, line 17, decrease the amount by $2,122,000,000.
On page 5, line 18, decrease the amount by $2,442,000,000.
On page 5, line 19, decrease the amount by $2,466,000,000.
On page 15, line 15, increase the amount by $700,000,000.
On page 15, line 16, increase the amount by $400,000,000.
On page 15, line 20, increase the amount by $144,000,000.
On page 15, line 24, increase the amount by $75,000,000.
On page 16, line 3, increase the amount by $33,000,000.
On page 16, line 7, increase the amount by $24,000,000.
On page 16, line 15, increase the amount by $1,550,000,000.
On page 16, line 16, increase the amount by $245,000,000.
On page 16, line 20, increase the amount by $542,000,000.
On page 16, line 24, increase the amount by $476,000,000.
On page 17, line 3, increase the amount by $287,000,000.
On page 23, line 16, increase the amount by $240,000,000.
On page 23, line 17, increase the amount by $192,000,000.
On page 23, line 21, increase the amount by $24,000,000.
On page 23, line 25, increase the amount by $24,000,000.
On page 30, line 16, decrease the amount by $1,674,000,000.
On page 30, line 17, decrease the amount by $4,932,000,000.
On page 48, line 6, increase the amount by $2,490,000,000.
On page 48, line 7, increase the amount by $837,000,000.

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**SA 179.** Mr. BAUCUS (for himself, Mr. KENNEDY, Mrs. CLINTON, Mr. DODD, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 31, strike lines 15 through 22, and insert the following:

regardless of whether the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation provided that such legislation would not increase the deficit for the period of fiscal years 2006 through 2010. The costs of such legislation shall not be scored for purposes of sections 302, 303, 401, and 425 of the Congressional Budget Act of 1974, section 404 of this resolution, and section 505 of the Concurrent Resolution on the Budget for Fiscal Year 2004 (H. Con. Res. 95), provided that such legislation does not increase the deficit for the period of the total of fiscal years 2006 through 2010.

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**SA 180.** Ms. MIKULSKI (for herself Mr. DODD, Mrs. MURRAY, Mr. KENNEDY, Mr. LEVIN, and Mr. CORZINE) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 40, after line 8 insert the following:

**SEC. _____. RESERVE FOR FUNDING OF HOPE CREDIT.**

If the Committee on Finance of the Senate reports a bill or joint resolution, or an amendment thereto is offered or a conference report thereon is submitted, that increases the Hope credit to $4,000, makes the credit available for 4 years, and makes the credit fully refundable, the chairman of the Committee on the Budget may revise committee allocations for the Committee on Finance and other appropriate budgetary aggregates and allocations of new budget authority and outlays by the amount provided by that measure for that purpose, if that measure includes offsets including legislation closing corporate tax loopholes and would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 though 2010.

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**SA 181.** Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 12, line 15, increase the amount by $60,000,000.
On page 12, line 16, increase the amount by $15,000,000.
On page 12, line 20, increase the amount by $18,000,000.
On page 12, line 24, increase the amount by $18,000,000.
On page 13, line 3, increase the amount by $6,000,000.
On page 13, line 7, increase the amount by $3,000,000.
On page 26, line 14, decrease the amount by $60,000,000.
On page 26, line 15, decrease the amount by $15,000,000.
On page 26, line 18, decrease the amount by $18,000,000.
On page 26, line 21, decrease the amount by $18,000,000.
On page 26, line 24, decrease the amount by $6,000,000.
On page 27, line 2, decrease the amount by $3,000,000.

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**SA 182.** Mr. LOTT (for himself, Mr. COCHRAN, Ms. COLLINS, Ms. SNOWE, Ms. LANDRIEU, and Mr. VITTER) submitted

an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 510. SENSE OF THE SENATE REGARDING THE ACQUISITION OF THE NEXT GENERATION DESTROYER (DDX).**

(a) FINDINGS.—The Senate makes the following findings:

(1) The Quadrennial Defense Review to be conducted in 2005 has not been completed.

(2) The national security of the United States is best served by a competitive industrial base consisting of at least two shipyards capable of constructing major surface combatants.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) it is ill-advised for the Department of Defense to pursue a winner-take-all strategy for the acquisition of destroyers under the next generation destroyer (DDX) program; and

(2) the amounts identified in this resolution assume that the Department of Defense will not acquire any destroyer under the next generation destroyer program through a winner-take-all strategy.

(c) WINNER-TAKE-ALL STRATEGY DEFINED.—In this section, the term ''winner-take-all strategy'', with respect to the acquisition of destroyers under the next generation destroyer program, means the acquisition (including design and construction) of such destroyers through a single shipyard.

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**SA 183.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $23,000,000.

On page 3, line 11, increase the amount by $27,000,000.

On page 3, line 12, increase the amount by $27,000,000.

On page 3, line 13, increase the amount by $9,000,000.

On page 3, line 14, increase the amount by $5,000,000.

On page 3, line 19, increase the amount by $23,000,000.

On page 3, line 20, increase the amount by $27,000,000.

On page 3, line 21, increase the amount by $27,000,000.

On page 4, line 1, increase the amount by $9,000,000.

On page 4, line 2, increase the amount by $5,000,000.

On page 4, line 7, increase the amount by $90,000,000.

On page 4, line 16, increase the amount by $23,000,000.

On page 4, line 17, increase the amount by $27,000,000.

On page 4, line 18, increase the amount by $27,000,000.

On page 4, line 19, increase the amount by $9,000,000.

On page 4, line 20, increase the amount by $5,000,000.

On page 12, line 15, increase the amount by $90,000,000.

On page 12, line 16, increase the amount by $23,000,000.

On page 12, line 20, increase the amount by $27,000,000.

On page 12, line 24, increase the amount by $27,000,000.

On page 13, line 3, increase the amount by $9,000,000.

On page 13, line 7, increase the amount by $5,000,000.

On page 30, line 16, decrease the amount by $23,000,000.

On page 30, line 17, decrease the amount by $90,000,000.

On page 48, line 6, increase the amount by $90,000,000.

On page 48, line 7, increase the amount by $23,000,000.

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**SA 184.** Mr. SALAZAR (for himself, Mr. DORGAN, Mr. OBAMA, Mr. CONRAD, Mrs. MURRAY, Mr. JEFFORDS, Ms. CANTWELL, Mr. LEVIN, Mr. KENNEDY, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $13,000,000.

On page 3, line 11, increase the amount by $81,000,000.

On page 3, line 12, increase the amount by $98,000,000.

On page 3, line 13, increase the amount by $72,000,000.

On page 3, line 14, increase the amount by $28,000,000.

On page 3, line 19, increase the amount by $13,000,000.

On page 3, line 20, increase the amount by $81,000,000.

On page 3, line 21, increase the amount by $98,000,000.

On page 4, line 1, increase the amount by $72,000,000.

On page 4, line 2, increase the amount by $28,000,000.

On page 4, line 7, increase the amount by $150,000,000.

On page 4, line 16, increase the amount by $7,000,000.

On page 4, line 17, increase the amount by $40,000,000.

On page 4, line 18, increase the amount by $49,000,000.

On page 4, line 19, increase the amount by $36,000,000.

On page 4, line 20, increase the amount by $14,000,000.

On page 4, line 24, increase the amount by $6,000,000.

On page 4, line 25, increase the amount by $41,000,000.

On page 5, line 1, increase the amount by $49,000,000.

On page 5, line 2, increase the amount by $36,000,000.

On page 5, line 3, increase the amount by $14,000,000.

On page 5, line 7, decrease the amount by $6,000,000.

On page 5, line 8, decrease the amount by $47,000,000.

On page 5, line 9, decrease the amount by $96,000,000.

On page 5, line 10, decrease the amount by $132,000,000.

On page 5, line 11, decrease the amount by $146,000,000.

On page 5, line 15, decrease the amount by $6,000,000.

On page 5, line 16, decrease the amount by $47,000,000.

On page 5, line 17, decrease the amount by $96,000,000.

On page 5, line 18, decrease the amount by $132,000,000.

On page 5, line 19, decrease the amount by $146,000,000.

On page 22, line 16, increase the amount by $150,000,000.

On page 22, line 17, increase the amount by $7,000,000.

On page 22, line 21, increase the amount by $40,000,000.

On page 22, line 25, increase the amount by $49,000,000.

On page 23, line 4, increase the amount by $36,000,000.

On page 23, line 8, increase the amount by $14,000,000.

On page 30, line 16, decrease the amount by $13,000,000.

On page 30, line 17, decrease the amount by $292,000,000.

On page 48, line 6, increase the amount by $150,000,000.

On page 48, line 7, increase the amount by $7,000,000.

On page ___, line ___, increase/decrease the amount by $_____.

On page ___, line ___, increase/decrease the amount by $_____.

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**SA 185.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $28,000,000.

On page 3, line 11, increase the amount by $72,000,000.

On page 3, line 12, increase the amount by $24,000,000.

On page 3, line 13, increase the amount by $6,000,000.

On page 3, line 19, increase the amount by $28,000,000.

On page 3, line 20, increase the amount by $72,000,000.

On page 3, line 21, increase the amount by $24,000,000.

On page 4, line 1, increase the amount by $6,000,000.

On page 4, line 7, increase the amount by $65,000,000.

On page 4, line 16, increase the amount by $14,000,000.

On page 4, line 17, increase the amount by $36,000,000.

On page 4, line 18, increase the amount by $12,000,000.

On page 4, line 19, increase the amount by $3,000,000.

On page 4, line 24, increase the amount by $14,000,000.

On page 4, line 25, increase the amount by $36,000,000.

On page 5, line 1, increase the amount by $12,000,000.

On page 5, line 2, increase the amount by $3,000,000.

On page 5, line 7, decrease the amount by $14,000,000.

On page 5, line 8, decrease the amount by $50,000,000.

On page 5, line 9, decrease the amount by $62,000,000.

On page 5, line 10, decrease the amount by $65,000,000.

On page 5, line 11, decrease the amount by $65,000,000.

On page 5, line 15, decrease the amount by $14,000,000.

On page 5, line 16, decrease the amount by $50,000,000.

On page 5, line 17, decrease the amount by $62,000,000.

On page 5, line 18, decrease the amount by $65,000,000.

On page 5, line 19, decrease the amount by $65,000,000.

On page 17, line 16, increase the amount by $29,000,000.

On page 17, line 17, increase the amount by $1,000,000.

On page 17, line 21, increase the amount by $17,000,000.

On page 17, line 25, increase the amount by $9,000,000.

On page 18, line 4, increase the amount by $2,000,000.

On page 18, line 16, increase the amount by $36,000,000.

On page 18, line 17, increase the amount by $13,000,000.

On page 18, line 21, increase the amount by $19,000,000.

On page 18, line 25, increase the amount by $3,000,000.

On page 19, line 4, increase the amount by $1,000,000.

On page 30, line 16, decrease the amount by $28,000,000.

On page 30, line 17, decrease the amount by $130,000,000.

On page 48, line 6, increase the amount by $65,000,000.

On page 48, line 7, increase the amount by $14,000,000.

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**SA 186.** Mr. FEINGOLD (for himself, Mr. CHAFEE, Mr. SALAZAR, Ms. COLLINS, Mr. CONRAD, Ms. SNOWE, Mr. LIEBERMAN, Mr. VOINOVICH, Ms. CANTWELL, Mr. OBAMA, Mrs. FEINSTEIN, Mr. HARKIN, and Mr. CARPER) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 57, after line 2, insert the following:

**SEC. 408. PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.**

(a) PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.—

(1) IN GENERAL.—For purposes of Senate enforcement, it shall not be in order in the Senate to consider any direct spending or revenue legislation that would increase the on-budget deficit or cause an on-budget deficit for any one of the three applicable time periods as measured in paragraphs (5) and (6).

(2) APPLICABLE TIME PERIODS.—For purposes of this subsection, the term ''applicable time period'' means any 1 of the 3 following periods:

(A) The first year covered by the most recently adopted concurrent resolution on the budget.

(B) The period of the first 5 fiscal years covered by the most recently adopted concurrent resolution on the budget.

(C) The period of the 5 fiscal years following the first 5 fiscal years covered in the most recently adopted concurrent resolution on the budget.

(3) DIRECT-SPENDING LEGISLATION.—For purposes of this subsection and except as provided in paragraph (4), the term ''direct-spending legislation'' means any bill, joint resolution, amendment, motion, or conference report that affects direct spending as that term is defined by, and interpreted for purposes of, the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) EXCLUSION.—For purposes of this subsection, the terms ''direct-spending legislation'' and ''revenue legislation'' do not include—

(A) any concurrent resolution on the budget; or

(B) any provision of legislation that affects the full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990.

(5) BASELINE.—Estimates prepared pursuant to this section shall—

(A) use the baseline surplus or deficit used for the most recently adopted concurrent resolution on the budget; and

(B) be calculated under the requirements of subsections (b) through (d) of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal years beyond those covered by that concurrent resolution on the budget.

(6) PRIOR SURPLUS.—If direct spending or revenue legislation increases the on-budget deficit or causes an on-budget deficit when taken individually, it must also increase the on-budget deficit or cause an on-budget deficit when taken together with all direct spending and revenue legislation enacted since the beginning of the calendar year not accounted for in the baseline under paragraph (5)(A), except that direct spending or revenue effects resulting in net deficit reduction enacted pursuant to reconciliation instructions since the beginning of that same calendar year shall not be available.

(b) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

(e) SUNSET.—This section shall expire on September 30, 2010.

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**SA 187.** Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 30, strike lines 19 through 23.

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**SA 188.** Mrs. FEINSTEIN (for herself, Mr. KYL, Mrs. HUTCHISON, Mr. BINGAMAN, and Mr. AKAKA) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. SENSE OF THE SENATE REGARDING THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.**

(a) FINDINGS.—The Senate finds the following:

(1) Control of illegal immigration is a Federal responsibility.

(2) The State Criminal Alien Assistance Program (referred to in this section as ''SCAAP'') provides critical funding to States and localities for reimbursement of costs incurred as a result of housing undocumented criminal aliens.

(3) Congress appropriated $250,000,000 for SCAAP to reimburse State and local governments for these costs in fiscal year 2003.

(4) Congress appropriated $300,000,000 for SCAAP to reimburse State and local governments for these costs in fiscal year 2004.

(5) Congress appropriated $305,000,000 for SCAAP to reimburse State and local governments for these costs in fiscal year 2005.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this concurrent resolution assume that—

(1) Congress will appropriate $750,000,000 for SCAAP for fiscal year 2006; and

(2) Congress will enact long-term reauthorization of SCAAP to reimburse State and local governments for the financial burdens undocumented criminal aliens place on their local criminal justice systems.

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**SA 189.** Mr. DODD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $300,000,000.0

On page 3, line 11, increase the amount by $1,134,000,000.

On page 3, line 12, increase the amount by $846,000,000.

On page 3, line 13, increase the amount by $424,000,000.

On page 3, line 14, increase the amount by $318,000,000.

On page 3, line 19, increase the amount by $300,000,000.

On page 3, line 20, increase the amount by $1,135,000,000.

On page 3, line 21, increase the amount by $846,000,000.

On page 4, line 1, increase the amount by $424,000,000.

On page 4, line 2, increase the amount by $318,000,000.

On page 4, line 7, increase the amount by $1,511,000,000.

On page 4, line 16, increase the amount by $150,000,000.

On page 4, line 17, increase the amount by $567,000,000.

On page 4, line 18, increase the amount by $423,000,000.

On page 4, line 19, increase the amount by $212,000,000.

On page 4, line 20, increase the amount by $159,000,000.

On page 4, line 24, increase the amount by $150,000,000.

On page 4, line 25, increase the amount by $567,000,000.

On page 5, line 1, increase the amount by $423,000,000.

On page 5, line 2, increase the amount by $212,000,000.

On page 5, line 3, increase the amount by $159,000,000.

On page 5, line 7, decrease the amount by $150,000,000.
On page 5, line 8, decrease the amount by $717,000,000.
On page 5, line 9, decrease the amount by $1,140,000,000.
On page 5, line 10, decrease the amount by $1,352,000,000.
On page 5, line11, decrease the amount by $1,511,000,000.
On page 5, line 15, decrease the amount by $150,000,000.
On page 5, line 16, decrease the amount by $717,000,000.
On page 5, line 17, decrease the amount by $1,140,000,000.
On page 5, line 18, decrease the amount by $1,352,000,000.
On page 5, line 19, decrease the amount by $1,511,000,000.
On page 16, line 15, increase the amount by $1,511,000,000.
On page 16, line 16, increase the amount by $150,000,000.
On page 16, line 20, increase the amount by $567,000,000.
On page 16, line 24, increase the amount by $423,000,000.
On page 17, line 3, increase the amount by $212,000,000.
On page 17, line 7, increase the amount by $159,000,000.
On page 30, line 16, decrease the amount by $300,000,000.
On page 30, line 17, decrease the amount by $3,022,000,000.
On page 48, line 6, increase the amount by $1,511,000,000.
On page 48, line 7, increase the amount by $150,000,000.

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**SA 190.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 40, after line 8 insert the following:

**SEC. ___. DEFICIT NEUTRAL RESERVE FUND FOR PATRIOTIC EMPLOYERS OF NATIONAL GUARDSMEN AND RESERVISTS.**

In the Senate, if a bill or joint resolution, if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(1) provides a 50 percent tax credit to employers for compensation paid to employees who are on active duty status as members of the Guard or Reserve in order to make up the difference between the employee's civilian pay and military pay; and

(2) provides for employers of 50 or fewer employees who are eligible for the tax credit under paragraph (1) a 50 percent tax credit, not to exceed $12,000, for compensation paid to a worker hired to replace an active duty Guard or Reserve employee;

the chairman of the Committee on the Budget shall adjust the revenue aggregates and other appropriate aggregates, levels, and limits in this resolution to reflect such legislation, to the extent that such legislation would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

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**SA 191.** Mr. DODD (for himself, Mrs. BOXER, Mr. KENNEDY, Mr. JEFFORDS, Mr. BIDEN, Ms. MIKULSKI, Mrs. MURRAY, Mrs. CLINTON, Mr. DURBIN, Mr. KERRY, Mr. KOHL, Mr. AKAKA, Mrs. FEINSTEIN, Mr. JOHNSON, Mrs. LINCOLN, Ms. STABENOW, Ms. CANTWELL, Mr. CORZINE, Mr. LAUTENBERG, and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $50,000,000.
On page 3, line 11, increase the amount by $1,460,000,000.
On page 3, line 12, increase the amount by $756,000,000.
On page 3, line 13, increase the amount by $252,000,000.
On page 3, line 19, increase the amount by $50,000,000.
On page 3, line 20, increase the amount by $1,460,000,000.
On page 3, line 21, increase the amount by $756,000,000.
On page 4, line 1, increase the amount by $252,000,000.
On page 4, line 7, increase the amount by $1,259,000,000.
On page 4, line 16, increase the amount by $25,000,000.
On page 4, line 17, increase the amount by $730,000,000.
On page 4, line 18, increase the amount by $378,000,000.
On page 4, line 19, increase the amount by $126,000,000.
On page 4, line 24, increase the amount by $25,000,000.
On page 4, line 25, increase the amount by $730,000,000.
On page 5, line 1, increase the amount by $378,000,000.
On page 5, line 2, increase the amount by $126,000,000.
On page 5, line 7, decrease the amount by $25,000,000.
On page 5, line 8, decrease the amount by $755,000,000.
On page 5, line 9, decrease the amount by $1,133,000,000.
On page 5, line 10, decrease the amount by $1,259,000,000.
On page 5, line 11, decrease the amount by $1,259,000,000.
On page 5, line 15, decrease the amount by $25,000,000.
On page 5, line 16, decrease the amount by $755,000,000.
On page 5, line 17, decrease the amount by $1,133,000,000.
On page 5, line 18, decrease the amount by $1,259,000,000.
On page 5, line 19, decrease the amount by $1,259,000,000.
On page 17, line 16, increase the amount by $1,259,000,000.
On page 17, line 17, increase the amount by $25,000,000.
On page 17, line 21, increase the amount by $730,000,000.
On page 17, line 25, increase the amount by $378,000,000.
On page 18, line 4, increase the amount by $126,000,000.
On page 30, line 16, decrease the amount by $50,000,000.
On page 30, line 17, decrease the amount by $2,518,000,000.
On page 48, line 6, increase the amount by $1,259,000,000.
On page 48, line 7, increase the amount by $25,000,000.

SUMMARY OF DODD AFTERSCHOOL AMENDMENT

This Amendment is intended to raise the funding level for the 21st Century Community Learning Centers Program to the amount that is promised in the No Child Left Behind Act. The additional $1.25 billion that the amendment calls for is offset by eliminating tax loopholes and includes some deficit reduction.

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**SA 192.** Mrs. LINCOLN submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $4,000,000.
On page 3, line 11, increase the amount by $13,000,000.
On page 3, line 12, increase the amount by $21,000,000.
On page 3, line 13, increase the amount by $27,000,000.
On page 3, line 14, increase the amount by $32,000,000.
On page 3, line 19, increase the amount by $4,000,000.
On page 3, line 20, increase the amount by $13,000,000.
On page 3, line 21, increase the amount by $21,000,000.
On page 4, line 1, increase the amount by $27,000,000.
On page 4, line 2, increase the amount by $32,000,000.
On page 4, line 7, increase the amount by $32,000,000.
On page 4, line 8, increase the amount by $32,000,000.
On page 4, line 9, increase the amount by $32,000,000.
On page 4, line 10, increase the amount by $32,000,000.
On page 4, line 11, increase the amount by $32,000,000.
On page 4, line 16, increase the amount by $4,000,000.
On page 4, line 17, increase the amount by $13,000,000.
On page 4, line 18, increase the amount by $21,000,000.
On page 4, line 19, increase the amount by $27,000,000.
On page 4, line 20, increase the amount by $32,000,000.
On page 23, line 16, increase the amount by $32,000,000.
On page 23, line 17, increase the amount by $4,000,000.
On page 23, line 20, increase the amount by $32,000,000.
On page 23, line 21, increase the amount by $13,000,000.
On page 23, line 24, increase the amount by $32,000,000.
On page 23, line 25, increase the amount by $21,000,000.
On page 24, line 3, increase the amount by $32,000,000.
On page 24, line 4, increase the amount by $27,000,000.
On page 24, line 7, increase the amount by $32,000,000.
On page 24, line 8, increase the amount by $32,000,000.
On page 30, line 16, decrease the amount by $4,000,000.
On page 30, line 17, decrease the amount by $97,000,000.
On page 48, line 6, increase the amount by $32,000,000.

On page 48, line 7, increase the amount by $4,000,000.

On page 48, line 9, increase the amount by $32,000,000.

On page 48, line 12, increase the amount by $32,000,000.

At the appropriate place, insert the following:

**SEC. ___. OFFSET FOR INCREASES IN FUNDING FOR THE COPS METHAMPHETAMINE ENFORCEMENT AND CLEAN UP PROGRAM.**

It is the sense of the Senate that this resolution assumes that any increases in funding for the COPS Methamphetamine Enforcement Clean Up Program should be offset by increased revenues to be derived from closing corporate tax loopholes.

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**SA 193.** Mr. DODD (for himself, Mr. LEAHY, Mrs. CLINTON, and Mr. KERRY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $1,322,000,000.

On page 3, line 11, increase the amount by $322,000,000.

On page 3, line 19, increase the amount by $1,322,000,000.

On page 3, line 20, increase the amount by $322,000,000.

On page 4, line 7, increase the amount by $822,000,000.

On page 4, line 16, increase the amount by $740,000,000.

On page 4, line 17, increase the amount by $82,000,000.

On page 4, line 24, increase the amount by $582,000,000.

On page 4, line 25, increase the amount by $240,000,000.

On page 5, line 7, decrease the amount by $582,000,000.

On page 5, line 8, decrease the amount by $822,000,000.

On page 5, line 9, decrease the amount by $822,000,000.

On page 5, line 10, decrease the amount by $822,000,000.

On page 5, line 11, decrease the amount by $822,000,000.

On page 5, line 15, decrease the amount by $582,000,000.

On page 5, line 16, decrease the amount by $822,000,000.

On page 5, line 17, decrease the amount by $822,000,000.

On page 5, line 18, decrease the amount by $822,000,000.

On page 5, line 19, decrease the amount by $822,000,000.

On page 17, line 16, increase the amount by $95,000,000.

On page 17, line 17, increase the amount by $86,000,000.

On page 17, line 21, increase the amount by $9,000,000.

On page 24, line 16, increase the amount by $727,000,000.

On page 24, line 17, increase the amount by $654,000,000.

On page 24, line 21, increase the amount by $73,000,000.

On page 30, line 16, decrease the amount by $1,322,000,000.

On page 30, line 17, decrease the amount by $1,644,000,000.

On page 48, line 6, increase the amount by $822,000,000.

On page 48, line 7, increase the amount by $740,000,000.

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**SA 194.** Mr. HATCH (for himself, Mr. GRASSLEY, Mr. BAUCUS, Mr. ROCKEFELLER, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR THE RESTORATION OF SCHIP FUNDS.**

In the Senate, if the Committee on Finance reports a bill or joint resolution or an amendment is offered thereto or a conference report is submitted thereon, that provides for the restoration of unexpended funds under the State children's health insurance program that reverted to the Treasury on October 1, 2004, and that may provide for the redistribution of such funds for outreach and enrollment as well as for coverage initiatives, the chairman of the Committee on the Budget may revise allocations of new budget authority and outlays, revenue aggregates, and other appropriate measures to reflect such legislation, if such legislation would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

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**SA 195.** Mr. KENNEDY (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. LAUTENBERG, and Mr. OBAMA) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $3,500,000,000.

On page 3, line 19, increase the amount by $3,500,000,000.

On page 4, line 7, increase the amount by $3,500,000,000.

On page 4, line 16, increase the amount by $3,500,000,000.

On page 18, line 16, increase the amount by $3,500,000,000.

On page 18, line 17, increase the amount by $3,500,000,000.

On page 30, line 16, decrease the amount by $3,500,000,000.

On page 30, line 17, decrease the amount by $3,500,000,000.

On page 48, line 6, increase the amount by $3,500,000,000.

On page 48, line 7, increase the amount by $3,500,000,000.

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**SA 196.** Mrs. CLINTON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 55, strike lines 16 through 22 and insert the following:

increase in the deficit spending in excess of $5,000,000,000 in any of the four 10-year periods, and shall submit to the committee the estimate of the costs of the legislation.

(b) IN THE SENATE.—It shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that would cause a net increase in the deficit in excess of $5,000,000,000 in any of the four

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**SA 197.** Mr. ALLEN (for himself, Mr. WARNER, and Mr. DEWINE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 15, line 15, strike ''$69,683,000,000'' and insert ''$69,890,700,000''.

On page 15, line 16, strike ''$69,789,000,000'' and insert ''$69,996,700,000''.

On page 15, line 19, strike ''$71,030,000,000'' and insert ''$71,343,200,000''.

On page 15, line 20, strike ''$71,013,000,000'' and insert ''$71,326,200,000''.

On page 15, line 23, strike ''$74,7489,000,000'' and insert ''$74,810,900,000''.

On page 15, line 24, strike ''$72,775,000,000'' and insert ''$73,096,900,000''.

On page 16, line 2, strike ''$81,524,000,000'' and insert ''$81,879,100,000''.

On page 16, line 3, strike ''$75,693,000,000'' and insert ''$76,048,100,000''.

On page 16, line 6, strike ''$82,867,000,000'' and insert ''$83,251,800,000''.

On page 16, line 7, strike ''$79,335,000,000'' and insert ''$79,718,800,000''.

On page 26, line 14, strike ''$0'' and insert ''−$207,700,000''.

On page 26, line 15, strike ''$0'' and insert ''−$207,700,000''.

On page 26, line 17, strike ''$0'' and insert ''−$313,200,000''.

On page 26, line 18, strike ''$0'' and insert ''−$313,200,000''.

On page 26, line 20, strike ''$0'' and insert ''−$321,900,000''.

On page 26, line 21, strike ''$0'' and insert ''−$321,900,000''.

On page 26, line 23, strike ''$0'' and insert ''−$355,100,000''.

On page 26, line 24, strike ''$0'' and insert ''−$355,100,000''.

On page 27, line 1, strike ''$0'' and insert ''−$384,800,000''.

On page 27, line 2, strike ''$0'' and insert ''−$384,800,000''.

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**SA 198.** Mr. ALLEN (for himself, Mr. WARNER, and Mr. DEWINE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 510. SENSE OF THE SENATE REGARDING FUNDING FOR SUBSONIC AND HYPERSONIC AERONAUTICS RESEARCH BY THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The economic and military security of the United States depends on the continued development of improved aeronautics technologies.

(2) Research and development on many emerging aeronautics technologies is often too expensive or removed in terms of time from commercial application to garner the necessary level of support from the private sector.

(3) The advances made possible by Government-funded research in emerging aeronautics technologies have enabled a long-standing positive balance of trade and air superiority on the battlefield for the United States in recent decades.

(4) The aeronautics industry has grown increasingly mature in recent years, with growth dependent on the availability of the research workforce and facilities provided by the National Aeronautics and Space Administration (NASA).

(5) Recent NASA studies have demonstrated the competitiveness, and scientific merit, and necessity of nearly all existing aeronautics wind tunnel and propulsion testing facilities.

(6) A minimum level of investment by NASA is necessary to maintain these facilities in operational condition and to prevent their financial collapse.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the level of funding provided for the Aeronautics Mission Directorate within the National Aeronautics and Space Administration should be increased by $1,582,700,000 between fiscal year 2006 and fiscal year 2010; and

(2) the increases provided should be applied to the Vehicle Systems portion of the Aeronautics Mission Directorate budget for use in subsonic and hypersonic aeronautical research.

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**SA 199.** Mr. KENNEDY (for himself, Mr. CORZINE, Mr. KERRY, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $1,800,000,000.

On page 3, line 11, increase the amount by $3,900,000,000.

On page 3, line 12, increase the amount by $3,700,000,000.

On page 3, line 13, increase the amount by $3,900,000,000.

On page 3, line 14, increase the amount by $4,000,000,000.

On page 3, line 19, increase the amount by $1,800,000,000.

On page 3, line 20, increase the amount by $3,900,000,000.

On page 3, line 21, increase the amount by $3,700,000,000.

On page 4, line 1, increase the amount by $3,900,000,000.

On page 4, line 2, increase the amount by $4,000,000,000.

On page 4, line 7, increase the amount by $1,800,000,000.

On page 4, line 8, increase the amount by $3,900,000,000.

On page 4, line 9, increase the amount by $3,700,000,000.

On page 4, line 10, increase the amount by $3,900,000,000.

On page 4, line 11, increase the amount by $4,000,000,000.

On page 4, line 16, increase the amount by $1,800,000,000.

On page 4, line 17, increase the amount by $ 3,900,000,000.

On page 4, line 18, increase the amount by $ 3,700,000,000.

On page 4, line 19, increase the amount by $3,900,000,000.

On page 4, line 20, increase the amount by $4,000,000,000.

On page 20, line 16, increase the amount by $1,800,000,000.

On page 20, line 17, increase the amount by $1,800,000,000.

On page 20, line 20, increase the amount by $3,900,000,000.

On page 20, line 21, increase the amount by $3,900,000,000.

On page 20, line 24, increase the amount by $3,700,000,000.

On page 20, line 25, increase the amount by $3,700,000,000.

On page 21, line 3, increase the amount by $3,900,000,000.

On page 21, line 4, increase the amount by $3,900,000,000.

On page 21, line 7, increase the amount by $4,000,000,000.

On page 21, line 8, increase the amount by $4,000,000,000.

On page 30, line 16, decrease the amount by $1,800,000,000.

On page 30, line 17, decrease the amount by $17,300,000,000.

At the end of title V, insert the following:

**SEC. ———. SENSE OF THE SENATE ON CHILD POVERTY.**

SENSE OF THE SENATE.—It is the sense of the Senate that the numerical changes proposed to be made in the budget by this amendment shall be used to set a national goal of cutting child poverty in half within a decade, and eliminating it entirely as soon as possible thereafter; that funds should be raised through a one percent surtax on income over $1 million for joint filers, or over $500,000 for single filers to help achieve that goal; that the revenue raised is to be designated to a child poverty elimination fund and overseen by a child poverty elimination board, which shall design the poverty reduction program, set annual child poverty reduction targets, and recommend allocation of funds.

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**SA 200.** Ms. CANTWELL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3 line 10, increase the amount by $44,000,000.

On page 3 line 11, increase the amount by $104,000,000.

On page 3 line 12, increase the amount by $188,000,000.

On page 3 line 13, increase the amount by $278,000,000.

On page 3 line 14, increase the amount by $344,000,000.

On page 3 line 19, increase the amount by $44,000,000.

On page 3 line 20, increase the amount by $104,000,000.

On page 3 line 21, increase the amount by $188,000,000.

On page 4 line 1, increase the amount by $278,000,000.

On page 4 line 2, increase the amount by $344,000,000.

On page 4 line 7, increase the amount by $100,000,000.

On page 4 line 8, increase the amount by $100,000,000.

On page 4 line 9, increase the amount by $200,000,000.

On page 4 line 10, increase the amount by $200,000,000.

On page 4 line 11, increase the amount by $200,000,000.

On page 4 line 16, increase the amount by $22,000,000.

On page 4 line 17, increase the amount by $52,000,000.

On page 4 line 18, increase the amount by $94,000,000.

On page 4 line 19, increase the amount by $139,000,000.

On page 4 line 20, increase the amount by $172,000,000.

On page 4 line 24, increase the amount by $22,000,000.

On page 4 line 25, increase the amount by $52,000,000.

On page 5 line 1, increase the amount by $94,000,000.

On page 5 line 2, increase the amount by $139,000,000.

On page 5 line 3, increase the amount by $172,000,000.

On page 5 line 7, decrease the amount by $22,000,000.

On page 5 line 8, decrease the amount by $74,000,000 .

On page 5 line 9, decrease the amount by $168,000,000.

On page 5 line 10, decrease the amount by $307,000,000.

On page 5 line 11, decrease the amount by $479,000,000.

On page 5 line 15, decrease the amount by $22,000,000.

On page 5 line 16, decrease the amount by $74,000,000.

On page 5 line 17, decrease the amount by $168,000,000.

On page 5 line 18, decrease the amount by $307,000,000.

On page 5 line 19, decrease the amount by $479,000,000.

On page 23 line 16, increase the amount by $100,000,000.

On page 23 line 17, increase the amount by $22,000,000.

On page 23 line 20, increase the amount by $100,000,000.

On page 23 line 21, increase the amount by $52,000,000.

On page 23 line 24, increase the amount by $200,000,000.

On page 23 line 25, increase the amount by $94,000,000.

On page 24 line 3, increase the amount by $200,000,000.

On page 24 line 4, increase the amount by $139,000,000.

On page 24 line 7, increase the amount by $200,000,000.

On page 24 line 8, increase the amount by $172,000,000.

On page 30 line 16, decrease the amount by $44,000,000.

On page 30 line 17, decrease the amount by $958,000,000.

On page 48 line 6, increase the amount by $100,000,000.

On page 48 line 7, increase the amount by $22,000,000.

On page 48 line 9, increase the amount by $100,000,000.

On page 48 line 12, increase the amount by $200,000,000.

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**SA 201.** Mr. DODD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $216,000,000.
On page 3, line 11, increase the amount by $152,000,000.
On page 3, line 12, increase the amount by $8,000,000.
On page 3, line 13, increase the amount by $4,000,000.
On page 3, line 19, increase the amount by $216,000,000.
On page 3, line 20, increase the amount by $152,000,000.
On page 3, line 21, increase the amount by $8,000,000.
On page 4, line 1, increase the amount by $4,000,000.
On page 4, line 7, increase the amount by $190,000,000.
On page 4, line 16, increase the amount by $108,000,000.
On page 4, line 17, increase the amount by $76,000,000.
On page 4, line 18, increase the amount by $4,000,000.
On page 4, line 19, increase the amount by $2,000,000.
On page 4, line 24, increase the amount by $108,000,000.
On page 4, line 25, increase the amount by $76,000,000.
On page 5, line 1, increase the amount by $4,000,000.
On page 5, line 2, increase the amount by $2,000,000.
On page 5, line 7, decrease the amount by $108,000,000.
On page 5, line 8, decrease the amount by $184,000,000.
On page 5, line 9, decrease the amount by $188,000,000.
On page 5, line 10, decrease the amount by $190,000,000.
On page 5, line 11, decrease the amount by $190,000,000.
On page 5, line 15, decrease the amount by $108,000,000.
On page 5, line 16, decrease the amount by $184,000,000.
On page 5, line 17, decrease the amount by $188,000,000.
On page 5, line 18, decrease the amount by $190,000,000.
On page 5, line 19, decrease the amount by $190,000,000.
On page 17, line 16, increase the amount by $190,000,000.
On page 17, line 17, increase the amount by $108,000,000.
On page 17, line 21, increase the amount by $76,000,000.
On page 17, line 25, increase the amount by $4,000,000.
On page 18, line 4, increase the amount by $2,000,000.
On page 30, line 16, decrease the amount by $216,000,000.
On page 30, line 17, decrease the amount by $380,000,000.
On page 48, line 6, increase the amount by $190,000,000.
On page 48, line 7, increase the amount by $108,000,000.

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**SA 202.** Mr. DAYTON (for himself, Mr. AKAKA, Mr. LIEBERMAN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $12,100,000,000.
On page 3, line 11, increase the amount by $13,000,000,000.
On page 3, line 12, increase the amount by $13,600,000,000.
On page 3, line 13, increase the amount by $17,100,000,000.
On page 3, line 14, increase the amount by $17,966,000,000.
On page 3, line 19, increase the amount by $12,100,000,000.
On page 3, line 20, increase the amount by $13,000,000,000.
On page 3, line 21, increase the amount by $13,600,000,000.
On page 4, line 1, increase the amount by $17,100,000,000.
On page 4, line 2, increase the amount by $17,966,000,000.
On page 4, line 7, increase the amount by $12,977,000,000.
On page 4, line 8, increase the amount by $13,556,000,000.
On page 4, line 9, increase the amount by $14,236,000,000.
On page 4, line 10, increase the amount by $14,922,000,000.
On page 4, line 11, increase the amount by $15,600,000,000.
On page 4, line 16, increase the amount by $260,000,000.
On page 4, line 17, increase the amount by $8,836,000,000.
On page 4, line 18, increase the amount by $13,125,000,000.
On page 4, line 19, increase the amount by $14,021,000,000.
On page 4, line 20, increase the amount by $14,703,000,000.
On page 4, line 24, increase the amount by $11,840,000,000.
On page 4, line 25, increase the amount by $4,164,000,000.
On page 5, line 1, increase the amount by $475,000,000.
On page 5, line 2, increase the amount by $3,079,000,000.
On page 5, line 3, increase the amount by $3,263,000,000.
On page 5, line 7, decrease the amount by $11,840,000,000.
On page 5, line 8, decrease the amount by $16,004,000,000.
On page 5, line 9, decrease the amount by $16,479,000,000.
On page 5, line 10, decrease the amount by $19,558,000,000.
On page 5, line 11, decrease the amount by $22,821,000,000.
On page 5, line 15, decrease the amount by $11,840,000,000.
On page 5, line 16, decrease the amount by $16,004,000,000.
On page 5, line 17, decrease the amount by $16,479,000,000.
On page 5, line 18, decrease the amount by $19,558,000,000.
On page 5, line 19, decrease the amount by $22,821,000,000.
On page 17, line 16, increase the amount by $12,977,000,000.
On page 17, line 17, increase the amount by $260,000,000.
On page 17, line 20, increase the amount by $13,556,000,000.
On page 17, line 21, increase the amount by $8,836,000,000.
On page 17, line 24, increase the amount by $14,236,000,000.
On page 17, line 25, increase the amount by $13,125,000,000.
On page 18, line 3, increase the amount by $14,922,000,000.
On page 18, line 4, increase the amount by $14,021,000,000.
On page 18, line 7, increase the amount by $15,600,000,000.
On page 18, line 8, increase the amount by $14,703,000,000
On page 30, line 16, decrease the amount by $12,100,000,000.
On page 30, line 17, decrease the amount by $73,766,000,000.
At the end of Section 309, insert the following:

**SEC 310. RESERVE FUND FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.**

The Chairman of the Committee on the Budget of the Senate shall, in consultation with the Members of the Committee on the Budget and the Chairman and Ranking Member of the appropriate committee, increase the allocations pursuant to section 302(a) of the Congressional Budget Act of 1974 to the Committee on Health, Education, Labor, and Pensions of the Senate by up to $12,977,000,000 in new budget authority and $260,000,000 in outlays for fiscal year 2006, and $71,292,000,000 in new budget authority and $50,944,000,000 in outlays for the total of fiscal years 2006 through 2010, for a bill, amendment, or conference report that would provide increased funding for part B grants, other than section 619, under the Individuals with Disabilities Education Act (IDEA), with the goal that funding for these grants, when taken together with amounts provided by the Committee on Appropriations, provides 40 percent of the national average per pupil expenditure for children with disabilities.

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**SA 203.** Mr. LEAHY (for himself, Mr. KENNEDY, Ms. MIKULSKI, Mr. FEINGOLD, Mr. DURBIN, Mr. BIDEN, and Mr. OBAMA) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

**SEC. ___. SENSE OF THE SENATE ON THE CRIME VICTIMS FUND.**

(a) FINDINGS.—The Senate finds the following:—

(1) The Victims of Crime Act of 1984 (''VOCA'') was enacted to provide Federal financial support for services to victims of all types of crime, primarily through grants to state crime victim compensation and victim assistance programs.

(2) VOCA created the Crime Victims Fund (''the Fund'') as a separate account into which are deposited monies collected from persons convicted of Federal criminal offenses, including criminal fines, forfeitures and special assessments. There are no general taxpayer generated revenues deposited into the Fund.

(3) Each fiscal year, the Fund is used to support—

(A) Children's Justice Act grants to States to improve the investigation and prosecution of child abuse cases;

(B) victim witness coordinators in United States Attorney's Offices;

(C) victim assistance specialists in Federal Bureau of Investigation field offices;

(D) discretionary grants by the Office for Victims of Crime to provide training and technical assistance and services to victims of Federal crimes;

(E) formula grants to States to supplement State crime victim compensation programs, which reimburse more than 150,000 violent crime victims annually for out-of-pocket expenses, including medical expenses, mental health counseling, lost wages, loss of support and funeral costs;

(F) formula grants to States for financial assistance to upwards of 4,400 programs providing direct victim assistance services to

nearly 4,000,000 victims of all types of crimes annually, with priority for programs serving victims of domestic violence, sexual assault and child abuse, and previously underserved victims of violent crime; and

(G) the Antiterrorism Emergency Reserve, to assist victims of domestic and international terrorism.

(4) Just 4 months ago, a strong bipartisan, bicameral majority in Congress affirmed its support for the Crime Victims Fund and increased its commitment to crime victims in the Justice for All Act of 2004 (Public Law 108–405), which establishes Federal crime victims rights and authorized 2 new VOCA-funded victim programs.

(5) Before fiscal year 2000, all amounts deposited into the Crime Victims Fund in each fiscal year were made available for authorized programs in the subsequent fiscal year.

(6) Beginning in fiscal year 2000, Congress responded to large fluctuations of deposits into the Fund by delaying obligations from the Fund above certain amount, as follows:

(A) For fiscal year 2000, $500,000,000.

(B) For fiscal year 2001, $537,500,000.

(C) For fiscal year 2002, $550,000,000.

(D) For fiscal year 2003, $600,000,000.

(E) For fiscal year 2004, $625,000,000.

(F) For fiscal year 2005, $625,000,000.

(7) In the conference report on an omnibus spending bill for fiscal year 2000 (Public Law 106–113), Congress explained that the reason for delaying annual Fund obligations was ''to protect against wide fluctuations in receipts into the Fund, and to ensure that a stable level of funding will remain available for these programs in future years''.

(8) VOCA mandates that ''. . . all sums deposited in the Fund in any fiscal year that are not made available for obligation by Congress in the subsequent fiscal year shall remain in the Fund for obligation in future fiscal years, without fiscal year limitation''.

(9) For fiscal year 2006, the President is recommending ''rescission'' of $1,267,000,000 from amounts in the Fund.

(10) The rescission proposed by the President would result in no funds being available to support crime victim services at the start of fiscal year 2007. Further, such rescission would make the Fund vulnerable to fluctuations in receipts into the Fund, and would not ensure that a stable level of funding will remain available for vital programs in future years.

(11) Retention of all amounts deposited into the Fund for the immediate and future use of crime victim services as authorized by VOCA is supported by many major national victim service organizations, including—

(A) Justice Solutions, NPO;

(B) National Organization for Victim Assistance;

(C) National Alliance to End Sexual Violence;

(D) National Children's Alliance;

(E) National Association of VOCA Assistance Administrators;

(F) National Association of Crime Victim Compensation Boards;

(G) Mothers Against Drunk Driving;

(H) National Center for Victims of Crime;

(I) National Organization for Parents of Murdered Children;

(J) National Coalition Against Domestic Violence;

(K) Pennsylvania Coalition Against Rape; and

(L) National Network to End Domestic Violence.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the funding levels in this resolution assume that all amounts that have been and will be deposited into the Crime Victims Fund, including amounts deposited in fiscal year 2006 and thereafter, shall remain in the Fund for use as authorized under the Victims of Crime Act of 1984.

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**SA 204.** Mr. BINGAMAN (for Mr. SMITH (for himself, Mr. BINGAMAN, Mr. COLEMAN, Mr. BAUCUS, Mr. DEWINE, Ms. SNOWE, and Mr. CHAFEE)) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 4, line 7, increase the amount by $1,784,000,000.

On page 4, line 8, increase the amount by $2,479,000,000.

On page 4, line 9, increase the amount by $3,252,000,000.

On page 4, line 10, increase the amount by $3,589,000,000.

On page 4, line 11, increase the amount by $3,932,000,000.

On page 4, line 16, increase the amount by $1,784,000,000.

On page 4, line 17, increase the amount by $2,479,000,000.

On page 4, line 18, increase the amount by $3,252,000,000.

On page 4, line 19, increase the amount by $3,589,000,000.

On page 4, line 20, increase the amount by $3,932,000,000.

On page 18, line 16, increase the amount by $1,784,000,000.

On page 18, line 17, increase the amount by $1,784,000,000.

On page 18, line 20, increase the amount by $2,479,000,000.

On page 18, line 21, increase the amount by $2,479,000,000.

On page 18, line 24, increase the amount by $3,252,000,000.

On page 18, line 25, increase the amount by $3,252,000,000.

On page 19, line 3, increase the amount by $3,589,000,000.

On page 19, line 4, increase the amount by $3,589,000,000.

On page 19, line 7, increase the amount by $3,932,000,000.

On page 19, line 8, increase the amount by $3,932,000,000.

On page 29, strike beginning with line 23 and all that follows through page 30, line 3.

On page 40, after line 8 insert the following:

**SEC. . RESERVE FUND FOR THE BIPARTISAN MEDICAID COMMISSION.**

In the Senate, the Chairman of the Committee on the Budget shall revise the aggregates, functional totals, allocations, levels in section 404 of this resolution, and other appropriate levels and limits for fiscal year 2006 and for the period of fiscal years 2006 through 2010 by up to $1,500,000 in new budget authority for 2006 and the amounts of outlays flowing therefrom for an appropriations bill, amendment, or conference report that provides funding for legislation reported by the Senate Finance Committee authorizing and creating a 23 member, bipartisan Commission that—

(1) is charged with

(A) reviewing and making recommendations within one year with respect to the long-term goals, populations served, financial sustainability, interaction with Medicare and safety-net providers, quality of care provided, and such other matters relating to the effective operation of the Medicaid program as the Commission deems appropriate.

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**SA 205.** Mr. BAYH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 40, after line 8, insert the following:

**SEC. ___. RESERVE FUND FOR GUARD AND RESERVE PAY RESTORATION.**

The Chairman of the Committee on the Budget of the Senate may revise the aggregates, functional totals, allocations, discretionary spending limits, and other appropriate levels and limits in this resolution by up to $1,000,000,000 over the total of fiscal years 2006 through 2010 for a bill, joint resolution, motion, amendment, or conference report that would—

(1) provide resources for Guard and Reserve members who have been called up to active duty and are serving abroad and have experienced a loss in their wage income as a result of their active duty service; and

(2) provide tax relief to companies that voluntarily continue to pay the salaries of their Guard and Reserve employees during their active duty service;

provided that such legislation would not increase the deficit for the period of fiscal years 2006 through 2010.

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**SA 206.** Mr. BAUCUS (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 40, after line 8, insert the following:

**SEC. ___. RESERVE FUND FOR INDIAN HEALTH CARE.**

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that achieves savings under the medicare program under title XVIII of the Social Security Act by reducing overpayments to Medicare Advantage plans (such as legislation that requires the full amount of savings from the implementation of risk adjusted payments to Medicare Advantage plans to accrue to the medicare program) and uses such savings to reduce the deficit in fiscal year 2006 and for the period 2006 through 2010 and to strengthen and improve health care for Native Americans and Alaska Natives, by extending expiring provisions related to health care for Indians through the medicare program, by ensuring that medicare Part D plans contract with the Indian Health Service or Tribal pharmacies, including Urban Indian Program pharmacies, and by allowing the Indian Health Service to provide financial assistance for patients who receive prescription drug coverage under medicare Part D.

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**SA 207.** Mr. CARPER proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

Strike paragraph (b) of Section 201.

**SA 208.** Mr. COCHRAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 42, line 14, strike ''that'' and all that follows through ''designates'' on line 15, and insert: ''that the Congress designates as an emergency requirement''.

**SA 209.** Mr. COCHRAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 41, line 17, strike ''au-'' and all that follows through ''in'' on line 19, and insert: ''authority in''

**SA 210.** Mr. DORGAN (for himself, Ms. MIKULSKI, Mr. FEINGOLD, Mr. LEVIN, Mr. KENNEDY, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 3, line 10, increase the amount by $500,000,000.
On page 3, line 11, increase the amount by $600,000,000.
On page 3, line 12, increase the amount by $700,000,000.
On page 3, line 13, increase the amount by $700,000,000.
On page 3, line 14, increase the amount by $700,000,000.
On page 3, line 19, increase the amount by $500,000,000.
On page 3, line 20, increase the amount by $600,000,000.
On page 3, line 21, increase the amount by $700,000,000.
On page 4, line 1, increase the amount by $700,000,000.
On page 4, line 2, increase the amount by $700,000,000.
On page 4, line 24, increase the amount by $500,000,000.
On page 4, line 25, increase the amount by $600,000,000.
On page 5, line 1, increase the amount by $700,000,000.
On page 5, line 2, increase the amount by $700,000,000.
On page 5, line 3, increase the amount by $700,000,000.
On page 5, line 7, decrease the amount by $500,000,000.
On page 5, line 8, decrease the amount by $1,100,000,000.
On page 5, line 9, decrease the amount by $1,800,000,000.
On page 5, line 10, decrease the amount by $2,500,000,000.
On page 5, line 11, decrease the amount by $3,200,000,000.
On page 5, line 15, decrease the amount by $500,000,000.
On page 5, line 16, decrease the amount by $1,100,000,000.
On page 5, line 17, decrease the amount by $1,800,000,000.
On page 5, line 18, decrease the amount by $2,500,000,000.
On page 5, line 19, decrease the amount by $3,200,000,000.
On page 30, line 16, decrease the amount by $500,000,000.
On page 30, line 17, decrease the amount by $3,200,000,000.

**SA 211.** Mr. DORGAN (for himself, Ms. CANTWELL, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $500,000,000.
On page 3, line 11, increase the amount by $600,000,000.
On page 3, line 12, increase the amount by $700,000,000.
On page 3, line 13, increase the amount by $700,000,000.
On page 3, line 14, increase the amount by $700,000,000.
On page 3, line 19, increase the amount by $500,000,000.
On page 3, line 20, increase the amount by $600,000,000.
On page 3, line 21, increase the amount by $700,000,000.
On page 4, line 1, increase the amount by $700,000,000.
On page 4, line 2, increase the amount by $700,000,000.
On page 4, line 7, increase the amount by $1,000,000,000.
On page 4, line 16, increase the amount by $589,000,000.
On page 4, line 17, increase the amount by $195,000,000.
On page 4, line 18, increase the amount by $87,000,000.
On page 4, line 19, increase the amount by $66,000,000.
On page 4, line 20, increase the amount by $38,000,000.
On page 4, line 24, decrease the amount by $89,000,000.
On page 4, line 25, increase the amount by $405,000,000.
On page 5, line 1, increase the amount by $613,000,000.
On page 5, line 2, increase the amount by $634,000,000.
On page 5, line 3, increase the amount by $662,000,000.
On page 5, line 7, increase the amount by $89,000,000.
On page 5, line 8, decrease the amount by $316,000,000.
On page 5, line 9, decrease the amount by $929,000,000.
On page 5, line 10, decrease the amount by $1,563,000,000.
On page 5, line 11, decrease the amount by $2,225,000,000.
On page 5, line 15, increase the amount by $89,000,000.
On page 5, line 16, decrease the amount by $316,000,000.
On page 5, line 17, decrease the amount by $929,000,000.
On page 5, line 18, decrease the amount by $1,563,000,000.
On page 5, line 19, decrease the amount by $2,225,000,000.
On page 12, line 15, increase the amount by $135,000,000.
On page 12, line 16, increase the amount by $7,000,000.
On page 12, line 20, increase the amount by $20,000,000.
On page 12, line 24, increase the amount by $41,000,000.
On page 13, line 3, increase the amount by $41,000,000.
On page 13, line 7, increase the amount by $20,000,000.
On page 16, line 15, increase the amount by $330,000,000.
On page 16, line 16, increase the amount by $222,000,000.
On page 16, line 20, increase the amount by $80,000,000.
On page 16, line 24, increase the amount by $14,000,000.
On page 17, line 3, increase the amount by $4,000,000.
On page 17, line 7, increase the amount by $1,000,000.
On page 17, line 16, increase the amount by $80,000,000.
On page 17, line 17, increase the amount by $37,000,000.
On page 17, line 21, increase the amount by $34,000,000.
On page 17, line 25, increase the amount by $6,000,000.
On page 18, line 4, increase the amount by $2,000,000.
On page 18, line 16, increase the amount by $300,000,000.
On page 18, line 17, increase the amount by $270,000,000.
On page 18, line 21, increase the amount by $27,000,000.
On page 18, line 25, increase the amount by $3,000,000.
On page 20, line 16, increase the amount by $130,000,000.
On page 20, line 17, increase the amount by $47,000,000.
On page 20, line 21, increase the amount by $26,000,000.
On page 20, line 25, increase the amount by $18,000,000.
On page 21, line 4, increase the amount by $15,000,000.
On page 21, line 8, increase the amount by $14,000,000.
On page 23, line 16, increase the amount by $25,000,000.
On page 23, line 17, increase the amount by $6,000,000.
On page 23, line 21, increase the amount by $8,000,000.
On page 23, line 25, increase the amount by $5,000,000.
On page 24, line 4, increase the amount by $4,000,000.
On page 24, line 8, increase the amount by $3,000,000.
On page 30, line 16, decrease the amount by $500,000,000.
On page 30, line 17 decrease the amount by $3,200,000,000.
On page 48, line 6, increase the amount by $1,000,000,000.
On page 48, line 7, increase the amount by $589,000,000.

**SA 212.** Mr. DORGAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, decrease the amount by $8,000,000,000.

On page 3, line 19, decrease the amount by $8,000,000,000.

On page 4, line 24, decrease the amount by $8,000,000,000.

On page 6, line 4, increase the amount by $8,000,000,000.

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**SA 213.** Mr. PRYOR (for himself, Mrs. LINCOLN, Mr. REED, Ms. LANDRIEU, Mr. CORZINE, Mr. LEAHY, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $1,200,000,000.

On page 3, line 19, increase the amount by $1,200,000,000.

On page 4, line 7, increase the amount by $1,200,000,000.

On page 4, line 16, increase the amount by $1,200,000,000.

On page 20, line 16, increase the amount by $1,200,000,000.

On page 20, line 17, increase the amount by $1,200,000,000.

On page 30, line 16, decrease the amount by $1,200,000,000.

On page 30, line 17, decrease the amount by $1,200,000,000.

On page 48, line 6, increase the amount by $1,200,000,000.

On page 48, line 7, increase the amount by $1,200,000,000.

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**SA 214.** Ms. SNOWE (for herself, Mr. WYDEN, Mr. FEINGOLD, Mr. MCCAIN, and Mrs. FEINSTEIN) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 40, after line 8, insert the following:

**SEC. 1. RESERVE FUND FOR REDUCING EXPENDITURES UNDER MEDICARE PART D.**

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that provides the Secretary of Health and Human Services with the authority to participate in the negotiation of contracts with manufacturers of covered part D drugs to achieve the best possible prices for such drugs under part D of title XVIII of the Social Security Act, that requires the Secretary to negotiate contracts with manufacturers of such drugs for each fallback prescription drug plan, and that requires the Secretary to participate in the negotiation for a contract for any such drug upon the request of a prescription drug plan or an MA–PD plan, by the amount of savings in that legislation, to ensure that those savings are reserved for reducing expenditures under such part.

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**SA 215.** Mr. SALAZAR (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 9, line 15, decrease the amount by $65,000,000.

On page 9, line 16, decrease the amount by $14,000,000.

On page 9, line 20, decrease the amount by $36,000,000.

On page 9, line 24, decrease the amount by $12,000,000.

On page 10, line 3, decrease the amount by $3,000,000.

On page 17, line 16, increase the amount by $29,000,000.

On page 17, line 17, increase the amount by $1,000,000.

On page 17, line 21, increase the amount by $17,000,000.

On page 17, line 25, increase the amount by $9,000,000.

On page 18, line 4, increase the amount by $2,000,000.

On page 18, line 16, increase the amount by $36,000,000.

On page 18, line 17, increase the amount by $13,000,000.

On page 18, line 21, increase the amount by $19,000,000.

On page 18, line 25, increase the amount by $3,000,000.

On page 19, line 4, increase the amount by $1,000,000.

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**SA 216.** Ms. SNOWE submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 9, line 15, decrease the amount by $73,000,000.

On page 9, line 16, decrease the amount by $56,000,000.

On page 9, line 20, decrease the amount by $12,000,000.

On page 9, line 24, decrease the amount by $28,000,000.

On page 10, line 3, decrease the amount by $1,000,000.

On page 14, line 15, increase the amount by $73,000,000.

On page 14, line 16, increase the amount by $56,000,000.

On page 14, line 20, increase the amount by $12,000,000.

On page 14, line 24, increase the amount by $28,000,000.

On page 15, line 3, increase the amount by $1,000,000.

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**SA 217.** Mr. KOHL. (for himself, Mr. HATCH, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 23, line 16, increase the amount by $1,000,000,000.

On page 23, line 17, increase the amount by $120,000,000.

On page 23, line 21, increase the amount by $280,000,000.

On page 23, line 25, increase the amount by $250,000,000.

On page 24, line 4, increase the amount by $200,000,000.

On page 24, line 8, increase the amount by $150,000,000.

On page 26, line 14, decrease the amount by $1,000,000,000.

On page 26, line 15, decrease the amount by $120,000,000.

On page 26, line 18, decrease the amount by $280,000,000.

On page 26, line 21, decrease the amount by $250,000,000.

On page 26, line 24, decrease the amount by $200,000,000.

On page 27, line 2, decrease the amount by $150,000,000.

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**SA 218.** Mrs. HUTCHISON (for herself, Mr. CRAIG, Mr. ENSIGN, Mr. DOMENICI, Mr. CORNYN, Mr. KYL, Mr. MCCAIN, and Mrs. FEINSTEIN) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 23, line 16, increase the amount by $352,400,000.

On page 23, line 17, increase the amount by $317,000,000.

On page 23, line 21, increase the amount by $35,400,000.

On page 9, line 15, decrease the amount by $352,400,000.

On page 9, line 16, decrease the amount by $317,000,000.

On page 9, line 20, decrease the amount by $35,400,000.

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**SA 219.** Ms. LANDRIEU proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 40, after line 8 insert the following:

**SEC. ____. DEFICIT NEUTRAL RESERVE FUND FOR PATRIOTIC EMPLOYERS OF NATIONAL GUARDSMEN AND RESERVISTS.**

In the Senate, if a bill or joint resolution, or if an amendment is offered thereto, or if a conference report is submitted thereon, that provides a 50 percent tax credit to employers for compensation paid to employees who are on active duty status as members of the Guard or Reserve in order to make up the difference between the employee's civilian pay and military pay and/or for compensation paid to a worker hired to replace an active duty Guard or Reserve employee, the chairman of the Committee on the Budget shall adjust the revenue aggregates and other appropriate aggregates, levels, and limits in this resolution to reflect such legislation, to the extent that such legislation would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

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**SA 220.** Ms. COLLINS (for Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mrs. CLINTON)) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 16, line 15, increase the amount by $715,000,000.

On page 16, line 16, increase the amount by $102,000,000.

On page 16, line 20, increase the amount by $254,000,000.

On page 16, line 24, increase the amount by $220,000,000.

On page 17, line 3, increase the amount by $139,000,000.

On page 23, line 16, increase the amount by $140,000,000.

On page 23, line 17, increase the amount by $112,000,000.

On page 23, line 21, increase the amount by $14,000,000.

On page 23, line 25, increase the amount by $14,000,000.

On page 26, line 14, decrease the amount by $855,000,000.

On page 26, line 15, decrease the amount by $214,000,000.

On page 26, line 18, decrease the amount by $268,000,000.

On page 26, line 21, decrease the amount by $234,000,000.

On page 26, line 24, decrease the amount by $139,000,000.

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**SA 221.** Mr. BAYH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 65, after line 25, insert the following:

**SEC. ___. SENSE OF THE SENATE ON FEDERAL AGENCY AUDITS.**

It is the sense of the Senate that in the event that a Federal agency does not receive an unqualified opinion with no material weaknesses or noncompliance relating to their annual financial audits, the Committee on Appropriations shall freeze the salary and travel budget for all of the political appointees at that Federal agency for the following fiscal year.

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**SA 222.** Mr. LEVIN (for himself, Mr. JEFFORDS, Ms. STABENOW, Mr. SARBANES, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 65, after line 25, insert the following:

**SEC. ___. SENSE OF THE SENATE TO MAKE MORE EFFICIENT AND EQUITABLE, FISCALLY RESPONSIBLE APPROPRIATIONS AND REVENUE DECISIONS.**

(a) FINDINGS.—The Senate finds the following:

(1) Federal programs and policies directly influence local growth patterns through the location of Federal facilities, spending on public infrastructure, tax incentives, and Federal regulations.

(2) A majority of Americans favor walkable neighborhoods, shorter commutes, and open space protection, which are land development patterns favored by smart growth.

(3) Federal programs and policies should support local development choices that improve communities through the revitalization of town centers, transit and pedestrian-oriented development, increased access to retail and public services, open space and parklands, and a greater mix of housing, commercial, and retail uses.

(4) Federal incentives should encourage enhanced community quality of life, fiscally sound reinvestment in existing infrastructure, a balanced transportation system, and safe, decent, affordable places for people to live.

(5) Investing in existing infrastructure is a fiscally responsible use of resources. When not properly planned, local development decisions may actually burden the Federal budget by requiring the construction of new water, sewer, and transportation infrastructure in low-density areas, rather than funding the maintenance of existing infrastructure. Poorly planned development also often results in increased commuting times, traffic congestion, impaired air quality, loss of open space and environmentally sensitive areas, public health problems, lack of affordable housing, and poor accessibility to critical services such as schools and hospitals.

(6) Improving and investing in communities through good planning and sustainable community development has positive effects, reflected, for example, in fiscal cost savings, lower energy consumption, and healthier environments. In addition, businesses are increasingly locating to areas that offer parks and open spaces, provide walkable mixed-use communities, and include a variety of housing options.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the budgetary levels in this resolution assume that in making appropriations and revenue decisions, the Senate should—

(1) support Federal policies that encourage growth patterns that make efficient and equitable use of available housing, transportation, and infrastructure resources, including such policies as brownfields development programs, farmland protection programs, the retention of the Community Development Block Grant Program (CDBG), and Federal facility decisions, such as those made by the General Services Administration that consider the benefits of utilizing existing infrastructure; and

(2) address the unintended consequences of urban and suburban sprawl resulting from specific Federal programs and policies through the allocation of budgetary authority to provide incentives for sustainable growth.

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**SA 223.** Mr. VITTER proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 63, strike line 24, after the second period insert the following: ''In dealing with homeland security assistance grants that relate to port security, Congress should (1) allocate port security grants under a separate, dedicated program intended specifically for port security enhancements, rather than as part of a combined program for many different infrastructure programs that could lead to reduced funding for port security, (2) devise a method to enable the Secretary of Homeland Security to both distribute port security grants to the Nation's port facilities more quickly and efficiently and give ports the financial resources needed to comply with congressional mandates, and (3) allocate sufficient funding for port security to enable port authorities to comply with mandated security improvements, ensure the protection of our Nation's maritime transportation, commerce system, and cruise passengers, strive to achieve funds consistent with the needs estimated by the United States Coast Guard, and recognize the unique threats for which port authorities must prepare.''.

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**SA 224.** Mr. VITTER proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 12, line 15, increase the amount by $130,000,000.

On page 12, line 16, increase the amount by $91,000,000.

On page 12, line 19, increase the amount by $130,000,000.

On page 12, line 20, increase the amount by $130,000,000.

On page 12, line 23, increase the amount by $130,000,000.

On page 12, line 24, increase the amount by $130,000,000.

On page 13, line 2, increase the amount by $130,000,000.

On page 13, line 3, increase the amount by $130,000,000.

On page 13, line 6, increase the amount by $130,000,000.

On page 13, line 7, increase the amount by $130,000,000.

On page 24, line 16, decrease the amount by $130,000,000.

On page 24, line 17, decrease the amount by $97,500,000.

On page 24, line 20, decrease the amount by $130,000,000.

On page 24, line 21, decrease the amount by $130,000,000.

On page 24, line 24, decrease the amount by $130,000,000.

On page 24, line 25, decrease the amount by $130,000,000.

On page 25, line 3, decrease the amount by $130,000,000.

On page 25, line 4, decrease the amount by $130,000,000.

On page 25, line 7, decrease the amount by $130,000,000.

On page 25, line 8, decrease the amount by $130,000,000.

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## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON VETERANS' AFFAIRS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, March 17, 2005, for a committee hearing titled ''Back from the Battlefield: Are we providing the proper care for America's Wounded Warriors?''

The hearing will take place in Room 418 of the Russell Senate Office Building at 10 a.m.

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

### COMMITTEE ON ARMED SERVICES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 16, 2005, at 4:30 p.m. to receive a classified briefing regarding improvised explosive devices (IEDS).

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, on Wednesday, March 16 at 11:30 a.m. to consider pending calendar business.

Agenda Item 1: To consider the nomination of Jeffrey Clay Sell, to be Deputy Secretary of Energy.

Agenda Item 2: To consider the nomination of Patricia Lynn Scarlett, to be the Deputy Secretary of the Interior.

In addition, the Committee may turn to any other measures that are ready for consideration.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, March 16, 2005 at 9:15 a.m. to conduct a hearing regarding S. 606 The Reliable Fuels Act and The Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2005.

The hearing will be in SD 406.

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

COMMITTEE ON FINANCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Wednesday, March 16, 2005 at 10:00 a.m., to hear testimony on ''Expiring Tax Provisions: Live or Let Die.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session on Wednesday, March 16, 2005 at 2:30 p.m. to hold hearing on EU Arms to China.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 16, 2005 at 2:30 p.m. to hold a closed briefing.

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

SUBCOMMITTEE ON AIRLAND

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Airland be authorized to meet during the session of the Senate on March 16, 2005 at 9:30 a.m., in open session to receive testimony on army transformation and the future combat system in review of the defense authorization request for fiscal year 2006.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces be authorized to meet during the session of the Senate on March 16, 2005 at 3:00 p.m. in open session to receive testimony on national security space policy and programs in review of the defense authorization request for fiscal year 2006.

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND PROPERTY RIGHTS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on the Constitution, Civil Rights and Property Rights be authorized to meet to conduct a hearing on ''Obscenity Prosecution and the Constitution'' on Wednesday, March 16, 2005, at 3:00 p.m. in SD226. The tentative witness list is attached.

Panel I: Robert Destro, Professor of Law, Columbus School of Law, Catholic University of America, Washington, DC; Patrick Trueman, Senior Legal Counsel, Family Research Council, Former Chief, Child Exploitation and Obscenity Section, U.S. Department of Justice, Washington, DC; Frederick Schauer, Frank Stanton Professor of the First Amendment, Shorenstein Center, John F. Kennedy School of Government, Harvard University, Cambridge, MA.

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

## PRIVILEGE OF THE FLOOR

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Paul Brand and Karen Pavese my staff be given floor privileges during the debate on the budget resolution.

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

Mr. SMITH. Mr. President, I ask unanimous consent that privilege of the floor be granted to Rachel Nuzum, a fellow in Senator BINGAMAN's office, and Jose Vito and Kent Ames, fellows in my office, during consideration of S. Con. Res. 18.

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

## STAR PRINT—S. 428

Mr. GREGG. Mr. President, I ask unanimous consent that S. 428 be star printed with the changes that are at the desk.

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

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. GREGG. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 24 and 25, and all nominations on the Secretary's desk. I further ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF THE TREASURY

Raymond Thomas Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2009.

FEDERAL HOUSING FINANCE BOARD

Ronald Rosenfeld, of Oklahoma, to be a Director of the Federal Housing Finance Board for the remainder of the term expiring February 27, 2009.

IN THE COAST GUARD

PN66 Coast Guard nomination of Vincent M. Weber, which was received by the Senate and appeared in the Congressional Record of January 6, 2005.

PH67 Coast Guard nominations (212) beginning John C. Adams, and ending Andrew H. Zuckerman, which nominations were received by the Senate and appeared in the Congressional Record of January 6, 2005.

PN123 Coast Guard nominations (2) beginning Robert M. Keith, and ending Daniel E. Ward, which nominations were received by the Senate and appeared in the Congressional Record of January 31, 2005.

FOREIGN SERVICE

PN120–1 Foreign Service nominations (32) beginning Walter E. North, and ending Robert J. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2005.

PN121 Foreign Service nominations (10) beginning Peter Fernandez, and ending Ross G. Kreamer, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2005.

PN137–1 Foreign Service nominations (9) beginning George Ruffner, and ending William Zarit, which nominations were received by the Senate and appeared in the Congressional Record of February 8, 2005.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PN138 National Oceanic and Atmospheric Administration nominations (2) beginning James D. Rathbun, and ending Andrew P. Seaman, which nominations were received by the Senate and appeared in the Congressional Record of February 8, 2005.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

## ORDERS FOR THURSDAY, MARCH 17, 2005

Mr. GREGG. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m. on Thursday, March 17. I further ask unanimous consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then resume consideration of S. Con. Res. 18, the

Senate budget resolution; provided further that the Senate then resume debate on the Smith amendment under the previous order.

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

## PROGRAM

Mr. GREGG. Mr. President, tomorrow it is my expectation that the Senate will complete action on the budget resolution. We will continue the amendment process tomorrow morning. Under the previous order, we will conclude debate on all remaining amendments during tomorrow morning's session. All time has been allocated for tomorrow. It is anticipated that we will begin voting on the remaining amendments around 1:20 or 1:30 tomorrow afternoon, and we will keep Senators posted as to the timing of this vote-arama. We are working through the list of filed and offered amendments so we can minimize the number of votes we will need to have during tomorrow's session. But Senators should be expected to stay on the floor throughout the afternoon and into the evening. These will be 10-minute votes, and Senators should plan their schedules around being on the floor in order not to miss any of these crucial votes.

## ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. GREGG. 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 9:48 p.m., adjourned until Thursday, March 17, 2005, at 9 a.m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate: Wednesday, March 16, 2005.

### FEDERAL HOUSING FINANCE BOARD

RONALD ROSENFELD, OF OKLAHOMA, TO BE A DIRECTOR OF THE FEDERAL HOUSING FINANCE BOARD FOR THE REMAINDER OF THE TERM EXPIRING FEBRUARY 27, 2009.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

### DEPARTMENT OF THE TREASURY

RAYMOND THOMAS WAGNER, JR., OF MISSOURI, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2009.

### IN THE COAST GUARD

COAST GUARD NOMINATION OF VINCENT M. WEBER TO BE CAPTAIN.

COAST GUARD NOMINATIONS BEGINNING WITH JOHN C. ADAMS AND ENDING WITH ANDREW H. ZUCKERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 6, 2005.

COAST GUARD NOMINATIONS BEGINNING WITH ROBERT M. KEITH AND ENDING WITH DANIEL E. WARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 31, 2005.

### FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH WALTER E. NORTH AND ENDING WITH ROBERT J. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2005.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH PETER FERNANDEZ AND ENDING WITH ROSS G. KEAMER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2005.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH GEORGE RUFFNER AND ENDING WITH WILLIAM ZARIT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 8, 2005.

### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL OCEANIC AND ATMOSPHERE ADMINISTRATION NOMINATIONS BEGINNING WITH JAMES D. RATHBUN AND ENDING WITH ANDREW P. SEAMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 8, 2005.

# EXTENSIONS OF REMARKS

## HONORING THE ACHIEVEMENTS OF STATE REPRESENTATIVE YVONNE TOUREILLES

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CUELLAR. Mr. Speaker, rise today to honor the contributions of State Representative Yvonne Toureilles of my Congressional District.

Yvonne Gonzalez Toureilles was born and raised in Texas. Her father worked as a truck driver while studying to become a pharmacist. With a family on the way, he helped Yvonne's mother finish her degree and become a teacher. Yvonne's parents did more than just tell her that education brings opportunity, they showed her.

She aimed high and graduated with honors from the University of Texas at Austin with a Bachelor of Arts degree. Later, she enrolled and received a Juris Doctor from the University of Texas School of Law.

After earning her law degree, Yvonne put her education to work for the State of Texas—first learning the process as a researcher at the Texas House of Representatives, then defending Department of Public Safety troopers for several years as an Assistant Attorney General. Yvonne also served as Legal Counsel for the Texas Workforce Commission.

Yvonne has served as Treasurer and Vice-President of the Coastal Bend Bar Association and is a member of the Coastal Bend Women Lawyers Association.

Yvonne Gonzalez Toureilles then came home to South Texas to raise her family. After marrying her high school sweetheart, Marc Toureilles, at the Saint Theresa Catholic Church in Premont, they gave birth to their first child, Genevieve, in Alice, Texas. Yvonne now lives and works in Alice where her practice primarily consists of family law.

Mr. Speaker, I am proud to have this opportunity to recognize State Representative Yvonne Gonzalez Toureilles.

## CONGRATULATING ROBERT KERRIGAN SR. AND ROBERT KERRIGAN JR. ON RECEIVING THE MICHAEL F. KING JR. ARMED FORCES VETERAN'S AWARD

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to a father and son who have received the Michael F. King Jr. Armed Forces Veteran's Award from the Quiet Man Society on behalf of the St. Patrick's Day Parade Association of Lackawanna County.

This award is presented annually to local individuals who, after serving in our country's military, returned to Northeastern Pennsylvania and by their actions and involvement in community events exhibited continued service to God, Family and Country.

The award was endowed by The Quiet Man Society in honor of Mr. King, an original member of the Society. Mr. King, a twice-wounded veteran of World War II, is most fondly remembered for the countless hours he selflessly worked on behalf of St. Paul's Church, Holy Rosary Church, Holy Family Residence, the Penn Ridge Club and the Irish American Men's Association.

The previous winners of the Award had each served, as Mr. King, in WWII. The Award Committee, in selecting this year's honorees, has attempted to answer a question pondered not only by our region's WWII veterans but also by our country's Founding Fathers: Would there be individuals in future generations who would answer the "call to arms" to preserve and protect the freedoms and liberties that the prior generations had fought so hard to gain. The Committee believes that the sacrifices, dedication and service that the Kerrigans have given for our country and community provide the answer to that question.

Robert Kerrigan Sr. is a native of Scranton and a 1966 graduate of Holy Rosary High School. He was drafted in August 1968 and served in the U.S. Infantry during the Vietnam War from January 1969 to January 1970. He and his lovely wife, Ellen Bauer Kerrigan, reside in the East Mountain section of Scranton. They have four children: Michael, Robert Jr., Kevin and Colleen.

Mr. Kerrigan Sr. is most widely recognized as a member of Local 81 IBEW, where he has served on the Executive Board for 12 years. In addition, he has been a member of IBEW's Joint Apprentice Training Council for several years. This council has overseen the electrical installation of lighting for numerous charitable organizations, including St. Joseph's Center, Friendship House and the Italian Festival.

Without hesitation, it can be said that the various events held by these groups were successful in large part because of the selfless commitment of Mr. Kerrigan Sr. and all the members of Local 81 IBEW. Because of their efforts, thousands of members of the community have enjoyed themselves at many festivals, and have had the opportunity to contribute to other very worthy causes.

Mr. Kerrigan Sr. is also a member of VFW Post 5209, Veterans of Vietnam Inc., Post 1.

The younger Mr. Kerrigan is a 1997 graduate of Scranton High School. He has attended Penn State University. He joined the U.S. Army Reserves in 2001 and was attached to the 828th Quartermaster Company. He has served with the 233rd Quartermaster Company in Operation Iraqi Freedom from April 2003 through November 2003. Most recently, he was awarded The Army Commendation Medal for Outstanding Duty and Selfless Commitment.

Mr. Speaker, please join me in congratulating Robert Kerrigan Sr. and Robert Kerrigan Jr., a father and son who have demonstrated their love of country and who are most deserving of this award.

## IN HONOR OF FATHER TARAS CHUBENKO

### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Father Taras Chubenko on his 25th anniversary as pastor of St. Demetrius Ukrainian Orthodox Cathedral. Father Chubenko celebrated the event at the Dinner and Dance on March 12, 2005, in Carteret, New Jersey.

During his time with the Cathedral, Father Chubenko has worked diligently to help improve St. Demetrius and its services. Under his strong leadership, St. Demetrius has successfully completed various restructuring and renovation projects. Additionally, Father Chubenko is a member of the Diocese's Metropolitan Council and has served as Dean of the New Jersey Deanery. In the past, he held the positions of Consistory Business Administrator and Treasurer of the Diocese for more than seven years.

Father Chubenko is active in many organizations and plays an integral role in the community. For 25 years, he has been the Chaplain to various groups in Carteret, including the Office of Emergency Management, the volunteer fire department, and the police department. At one time the president of the Carteret School Board of Education, he spent a total of nine years as a member of the board. In the past, Father Taras served as the chairperson of the mayor's Children's Relief Fund and 9/11 World Trade Center Scholarship Fund Committee. He has also lent his wisdom and time as the mentor of two mayors of Carteret.

Born in Germany, Father Chubenko and his family immigrated to the United States when he was a child. He studied at St. Sophia's Seminary and became an ordained priest in 1980. That same year, he began his service at St. Demetrius, where he has remained ever since. For his outstanding service, Father Chubenko was promoted to the rank of Proto-Priest in 1982 and later achieved the highest rank of Protopresbyter in 1990.

He and his wife are the proud parents of four sons.

Today, I ask my colleagues to join me in honoring Father Taras Chubenko for his many years of dedicated service to St. Demetrius Ukrainian Orthodox Cathedral and the people of Carteret. His strong leadership and active involvement in the community has helped revitalize the Cathedral and improve the lives of many.

## TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. ANDREWS. Mr. Speaker, my statement on March 10, 2005 during consideration of H. Res. 144 was specifically about my support for the Pascrell/Menendez/LoBiondo Pay-to-Play amendment, rather than the rule itself. Most importantly, I would like to thank Representatives PASCRELL, MENENDEZ, and LOBIONDO for their steadfast work on ensuring that New Jersey maintains the right to reform its ethical standards.

## URGING ADDITION OF HEZBOLLAH TO EUROPEAN UNION'S TERRORIST ORGANIZATION LIST

SPEECH OF

### HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 14, 2005*

Mr. BOUSTANY. Mr. Speaker, four weeks ago the international community was rocked by the untimely death of Former Lebanese Prime Minister Rafik Hariri. Mr. Hariri was a progressive who worked tirelessly for the unification and stabilization of Lebanon, especially in the face of the continued presence of Syrian forces within his country's borders. In the days since Mr. Hariri's death, the world has watched as hosts of Lebanese have taken to the streets in order to stand up for an autonomous Lebanon. I call upon the European Union to assist this move toward Lebanese self rule by adding Hezbollah to its list of recognized terrorist organizations.

Hezbollah was first organized in response to the Israeli invasion of southern Lebanon in 1982 during the Lebanese civil war. It was, and remains, a guerilla group sponsored first and foremost by its Shia ally Iran and by Syria. Its goal is to establish within Lebanon an Islamic republic based upon the model of its Iranian supporter. Though Hezbollah has claimed it means to do so only by the consent of the people, the violence to which the group resorted from the 1980s to the present day have instead revealed the group as a threat not only to the international community, but also to the future stability of Lebanon.

During the final years of the civil war, Hezbollah was responsible for numerous destructive attacks upon both Israeli and western forces based in Lebanon. The most notable of these were the 1984 bombing of the U.S. Embassy resulting to the death of 17 Americans and the 1983 attack of the US Marine barracks in Beirut in which 241 American servicemen lost their lives. The organization's fight was in no way limited to the borders of Lebanon. The group was heavily implicated in the hijacking of TWA Flight 847 from Athens to Rome in 1985 and in attacks of the Israeli Embassy in Argentina. Hezbollah remains the main suspect in a series of approximately thirty kidnappings, including several brutal tortures, of westerners during the 1980s and 90s.

Despite the final withdrawal of Israeli troops from Lebanon in 2000, Hezbollah's international terrorist activities continue even now. The organization is still active within the southern Lebanese Shab'a farm region. Still supported by both Iran and Syria, Hezbollah operates cells in Europe, Asia, Africa, and both North and South America. According to U.S. intelligence, today Hezbollah is the largest terrorist network on the globe—much larger than even Al Qaida.

Sparked by Hariri's death, both the international and Lebanese communities have cried out for the removal of Syria's last troops within the country. While I too support this effort, I must nonetheless ask how will this ensure stability in Lebanon if a local terrorist group of this magnitude is still allowed to exist within the country's borders? By adding Hezbollah to its list of international terrorist organizations, the European Union would require its member states to freeze all Hezbollah assets and to seek out and arrest its members. By doing so, the EU will help make substantial headway in putting an end to the terrorist group and show its unreserved support for both the security and autonomy of Lebanon.

## RECOGNIZING THE ACHIEVEMENTS OF HAYS COUNTY COMMISSIONER DEBBIE GONZALES INGALSBE

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CUELLAR. Mr. Speaker, I rise to recognize Hays County Commissioner Debbie Gonzales Ingalsbe for her accomplishments in public service.

Ms. Ingalsbe comes from a family with a tradition of public service—her father was also a Hays County Commissioner. She is a lifelong resident of San Marcos, and has the distinction of being the first female commissioner in Hays County history.

Ms. Ingalsbe began her career in service as a Deputy Constable after graduating from the Travis County Sheriff's Academy. She has worked tirelessly as commissioner to improve the quality of life in Hays County. She has been especially involved in the issue of health care. She directed all of the county's tobacco settlement funds toward public health, permitting Hays County to build one of the most comprehensive and advanced public health facilities in the State.

Commissioner Ingalsbe continues to give of her time and energy to make the San Marcos area a better place to live. She is a member of a long list of community organizations, including San Marcos EMS, the Hays/Caldwell County Commission on Alcohol and Drug Abuse, and the San Marcos Area Food Bank. Her commitment to her fellow citizens is laudable.

Mr. Speaker, I am honored to have had this opportunity to recognize the many achievements of Hays County Commissioner Debbie Ingalsbe.

## CONGRATULATING CAROL AND DAVID GREENWALD AS THEY RECEIVE COMMUNITY SERVICE AWARD FROM SELIGMAN J. STRAUSS LODGE NO. 139 OF B'NAI B'RITH

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Dr. David Greenwald and Carol Saidman Greenwald of Kingston, who have been selected to received the Seligman J. Strauss Lodge No. 139 of B'nai B'rith Community Service Award. They received the award at the 59th annual B'nai B'rith Lincoln Day Dinner at the Woodlands Inn and Resort in Plains.

The Community Service Award is presented to outstanding citizens who, by their courageous leadership and dedication on behalf of humanity, have made a valuable contribution to the fabric of our society. David and Carol exemplify these criteria because of their dedication to making their community a better place.

David is the founder of Medical Oncology Associates. He currently serves as Chairman of the Cancer Committee of Wyoming Valley Health Care System and serves on the Board of the Jewish Community Center and the Board of Trustees of Wyoming Seminary. He has served as past President of the Jewish Federation and past Chairman of the United Jewish Campaign of the Wyoming Valley. He is a past Board member of the United Way. David has served as Chief of Hematology/Oncology of Medical Staff of the Wyoming Valley Health Care System. David was a past President of the Medical Staff and was recently elected as President-Elect.

David is a Magna Cum Laude 1966 graduate of Wilkes University and an Honor graduate of Temple University School of Medicine where he was named to Alpha Omega Alpha, the National Medical School Honor Society. David is a member of the Luzerne County Medical Society, the Pennsylvania Medical Society and a Diplomat of the American College of Physicians with board certifications in both Internal Medicine and the subspecialty of Medical Oncology. He was instrumental in establishing the Medical Oncology Patient Prescription Fund, a charitable endeavor that provides prescription assistance to cancer patients in need.

Carol is a National Certified and Licensed Professional Counselor and a Certified Grief and Death Education Therapist. She is also a Certified Sexual Assault and Domestic Abuse Counselor. She is a counselor at Medical Oncology Associates and a partner in Pierce Counseling, a private practice specializing in individual and family counseling. Additionally, Carol volunteers as a rape crisis counselor for the Victims Resource Center.

Carol was President of Hadassah from 1983–1985, a former President of Wyoming Seminary Upper School Parents Council and a member of the Wyoming Seminary Board of Trustees. She has served as a member of the Temple Israel Board of Trustees and the Boards of Directors of the Jewish Community

Center of Wyoming Valley and the Victims Resource Center. Carol also served as the United Jewish Appeal Campaign Co-Chairperson and Vice President of the Jewish Federation of Greater Wilkes-Barre. Carol is a member of the American Counseling Association, the American Psychological Associations, and the Association of Death Education and Counseling. She is a graduate of the 2000 class of Leadership Wilkes-Barre.

Carol graduated from Wilkes University in 1966 and in 1996 received a Masters degree in Community Counseling from the University of Scranton. She was admitted to Chi Omega Iota, the International Counseling Honor Society, and was listed in "Who's Who Among Students in American Universities and Colleges."

Carol and David live in Kingston and are the parents of six children: Rachel, who is married to Jay Skaistis; Hannah; Nathaniel; Sarah; Naomi; and Zachary. They have one granddaughter, Talia Rose Skaistis.

Mr. Speaker, please join me in congratulating this couple who has given so much of their time and talents to their community and are most deserving of this award.

## CONGRATULATING FAIRLEIGH DICKINSON UNIVERSITY ON THE 2005 NORTHEAST CONFERENCE CHAMPIONSHIP TITLE

### HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. ROTHMAN. Mr. Speaker, I rise today with great pleasure to honor and commend the Fairleigh Dickinson University Men's Basketball Team, the Knights, who won the 2005 Northeast Conference Championship (NEC) game on March 9, 2005. The Knights are returning to the 2005 NCAA Tournament for the first time since 1998, and will face number one ranked Illinois on March 17 in Indianapolis.

The Knights hosted the NEC Tournament championship game last Wednesday evening, March 9th, at their home court in Hackensack, NJ where they secured a hard fought win over the Wagner College Seahawks by a score of 58–52. The highlights of the game included Center Andrea Crosariol scoring 18 points, just two points shy of his career high, and junior guard Chad Timberlake scoring 11 points. Senior guard Mensah Peterson scored 7 of his 13 points in the final three minutes, with an impressive 3-point shot made with 24 seconds left on the clock to secure the Knights' triumph.

Head coach, Tom Green has had his fair share of accomplishments during his 22 years at Fairleigh Dickinson University. He has led the Knights to 17 winning seasons, 15 NEC Tournament semi-final appearances and eight NEC Championship games.

Today, Coach Green continues to lead a team of talented and bright young men. Junior forward Gordon Klaiber was named to the All–NEC First Team and senior guard Tamien Trent was selected to the All–NEC Second Team in a vote conducted by the league's head coaches. The duo boasts a combined average of 32 points per game for the highest scoring offense in the NEC during the regular season.

Founded in 1942, Fairleigh Dickinson University, located in my Congressional District, has provided Northern Jersey with a quality level of higher education. The university's sixth president, Dr. J. Michael Adams, serves as an outstanding motivator by encouraging his students to expand their perspective of the world by embracing diversity and utilizing sophisticated technology in order to enact rapid change through education.

Mr. Speaker, I would like to thank Dr. Adams for his tireless efforts to continually raise the level of education at this fine institution. I also thank Coach Green and the outstanding team members of the Knights for their dedication to their school and for the passion they have for the sport of basketball. I commend the Fairleigh Dickinson University Knights for their stellar season, including the NEC Championship title, and I offer Coach Green and his team the best of luck in the Big Dance.

## ENACTMENT OF THE 1965 VOTING RIGHTS BILL

### HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. VAN HOLLEN. Mr. Speaker, it is my privilege to draw the attention of the House to a significant event in civil rights history which took place in this very chamber on March 15, forty years ago. It was on that evening, that President Lyndon Johnson addressed a joint session of the Congress to seek the enactment of the 1965 voting rights bill he was about to submit. It was the first time in nineteen years that a president had addressed a joint session to request domestic legislation.

Tumultuous events taking place in Selma, Alabama, had influenced the timing of the President's request. In one of the most stirring appeals of his Presidency, Johnson said:

> At times history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom. So it was at Lexington and Concord . . . So it was last week in Selma, Alabama . . . What happened at Selma is part of a far larger movement which reaches into every state and section of America. It is the effort of American Negroes to secure for themselves the full blessings of American life. . . . Their cause must be our cause, too. Because it is not just Negroes, but really all of us who must overcome the crippling legacy of bigotry and injustice.
>
> And we shall—overcome!

Those exalted words drawn from the freedom hymn of the civil rights movement, spoken by the President of the United States, to the resounding ovation of the Congress, carried by television around the nation and around the world, marked the crossing of a watershed of civil rights history. It was a clear affirmation that the heart and soul of American leadership was at last committed to the fight for unqualified freedom for all Americans.

Among those seated in the Presidential box that evening of the joint session was LeRoy Collins, the former Governor of Florida, who, with his wife, had been guests of the President and Mrs. Johnson at dinner that evening. This distinction was the President's way of acknowledging the special service rendered by Collins and the little known Federal agency he headed—the Community Relations Service—which had played an important behind-the-scenes role in Selma, helping to advance the civil rights goals of the protesters, and, at the same time, working to restrain the violence of resistance.

Just nine months earlier Congress had created the Community Relations Service as a part of the Civil Rights Act of 1964. Title Ten of that act called into being a special agency composed of civil rights peace-makers—mediators who would go into troubled communities to conciliate racial conflict and promote voluntary compliance with civil rights laws. Such legislation had first been proposed by Senator Lyndon Johnson seven years earlier.

In the years since Selma, the Community Relation Service, "CRS", has helped every major city and thousands of smaller communities, to resolve tens of thousands of confrontations involving school desegregation, police-minority relations, church burnings, urban violence and countless acts and allegations of racial and ethnic discrimination.

Nevertheless, because this division of the Department of Justice relies on quiet persuasion and skillful negotiation it takes special effort to avoid the limelight. As a result the American public has had little opportunity to know of its extraordinary achievements. In effect, the work of the Community Relations Service has been a missing chapter in America's civil rights history.

I am pleased to report, however, that this oversight has at last been rectified thanks to the efforts of Bertram Levine, a long-time resident of my district, whose history of the Community Relations Service has just been published by the University of Missouri Press. The book is entitled, Resolving Racial Conflict: The Community Relations Service and Civil Rights (1964–1989).

[From the 2004 Fall-Winter Catalogue of the University of Missouri Press]

RESOLVING RACIAL CONFLICT: THE COMMUNITY RELATIONS SERVICE AND CIVIL RIGHTS (1964–1989)

(By Bertram Levine)

In 1964, when the Civil Rights Act was passed, Congress wisely created an agency based in the U.S. Department of Justice to help forestall or resolve racial or ethnic disputes evolving from the act. Mandated by law and by its own methodology to shun publicity, the Community Relations Service developed self-effacement to a fine art. Thus the accomplishments, as well as the shortcomings, of this federal venture into conflict resolution are barely known in official Washington, and even less so by the American public. This first written history of the Community Relations Service uses the experiences of the men and women who sought to resolve the most volatile issues of the day to tell the fascinating story of this unfamiliar agency. This multiracial cadre of conciliation and mediation specialists worked behind the scenes in more than 20,000 confrontations involving racial and ethnic minorities.

From Selma to Montgomery, at the encampment of the Poor Peoples' Campaign in Resurrection City, to the urban riots of the sixties, seventies, and eighties, from the school desegregation battles north and south, at the siege of Wounded Knee, and during the Texas Gulf Coast fishing wars between Southeast Asian refugees and Anglos, these federal peacemakers lessened the atmosphere of racial violence in every major

U.S. city and thousands of small towns. These confrontations ranged from disputes that attracted worldwide attention to the everyday affronts, assaults, and upheavals that marked the nation's adjustment to wider power sharing within an increasingly diverse population. While Resolving Racial Conflict examines some of the celebrated breakthroughs that made change possible, it also delves deeply into the countless behind-the-scenes local efforts that converted possibility to reality.

Among the many themes in this book that provide new perspective for understanding racial conflict in America are the effects of protest and conflict in engineering social change; the variety of civil rights views and experiences of African Americans, Native Americans, Asians, and Hispanics; the role of police in minority relations; and the development and refinement of techniques for community conflict resolution from seat-of-the-pants intervention to sophisticated professional practice. Resolving Racial Conflict will appeal to students of civil rights and American history in both the general and academic communities, as well as students of alternative dispute resolution and peace and conflict studies.

## HONORING NATIONAL WOMEN'S HISTORY PROJECT AND PRESIDENT MOLLY MURPHY MACGREGOR

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Ms. WOOLSEY. Mr. Speaker, I rise today to honor the National Women's History Project, NWHP, and its President and co-founder, Molly Murphy MacGregor of Sonoma County, California, on the occasion of the 25th anniversary of the organization. The mission of the NWHP is to recognize and celebrate the diverse and historic accomplishments of women by providing information and educational materials and programs.

In 1978 in Sonoma County, Molly originated the plan for the first Women's History Week, which became an annual event. In 1980, she co-founded the NWHP in Santa Rosa, California with Mary Ruthsdotter, Maria Cuevas, Paula Hammett, and Bette Morgan. NWHP, with the assistance of Sunny Bristol and other supporters, spearheaded the movement for National Women's History Week leading to the designation of March as National Women's History Month in 1987.

Today, the group is known nationally as the only clearinghouse for information and training in multicultural women's history for educators, community organizations, and individuals wanting to expand their understanding of women's contributions to our Nation. The NWHP is in the forefront of national campaigns that call attention to women's achievements and has been recognized by a wide-range of organizations and commissions.

Molly's passion for women's history was first stoked in 1972 when she proposed teaching a semester class on the topic at a high school. A colleague commented that the whole class should take about an hour "because what have women ever done, anyway?" Molly did teach the well-received semester class then enrolled in the history graduate program at Sonoma State University where she created a multimedia slide show, "We, the Women," which was shown throughout California to enthusiastic reception by women and men.

As president of NWHP, Molly has worked with national women's organizations to build coalitions, develop programs, and encourage them to celebrate their own histories. She and her colleagues Mary Ruthsdotter, Maria Cuevas, Bonnie Eisenberg and Susanne Otteman have also worked with specialists around the country to integrate a women's perspective into the school curriculum. The NWHP has received funding for this outreach from the U.S. Department of Education and been recognized by the National Education Association, the National Association for Multicultural Education, and the Center for Women Policy Studies.

Molly has been honored by numerous groups including the California Commission on the Status of Women, the Sonoma County NAACP, and the Giraffe foundation (for "sticking her neck out). In 1999 she was chosen as one of three appointments from the White House to the Women's Progress Commission.

Mr. Speaker, as a long-time resident of Sonoma County, it has been my pleasure to work with Molly Murphy MacGregor and the National Women's History Project to promote understanding and appreciation of the role of women in our culture. Their vision has helped create a legacy that everyone in this country can honor and appreciate.

## WELCOME TO THE WORLD, KEEGAN RILEY SHAW

### HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. SHAW. Mr. Speaker, today, my wife Emilie and I are celebrating the arrival of our 15th Grandchild—Keegan Riley Shaw. This morning at 7:51 a.m., two days before St. Patrick's Day, our son and daughter-in-law, J.C. and Angela Shaw, gave birth to this 7-pound, 10-ounce baby boy.

There is a special bond between Grandparents and Grandchildren. We are truly blessed.

## HONORING THE CONTRIBUTIONS OF BEXAR COUNTY CONSTABLE JIMMY WILLBORN

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Constable Jimmy Willborn for his exceptional career in law enforcement.

Jimmy Willborn has served in law enforcement for more than 40 years. He holds a Master Peace Officers License, and for 31 years, he worked to keep his fellow citizens safe as a member of the San Antonio Police Department.

During his career, he has been a consistent advocate for better law enforcement. He is the founder of the Blue Santa program, and the former Director of the Texas Narcotics Control Program. He helped to build connections with other law enforcement agencies as the Secretary/Treasurer of CLEAT, the Combined Law Enforcement Associations of Texas. He put his expertise to work as a developer of the National and State Control Policy for Drug and Violent Crimes, in 1994 and 1995.

Jimmy Willborn currently serves as Constable for Precinct 2 of Bexar County, Texas. He also works as a lobbyist for the South West Texas Constable's and Justice of the Peace Association, attempting to help legislators craft bills that will strengthen the Texas Law enforcement community. He is currently lobbying in support of bills that will help to keep Texas' children safe by creating reduced-speed school zones around high schools.

Mr. Speaker, Constable Jimmy Willborn is a dedicated guardian for the people of Bexar County, and his community is safer and stronger as a result of his presence. I am proud to have the opportunity to recognize his service.

## CONGRATULATING RON D'ELISEO ON BEING HONORED AS PERSON OF THE YEAR

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Ron D'Eliseo, who was recognized at a reception on February 20, 2005 at The Grammercy Ballroom in Pittston. The Sunday Dispatch chose Ron D'Eliseo as the Greater Pittston Person of the Year for 2004.

Ron D'Eliseo and his wife Brenda have three children, Robert, Ronnie and Christen. Robert, who will be nine years old in July, has autism. Ron chose to channel his heartache into finding a way to help others. He decided to raise money for autism awareness and research, organizing a motorcycle benefit cruise called the Ride for Robert. The benefit has Robert riding with Ron on his American Iron Horse Texas Chopper or his old Harley Davidson.

The Earthly Angels Autism Fund of the Luzerne Foundation is a result of the Ride for Robert. The Ride, now in its sixth year, has helped raise more than $40,000. Ron's efforts have helped parents of autistic children understand this devastating illness. He established and maintains a library at Milestone's in Wyoming.

Through Earthly Angels, Ron has helped sponsor autistic children learn to ride horses at a summer camp, a swimming program at the Greater Pittston YMCA and a music therapy program at St. Joseph's Center in Scranton. More recently, Earthly Angels made a donation to the family of an autistic boy from Williamsport, Pennsylvania, who died from cold weather exposure when he wandered away from home.

Ron is planning an autism conference and dinner in 2006. Ron also is active in his church, Our Lady of Mount Carmel in Pittston.

Ron D'Eliseo is an everyday hero who took his pain and used it to help others. A humble man, I know that Ron does not take credit for what he has done. Instead, he praises his

family and friends, people who have supported his cause, and perhaps most of all, Robert.

Mr. Speaker, please join me in congratulating this father who has given so much of himself.

## HOUSE DEMOCRACY ASSISTANCE COMMISSION RESOLUTION

SPEECH OF

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 14, 2005*

Mr. PAUL. Mr. Speaker, I rise in opposition to this legislation. We have absolutely no constitutional authority to establish a commission to ''assist'' parliaments throughout the world. Despite all the high-sounding rhetoric surrounding this legislation, we should not fool ourselves. This is nothing more than yet another scheme to funnel United States tax dollars to foreign governments. It is an international welfare scheme and an open door to more U.S. meddling in the internal affairs of foreign countries.

How can we tell an American family struggling to pay its bills that it must pay more taxes so a foreign parliament can purchase fancy plasma screen televisions, or the latest computer equipment, or ultra-modern communications equipment? Can anyone here justify this?

Mr. Speaker, this bill will do more than just take money from Americans. This commission will enable members of Congress and congressional staff employees to travel the world meddling in the affairs of foreign governing bodies. It is counterproductive to tell other nations how they should govern themselves, as even if we come loaded with dollars to hand out, our meddling is always resented by the local population—just as we would resent a foreign government telling us how to govern ourselves. Don't we have enough of our own problems to solve without going abroad in search of foreign parliaments to aid?

I urge my colleagues to reject this wasteful and counterproductive scheme.

## THE RADIOPROTECTANT PROCUREMENT ACT OF 2005

### HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. ISSA. Mr. Speaker, I rise today to introduce the Radioprotectant Procurement Act of 2005. This bill directs the Departments of Health and Human Services and Homeland Security to review all potentially viable radiation countermeasures and to move toward procurement of those which the government deems safe and effective against a nuclear or radiological attack.

The threat of a radiological or nuclear attack is one of the gravest faced by the United States. The results of such an attack could be catastrophic, causing death, widespread radiation sickness, economic hardship and at the very least, tremendous strain on public health resources. These effects could be mitigated if the proper radiation countermeasures are rapidly administered.

Currently, the medical options for responding to acute radiation exposure are very limited. Decontamination of individuals through showering and changing clothes is currently the main tool we have to ''treat'' large numbers of actual or suspected casualties. But this does little to prevent or mitigate the radiation sickness caused by initial radiation exposure or radioactive fallout.

The good news is that there are a number of drugs and other medical countermeasures that have the potential to counteract the health effects of radiation exposure. The Armed Forces Radiobiology Research Institute is now testing at least one product that might actually slow or stop the destruction of bone marrow caused by radiation and resulting diminution of the body's immune system—a leading cause of sickness and death from irradiation. Unfortunately, no such radioprotectants are stockpiled in amounts adequate enough to be effective against large-scale nuclear or radiological attacks.

In 2004, President George W. Bush signed into law the Project Bioshield Act of 2004, authorizing the Secretary of Health and Human Services to conduct and support research and development of effective countermeasures. The Radioprotectant Procurement Act seeks to accelerate these efforts, as every day that passes without progress in obtaining a needed countermeasure is another day that we remain vulnerable against that threat.

If we can give people a drug that will keep them alive and healthy after being exposed to high levels of radiation, then I think we should do everything we reasonably can to get that drug purchased and distributed as quickly as possible.

The bill I am introducing today calls upon the Federal Government to do just that, and to move as expeditiously as possible in this regard. I look forward to continuing to work with the Administration and my colleagues in this body to make sure that these new and innovative medical countermeasures continue to be responsibly but quickly developed, tested, and stockpiled. The American people deserve nothing less.

Thank you Mr. Speaker and I ask my colleagues to join me in cosponsoring and enacting this important bill.

## INTERNATIONAL DAY OF ACTION AGAINST THE CANADIAN SEAL HUNT

### HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. MORAN of Virginia. Mr. Speaker, I join many of my colleagues and 8.5 million members of the Humane Society of the United States in designating March 15th as the International Day of Action Against the Canadian Seal Hunt. Across the world in 50 cities, citizens will be coming together at Canadian Embassies and Consulates to call for an end to the horrific slaughter of harp and hooded seals.

The Canadian seal hunt season runs from November 15th to May 15th and occurs off the coasts of Newfoundland and Labrador. Anyone with a commercial sealing license or provincial hunting license can take part in the seal hunt.

The Canadian government has authorized the killing of over 300,000 seals this year alone, and 975,000 from 2003–2005. They have also helped to pay for this hunt with $20 million in subsidies provided to the sealing industry between 1995 and 2001. While there are quotas in place, they are not enforced by the government. According to the Humane Society of the United States the number of seals killed in 2002 surpassed the quota by more than 37,000 seals, and in 2004, by nearly 16,000. These numbers do not take into account the number of seals who were wounded and perished later.

While this season's seal hunt opened on November 15, 2004, the bulk of the killings will begin taking place in the next few weeks as new seal pups are born. These new seal pups are called ''beaters'' by the hunters. While hunters do kill adult seals, an estimated 95 percent of those killed are twelve days to twelve months old. These seals, who are either clubbed or shot to death, are killed primarily for their skins.

In 1991, an independent team of veterinarians found that the seal hunt did not adhere to Canada's animal welfare regulations. Most disturbing of their findings is that 42 percent of the seals they studied had likely been skinned alive while conscious. This high percentage of live skinnings alone is a disturbing number, but combined with the other details of the seal hunt it is clear that it is time for an end to this practice.

The Canadian fishing industry claims that the seal hunt needs to continue because they eat too many cod and adversely impact the fish population. However, two Canadian government marine scientists have stated clearly that the true cause of cod depletion was over fishing. They also noted that, ''the consensus among the international community is that seals are not responsible for the collapse in cod stocks.''

The Canadian Department of Fisheries and Oceans Minister hailed the seal hunt by saying it will harvest ''a valuable natural resource.'' Harp and hooded seals are not a natural resource, but animals that should not have to endure the suffering inflicted through the government authorized seal hunt.

I join with not only the Humane Society of the United States, but also with Greenpeace, Nova Scotia Humane Society and the World Society for the Protection of Animals, among many other organizations, in calling for the Canadian government to end this barbaric and inhumane practice.

## PERSONAL EXPLANATION

### HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. BECERRA. Mr. Speaker, on Monday, March 14, 2005, I was unable to cast my floor vote on rollcall Nos. 66, 67, and 68. The votes I missed include rollcall No. 66 on motion to suspend the rules and agree to H. Res. 135, providing for the establishment of a commission in the House of Representatives to assist parliaments in emerging democracies; rollcall No. 67 on the motion to suspend the rules and agree to H. Res. 101, urging the European Union to add Hezbollah to the European

Union's wide-ranging list of terrorist organizations; and on the motion to suspend the rules and agree to S. 384, to extend the existence of the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group for two years.

Had I been present for the votes, I would have voted "aye" on rollcall votes 66, 67, and 68.

## HONORING THE CONTRIBUTIONS OF TEXAS STATE REPRESENTATIVE ROBERT PUENTE

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Robert Puente for his distinguished career in public service.

Robert Puente is currently serving his eighth term in the Texas Legislature. He is Chair of the House Natural Resources Committee and serves on the Local Ways and Means Committee. Mr. Puente is especially involved in ensuring that Texas always has an adequate water supply; he is co-chair of the Study Commission for Water on Environmental Flows, and is a member of the Texas Water Advisory Council.

Mr. Puente is a proud product of the Texas higher educational system. He graduated from St. Mary's University in San Antonio with a Bachelor's degree in Political Science, and he received his Doctorate in Jurisprudence from the University of Texas Law School in 1982.

Included among Mr. Puente's many legislative accomplishments are his work on the passage of the Edwards Aquifer Authority legislation and the establishment of the Aquifer Authority's elected board, and his support for SB1, which implemented a comprehensive water plan for the state.

Representative Puente continues to live in San Antonio with his wife, Carmen Puente, and his three children. In addition to his legislative activities, he finds the time to participate in a number of different community organizations.

Mr. Speaker, Representative Robert Puente's farsighted legislative work has helped secure the future of San Antonio and our great state of Texas, and I am proud to have the opportunity to recognize him here.

## PERSONAL EXPLANATION

### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. MENENDEZ. Mr. Speaker, I was absent from votes in the House on Monday, March 14th, due to a previous and unavoidable commitment. Therefore, I was unable to vote on H. Res. 135 (Rollcall No. 66), H. Res. 101 (Rollcall No. 67), and S. 384 (Rollcall No. 68). Had I been present, I would have voted "aye" on all three measures considered before the House.

## TRIBUTE TO WING KAI FAT

### HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. HONDA. Mr. Speaker, I rise today to pay my respects to an old friend and a wonderful man, Wing Kai Fat. He passed away on Friday, February 25th after a full, rich life, at the age of 79. We should all be so lucky as to have the many close friends and the large and loving family that he did.

Wing Fat was born in Canton, China in 1925. When he was ten years old, along with his father he emigrated to America, settling in Sacramento. As a young adult, he served in the U.S. Air Force and graduated from Sacramento State University. For sixty-six years, Wing Fat worked in "Frank Fat's," his legendary father's restaurant, until his retirement just a few years ago. Before his retirement, the very successful Fat family restaurant business grew to include ten restaurants.

Wing Fat and "Frank Fat's" were mainstays in the Sacramento political and cultural communities. A well-known location for political deal-making, the restaurant was renowned as much for Wing Fat's personality as it was for the great food. Wing Fat was a truly warm man, whose affectionate laugh and inviting presence always made those around him feel welcome and comfortable. Although he had much to boast, he was remembered as "one of the humblest men you could ever meet." His warmth and humility were matched only by his tact; his motto was "You listen, but you never tell." When he passed away he took decades of private politic information with him, gleaned from years of being a trusted host to the Sacramento political community. It is no surprise that Wing Fat became such a successful restaurateur and that his business became a trusted venue for those involved in Sacramento politics.

Mr. Fat generously shared his successes with his friends and his community. In addition to the counsel he offered countless mayors and council members, Mr. Fat founded a number of local cultural and civic organizations that will contribute to the Sacramento area for years to come. In November 2004, Mr. Fat culminated his truly generous philanthropic career with a $1 million dollar donation to the Sacramento Asian Sports Foundation to build a new sports center in Laguna.

Mr. Speaker, Sacramento has lost a civic treasure and a wonderful man. Although it will never be the same without Wing Fat, he leaves behind a wonderful family, friends whose lives he touched, restaurants that continue to provide a warm place for people to gather, and charitable work and donations that will enrich Sacramento for years to come. I am honored to have an opportunity here to say not only "goodbye" to Mr. Fat, but also to say "thank you."

## RECOGNIZING BENNETT COLLEGE ON THE OCCASION OF PRESIDENT JOHNNETTA B. COLE'S APPEARANCE BEFORE THE TIDEWATER ALUMNAE CHAPTER, MARCH 18–19, 2005

### HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. FORBES. Mr. Speaker, I rise today in recognition of Bennett College and its President Dr. Johnnetta B. Cole, on the occasion of her appearance before the Tidewater Alumnae Chapter for its annual White Breakfast on March 19, 2005.

Bennett College is an historically black college and university founded in 1873 in Greensboro, North Carolina through the inspiration of newly emancipated slaves. Instruction was first held in the basement of St. Matthew's United Methodist Church until the Freedmen's Aid and Southern Education Society of the Methodist Episcopal Church assumed responsibility for support of the school in 1874. Through a $10,000 gift from philanthropist Lyman Bennett the school was able to prosper and grow, and the school was renamed in his honor. In 1926, the school was reorganized as a college for women, a role that it continues to serve today. In 1989, Bennett College had the distinction of having First Lady Barbara Bush as its commencement speaker.

For over 130 years, Bennett College has served the needs of the African American community in North Carolina and its surrounding area. Since 1930, Bennett College has graduated over 5,000 women, many serving in the education profession. My home city of Chesapeake, Virginia has been particularly reliant on the service of Bennett College alumnae as career teachers in the Chesapeake Public School System. I am grateful to Bennett College for this contribution to my congressional district.

In 2002, the esteemed Dr. Johnnetta B. Cole became the 14th president of Bennett College. Her career as a college university professor and administrator spans over three decades. In 1987, she made history as the first African American woman to serve as president of Spelman College. In 2004, she made history again as the first African American woman to serve as chair of the board of the United Way of America. I am proud to have her visit my district and applaud the Tidewater Alumnae Chapter of Bennett College for bringing her to Virginia on the occasion of their annual White Breakfast.

The Tidewater Alumnae Chapter has distinguished itself in southeastern Virginia through its contribution to the community. Among their members are many present and former teachers of the Chesapeake Public School System. Their professional contribution to my district is significant, and I thank them for their accomplishments on the occasion of their annual White Breakfast.

Mr. Speaker, please join me in honoring Bennett College, Dr. Johnnetta B. Cole and the Tidewater Alumnae Chapter of Bennett College for their record of service and contribution to our Nation and to my district. It is truly my honor and privilege to recognize Bennett College, Dr. Cole and the Tidewater

Alumnae Chapter in the United States House of Representatives on this day.

## HONORING THE CONTRIBUTIONS OF STATE SENATOR KEN ARMBRISTER

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CUELLAR. Mr. Speaker, I rise to recognize the many accomplishments of Texas State Senator Ken Armbrister, of my Congressional District.

Ken Armbrister began his public service career in law enforcement. After graduating from Sam Houston State University, he attended the FBI National Academy. He served as a police officer for 14 years, and rose to the rank of Captain and Director of the Victoria Regional Police Academy. He was honored with the Defender of the Peace award by the Sam Houston State University College of Criminal Justice, and was twice named a Top Ten Crime Fighter by the Greater Dallas Crime Commission.

Mr. Armbrister was elected to the Texas House of Representatives in 1983, and to the Texas Senate in 1987. He served as President Pro Tempore, as acting governor, and was honored as one of the Best Legislators in Texas. He currently serves on the Senate Committees on Business and Commerce, Government Organization, and State Affairs, and is Chairman of the Senate Committee on Natural Resources. He continues to work at the forefront of critical legislation, and authored the landmark legislation that established the Edwards Aquifer Authority that provided for the water needs of a 26 county area of South Texas.

Ken Armbrister repaid the trust of the people of Texas with a lifetime of dedicated and effective public service. He is an inspiration to the people of the community, of what and show's man's commitment and energy can accomplish.

Mr. Speaker, I am pleased to have the opportunity to recognize State Senator Ken Armbrister.

## RECOGNIZING NEW JERSEY LAW ENFORCEMENT OFFICERS ASSOCIATION

### HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. GARRETT of New Jersey. Mr. Speaker, I rise today to recognize the New Jersey State Law Enforcement Officers Association. Since 1938, the New Jersey Law Enforcement Officers Association and its members have worked to keep New Jersey safe from criminals and have sought to recognize those officers who go above and beyond the call of duty.

Our law enforcement officers risk their lives daily by placing the safety of others before themselves. We must never forget the sacrifice of our fallen officers who have given all to protect our families and communities.

Our local law enforcement officers are now a part of the front line in the battle to keep America safe from terrorist threats and on a daily basis confront the specter of further attacks. We must recognize the crucial role our local law enforcement plays in the War on Terror and provide them the support they need to keep us safe.

The New Jersey State Law Enforcement Officers Association, in recognition of the importance of coordinating law enforcement, numbers Federal, State, County and Municipal Law Enforcement agents in its membership. By working together professionally and with the association, our law enforcement officers can easily share information about criminal threats.

Our thoughts and prayers are with our law enforcement officers and with their families. We owe a great debt to those who work to keep us safe and it is only fitting that Congress recognize the work of these guardians of peace.

## LEGISLATION CONDEMNING RELIGIOUS PERSECUTION AND INTOLERANCE IN INDIA

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CONYERS. Mr. Speaker, I rise today to introduce this Resolution to condemn the alleged statements and actions of complacency by the government authorities in Gujarat, led by Chief Minister Narendra Modi, in the face of the religious persecution of the Gujarati people.

In February of 2002, India experienced its greatest human rights crisis in a decade: orchestrated violence against Muslims in the state of Gujarat that claimed at least 2,000 lives in a matter of days. Three years after that horrific incident, Narendra Modi, the Chief Minister of Gujarat has been indicted by various Indian and International human rights organizations for lending his hand to the violence.

Mr. Modi himself has not been shy about proudly professing his anti-Christian, anti-Muslim, and anti-tribal stances. He has repeatedly dehumanized the Muslim population of his state by accusing them of treachery; he has actively sought to interfere in the practice of the Christian faith in Gujarat, and he has caused wide-scale displacement of indigenous populations in the State in the face of stiff popular resistance. I find Mr. Modi's actions to be of the most reprehensible sort.

In an article in the Hindu Times on March 2, 2005, former Indian President K.R. Narayanan stated that "there was a 'conspiracy' between the BJP governments at the Centre and the state behind the 2002 Gujarat riots . . .". Further, a number of Indian human rights organizations, international human rights organizations, and a former Supreme Court Justice all recognize Chief Minister Modi's complicity in the violence.

He has attacked Muslims and Christians with vile venom, and according to both India's highest court and many international human rights groups, has condoned terrible, violent religious hate crimes, all the while, shielding those said to have committed them. In fact, in a scathing indictment of Mr. Modi, the Supreme Court of India referred to the Chief Minister and his government as "the modern day Neros". Moreover, in a recent unprecedented order, the Supreme Court of India ordered the reopening of all the criminal cases that Mr. Modi has closed, regarding over 2,000 police cases in which the non-Hindu victims filed reports of rapes, killings, and destruction of their property.

Such actions by high ranking government officials of any religion are unacceptable and must not be tolerated.

I urge my colleagues to join me in condemning religious intolerance and promoting religious freedom, so that others may see what our great democracy stands for.

## HONORING THE CONTRIBUTIONS OF TEXAS REPRESENTATIVE CARLOS URESTI

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CUELLAR. Mr. Speaker rise to recognize State Representative Carlos I. Uresti for a lifetime of distinguished public service.

Representative Uresti is a native of San Antonio, and a graduate of McCollum High School. He continued his education by earning a Bachelor of Arts degree in Political Science and a Teacher's Certificate from Saint Mary's University. After graduation he served four years in the United States Marine Corps, where he was awarded the Naval Achievement Medal. When his service to the Marines was over he returned to San Antonio and enrolled at Saint Mary's school of Law, where he received his law degree in 1992. He is currently is a partner at the Law Offices of Gonzales Hoblit & Ferguson.

In June 1997 Carlos Uresti was elected to the Texas House of Representatives. He honorably serves as Chairman of the Committee of Human Services, and as a member on the Committee on Elections and Select Committee on Healthcare Expenditures. As a former Marine, he is proud to serve as a member of the Texas House Veterans Coalition and the United States Marine Corps League.

During his time in office, Representative Carlos Uresti fought to prevent child abuse and neglect. He was instrumental in the creation of Bexar County's Blue Ribbon Task Force, a coalition that brings community members together to fight the cause against child abuse, and is a member of numerous organizations that help educate our youth.

Mr. Speaker, Representative Carlos I. Uresti is a credit to his community and I am honored to have had this opportunity to recognize the many achievements of this great public servant.

## THANKING MARY D. WATTS FOR HER SERVICE TO THE HOUSE

### HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. NEY. Mr. Speaker, on the occasion of her retirement in April 2005, we rise to thank

Ms. Mary D. Watts for 26 years of distinguished service to the United States House of Representatives.

Mary began serving the United States House of Representatives in 1979 as a Technical Support Specialist working at House Information Systems. Milestones during her career at the House include conducting the first evaluations for office fax machines in 1980 and Personal Computers in 1984. She was instrumental in establishing training and support for House staff to make use of the new technologies associated with desktop computers.

As the Division Manager for the Customer Services Group, Mary managed the House computer helpdesk staff, Field Service Technicians and System Integrators providing technical support, and consulting services to every Member, Committee and Leadership office of the House.

Managing the day-to-day operations of the Technical Support Branch, Mary is responsible for information technology solutions and support services for 12,000 personal computers and over 4,000 BlackBerry wireless devices in Washington, DC and more than 950 district offices across this country.

Mary's contributions while serving the United States House of Representatives have been significant. Her passionate customer service, organizational knowledge and personnel management skills earned her the reputation among her colleagues and customers as a person with a calm demeanor and respect for everyone.

On behalf of the entire House community, we extend congratulations to Mary for her many years of dedication and outstanding contributions to the U.S. House of Representatives. We wish Mary many wonderful years in fulfilling her retirement dreams.

## SMALL COMMUNITY OPTIONS FOR REGULATORY EQUITY ACT

### HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. OTTER. Mr. Speaker, I rise today to introduce the Small Community Options for Regulatory Equity Act. Rural communities across my state and elsewhere are being unfairly burdened by Environmental Protection Agency regulations that have questionable benefit.

While we all want to ensure a clean, safe drinking water supply for our communities, we must remember that fiscal restraints sometimes require tradeoffs and accommodations. Many small communities believe that EPA regulations will do more harm than good by wasting limited public health funds complying with standards that do little to advance the interests of public health.

For those of you who may have forgotten the arsenic debate of just a few years ago, let me refresh your memory. The Safe Drinking Water Act was used in the past to clean up pollution caused by previous business practices. Now the EPA is using the act to clean up Mother Nature herself. Arsenic is a naturally occurring component in the soil and water of many Western states, including Idaho. Using questionable science, the EPA has committed to ensuring all domestic water systems meet the arbitrary 10 parts-per-billion standard for arsenic—no matter how small those systems are. This is down from the 50 parts-per-billion standard set in 1975.

When the Safe Drinking Water Act was passed, Congress provided flexibility for EPA to determine whether it is economically or technologically feasible to obtain a certain level of reduced contamination. Essentially, the act states that if it's too expensive, smaller systems simply need to get as close to the standard as they reasonably can. Unfortunately EPA has decided not to use that flexibility. EPA has determined that paying $1,000 per year per user for the smaller water systems to meet the arsenic standard is affordable.

We know that many of our rural communities have low-income residents who make difficult decisions each month. They must choose which bills to pay and which to put off. These folks aren't worried about the cable bill; they're worried about being able to cover their heat, food, power and even prescription drug costs every month. And when faced with those choices, they'll choose to pay their water bill first. But the EPA—in its infinite wisdom—has decided to place a higher priority on marginal reductions in arsenic level than such basic needs as food and shelter.

That is unacceptable, which is why I am introducing legislation today to allow small and rural communities, those under 10,000 in population, to choose whether they want EPA to enforce regulations on naturally occurring contaminants. If the eligible community determines it is too costly to comply with the rule, it can request an exemption from the regulation, which EPA must grant.

No one is talking about removing all the arsenic from the water. We are talking about removing parts per billion, which is removing a very small amount of something that is barely even there. There is no bright line of concentration at the parts-per-billion level beyond which arsenic becomes unsafe. EPA views 9.9 parts-per-billion as safe and 10.1 as unsafe, despite the fact that there is little health difference between such small differences. EPA can't determine how much arsenic ingestion above the federal standard is harmful. While EPA has said that arsenic concentrations above its standard don't necessarily present an unreasonable risk to health, concentrations above 10 parts-per-billion do create a significant financial burden for small communities.

This mandate doesn't consider the unintended consequences and it can't balance competing local priorities. Local communities are in the best position to determine where their scarce resources need to go. EPA is not going to the communities and suggesting ways they can comply or technology they can use. Rather than being a good partner, EPA is once again just an enforcer, and is waiting until 2006 to impose fines on communities that are not in compliance. Such one-size-fits-all government "solutions" do nothing to make the water cleaner. They only provoke bitterness and stifle cooperation.

One small community in Idaho already has had to lay off its only police officer in order to afford studies and other requirements related to complying with the arsenic regulation. Now we are asking people to choose between real public safety and a theoretical health benefit. Further compounding the problem for this rural community, the EPA recently denied its request for a compliance extension, as provided for in the agency's own regulation. Community leaders know they can't comply by 2006 and are trying to do the right thing—but EPA refuses to help them.

We are supposed to have a democratic process here in the United States. In this case, the EPA is overriding the will of local citizens. I believe it's time to put the power back into the hands of those most impacted to determine what truly is best for them.

I remain concerned that this regulation will have very adverse economic impacts on thousands of rural communities across the nation, without addressing legitimate human health concerns. Since there is no economically feasible way for small communities to meet this standard and the standard may result in no health benefits, I support allowing each eligible rural community to decide whether to comply. I encourage you to join me in cosponsoring the Small Community Options for Regulatory Equity Act.

## HONORING THE CONTRIBUTIONS OF STATE REPRESENTATIVE EDMUND KUEMPEL

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CUELLAR. Mr. Speaker, I rise to recognize Texas State Representative Edmund Kuempel of my Congressional District for his exceptional career in public service.

Mr. Kuempel was born and raised in Austin, Texas, and received his Bachelor of Arts in Business from Texas Lutheran College in Seguin. He was first elected to the Texas State Legislature in 1983, and is currently the Chairman of the House Administration Committee.

He has received numerous awards for his legislative work, including the Man of the Year Award from the Texas County Agricultural Agents Association, the Career Achievement Award from the Texas Chamber of Commerce, the Leader of Excellence Award from the Free Market Committee, and the Texas Chamber of Commerce Legislative Leadership Award.

Edmund Kuempel continues to serve the people of Wilson, Gonzales, and Guadalupe Counties with his hard work and dedication. He is a credit to the Texas State Legislature, and his dedication to his state and country are admirable.

Mr. Speaker, I am honored to have the opportunity to recognize the many achievements of State Representative Edmund Kuempel.

## PERSONAL EXPLANATION

### HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Ms. WATSON. Mr. Speaker, I ask unanimous consent that on rollcall vote No. 67, I would like the record to reflect that I inadvertently voted "nay." I would like the record to reflect that I intended to vote "yea."

## URGING THE EUROPEAN UNION TO ADD HEZBOLLAH TO THE EU'S LIST OF TERRORIST ORGANIZATIONS

SPEECH OF

### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 14, 2005*

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in strong support of H. Res. 101, a resolution urging the European Union to add Hezbollah to the European Union's list of terrorist organizations.

Over the past two decades, Hezbollah has been synonymous with terror, suicide bombings and kidnappings. This Iran-backed, Lebanese-based terrorist group serves as an umbrella organization of radical Islamic Shiite groups and entities. Hezbollah, which the U.S. government estimates consists of several thousand militants, has balked at recent U.N. Security Council resolutions requiring it to disarm. This terrorist group is responsible for nearly 200 attacks since 1982 that have killed more than 800 people. Its political rhetoric includes calls for the destruction of the State of Israel. Most recently, both Israeli and Palestinian officials noted an alarming increase in Hezbollah support for terrorism in the Palestinian territories. The organization enjoys funding of $10 million to $20 million monthly from Iran, a country that continues to seek a nuclear weapon.

U.S. intelligence has shown that Hezbollah cells operate in Europe, Africa, South America, and North America. Hezbollah's reported involvement in the 1983 suicide bombing attack that killed 241 United States Marines in Beirut and other acts of atrocities begs its inclusion to the European Union's list of terrorist organizations.

Mr. Speaker, a critical part of the war on terror is identifying terrorist threats and the organizations and people who carry out acts of atrocity. I am encouraged by the European Union Parliament's passing of a resolution urging the European Union leadership and the member governments to list Hezbollah as a terrorist entity. I applaud this step and hope that it leads to the inclusion of Hezbollah on the European Union's list of terrorist organizations.

I urge my colleagues to support this legislation.

## HONORING THE CONTRIBUTIONS OF TEXAS STATE REPRESENTATIVE RYAN GUILLEN

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Representative Ryan Guillen for his commitment to building a better future for South Texas.

Ryan Guillen is a native of Starr County, with deep roots in the Texas business community. Before entering public service, he worked as a commodities trader, a rancher, a teacher, and an independent small businessman. This experience helped to shape his priorities: in the legislature, he acted to help teachers, firefighters and policemen with low interest loans, authored a bill to lower taxes for the disabled and elderly, and passed legislation to reform government in his county.

Representative Guillen was elected to the Texas House in November, 2002, and quickly distinguished himself. He was named Freshman Legislator of the Year by the Freshman Democratic Caucus of the Texas House of Representatives, and passed more bills than any other member of the first-term Democratic class. He is the only Democrat appointed to the Legislative Council Board, a powerful committee which oversees the internal operations of the Texas Legislature.

He has been especially committed to the issue of education. He fought to restore cuts to teacher insurance, authored a bill to increase school district funding in Texas by $1.2 billion dollars, and worked to protect the rights of all Texas children to an equal, high quality education.

Mr. Speaker, Representative Guillen has distinguished himself as a passionate and effective legislator, and he has a bright future ahead of him. I am proud to have the chance to recognize his work.

## CONGRATULATING THE ST. JOSEPH HIGH SCHOOL INDIANS ON THEIR INDIANA CLASS 3A GIRLS STATE BASKETBALL CHAMPIONSHIP

### HON. CHRIS CHOCOLA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CHOCOLA. Mr. Speaker, I rise today to congratulate the South Bend St. Joseph's High School Indians on their Indiana High School Athletic Association Girls Basketball Class 3A state championship.

For the second time in three years, the St. Joe Indians' girls basketball team found themselves at the Conseco Fieldhouse in Indianapolis, Indiana for the state championship game. As the final game horn sounded on Saturday March 5, 2005, the Indians won by a score of 70–57 defeating Corydon Central High School.

Over 9,000 fans witnessed a 24–10 run in the fourth quarter allowing the Indians to bring home St. Joseph County's first state championship in girls basketball. This victory capped off a 25–1 record for the season.

I would like to acknowledge Head Coach Mike Megyese and Assistant Coaches Lou Megyese, Dan Applegate, Clem Litka and Brad Dunlap on an extraordinary season.

As their many fans know, this team has been led by an outstanding group of seniors who have taken St. Joseph's to an incredible 83–18 record during their four years.

On behalf of the citizens of Indiana's Second Congressional District, I would like to congratulate South Bend's newest champions including seniors Aimee Litka, Corey Jo Keim, Katie St. Clair, Erin Newsom; juniors Melissa Lechlitner, Ashley Miller, Becky Newsom; sophomores Sydney Smallbone, Kristen Dockery; and freshmen DeBorah Wilson and Cary Werntz.

Student Managers Sarah Pendl, Katie Dunlap, Christie Nurkowski, Courtney Szymanski, Gary Paczesny and Erin Rempala also deserve a special congratulation for their contributions to the team.

Mr. Speaker, I know that everyone in St. Joseph County including the Diocese of Fort Wayne—South Bend Superintendent Michelle Hittie, the St. Joseph High School staff including Principal Daniel Swygart, Athletic Director Frank Pomarico, Assistant Athletic Director Kristi Beechy, and all of the St. Joseph Indians' parents and fans are extremely proud of the accomplishment these young women have achieved.

Again, I would like to congratulate the Indians of St. Joseph High School on winning the county's first ever girls state basketball championship.

## CIVIC PARTICIPATION AND REHABILITATION ACT OF 2005

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CONYERS. Mr. Speaker, today I rise to introduce the Civic Participation and Rehabilitation Act of 2005, legislation that will provide persons who have been released from incarceration the right to vote in Federal elections.

With just two states, Maine and Vermont, placing no restrictions on the voting rights of offenders or ex-offenders, the United States may have the most restrictive disenfranchisement policy in the world. Such prohibitions on the right to vote undermine both the voting system and the fundamental rights of ex-offenders. This legislation will serve to clarify and expand voting rights, as well as assist former felons with their reintegration into our democracy.

This past November it was estimated that approximately 2.3 percent of the voting age population, about 5 million people, were prohibited from voting because of state felon disenfranchisement laws. While it is undeniable that this group of disqualified voters was large enough to influence the outcome of close elections, partisan concerns obscure the fact that our varied, state-by-state approaches to ex-offender voting rights leads to confusion and disenfranchisement of legitimate voters under these existing laws. In the past two election cycles, flawed voter purges have deprived legitimate voters of their rights. Moreover, in Ohio, an erroneous interpretation of state law by the Secretary of State deprived thousands of ex-felons of even the right to register. Only federal law can conclusively resolve the ambiguities in this area plaguing our voting system.

In addition to tainting this country's fundamental principle of the right to vote, denying voting rights to ex-offenders denies them of the opportunity to fully participate and contribute to their society. Disenfranchisement laws isolate and alienate ex-offenders, and serve as one more obstacle in their attempt to successfully reintegrate into society. Restricting voting rights, a critical tool of self-empowerment, can only lead to higher rates of recidivism, community apathy, and other social ills. We fail not just ex-offenders by denying them the right to vote, but the rest of a society that has struggled throughout its history to be legitimate and inclusive. Just like poll taxes and literacy tests prevented an entire class of

citizens, namely African Americans, from integrating into society after centuries of slavery, felon disenfranchisement laws prevent ex-offenders from reintegrating into society after retribution.

Statistics on felon disenfranchisement indicate that Congressional action is clearly warranted. The Sentencing Project estimates that 4.7 million Americans, or 1 in 43 adults, have currently or permanently lost the right to vote as a result of a felony conviction. 1.4 million or 13 percent of African American men are disenfranchised, a rate seven times the national average. Given current rates of incarceration, 3 in 10 of the next generation of African American men can expect to be disenfranchised at some point in their lifetime. An estimated 676,730 women are currently ineligible to vote as a result of a felony conviction. These statistics have prompted state responses. Most recently, Alabama, Nevada, Wyoming, and Connecticut, have adopted legislation that expands voting rights for ex-felons. We must now act at the Federal level.

## HONORING THE CONTRIBUTIONS OF TEXAS STATE REPRESENTATIVE RUTH McCLENDON

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Representative Ruth Jones McClendon for her dedicated service to the people of Texas.

Ruth McClendon has been a tremendous advocate for public safety and public health in the State of Texas. She is the creator of the Neighborhood Cellular on Patrol program, which has won acclaim from President George W. Bush for its effectiveness in reducing crime. She founded the Community Crime Prevention Network to fight neighborhood crime, sponsored legislation to support community policing and increase penalties for church burnings, and hosted a seminar with constituents to help them respond to gang activity.

While in the legislature, Representative McClendon passed two children's asthma bills, for which she received the American Lung Association of Texas Public Policy Award for 2001. She created a medical academy to prepare medical students to practice in inner city neighborhoods, and worked to pass a bill to dedicate $400 million for a pediatric cancer center in San Antonio.

Her legislative activity has brought her numerous awards, including listings in the World's Who's Who of Women and Who's Who in Texas. She is a graduate of Texas Southern University, and holds an honorary doctorate from Guadalupe College Theological Seminary. She was the first African-American woman elected to the San Antonio City Council, and was named a 2003 Headliner by the San Antonio Chapter of Women in Communications.

Mr. Speaker, Ruth Jones McClendon has been a tireless and effective public servant, and a role model and guardian for her community. She deserves our gratitude, and I am pleased to have this opportunity to recognize her for her work.

## SOUTH PARK HIGH SCHOOL

### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. HIGGINS. Mr. Speaker, I rise today to call your attention to the great South Park High School in Buffalo, New York which this year is celebrating 90 years of excellence in educating Western New York's young people.

Ninety-one years ago this week, on St. Patrick's Day, the people of South Buffalo broke ground at 150 Southside Parkway for the construction of what would become City of Buffalo Public School Number 206.

That same year, on June 1st, the cornerstone was placed at PS 206, also known as South Park High School, marking the institution as the fifth public high school built in the City of Buffalo.

On September 7, 1915, the doors of South Park opened; welcoming 680 students and 32 faculty members.

Home of the Sparks, the South Park faithful proudly display their school spirit through the black and red tradition.

Over the last nine decades the teachers and administrators at South Park have motivated, nurtured and educated thousands of Buffalo's youth, preparing each for the road ahead and providing all with the tools necessary to pursue a limitless future.

I am proud to call myself an alumnus of South Park and grateful for the wealth of knowledge and values I have obtained through my experiences at the school.

Today, Mr. Speaker, I thank you for the opportunity to commemorate the 90th Anniversary of Buffalo's South Park High School and wish the institution continued success in installing pride and excellence in Western New York young people for decades to come.

## CONGRATULATING BETTY MILLER ON RECEIVING THE JOSEPH F. SAPORITO LIFETIME ACHIEVEMENT AWARD

### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Betty Miller, who was recognized at a reception held February 20, 2005, at the Grammercy Ballroom in Pittston. The Sunday Dispatch has chosen Betty Miller as the recipient of the Joseph F. Saporito Lifetime of Service Award.

My good friend Betty Miller is a selfless woman who has devoted her life to making life better for others. Of all her accomplishments—and there are many—Betty is perhaps proudest of the Wyoming Monument Association. She is in her 47th year as president of this organization, and she was preceded by her mother-in-law. Sarah Perkins Miller was president for 35 years.

The Association has more than 350 members—all women—many of whom are direct descendents of those who died in the Wyoming Massacre of July 3, 1778. Betty's ancestors, William Reynolds and Elias Roberts, are listed on the Monument among the victims of the Wyoming Massacre.

The first attempts to build a memorial date back to 1809. In the spring of 1841, the women of Luzeme County came together under the name Ladies Luzeme Monumental Association and raised the money for the monument. In 1860, the State of Pennsylvania gave the title to the land to the Wyoming Monument Association.

I was pleased to work with Betty in getting the Wyoming Monument rightfully listed on the National Register of Historic Places. Betty is proud of the Monument and proud of the role women have played in its history.

Betty became a member of the Daughters of the American Revolution 60 years ago. She has served as the First Vice President General of the national organization, making her the highest-ranked Pennsylvania member ever. Betty just stepped down after her second stint as chair of the Wyoming Valley Chapter.

Betty has served as state president of the General Federation of Women's Clubs in Pennsylvania, president of the Wyoming Woman's Club, and chair of the board of the Luzeme County Library System.

Betty has been actively involved with the Greater Pittston Salvation Army Advisory Board for 22 years and served as chair of the board on two occasions. During the latest Red Kettle Campaign, Betty—at the age of 88—rang a bell for the Salvation Army for 6 days in a row, from 9 in the morning to 5 in the evening.

In 1976, she was appointed to the Bicentennial Commission and participated in planning the nation's observance of its 200th anniversary. She received a special commendation from the governor for her role in the Bicentennial.

Betty volunteers at the Veterans' Administration Hospital. Betty was presented with the Four Chaplains Legion of Honor Membership Award by the Chapel of the Four Chaplains in Philadelphia and later received the Humanitarian Award for "distinguished service to her fellow man."

Mr. Speaker, please join me in congratulating this fine lady who has given so much of herself. She is most deserving of accolades from The Sunday Dispatch.

## REMEMBERING THE LIFE AND WORK OF SERBIAN PRIME MINISTER ZORAN DJINDJIC

### HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. BURTON of Indiana. Mr. Speaker, on March 12, 2003, Serbia's Prime Minister Zoran Djindjic was brutally assassinated in broad day light on the streets of Belgrade, Serbia.

As Serbia's first democratically-elected, noncommunist Prime Minister following the fall of Slobodan Milosevic, Zoran Djindjic brought to his office and the people of Serbia more than democracy and freedom—he brought with him the hopes and dreams of the Serbian people. Under the oppressive rule of tyrannical dictators and autocrats, the Serbian people were emotionally and physically battered and scarred by years of ethnic civil-war and bombings. Prime Minister Djindjic promised them a better future filled with peace and prosperity.

Along with other democratic allies, and anti-war protesters, Zoran Djindjic effectively protested and toppled the corrupt regime of Slobodan Milosevic through a steadfast, determined, yet peaceful process.

Along with his fellow reformers, Mr. Djindjic created the Democratic Party, and led it to a series of successful electoral victories, ultimately culminating in Mr. Djindjic's ascension to the post of Prime Minister of Serbia on January 25, 2001.

During his 2 years in office, Prime Minister Djindjic worked tirelessly to shed the image of a "backward" Serbia. Under his effective leadership, Prime Minister Djindjic systematically realigned Serbia with the Western ideals of democracy, reform and capitalism.

Through a heroic and selfless act of courage, Prime Minister Djindjic arrested and extradited the man he helped remove from power, and sent Slobodan Milosevic, and his fellow fugitive war criminals to the International Criminal Tribunal for the Former Yugoslavia at The Hague (ICTY) where they were indicted and tried.

Prime Minister Djindjic went to great lengths to bring foreign investment and capital back into Serbia's economy by embracing free market concepts, thus laying the groundwork for Serbia's long-term fiscal security and prosperity.

In addition, Prime Minister Djindjic advanced Serbia's relationship with the Trans-Atlantic community. By centering Serbia's foreign policy initiatives, Prime Minister Djindjic has positioned Serbia to become a working and peaceful member of the European Union (EU) and the North Atlantic Treaty Organization (NATO).

Mr. Djindjic worked relentlessly to improve the lives of everyday Serbs through economic development, structural and political reform, and an open, and peaceful foreign policy.

Unfortunately for the people of Serbia, Mr. Djindjic's work was cut short by an assassin's bullet outside his office on March 12, 2003.

So, on this day, let the House of Representatives remember the life and work of Mr. Zoran Djindjic, Prime Minister of Serbia, and let us hope and pray for a better and more prosperous future for the people of Serbia, and the whole Balkan region.

## PERSONAL EXPLANATION

### HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. JONES of North Carolina. Mr. Speaker, on Thursday, March 10, 2005, I was unavoidably detained and could not cast a vote on final passage of H.R. 3—the Transportation Equity Act. Had I been here, I would have voted "yes."

## HONORING THE CONTRIBUTIONS OF STATE SENATOR JEFF WENTWORTH

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the many accomplishments of Texas State Senator Jeff Wentworth.

Senator Wentworth has deep roots in Texas. A fourth generation Texan, he graduated from Alamo Heights High School, went to college at Texas A&M, and received his law degree from Texas Tech University School of Law. He has been serving the public in many capacities for most of his adult life: his previous employment includes one year as a university system regent; six years as a county commissioner, three years as a congressional assistant, and three years as an Army counterintelligence officer.

He served five years in the Texas House of Representatives, and was first elected to the Texas Senate in 1992. He is currently the Senate President Pro Tempore, and Chairman of the Senate Judiciary Committee. He chairs the Texas Legislative Tourism Caucus, and remains a practicing lawyer, with the firm of Loeffler Tuggey Pauerstein Rosenthal, LLP.

Senator Wentworth is now in his fifth term, and continues to work tirelessly for the more than 700,000 constituents in his district. Jeff Wentworth is a genuine American success story, and a tremendous advocate for the people of San Antonio and for all the people of Texas.

Mr. Speaker, I am honored to have this opportunity to recognize the many achievements of State Senator Jeff Wentworth.

## A TRIBUTE TO ANNE L. BLUMENBERG

### HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CARDIN. Mr. Speaker, I rise today to pay special tribute to Anne L. Blumenberg, founder of the Community Law Center in Baltimore. Anne, who recently retired as the Law Center's long-time executive director, has been instrumental in developing legal strategies to empower neighborhoods and communities.

Anne is a remarkable women who has dedicated her life to improving our community. Over the years, she has performed groundbreaking work in the areas of low-income housing acquisition, community-based planning, coalition building and community advocacy. Through her efforts, the Community Law Center has become a leading advocacy organization for community and economic development in distressed neighborhoods. She has lead the way in fighting predatory real estate practices that have been so destructive to many Baltimore neighborhoods.

A graduate of Catholic University's Columbus School of Law, Anne founded the Community Law Center in 1983, becoming its executive director in 1986. The Community Law Center's philosophy has been that access to lawyers could help revitalize neighborhoods. Initially, most of the work focused on public safety. In recent years, that focus has shifted to real estate and economic development. The Center's successes include: enactment of legislation giving community groups legal standing in drug nuisance cases and legal action against owners of vacant properties.

I hope my colleagues in the U.S. House of Representatives will join me in saluting Anne L. Blumenberg for her work in helping neighborhoods and communities maintain some degree of control over their destinies.

## THE CONTRIBUTIONS OF JENNIFER GRODSKY

### HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Ms. SOLIS. Mr. Speaker, today I rise to recognize Jennifer Grodsky, a dedicated, intelligent and compassionate woman whom I have been very fortunate to have as my Legislative Director for the past four years.

Jennifer joined my office shortly after I was elected to Congress in 2000. Having received excellent training as a Legislative Assistant for former Congressman Julian Dixon of California, Jennifer quickly assumed her role as Legislative Director with great ease and competence. She played an instrumental part in establishing my office protocol and creating a strong legislative staff.

As Legislative Director, Jennifer has coordinated my legislative agenda with much success. She has overseen my introduction of numerous bills, including two which have became law. Her extensive knowledge of the legislative process and a wide array of public policy issues has proved invaluable to my office. Since Jennifer's first day in the office, she has approached each and every task I have given her with the utmost professionalism and dedication.

Jennifer's keen understanding of the health care challenges facing my district and the nation has been particularly important to me as a member of the House Committee on Energy and Commerce and Chair of the Congressional Hispanic Caucus' Task Force on Health. Jennifer has organized numerous briefings and events to heighten awareness about accessing affordable health care and persisting racial and ethnic health disparities, including spearheading very successful events sponsored by the Congressional Hispanic, Black, and Asian Pacific American Caucuses in Los Angeles, California, and Miami, Florida. Jennifer played a lead role in developing the Healthcare Equality and Accountability Act, the Democratic Caucus' comprehensive bill to address racial and ethnic health disparities, and shares my strong concern for the growing HIV/AIDS epidemic. Her passion for improving our nation's health care system, particularly for the Latino and other minority communities, is one of Jennifer strongest attributes.

As my appropriations staffer for the past four years, Jennifer has helped me to secure millions of dollars in federal assistance for important projects in East Los Angeles and the San Gabriel Valley, including the expansion of the Azusa Health Clinic and the development of computer training classes at Project Amiga

in South El Monte. These projects have, and will continue to make, an enormous difference in the lives of families living in the 32nd Congressional District of California.

Jennifer's intelligence, kindness, and professionalism have earned her the trust and respect of her colleagues. She has served as a mentor to all of the staff, teaching them about the legislative process and various public policy issues with patience and understanding, earning the nickname "Mama Grodsky" among my staff.

Jennifer's departure from my office will be a tremendous loss to my staff and me. While I am sad to see Jennifer leave my office, I am proud of her new career advancement as the Director of Federal Affairs for the University of Southern California. As a Magna Cum Laude graduate and proud alumnus of this renowned university, Jennifer will be an invaluable asset to her new office. The University of Southern California will be very fortunate to have such a talented and bright young woman to lead its new Washington, DC, office. I join my staff in Washington, DC, and district offices in El Monte and East Los Angeles in wishing Jennifer the best of luck in all of her future endeavors.

## TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

SPEECH OF

### HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 10, 2005*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Mr. SHERMAN. Mr. Chairman, I rise to express my support for language in H.R. 3 which would permit states to exempt certain hybrid vehicles from high occupancy vehicle regulations.

The legislation provides that alternative fuel vehicles as well as vehicles that achieve a highway fuel economy rating of 45 miles per gallon or greater may be exempted from HOV requirements through September 29, 2009.

I would like to insert into the record a memo prepared at my request by the Congressional Research Service which analyzes the HOV provisions of H.R. 3 with respect to the treatment of hybrid vehicles.

It is important to note that based on my conversations with the authors of this legislation as well as this memo, the language of H.R. 3 would permit states the flexibility regulate when and where hybrid vehicles would be exempt from HOV regulations within the state.

Mr. Speaker, I believe it is important that the States have the flexibility to regulate the hybrid use of HOV lanes within their state—both in terms of where hybrids will be permitted in HOV lanes and when they may be permitted. The language in H.R. 3 seems to achieve this purpose.

CONGRESSIONAL RESEARCH SERVICE,
*Washington, DC, March 9, 2005.*

Hon. BRAD SHERMAN.

HYBRID VEHICLE ACCESS TO HOV LANES UNDER H.R. 3

As you requested, this memorandum provides an analysis of the high occupancy vehicle (HOV) provisions in the Transportation Equity Act: A Legacy for Users (H.R. 3), as reported in the House. Specifically, you asked about the treatment of hybrid vehicles in H.R. 3.

Section 1208 of the bill adds a new Section 168 to Title 23 of the United States Code. Section 18(b)(4) would allow—but not require—states to exempt "low emission and energy efficient vehicles" from HOV requirements through September 29, 2009. The bill does not specifically address hybrid vehicles: instead, the bill provides that alternative fuel vehicles as well as vehicles that achieve a highway fuel economy rating of 45 miles per gallon or greater may be exempted. Eligible vehicles must also meet the new Tier 2 light vehicle emissions standards, and must be certified by the Environmental Protection Agency. It should be noted that a state must actively establish a program to exempt vehicles—the exemption is not automatic.

Further, you asked whether states would have the authority to exempt vehicles from specific HOV lanes at specific times, or whether the state would be required to exempt vehicles from all HOV lanes. The section on vehicle exemptions states that "the State agency may allow vehicles certified as low emission and energy-efficient vehicles . . . to use the HOV facility . . ." In this and several other subsections, the bill refers to an "HOV facility" in the singular. The Federal Highway Administration treats every separate section of highway as a separate "HOV facility." For example, in Virginia the HOV lanes outside of the Capital Beltway in Interstate 66, the lanes inside of the beltway on I–66, and the lanes on I–95/I–395 are all treated as separate facilities. The restrictions on time and minimum occupancy differ for all three facilities. Because of these distinctions, it appears that states could choose to exempt vehicles from one facility (i.e. highway) and not another.

What is less clear is whether states could designate specific lanes (within a facility) and times. The bill requires states to "establishes procedures for enforcing the restrictions on the use of the facility by such vehicles." This would seem to grant the state latitude in determining when and where low emission and energy efficient vehicles could be exempted from the HOV restrictions. However, allowing compliant vehicles exemptions at some times but not others—or in some lanes but not others—would add a level of complexity to the enforcement of HOV restrictions. It therefore seems an open question whether states would choose to exempt compliant vehicles from restrictions on all state HOV facilities, or on specific facilities without specifying which lanes could be used or at what time.

It should be noted that H.R. 3, as introduced, would have required states to charge tolls for all vehicles exempted from the HOV restrictions. The version as reported allows such tolls, but does not require them. It should also be noted that states would be required to limit or discontinue the exemptions, if they were found to decrease traffic flow along the HOV lanes.

Sincerely,

BRAD YACOBUCCI,
*Specialist in Energy Policy Resources, Sciences and Industry Division.*

## INTRODUCTION OF PROTECTION OF CIVIL LIBERTIES ACT

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mrs. MALONEY. Mr. Speaker, last year, using the 9/11 Commission Report as a guide, we passed the National Intelligence Reform Act. In addition to reorganizing our nation's intelligence system, it created a Civil Liberties Board. Unfortunately, this newly created Civil Liberties Board is only a shell of what is needed in order to be effective. Therefore we are introducing "The Protection of Civil Liberties Act" to amend the current board. With the exception of making the Board an independent agency, this bill would reinstate the provisions that were taken out in conference. These commonsense provisions give the Board the authority it needs. Specifically the bill:

1. Gives the Board subpoena power. Currently the board needs the permission of the Attorney General to issue a subpoena. Also, the Board lacks access to the private contractors who currently perform many critical intelligence functions.

2. Creates the Board as an independent agency in the executive branch. Currently the board is in the Executive Office of the President.

3. Requires that all 5 members of the Board be confirmed by the Senate. Currently only the Chair and the Vice Chair will be confirmed.

4. Requires that no more than 3 members can be from the same political party. Currently there is no provision that ensures a bipartisan Board.

5. Sets a term for Board members at 6 years. Currently members will serve at the pleasure of the President.

6. Creates the chairman as a full-time member of the Board. This increases the likelihood that the Board will meet regularly.

7. Restores the qualifications of Board members that were originally included in the Senate bill. This would require that members have prior experience with protecting civil liberties, among other things. Currently there are no such requirements.

8. Restores reporting requirements to Congress. One of the main recommendations of the 9/11 Commission was the need for more Congressional Oversight. Restoring the reporting requirement language requiring semi-annual reports helps achieve this goal.

9. Requires each executive department or agency with law enforcement or antiterrorism functions should designate a privacy and civil liberties officer. Currently the law only expresses a sense of Congress that a privacy and civil liberties officer be established.

This is important legislation and I urge all of my colleagues to support it.

## RESOLUTION RECOGNIZING THE IMPORTANCE OF EFFECTIVE RADIOPROTECTANT DRUG

### HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mrs. DAVIS of California. Mr. Speaker, I rise today to bring attention to a pressing national

need. The resolution I present here is a recognition of our responsibility to protect the American people from the horrors of radiation exposure as best we can.

In this era of terrorism, the ultimate fear has always been the detonation of either a nuclear or radiological device in an American city by terrorists. Even a low-yield nuclear device is capable of causing large-scale damage.

After a blast occurs the radiation that follows is also an enormous concern.

We cannot counter the effects of a thermonuclear explosion. However, science is developing countermeasures to the medical effects of radiation exposure. These whole-body drugs, known as radioprotectants, represent a great step forward in protecting American citizens from the horrors of terrorism in the nuclear age.

This resolution expresses the sense of Congress that these drugs, if proven safe and effective, should be purchased and stockpiled by the federal government at the earliest possible opportunity under Project Bioshield.

This resolution recognizes the potential these drugs stand for, and is the first step toward appropriating the first effective medical countermeasures to radiation sickness. I strongly urge my colleagues to join me in supporting this resolution as part of our responsibility to safeguard American lives.

## PERSONAL EXPLANATION

### HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. EVANS. Mr. Speaker, on the afternoon of March 10th until the morning of March 15th, I was part of an official congressional delegation to commemorate the 60th anniversary of the Battle of Iwo Jima. The delegation also had official events in Guam and Hawaii. Due to my absence I was not able to make the following votes and would like the record to indicate that I would have voted ''nay'' on roll call vote number 62. I would have voted ''aye'' on roll call votes number 63, 64, 65, 66, 67, and 68.

## TRIBUTE TO FLORIDA MEMORIAL UNIVERSITY, AN OUTSTANDING HBCU AND A TRULY GREAT INSTITUTION OF HIGHER LEARNING

### HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. MEEK of Florida. Mr. Speaker, it is with great pride that I rise to pay tribute to Florida Memorial College, which will become Florida Memorial University during campus ceremonies to be held on Friday, March 18, 2005.

Founded in 1879 as the Florida Baptist Institute in Live Oak, Florida under the aegis of the Baptist Church and the leadership of the Rev. Matthew Gilbert, Florida Memorial is one of the oldest academic centers in Florida. It was later transferred to Jacksonville in 1892 as the Florida Baptist Academy. It was on this campus that faculty member J. Rosamond Johnson and his brother James Weldon Johnson co-wrote ''Lift Ev'ry Voice and Sing,'' which is now known as the Negro National Anthem.

In 1968 the College moved to Miami, Florida where it has grown to include a student body of 1,378 students from all over Florida, the Nation and the Caribbean. President Dr. Albert E. Smith has provided inspired leadership of the institution and its 66–member faculty. Dr. Smith has been very effective in attracting talented professors and students, and in shaping one of Florida's most beautiful college campuses.

Florida Memorial offers thirty-eight degree programs through its seven academic divisions. It is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (SACS) and is recognized by the Association of Collegiate Business Schools and Programs (ACBSB) and the National Council for Accreditation of Teacher Education (NCATE).

Throughout its glorious history, Florida Memorial has graduated thousands of professionals who have made history and are making productive, innovative contributions to this Nation and the world. It is for this reason that this transformation from Florida Memorial College to Florida Memorial University is genuinely deserved, for it manifests in no small measure the excellence of its programs and its significance in our community.

My best wishes to President Smith, his staff, faculty, student body and alumni on this great achievement. It is thrilling to imagine what this great institution will achieve in the next 124 years.

## A TRIBUTE TO SAM LAMANTIA JR.

### HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. CARDIN. Mr. Speaker I rise today to pay special tribute to Sam Lamantia Jr., a man with a heart of gold who has spent 27 years raising money to help abused children. Sam is a master barber in Baltimore, and in 1978 he almost single-handedly started the Ed Block Courage Awards.

Sam Lamantia conceived of the award as a way to help abused children in Baltimore. Named for Ed Block, the athletic trainer for the Baltimore Colts, the award was first designed to honor one Baltimore Colt player a year. Since then, 17 Ed Block Courage Houses have opened in NFL cities around the Nation, helping abused children and their families.

Sam moved with his family from Italy to Baltimore as a young child. In Baltimore, he grew up playing and loving sports. As an adult, Sam and his boyhood friends from the Eastside Athletic Club began sponsoring sports teams and giving back to local charities. Eventually, they conceived of the Ed Block Courage Award, and Sam talked many of his clients who were members of the Baltimore Colts into helping. Sam's vision of giving back to the community has now grown to include 28 NFL teams and their players.

I hope my colleagues in the U.S. House of Representatives will join me in saluting Sam Lamantia Jr., a true hero who has found a way to help bring hope back into the lives of abused children.

## RECOGNIZING VERIZON'S HISPANIC SUPPORT ORGANIZATION

### HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Ms. SOLIS. Mr. Speaker, I rise today to recognize the California Chapter of Verizon's Hispanic Support Organization for hosting the 7th Annual Hispanic Support Organization National Conference. Since its establishment in 1988, the Hispanic Support Organization, a Verizon employee resource group, has been working to advance the professional needs of Hispanic employees, improve the communities where Hispanics live in, and support Verizon's initiatives in the Hispanic community.

It is my pleasure to recognize groups like Verizon's Hispanic Support Organization for their service to the professional development of our Latino community. This year's theme for the conference is called: ''Construyendo Nuestro Futuro y Destino/Building Our Future and Our Destiny.'' The Hispanic Support Organization has been doing this kind of investment in our community for more than 16 years. With the growth of the Hispanic community in the United States, it is important that organizations keep providing opportunities for the personal and professional development of Hispanics.

Verizon's Hispanic Support Organization has done an outstanding job with their mentorship program and scholarship program, while at the same time providing financial assistance to organizations that serve the needs of the Hispanic community. The intellectual and social benefit that the Hispanic Support Organization provides to its members fosters an environment of support and encourages the creation of leaders in our community. I wish the Hispanic Support Organization much success at its conference in Los Angeles this week and in the future.

## INTRODUCTORY STATEMENT FOR H.R. 1292—SPECIALLY ADAPTED HOUSING CORRECTION

### HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. BUYER. Mr. Speaker, Chapter 21 of title 38, United States Code, provides for grants to adapt or acquire suitable housing for certain severely disabled veterans, including veterans who are unable to ambulate without assistance. The maximum grant amount for a severely disabled veteran is $50,000.

Public Law 108–183 extended eligibility for the adaptive housing grant to severely disabled servicemembers who have not yet been processed for discharge from military service, but who will qualify for the benefit upon discharge due to the severity of their disabilities. Prior to Public Law 108–183, qualifying servicemembers were not allowed to apply for or receive the grant until they were actually discharged from military service.

Section 401 of S. 2486, Public Law 108–454, extends eligibility for specially adapted housing grants to veterans with permanent and total service-connected disabilities due to

the loss, or loss of use, of both arms at or above both elbows.

An inadvertent error occurred in the drafting of the Veterans Benefits Improvement Act of 2004, which the Committee discovered too late to be corrected without jeopardizing passage of the same bill in both the House and Senate before adjournment. The error resulted in the omission of the change made by Public Law 108–183 for catastrophically disabled servicemembers. H.R. 1292 serves to correct that oversight.

Mr. Speaker, this is a necessary correction to ensure the Department of Veterans Affairs continues to assist those severely disabled servicemembers who require their homes be adapted to their disability. I urge my colleagues to support it.

## HOUSE DEMOCRACY ASSISTANCE COMMISSION RESOLUTION

### HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. HOLT. Mr. Speaker, yesterday I was pleased to vote in support of the resolution (H. Res. 135) sponsored by U.S. Representative DAVID DREIER from California. Adoption of this measure will establish the House Democracy Assistance Commission.

This new internal commission of House members will work closely with our legislative counterparts in other fledgling democracies to encourage the development of democratic processes and institutions. In addition, it will expand information exchanges and the sharing of first-hand knowledge of the inner workings of functioning democracies. Finally, this new commission will provide recommendations to the Administrator of the U.S. Agency for International Development on what types of material assistance, such as modem automation, information technology, and library systems will most help our counterpart parliamentarians to more effectively perform their vital tasks of representation and democratic participation.

The work that this commission will perform has already been validated in prior similar efforts. Between 1990 and 1996, the informal ''Frost-Solomon Task Force'' provided invaluable technical assistance and equipment to Albania, Bulgaria, Estonia, Hungary, Poland and Russia. The creation of this new commission will build upon that solid precedent in enhancing democratic institution-building where democratic engagement and republican government are new to what had previously been undemocratic societies.

## INTRODUCTION OF LEGISLATION TO AWARD THE CONGRESSIONAL GOLD MEDAL TO THE TUSKEGEE AIRMEN

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mr. RANGEL. Mr. Speaker, I rise today to announce my recent introduction of legislation to award the Congressional Gold Medal to the Tuskegee Airmen. The Congressional Gold Medal was first awarded over 200 years ago to Americans whose courage and determination in battle exemplified the spirit of our nation.

In keeping with this tradition, I am honored to join with Senator LEVIN in concurrently introducing this legislation to bestow Congress' highest honor to this deserving group of individuals.

The Tuskegee Airmen overcame segregation and prejudice to become one of the most highly respected fighter groups of World War II. In so doing, they helped to destroy the racist conceptions of their time, and set in motion the eventual desegregation of the Armed Services.

Before 1940, African Americans were barred from flying for the U.S. military. However, the great threat posed by the Nazis, and the demands of Black Americans for full citizenship, including the right to fight for their country as patriots, persuaded the American government to provide an opportunity for African Americans to serve, even though in segregated units.

The Airmen completed 15,500 missions, destroyed 260 enemy aircraft, sank one enemy destroyer, and demolished numerous enemy installations. They also would have the WWII distinction of never losing a bomber under their escort, despite flying in some of the enemies' most heavily defended areas.

During their World War II service, the Airmen would earn 150 Distinguished Flying Crosses, 744 Air Medals, 8 Purple Hearts, and 14 Bronze Stars. At the war's end they had not only helped to defeat the Germans, they helped to set in motion the eventual desegregation of the Armed Services a few years later.

The Tuskegee Airmen were patriots in the truest sense of the word. Their belief in themselves, and in the promise of America, gave them the strength to overcome incredible obstacles, and accomplish what was then considered impossible. Their courage inspired a generation, and their determination strengthened a nation.

The Tuskegee Airmen deserve an honor befitting their contribution to our country, so I respectfully urge my fellow colleagues to support this legislation.

## IN CELEBRATION OF ARTS ADVOCACY DAY 2005

### HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 15, 2005*

Mrs. JONES of Ohio. Mr. Speaker, I rise today in recognition of Arts Advocacy Day. As Congress considers the budget and appropriations bills for fiscal year 2006, the importance of the arts should be recognized for a number of reasons.

First, the arts contribute significantly to local economic development. As of January 2005 in the Eleventh Congressional District of Ohio there were 1,212 arts-related businesses that employed 10,174 people. This data, from Dun & Bradstreet, indicates that between 2004 and 2005, arts-related businesses grew at a faster rate than total U.S. business growth. At the same time, as total U.S. jobs shrank by 1.9 percent, the decline in arts-related businesses was 0.8 percent, in other words less than half that rate. Arts-related businesses are clearly good for business and good for the economy. But the arts have greater effects than these.

An examination of SAT scores from the College Board in the period 2002 through 2004 reflects a startling effect. Data from Ohio students that studied Art History, Dance, Drama, Music, Photography/Film, or Studio Art reflected higher Verbal and Math SAT scores than students that didn't study any of these subjects. To further quantify this effect, let me provide an example: Ohio students in music performance reflected a Mean Verbal SAT score of 554 in 2004 and a Mean Math score of 552. In contrast, Ohio students not exposed to arts courses demonstrated a 2004 Mean Verbal SAT score of 497 and a Mean Math score of 511. This forty point differential benefit is very easy to understand. Nationally, similar effects were reflected in the test scores of students that studied a variety of arts disciplines: Art History, Dance, Drama, Photography/Film, or Studio Art.

As schools focus on raising test scores, the importance of arts cannot be overstated. But conflicting attitudes and practices exist in Ohio's schools. A 2000 survey by the Ohio Alliance For Arts Education reflected that more than 70 percent of those surveyed in Ohio's public schools believed that music and visual arts are as important as other academic subjects. Yet, in practice over 11 years, public schools demonstrated overall reductions in arts and music education. Fewer private schools (than public schools) required achievement in the arts as a graduation requirement. But a higher percentage of private schools believed that creative writing, music, visual arts, and drama are as important as other academic subjects. Here, theory and practice don't match.

It is clear that the arts enhance student ability. During this time of enhanced accountability and high stakes academic testing, it would make sense to ensure that every child, kindergarten through twelfth grade, is provided an opportunity to participate in the arts. Many school districts are experiencing financial difficulty. To that end, instead of punishing schools for failing test scores, we should provide them with the resources needed to implement quality arts education programs—which correlate with increased test scores. Arts education enhances literacy. And we should go further than haphazardly sticking in a few programs here and there. Quality matters. We must be concerned about the quality of subject matter as well as teacher training and development.

The No Child Left Behind Act, NCLB, has recognized the arts as a core academic subject, making arts programs eligible for inclusion in broad funding categories such as teacher training, school reform, and technology. In spite of this designation, NCLB has led to the erosion of arts education. Economically disadvantaged schools don't have sufficient resources to cover enhanced intensive math and English studies, and quality arts education programs. A 2004 report by the Council for Basic Education found that ''the greatest erosion of the curriculum is occurring in schools with high minority populations—the very populations whose access to such a curriculum has been historically most limited.'' We

must do better. The arts impart discipline, improve literacy, and enhance cultural understanding. If we have determined that students and teachers need to be held accountable, we must also ensure that schools, particularly schools that serve disadvantaged students, have adequate resources to provide strong instruction in math and English, as well as the arts. Complex problems like student achievement require varied solutions and rich curricula.

Finally, as Congress considers the fiscal year 2006 appropriations bills, we should support increases in public funding. Each dollar of funding to the National Endowment for the Arts leverages at least $7 from other sources to support full time jobs. This returns revenue to the Federal Government in income taxes at a rate of nearly eight to one. That's not a bad investment. Public spending on the humanities through programs such as the National Endowment for the Humanities initiative We The People, advances understanding of American history, culture, and values. Increasingly, we live in an interdependent world in which cultural understanding is a key aspect of cooperative efforts ranging from economic development to security cooperation.

I salute the arts industries and cultural organizations of the Eleventh District of Ohio as well as the individual artists, educators, and advocates. I thank the arts community for effectively conveying its importance on Arts Advocacy Day, and hope that we as a Congress continue to demonstrate a level of support that will enable the arts to thrive.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 17, 2005 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### APRIL 4

2 p.m.
Armed Services
Strategic Forces Subcommittee
To hold hearings to examine strategic forces and nuclear weapons issues in review of the Defense Authorization Request for fiscal year 2006; to be followed by a closed hearing in SR–232A.
SR–222

### APRIL 6

10 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the nomination of Charles F. Conner, of Indiana, to be Deputy Secretary of Agriculture.
SR–328A

### APRIL 14

10 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans Affairs to examine the legislative presentations of the Military Officers Association of America, the National Association of State Director of Veterans Affairs, AMVETS, the American Ex-Prisoners of War, and Vietnam Veterans of America.
345 CHOB

### APRIL 21

10 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans Affairs to examine the legislative presentations of the Fleet Reserve Association, the Air Force Sergeants Association, the Retired Enlisted Association, and the Gold Star Wives of America.
345 CHOB

### SEPTEMBER 20

10 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans Affairs to examine the legislative presentation of the American Legion.
345 CHOB

# *Daily Digest*

## HIGHLIGHTS

**The House passed H.R. 1268, Emergency Supplemental Wartime Appropriations Act.**

# Senate

## *Chamber Action*

***Routine Proceedings, pages S2759–S2874***

**Measures Introduced:** Fourteen bills and three resolutions were introduced, as follows: S. 632–645, S.J. Res. 10–11, and S. Res. 83. **Page S2846**

**Measures Reported:**

S. 161, to provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership. (S. Rept. No. 109–40) **Page S2845**

**Concurrent Budget Resolution:** Senate continued consideration of S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010, taking action on the following amendments proposed thereto: **Pages S2759–S2841**

Adopted:

By 96 yeas to 4 nays (Vote No. 54), Ensign Amendment No. 171, to increase veterans medical care by $410,000,000 in fiscal year 2006.

**Pages S2759, S2787–93, S2806–07**

By 63 yeas to 37 nays (Vote No. 56), Specter/Harkin Amendment No. 173, to increase discretionary health and education funding by $2,000,000,000. **Pages S2762–68, S2808**

Rejected:

By 46 yeas to 52 nays (Vote No. 51), Byrd Amendment No. 158, to provide adequate funding of $1.4 billion in fiscal year 2006 to preserve a national intercity passenger rail system.

**Pages S2759, S2793–95**

By 49 yeas to 51 nays (Vote No. 52) Cantwell Amendment No. 168, to strike section 201(a)(4) relative to the Arctic National Wildlife Refuge.

**Pages S2759, S2768–87, S2795**

By 50 yeas to 50 nays (Vote No. 53), Feingold Amendment No. 186, to fully reinstate the pay-as-you-go requirement. **Pages S2795–S2806**

By 47 yeas to 53 nays (Vote No. 55), Akaka Amendment No. 149, to increase veterans medical care by $2.8 billion in 2006.

**Pages S2759, S2787–93, S2807**

Pending:

Bingaman (for Smith) Amendment No. 204, to create a reserve fund for the establishment of a Bipartisan Medicaid Commission to consider and recommend appropriate reforms to the Medicaid program, and to strike Medicaid cuts to protect states and vulnerable populations. **Pages S2808–17**

Carper Amendment No. 207, to provide for full consideration of tax cuts in the Senate under regular order. **Pages S2718–21**

Snowe Amendment No. 214, to ensure that any savings associated with legislation that provides the Secretary of Health and Human Services with the authority to participate in the negotiation of contracts with manufacturers of covered part D drugs to achieve the best possible prices for such drugs under part D of title XVIII of the Social Security Act, that requires the Secretary to negotiate contracts with manufacturers of such drugs for each fallback prescription drug plan, and that requires the Secretary to participate in the negotiation for a contract for any such drug upon request of a prescription drug plan or an MA-PD plan, is reserved for reducing expenditures under such part. **Pages S2821–25**

Harkin Amendment No. 172, to restore the Perkins Vocational Education program and provide for deficit reduction paid for through the elimination of the phase out of the personal exemption limitation and itemized deduction limitation for high-income taxpayers now scheduled to start in 2006.

**Pages S2825–27**

Hutchison Amendment No. 218, to fully fund the level of Border Patrol Agents authorized by the National Intelligence Reform Act of 2004 and as recommended by the 9/11 Commission. **Pages S2827–29**

Landrieu Amendment No. 219, to establish a reserve fund in the event that legislation is passed to

provide a 50 percent tax credit to employers that continue to pay the salaries of Guard and Reserve employees who have been called to active duty.

**Pages S2829–31**

Salazar/Conrad Amendment No. 215, to provide additional funding for rural education, rural health access, and rural health outreach programs.

**Pages S2831–32**

Conrad (for Dorgan) Amendment No. 210, to repeal the tax subsidy for certain domestic companies which move manufacturing operations and American jobs offshore. **Pages S2832–33**

Collins (for Lieberman/Collins) Amendment No. 220, to protect the American people from terrorist attacks by restoring $565 million in cuts to vital first-responder programs in the Department of Homeland Security, including the State Homeland Security Grant program, by providing $150 million for port security grants and by providing $140 million for 1,000 new border patrol agents.

**Pages S2833–35**

Vitter Amendment No. 223, to express the sense of the Senate that Congress should provide dedicated funding for port security enhancements.

**Pages S2835–36**

Vitter Amendment No. 224, to restore funding for Corps of Engineers environmental programs to fiscal year 2005 levels. **Page S2836**

Allen Modified Amendment No. 197, to increase by $1,582,700,000 over fiscal years 2006 through 2010 funding for Transportation (budget function 400) with the amount of the increase intended to be allocated to the Vehicle Systems account of the National Aeronautics and Space Administration for subsonic and hypersonic aeronautics research.

**Pages S2836–41**

A unanimous-consent agreement was reached providing for further consideration of the resolution at 9 a.m., on Thursday, March 17, 2005; that certain Senators be recognized to offer amendments; and that at approximately 1:20 p.m., Senate begin a series of votes on certain amendments. **Pages S2873–74**

**Nominations Confirmed:** Senate confirmed the following nominations:

Ronald Rosenfeld, of Oklahoma, to be a Director of the Federal Housing Finance Board for the remainder of the term expiring February 27, 2009.

Raymond Thomas Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2009.

Routine lists in the Coast Guard, Foreign Service, National Oceanic and Atmospheric Administration.

**Pages S2873, S2874**

**Messages From the House:** **Page S2845**

**Measures Referred:** **Page S2845**

**Executive Communications:** **Page S2845**

**Executive Reports of Committees:** **Page S2845**

**Additional Cosponsors:** **Pages S2846–47**

**Statements on Introduced Bills/Resolutions:** **Pages S2847–60**

**Additional Statements:** **Pages S2843–45**

**Amendments Submitted:** **Pages S2860–72**

**Authority for Committees to Meet:** **Pages S2872–73**

**Privilege of the Floor:** **Page S2873**

**Record Votes:** Six record votes were taken today. (Total—56) **Pages S2794–95, S2806–08**

**Adjournment:** Senate convened at 9 a.m., and adjourned at 9:48 p.m., until 9 a.m., on Thursday, March 17, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2874.)

# *Committee Meetings*

*(Committees not listed did not meet)*

## APPROPRIATIONS: NAVY

*Committee on Appropriations:* Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Navy, after receiving testimony from Gordon R. England, Secretary of the Navy, Admiral Vern Clark, USN, Chief of Naval Operations, and General Michael W. Hagee, Commandant of Marine Corps, all of the Department of Defense.

## APPROPRIATIONS: DEPARTMENT OF HEALTH AND HUMAN SERVICES

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Health and Human Services, after receiving testimony from Michael O. Leavitt, Secretary of Health and Human Services.

## APPROPRIATIONS: ARMY AND AIR FORCE

*Committee on Appropriations:* Subcommittee on Military Construction and Veterans Affairs concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Army and Air Force, after receiving testimony from Geoffrey G. Prosch, Principal Deputy Assistant Secretary for Installations and Environment, Major General Geoffrey D. Miller, Assistant Chief of Staff, Installation Management, Major General Walter F. Pudlowski, Special Assistant to the Director, Army National Guard, and Brigadier General Gary M. Profit, Deputy Chief, Army Reserve, all of the Department of the Army;

and Fred W. Kuhn, Acting Assistant Secretary for Installations, Logistics, and Environment, and Major General L. Dean Fox, The Air Force Civil Engineer, Deputy Chief of Staff for Installations and Logistics, both of the Department of the Air Force.

## DEFENSE AUTHORIZATION: ARMY TRANSFORMATION

*Committee on Armed Services:* Subcommittee on Airland concluded a hearing to examine Army Transformation and the Future Combat System in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Claude M. Bolton, Jr., Assistant Secretary of the Army for Acquisition, Logistics, and Technology; General Richard A. Cody, USA, Vice Chief of Staff, U.S. Army; Paul L. Francis, Director, Acquisition and Sourcing Management, Government Accountability Office; David R. Graham, Institute for Defense Analyses, Alexandria, Virginia; and Kenneth F. Boehm, National Legal and Policy Center, Falls Church, Virginia.

## DEFENSE AUTHORIZATION REQUEST: NATIONAL SECURITY SPACE POLICY

*Committee on Armed Services:* Committee concluded a hearing to examine national security space policy and programs in review of the Defense Authorization request for fiscal year 2006, after receiving testimony from Peter B. Teets, Acting Secretary of the Air Force; General James E. Cartwright, USMC, Commander, United States Strategic Command; General Lance W. Lord, USAF, Commander, United States Air Force Space Command; Lieutenant General Larry J. Dodgen, USA, Commanding General, United States Army Space and Missile Defense Command, and United States Army Forces Strategic Command; and Vice Admiral Joseph A. Sestak, Jr., USN, Deputy Chief of Naval Operations, Warfare Requirements and Programs.

## IMPROVISED EXPLOSIVE DEVICES

*Committee on Armed Services:* Committee met in closed session to receive a briefing on Improvised Explosive Devices (IED) and the evolving IED threat and the Department of Defense's approach to addressing this issue from General Richard A. Cody, USA, Vice Chief of Staff, United States Army, Brigadier General Joseph L. Votel, USA, Director, Joint IED Task Force, and Robert Buhrkuhi, Director, Joint Rapid Acquisition Cell, Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics).

## IDENTITY THEFT

*Committee on Banking, Housing, and Urban Affairs:* On March 15, 2005, Committee concluded hearings to examine identity theft, focusing on recent developments involving the security of sensitive consumer information, after receiving testimony from Don McGuffey, ChoicePoint, Inc., Alexandria, Virginia; Evan Hendricks, Privacy Times, Cabin John, Maryland; and Barbara J. Desoer, Bank of America Corporate Center, Charlotte, North Carolina.

## BUSINESS MEETING

*Committee on Energy and Natural Resources:* Committee ordered favorably reported the nominations of Jeffrey Clay Sell, of Texas, to be Deputy Secretary of Energy, and Patricia Lynn Scarlett, of California, to be Deputy Secretary of the Interior.

## BUSINESS MEETING

*Committee on Environment and Public Works:* Committee ordered favorably reported the following bills:

S. 606, to amend the Clean Air Act to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence, with amendments; and

The Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2005, with amendments.

## EXPIRING TAX PROVISIONS

*Committee on Finance:* Committee held hearings to examine expiring tax provisions, focusing on the Administration's proposals to extend expiring tax provisions, receiving testimony from Robert J. Carroll, Deputy Assistant Secretary of the Treasury for Tax Analysis; Hy L. Dubowsky, New York State Department of Labor, Albany; Daniel L. Doctoroff, New York Deputy Mayor for Economic Development and Rebuilding, New York; Donald C. Alexander, Akin, Gump, Strauss, Hauer, and Feld LLP, Washington, D.C.; David E. Martin, M–CAM, Charlottesville, Virginia; David Hernandez, EDS, Plano, Texas, on behalf of the R&D Credit Coalition; and Dale Giovengo, Giant Eagle Markets, Pittsburgh, Pennsylvania.

Hearings recessed subject to the call of the Chair.

## ARMS EMBARGO ON CHINA

*Committee on Foreign Relations:* Committee concluded a hearing to examine the lifting of the European Union (EU) arms embargo on China, focusing on United States-EU-China relations, trans-Atlantic differences, the emergence of China as a more powerful global and regional player, Chinese military modernization, and the future security and stability in East Asia, after receiving testimony from Richard F. Grimmett, Specialist in National Defense, Congressional Research Service, Library of Congress; Peter T.R. Brookes, Heritage Foundation, and Bates Gill,

Center for Strategic and International Studies, both of Washington, D.C.

**OBSCENITY PROSECUTION AND THE CONSTITUTION**

*Committee on the Judiciary:* Subcommittee on the Constitution, Civil Rights and Property Rights concluded a hearing to examine obscenity prosecution and the constitution, focusing on prostitution, child prostitution, and human trafficking, after receiving testimony from Robert A. Destro, Catholic University of America Columbus School of Law, and Patrick A. Trueman, Family Research Council, both of Washington, D.C.; and Frederick Schauer, Harvard University John F. Kennedy School of Government, Cambridge, Massachusetts.

**INTELLIGENCE**

*Select Committee on Intelligence:* Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

# House of Representatives

## *Chamber Action*

**Measures Introduced:** 27 public bills, H.R. 1329–1355; and 9 resolutions, H. Con. Res. 100–102 and H. Res. 159–161, 164–166, were introduced. **Pages H1620–22**

**Additional Cosponsors:** **Pages H1622–23**

**Reports Filed:** Report were filed today as follows:

H. Res. 162, providing for consideration of H.R. 1334, to amend title 28, United States Code, to provide for the removal to Federal court of certain State court cases involving the rights of incapacitated persons (H. Rept. 109–20); and

H. Res. 163, waiving a requirement of clause 6(a) of rule XIII with respect to the same day consideration of certain resolutions reported by the Committee on Rules (H. Rept. 109–21). **Page H1620**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Bradley to act as Speaker pro tempore for today. **Page H1511**

**Chaplain** The prayer was offered today by Rev. James P. Campbell, Pastor, Christ Life Church in Woodstock, Illinois. **Page H1511**

**Journal:** Agreed to the Speaker's approval of the Journal by voice vote. **Pages H1511, H1604**

**Committee Election:** The House agreed to H. Res. 147, electing the following Members to the following Committees: Joint Committee on Printing: Representatives Doolittle, Reynolds, Millender-McDonald, and Brady (PA); and **Page H1514**

Joint Committee on the Library: Representatives Ehlers, Miller (MI), Millender-McDonald, and Zoe Lofgren (CA). **Page H1514**

**Emergency Supplemental Wartime Appropriations Act:** The House passed H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 388 yeas to 43 nays, Roll No. 77. The bill was also considered yesterday, March 15. **Pages H1514–26**

Rejected the Hooley motion to recommit the bill to the Committee on Appropriations with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 200 ayes to 229 noes, Roll No. 76. **Pages H1524–25**

Yesterday it was agreed by unanimous consent to limit further amendments offered and the time for debate on such amendments.

Agreed to:

Velázquez amendment (No. 8 printed in the Congressional Record of March 15) that prohibits the use of funds for any contract in contravention of section 15(g)(2) of the Small Business Act; **Pages H1517–18**

Markey amendment (debated yesterday, March 15) that reaffirms the U.S. commitment to the U.N. Convention Against Torture (by a recorded vote of 420 ayes to 2 noes and 3 voting ''present'', Roll No. 75). **Page H1518**

Withdrawn:

Obey amendment that was offered and subsequently withdrawn that would have prohibited the use of funds provided for national intelligence programs until the President submits a proposal on how to inform Congressional committees of clandestine military activities in terrorist-sponsored countries. **Page H1515**

Point of Order sustained against:

Filner amendment that sought to guarantee that companies receiving contracts from the bill make every effort to hire veterans. **Pages H1515–17**

Pursuant to sec. 2 of the H. Res. 151, the text of H.R. 418, to establish and rapidly implement

regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence, was appended to the engrossment of H.R. 1268; and the title of H.R. 1268 was conformed to reflect the addition of the text of H.R. 418. Conformed so as to read: making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence. **Page H1526**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Amending the Internal Revenue Code of 1986:*** H.R. 1270, to amend the Internal Revenue Code of 1986 to extend the Leaking Underground Storage Tank Trust Fund financing rate, by a ⅔ yea-and-nay vote of 431 yeas to 1 nay, Roll No. 80;

**Pages H1526–27, H1545–46**

***Expressing concern regarding the recent passage of the anti-secession law in the People's Republic of China:*** H. Con. Res. 98, expressing the grave concern of Congress regarding the recent passage of the anti-secession law by the National People's Congress of the People's Republic of China, by a ⅔ yea-and-nay vote of 424 yeas to 4 nays, Roll No. 81; and **Pages H1527–29, H1546**

***Protection of Incapacitated Persons Act of 2005:*** H.R. 1332, amended, to amend title 28, United States Code, to provide for the removal to Federal court of certain State court cases involving the rights of incapacitated persons. **Pages H1599–H1604**

**Suspensions—Proceedings Postponed:** The House completed debate on the following measures under suspension of the rules. Further consideration of the measures will resume tomorrow, March 17:

***Expressing concern regarding the continued violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic:*** H. Con. Res. 18, amended, expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic; and **Pages H1529–32**

***Expressing concern regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic:*** H. Con. Res. 32, amended, expressing the grave concern of Congress regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic. **Pages H1532–36**

**Budget Resolution for Fiscal Year 2006:** The House began consideration of H. Con. Res. 95, Establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010. Further consideration will resume tomorrow, March 17.

**Pages H1547–59, H1559–98**

Agreed that during further consideration of the bill, the Hensarling amendment (No. 2 printed in H. Rept. 109–19) may be considered out of the specified order. **Page H1559**

Began consideration of the Hensarling amendment in the nature of a substitute (Republican Study Committee) No. 2 printed in H. Rept. 109–19, that replaces the current 19 functional categories with four functions: Defense, Homeland Security, Non-Defense Discretionary and Mandatory Spending, and Interest; and accepts the Iraq Operations Reserve Fund and creates a new "rainy day" fund for non-military emergencies. Further consideration will resume tomorrow, March 17. **Pages H1587–98**

H. Res. 154, the rule providing for consideration of the measure was agreed to by a yea-and-nay vote of 228 ayes to 196 noes, Roll No. 79, after agreeing to order the previous question by a yea-and-nay vote of 230 yeas to 202 nays, Roll No. 78. **Pages H1536–45**

**Committee Election:** The House agreed to H. Res. 161, electing Representative Matsui to the Committee on Rules. **Page H1547**

**Senate Message:** Message received from the Senate appears on page H1511.

**Quorum Calls—Votes:** Four yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H1518, H1524–25, H1525–26, H1544, H1545, H1545–46, and H1546. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 12 midnight.

# *Committee Meetings*

## U.S. AGRICULTURAL TRADE WITH CUBA

*Committee on Agriculture:* Held a hearing to Review United States Agricultural Trade with Cuba. Testimony was heard from Robert W. Werner, Director, Office of Foreign Assets Control, Department of the Treasury; and public witnesses.

## AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Agricultural, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Under Secretary for Marketing and Regulatory Programs. Testimony was heard from William T. Hawks, Under Secretary, Marketing and Regulatory Programs, USDA.

## ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Department of Energy—Nuclear Waste Disposal and Environmental Management. Testimony was heard from the following officials of the Department of Energy: Theodore J. Garrish, Deputy Director, Office of Civilian Radioactive Waste Management; and Paul Golan, Deputy Assistant Secretary, Office of Environmental Management.

The Subcommittee also held a hearing on the Department of Energy—Fossil Energy. Testimony was heard from Mark Maddox, Deputy Assistant Secretary, Office of Fossil Energy, Department of Energy.

## SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies held a hearing on the DEA. Testimony was heard from Karen P. Tandy, Administrator, DEA, Department of Justice.

## NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

*Committee on Armed Services:* Continued hearings on the Fiscal Year 2006 National Defense Authorization budget request. Testimony was heard from the following officials of the Department of the Air Force: Pete Teets, Acting Secretary; and GEN John P. Jumper, USAF, Chief of Staff.

## MILITARY RECRUITING/PERSONNEL NEEDS

*Committee on Armed Services:* Subcommittee on Military Personnel held a hearing on Recruiting, Retention and Military Personnel Policy, and Benefits and Compensation Overview. Testimony was heard from the following officials of the Department of Defense: Charles S. Abell, Principal Deputy Under Secretary, Personnel and Readiness; LTG F. L. Hagenbeck, USA, Deputy Chief of Staff, Personnel, G–1, Department of the Army; VADM Gerald Hoewing, USN, Chief of Naval Personnel, Department of the Navy; LTG Roger A. Brady, USAF, Deputy Chief of Staff, Personnel, Department of the Air Force; LTG H. P. Osman, USMC, Deputy Commandant, Manpower and Reserve Affairs, U.S. Marine Corps.

## NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

*Committee on Armed Services:* Subcommittee on Tactical Air and Land Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request—Future Combat Systems, Modularity, and Force Protection Initiatives. Testimony was heard from the following officials of the GAO: Paul L. Francis, Director, Acquisition and Sourcing Management; Sharon Pickup, Director, Defense Capabilities and Management; and Janet St. Laurent, Director, Defense Capabilities and Management; and the following officials of the Department of Defense: Claude M. Bolton, Jr., Assistant Secretary, Acquisition, Logistics and Technology, Department of the Army; LTG David F. Melcher, USA, Deputy Chief of Staff, Army G8 (Programming, Materiel Integration, and Management) LTG James J. Lovelace, USA, Deputy Chief of Staff, Army G3 (Operations and Requirements); and LTG James N. Mattis, USMC, Deputy Commandant, Combat Development, U.S. Marine Corps.

## SMALL BUSINESS HEALTH FAIRNESS ACT

*Committee on Education and the Workforce:* Ordered reported H.R. 525, Small Business Health Fairness Act of 2005.

## E-RATE PROBLEMS

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing on Problems with the E-rate Program: GAO Review of FCC Management and Oversight. Testimony was heard from Mark L. Goldstein, Director, Physical Infrastructure Issues, GAO; and the following officials of the FCC: Jeffrey Carlisle, Chief, Wireline Competition Bureau; and Thomas Bennett, Assistant Inspector General for USF Oversight.

## INTERNET COMMUNICATIONS

*Committee on Energy and Commerce:* Subcommittee on Telecommunications and the Internet held a hearing entitled "How Internet Protocol-Enabled Services Are Changing the Face of Communications: A Look at the Voice Marketplace." Testimony was heard from public witnesses.

## MISCELLANEOUS MEASURES

*Committee on Financial Services:* Ordered reported the following measures: H.R. 458, Military Personnel

Financial Services Protection Act; H.R. 749, amended, Expanded Access to Financial Services Act of 2005; H.R 280, Brownfields Redevelopment Enhancement Act; H.R. 804, to exclude from consideration as income certain payments under the national flood insurance program; H.R. 1057, amended, True American Heroes Act; and H.R. 902, amended, Presidential $1 Coin Act.

## MISCELLANEOUS MEASURES; OVERSIGHT PLAN; GSA STREAMLINING

*Committee on Government Reform:* Ordered reported the following measures: H. Res 142, Supporting the goals and ideals of a ''Rotary International Day'' and celebrating and honoring Rotary International on the occasion of its centennial anniversary; and H. Res. 148, Supporting the goals and ideals of Financial Literacy Month.

The Committee also approved an Oversight Plan for the 109th Congress.

The Committee also held a hearing entitled ''Service Oriented Streamlining: Rethinking the Way GSA Does Business.'' Testimony was heard from the following officials of the GSA: Stephen A. Perry, Administrator; and Eugene Waszily, Assistant Inspector General, Auditing; Deidre Lee, Director, Defense Procurement and Acquisition Policy, Department of Defense; and public witnesses.

## OVERSIGHT—ENERGY DEMANDS

*Committee on Government Reform:* Subcommittee on Energy and Resources held an oversight hearing entitled ''Energy Demands in the 21st Century: Are Congress and the Executive Branch Meeting the Challenge?'' Testimony was heard from Jim Wells, Director, Natural Resources and Environment, GAO; Guy Caruso, Administrator, Energy Information Administration, Department of Energy; and a public witness.

## ARMY NATIONAL GUARD TRAVEL REIMBURSEMENT PROCEDURES

*Committee on Government Reform:* Subcommittee on Government Management, Finance, and Accountability held a hearing entitled ''Strengthening Travel Reimbursement Procedures for Army National Guard Soldiers.'' Testimony was heard from the following officials of the Department of Defense: Patrick T. Shine, Director, Military and Civilian Pay Services, Defense Finance and Accounting Service; Roy Wallace, Director, Plans and Resources, Department of the Army; and John Argodale, Deputy Assistant Secretary, Financial Operations, Office of the Assistant Secretary of the Army, Financial Management and Comptroller; and Gregory D. Kutz, Director, Financial Management and Assurance, GAO.

## COMMITTEE FUNDING

*Committee on House Administration:* Met to consider funding requests for the following Committees: Transportation and Infrastructure; Science; Veterans Affairs; Government Reform; House Administration; Homeland Security, Education and the Workforce; Energy and Commerce; Standards of Official Conduct; Ways and Means; Resources; and the Select Committee on Intelligence.

## U.S. LIBYAN RELATIONS

*Committee on International Relations:* Held a hearing on Libya: Progress on the Path Toward Cautious Reengagement. Testimony was heard from William J. Burns, Acting Under Secretary, Political Affairs, Department of State.

## OVERSIGHT—NORTHERN IRELAND HUMAN RIGHTS

*Committee on International Relations:* Subcommittee on Africa, Global Human Rights and International Operations held an oversight hearing on Northern Ireland Human Rights: Update on the Cory Collusion Inquiry Reports. Testimony was heard from Mitchell Reiss, Special Envoy of the President and The Secretary of State for Northern Ireland, Department of State; and public witnesses.

## BANKRUPTCY REFORM; JEFF GANNON INVESTIGATION

*Committee on the Judiciary:* Ordered reported S. 256, Bankruptcy Abuse Prevention and Consumer Protection Act of 2005.

The Committee adversely reported H. Res. 136, Directing the Attorney General and the Secretary of Homeland Security to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of those officials relating to the security investigations and background checks relating to granting access to the White House of James D. Guckert (also known as Jeff Gannon).

## OVERSIGHT—U.S. ENERGY AND MINERAL NEEDS SECURITY AND POLICY

*Committee on Resources:* Subcommittee on Energy and Mineral Resources held an oversight hearing on U.S. Energy and Mineral Needs Security and Policy: Impacts of Sustained Increases in Global Energy and Mineral Consumption by Emerging Economics Such as China and India. Testimony was heard from Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy; Dave Menzie, Chief, International Minerals Section, U.S. Geological Survey, Department of the Interior; Jeffrey Logan, China Program Manager, International Energy Agency; and public witnesses.

## MISCELLANEOUS MEASURES

*Committee on Resources:* Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 410, Northern Arizona Land Exchange and Verde River Basin Partnership act of 2005; H.R. 599, Federal Lands Restoration Enhancement, Public Education, and Information Resources Act of 2005, and H.R. 975, Trail Responsibility and Accountability for the Improvement of Lands Act. Testimony was heard from Joel Holtrop, Deputy Chief, National Forest System, Forest Service, USDA; Kim Thorsen, Assistant Director, Office of Law Enforcement and Security, Department of the Interior; Joe Donandson, Mayor, Flagstaff, Arizona; and public witnesses.

## PROTECTION OF INCAPACITATED PERSONS ACT OF 2005

*Committee on Rules:* Granted, by voice vote, a closed rule providing one hour of debate in the House on H.R. 1334, Protection of Incapacitated Persons Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. Finally, the rule provides one motion to recommit.

## SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

*Committee on Rules:* Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules committee. The rule applies the waiver to any special rule reported on the legislative day of March 17, 2005, providing for consideration of a bill relating to the rights of an incapacitated person or persons.

## FUTURE OF AERONAUTICS AT NASA

*Committee on Science:* Subcommittee on Space and Aeronautics held a hearing on the Future of Aeronautics at NASA. Testimony was heard from J. Victor LeBacqz, Associate Administrator, Aeronautics Research Mission Directorate, NASA; and public witnesses.

## REGULATORY FLEXIBILITY IMPROVEMENTS ACT

*Committee on Small Business:* Held a hearing entitled "The RFA at 25: Needed Improvements for Small Business Regulatory Relief." Testimony was heard from Thomas Sullivan, Chief Counsel for Advocacy, SBA; and public witnesses.

## OVERSIGHT—MEMBER PROJECTS REQUESTS

*Committee on Transportation and Infrastructure:* Subcommittee on Water Resources and Environment held an oversight hearing on Member Project Requests for the Water Resources Development Act of 2005. Testimony was heard from Representatives Kanjorski, Shays, Pallone, Rohrabacher, Castle, Foley, McGovern, Hinojosa, Allen, Wilson of New Mexico, Holt, Miller of Michigan, Carnahan, Westmoreland, Jindal and Stupak.

## PRESIDENT'S FISCAL YEAR 2006 BUDGET FOR DEPARTMENT OF LABOR

*Committee on Ways and Means:* Held a hearing on the President's Fiscal Year 2006 Budget for the Department of Labor. Testimony was heard from Elaine Chao, Secretary of Labor.

## BUDGET HEARING

*Permanent Select Committee on Intelligence:* Met in executive session to continue hearings on the Budget. Testimony was heard from departmental witnesses.

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## COMMITTEE MEETINGS FOR THURSDAY, MARCH 17, 2005

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Armed Services:* to hold hearings to examine current and future worldwide threats to the national security of the United States; to be followed by a closed hearing in SH–219, 9:30 a.m., SD–106.

Subcommittee on SeaPower, to hold hearings to examine posture of the U.S. Transportation Command in review of the Defense Authorization request for fiscal year 2006, 3 p.m., SR–232A.

*Committee on Banking, Housing, and Urban Affairs:* business meeting to markup The Federal Public Transportation Act of 2005, 11 a.m., SD–538.

*Committee on Commerce, Science, and Transportation:* Subcommittee on Oceans, Fisheries and Coast Guard, to hold hearings to examine the President's proposed budget request for fiscal year 2006 for the Coast Guard Operational Readiness/Mission Balance, 10 a.m., SR–253.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine the nomination of Lester M. Crawford, of Maryland, to be Commissioner of Food and Drugs, Department of Health and Human Services, 9:30 a.m., SD–430.

*Committee on the Judiciary:* business meeting to consider pending calendar business, 9:30 a.m., SD–226.

*Committee on Veterans' Affairs:* to hold hearings to examine the report entitled, "Back from the Battlefield: Are we providing the proper care for America's Wounded Warriors?", 10 a.m., SR–418.

## House

*Committee on Appropriations,* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Under Secretary for Rural Development, 9:30 a.m., 2362A Rayburn.

Subcommittee on Defense, on Air Force Posture, 10 a.m., 2359 Rayburn, and executive, on Air Force Acquisition, 1:30 p.m., H–140 Capitol.

Subcommittee on The Department of Homeland Security, on Citizenship and Immigration Services, 2 p.m., 2359 Rayburn.

Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies, on Secretary of Labor, 10 a.m., 2358 Rayburn.

Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, on the Secretary of Labor, 10 a.m., 2358 Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, on Bureau of Indian Affairs, 2 p.m., B–308 Rayburn.

Subcommittee on Science, The Departments of State, Justice, Commerce, and Related Agencies, on SBA, 10 a.m., and on Federal Prison System, 2 p.m., H–309 Capitol.

*Committee on Armed Services,* hearing on current operations and the political transition in Iraq, 9 a.m., 2118 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on the Fiscal Year 2006 National Defense Authorization budget request—United States Special Operations Command policy and programs, 3 p.m., 2212 Rayburn.

*Committee on Education and the Workforce,* Subcommittee on 21st Century Competitiveness and the Subcommittee on Select Education, joint hearing entitled ''Tracking International Students in Higher Education: A Progress Report,'' 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Health, hearing entitled ''Setting the Path for Reauthorization: Improving Portfolio Management at the NIH,'' 9:30 a.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''A Review of Security Initiatives at DOE Nuclear Facilities,'' 10 a.m., 2123 Rayburn.

*Committee on Financial Services,* Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''A Review of the Securities Arbitration System,'' 2 p.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing on H.R. 1185, Deposit Insurance Reform Act of 2005, 9:30 a.m., 2128 Rayburn.

*Committee on Government Reform,* hearing entitled ''Restoring Faith in America's Pastime: Evaluating Major League Baseball's Efforts to Eradicate Steroid Use,'' 10 a.m., 2154 Rayburn.

*Committee on International Relations,* oversight hearing on U.S. Counternarcotics Policy in Afghanistan: Time for Leadership, 11 a.m., 2172 Rayburn.

Subcommittee on Africa, Global Human Rights and International Operations, oversight hearing on A Global Review of Human Rights: Examining the State Department's 2004 Annual Report, 1:30 p.m., 2220 Rayburn.

Subcommittee on International Terrorism and Nonproliferation, oversight hearing on the United Nations and the Fight Against Terrorism, 2:30 p.m., 2255 Rayburn.

Subcommittee on Oversight and Investigations, oversight hearing on The United Nations Oil-for-Food Program: The Cotecna and Saybolt Inspection Firms, 1:30 p.m., 2172 Rayburn.

*Committee on the Judiciary,* Subcommittee on the Constitution, oversight hearing on the U.S. Commission on Civil Rights, 9 a.m., 2141 Rayburn.

Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on Holmes Group, the Federal Circuit, and the State of Patent Appeals, 3:30 p.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism, and Homeland Security, oversight hearing on Responding to Organized Crimes Against Manufacturers and Retailers; followed by mark up of H.R. 32, Stop Counterfeiting in Manufactured Goods Act, 1 p.m., 2141 Rayburn.

*Committee on Resources,* oversight hearing on a measure to amend the Indian Gaming Regulatory Act to restrict off-reservation gaming, 2 p.m., 1324 Longworth.

Subcommittee on National Parks, oversight hearing on the Fiscal Year 2006 National Park Service Budget, 10 a.m., 1324 Longworth.

*Committee on Science,* to mark up the following measures: H.R. 1023, Charles ''Pete'' Conrad Astronomy Awards Act; H.R. 1158, To reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; H.R. 28, High-Performance Computing Revitalization Act of 2005; H.R. 1215, Green Chemistry Research and Development Act of 2005; H. Con. Res. 96, Recognizing the significance of African American women in the United States scientific community; and H.R. 798, Methamphetamine Remediation Research Act of 2005, 10 a.m., 2318 Rayburn.

*Committee on Small Business,* Subcommittee on Rural Enterprise, Agriculture and Technology, hearing entitled ''The High Price of Natural Gas and its Impact on Small Businesses: Issues and Short Term Solutions,'' 10 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure,* Subcommittee on Economic Development, Public Buildings and Emergency Management, oversight hearing on The Administration's ''Strengthening America's Communities'' Initiative and its impact on economic development, 2 p.m., 2167 Rayburn.

*Committee on Ways and Means,* Subcommittee on Health, hearing on Managing the Use of Imaging Services, 10 a.m., 1100 Longworth.

*Permanent Select Committee on Intelligence,* executive, on hearing on Global Updates, 9 a.m., and executive, hearing on the Budget, 1:30 p.m., H–405 Capitol.

*Next Meeting of the* SENATE

9 a.m., Thursday, March 17

Senate Chamber

**Program for Thursday:** Senate will continue consideration of S. Con. Res. 18, Concurrent Budget Resolution, certain Senators will offer amendments, and at approximately 1:20 p.m., the Senate will vote on, or in relation to, certain amendments.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 17

House Chamber

**Program for Thursday:** Continue consideration of H. Con. Res. 95, Budget Resolution for FY 06 (structured rule).

Rolled vote on Hensarling amendment to H. Con. Res. 95, Budget Resolution for Fiscal Year 2006.

Rolled votes on Suspensions:

(1) H. Con. Res. 18, amended, expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic; and

(2) H. Con. Res. 32, amended, expressing the grave concern of Congress regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic.

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