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House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, our Defender in Battle and Cause of Peace, be with this body as it completes its legislative work this week and asks Your blessing upon the Nation.

This Congress is ever assisted by liaison offices and the personnel of our military forces in the United States. This tour of duty by the military here on Capitol Hill must be most pleasing in Your sight, as our Supreme Commander.

With strategic information and military training, this liaison force helps Congressional Members and committees to resolve military issues and accomplish mutual undertakings that solidify necessary operations by this government. The daily work of men and women of the military bolsters the House of Representatives and its resolve to protect and defend this Nation. Their constant presence is a regular invitation of all of us to turn to You, Almighty God, and lift up to You all our men and women in military uniform and their families, especially those who are presently deployed in Afghanistan and Iraq.

As Memorial Day approaches, we praise You, Lord God, and thank You for the service and dedication of our military, especially those who have made the ultimate sacrifice of themselves for the good of us all. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) come forward and lead the House in the Pledge of Allegiance.

Ms. LINDA T. SÁNCHEZ of California 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain 10 1-minute speeches per side.

CONGRATULATIONS TO KEY WEST HIGH SCHOOL

(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, I rise today to honor and congratulate the newest baseball, State of Florida, High School Champions, the Key West High School baseball team.

Located in the southernmost point of Florida, the Conchs captured their 11th State title by beating Orlando Bishop Moore by a score of 7–0. This is the first State title for the Conchs since 1998, capping an incredible season.

At the beginning of the year, the Conchs were ranked fifth in the Nation by Baseball America Magazine, and they surely did not disappoint. Their 27-to-5 record demonstrates their commitment and their resilience, Mr. Speaker.

Key West High School is the little school that could; and, boy, they sure did. Congratulations to the Key West High School baseball team on its incredible season. Hats off to the athletes, their proud parents, the coaching staff, the school administrator, the Monroe County Public School Superintendent Randy Acevedo, and all of the proud residents of Monroe County, and most especially Key West. Their win is a victory for all of Monroe County. Go Conchs!

UNIVERSAL HEALTH CARE FOR ALL

(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, health care in this country is a crisis of major proportions. Seniors are still splitting pills to make their medications last. People will not go to a doctor because they cannot afford it. Only if some are near death will they rush to the hospital. It is clearly time for a universal, single payer, not-for-profit health care system called Medicare For All, and that is exactly what H.R. 676, sponsored by the gentleman from Michigan (Mr. CONYERS) and by myself would achieve.

Medicare For All will cost the same amount the Nation currently spends for health care overall, but funds will be reallocated to cover everyone, to improve care and eliminate cost for individuals. And here is what would be covered: all medically necessary procedures, primary care and prevention, inpatient care, outpatient care, emergency care, prescription drugs, long-term care, mental health, dental health, and vision care, as well as chiropractic services.

It is time for us to realize a primary purpose of our government is to make sure our people are healthy. Health care is a basic right in a democratic society.

I am urging support for H.R. 676.

COMMENDING LAKE WORTH, FLORIDA POLICE DEPARTMENT ON HEROIC RESPONSE

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

Printed on recycled paper.

Mr. FOLEY. Mr. Speaker, at 3:48 a.m. on the morning of Sunday, May 22, an 8-year-old girl from my hometown of Lake Worth, Florida, was reported missing. She was thought to have been abducted by someone she knew and the Lake Worth Police Department quickly went into action.

In coordination with the Florida Department of Law Enforcement, an Amber Alert was issued at 7:30 a.m. and an all-points bulletin, including off-duty police, were called in to respond. Under the leadership of Deputy Chief Patrick Hampshire, more than 100 officers from five agencies responded within an hour.

Sergeant Michael Hall was charged with searching for her at the city dump. Opening a large bin, Sergeant Hall found cement blocks, but on a second look he saw the faint shadow of a small hand. With the help of Corporal Robert Cresswell of the Palm Beach Sheriff's Department, Lieutenant Dave Matthews of the Lake Worth Police Department, Special Agent Mike Driscoll of the Florida Department of Law Enforcement, the searchers were able to get this young girl out from under these blocks and debris and save her life. SWAT Medic Earl Bakki gave her medical attention until she could get to the hospital.

Mr. Speaker, these are true heroes, working as a team and using the tools they had been provided to save this young, precious life. I want to commend Chief William Smith and the members of the Lake Worth Police Department for their swift, heroic response on Sunday, as well as the Palm Beach County Sheriff's Department, Lantana Police Department, Boca Raton Police Department, the Florida Department of Law Enforcement for aiding in the search for this young girl.

TRIBUTE TO KATIE BROWNELL

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to salute a young girl who is truly in a league of her own, Kate Brownell.

Katie is a shy 11-year-old girl of few words, but when she gets on the baseball field she lets her pitching do the talking, and she rocks. Brownell is the only girl in the Oakfield-Alabama Little League Baseball Program. Last week, she threw a perfect game for the Dodgers in an 11–0 victory for the Yankees.

How dominant was she? She struck out all 18 batters she faced, yielding no more than two balls to any batter in a 6-inning victory. Katie accomplished something that league officials cannot remember anyone, boy or girl, ever doing. Brownell is not just good at pitching, she is also great at the plate, and her batting average is .714.

When I first read her story, I was excited and inspired by this young girl's talent. I was so impressed that I wanted to be sure to come down to the floor and recognize her achievement. She exemplifies what you can achieve, regardless of gender.

That is why it is bewildering to me that in this day and age we are debating whether or not to allow women in combat. If anything, young women like Katie serve to remind us that we can pretty much do anything that men can, and sometimes even better.

WE NEED THE MARRIAGE PROTECTION AMENDMENT

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

Mr. PITTS. Mr. Speaker, the States should decide. Is that not what we heard in debate on gay marriage?

Well, that is what Nebraska did, with a constitutional amendment passed by their State legislature and approved by over 70 percent of their voters in a referendum. The State decided that the definition of marriage should be limited to one man and one woman, a definition that nearly everyone in this country agrees with.

But recently an activist Federal judge disagreed and the duly enacted law of the State, the decision of the State and its reelected representatives and voters, was overruled by an activist Federal court.

Does not sound like States deciding to me. On the contrary, it is exactly what many of us have said would happen, activist courts would erode the will of the people in States like Nebraska. The other side, the side screaming for States' rights just 10 months ago, has not said a word while Federal courts decide and impose their will of what marriage is on the States.

This is too far. We need to act. The Federal Marriage Protection Amendment will ensure that States decide this issue of critical importance. If the other side really believes their own rhetoric, they will back this amendment and fight for judges who allow the people and their elected representatives to debate and decide cultural issues.

CARIBBEAN-AMERICAN HERITAGE BILL

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

Ms. LEE. Mr. Speaker, there are many Caribbean Americans who have helped to shape American government, politics, business, arts, education, science and culture: Sidney Poitier, Tito Puente, Colin Powell, Edwidge Danticat, Harry Belafonte, Julia Alvarez, Kelsey Grammer, Wyclef Jean, Celia Cruz, Mervyn Dymally, Raul Julia, Jesus Colon, Gloria Estafan, Shirley Chisholm, Alex Rodriguez, and John Point du Sable. These are just a few Caribbean Americans who have contributed so much to the United States.

This year, I reintroduced a resolution which we introduced last year, H. Con. Res. 71. It is a bipartisan and long-overdue effort to create a national Caribbean American Heritage Month. I ask all of my colleagues to join me, the 72 cosponsors, and numerous Caribbean American voices from across the country who have supported this measure.

When we return from the Memorial Day recess, I hope the House will consider this bipartisan goodwill resolution that honors the legacy and the diversity of the Caribbean American community. It is long overdue.

ECONOMIC GROWTH

(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, earlier this week I came to the floor to share great economic news from my State of Tennessee. We had just learned that Tennessee expects to have a $272 million boost in sales revenue, State revenues. It appears that our fight to restore the sales tax deductibility to our Federal income tax is paying off big time, and we thank the leadership for that.

But, Mr. Speaker, the good thing we have learned is that this news is not just limited to Tennessee. Just this morning the Bureau of Economic Analysis revised the Nation's first quarter growth upward. America's GDP grew at 3.5 percent, not 3.1 percent, as had previously been estimated.

If you do not know what that means, let me tell you. It means that the Republican support for lower taxes and less regulation is paying off. It works. It works. In April, America's free enterprise system created 274,000 new jobs.

Everyone in this body should recognize the fact that our leadership and our majority are putting America on the right track for growth and job creation.

ACCOMPLISHMENTS OF REPUBLICAN-LED CONGRESS TO DATE

(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, as we head home for the Memorial Day recess this weekend, let us take a look at all of the accomplishments of our Republican-led Congress so far this year: bankruptcy reform, class action fairness, REAL ID Act with immigration reform, permanent repeal of the death tax, continuity of government, comprehensive energy policy, and many others that I would like to list, but the time is too short.

All of these bills were overwhelmingly bipartisan and overwhelming

common-sense, good government legislation. Constituents will appreciate the fact that Republicans are listening to their concerns and taking positive, productive steps to reach solutions.

There is much work to do, and we are methodically getting that work done. It may not be flashy, but it is responsibility in action, and Americans appreciate this. Republicans will continue to tackle the tough issues of the day rather than pass the buck on to future generations. Americans may not read about it in their newspapers or hear about it on the nightly news; however, solutions are happening here and now.

Mr. Speaker, success is defined in terms of solutions, not in terms of rhetoric, and solutions are what Republicans are bringing to the American people.

□ 1015

IN HONOR OF TODD VENETTE

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

Mr. BOOZMAN. Mr. Speaker, I rise today to mourn the loss of a great American, Todd Venette, whose life was cut short by a terrorist attack in Iraq.

Todd, a former Marine, was helping Iraq's young democracy as a government contractor when he was killed by a terrorist car bomb in Baghdad. As his friends and family would tell you, Todd was a selfless person who volunteered to reenlist shortly after the war in Iraq started. When he completed his tour, his dedication to the mission led him to return to Iraq as a government contractor.

A giving person, a mentor, and a servant are among the words that have been used to describe Todd. As a firefighter in Russellville, Arkansas. Todd helped protect the community. His service to the people of Russellville did not end there. Todd was instrumental in establishing a wrestling program for kids at the local Boys and Girls Club, putting his talents to work as a mentor to shape the lives of young people of Russellville in a positive way.

Mr. Speaker, Todd touched many people in his short life. I ask my colleagues to keep Todd's family and friends in their thoughts and prayers during these very difficult times.

RECOGNIZING JIM LONGWORTH

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

Ms. FOXX. Mr. Speaker, I rise today to recognize and congratulate Triad Today for being awarded the Spectrum of Democracy Award for Responsible Election Coverage by the North Carolina Center For Voter Education. The program is aired in the Fifth Congressional District on Sinclair Broadcasting's WXLV/WUPN station covering the Winston-Salem/Greensboro/High Point metropolitan area.

Triad Today was created October 2003 by veteran television broadcaster, author, and columnist Jim Longworth. It is the Piedmont Triad's only local television talk show. Its guests have included Senators and Congressmen, mayors and sports celebrities like Richard Petty. But most of the time it serves the community by disseminating information about the issues that matter the most to the community, like health care, public safety, and government.

But it was another kind of public service for which Triad Today was recently recognized. During the 2004 election cycle, Jim Longworth distributed free blocks of air time on his show to scores of congressional and gubernatorial candidates. His action helped raise citizen awareness of candidates and issues and encouraged more people to participate in the political process. For this, Mr. Longworth and Triad Today were awarded the Spectrum of Democracy Award.

Mr. Speaker, the press has a responsibility to fulfill its role as the fourth estate, that is, to serve as a guardian of democracy and defender of the public interest. I am pleased to congratulate Triad Today for its outstanding commitment to keeping the community informed.

REPUBLICANS RETURN CONTROL TO THE AMERICAN PEOPLE

(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, Ronald Reagan once said that the government's view of the economy could be summed up in a few short phrases: if it moves, tax it. If it keeps moving, regulate it; and if it stops moving, subsidize it.

I believe the American people, not the government, have a better view of our economy. By working to remove the economic barriers of taxation, litigation and regulation, House Republicans are returning control of the economy to the American people. The 109th Congress has passed legislation this year which will permanently repeal the death tax, decrease the deficit, strengthen American borders, prevent frivolous lawsuits, improve our highways, and provide our country with a comprehensive energy policy.

In my home State of South Carolina, the unemployment rate continues to decrease and over 1,300 new jobs have been created since March. This great news is positive proof that the Republican leaders are creating more jobs, growing the economy, and returning control to the American people.

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

THE HISTORY OF MEMORIAL DAY

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

Mr. SHIMKUS. Mr. Speaker, as we prepare to celebrate Memorial Day, let me give a brief history lesson. We know that Southern families decorated the graves of their fallen friends after the Civil War on what was known as Decoration Day.

However, it was a former Member of Congress, a Democrat-turned-Republican, an individual who got elected to the Senate, General John A. Logan, who gets credit for memorializing Memorial Day as he established the Grand Army of the Republic and issued General Order 31 which formerly established Memorial Day.

General Logan was from Illinois in the deep southern part of the State. He was a congressman, a U.S. Senator and a vice presidential candidate. He is memorialized with a statue here in Washington, DC and a statue in Raleigh, North Carolina, where he kept Union soldiers from burning down the city. He also has a community college named after him in the southern part of the State of Illinois.

As we remember the men and women who have fallen in combat, let us also remember our soldiers from all wars and the folks that made it possible for us to have and celebrate Memorial Day, and one of those individuals is General John A. Logan.

HONORING OUR VETERANS

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

Mrs. MILLER of Michigan. Mr. Speaker, shortly after the conclusion of the Civil War, a group of veterans began a tradition known as Decoration Day. The day was set aside to decorate the graves of the men who had perished during battle, and it was believed Decoration Day was always during the month of May because flowers needed for the occasion were finally blooming. Two centuries later, Decoration Day is now Memorial Day, but two core traditions remain: we honor those who died protecting our Nation, and we still do so in May when the flowers are blooming.

Today, as our Nation spends it third consecutive Memorial Day at war, we remember the men and women who made the ultimate sacrifice defending the precious gift of liberty. We honor the people who have left behind husband, wives, children and parents, as well as the riches and celebrations of life, to fight for the freedoms of all Americans; and we should remain always remindful of that symbolic tradition of Decoration Day, that flowers will bloom, a beautiful America will bloom from the sacrifices made by our fallen veterans.

Mr. Speaker, we give thanks for the service of our veterans; and to those who served and paid the ultimate price, we give our deepest thanks.

PROVIDING FOR CONSIDERATION OF H.R. 2528, MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2006

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 298 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 298

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 bill (H.R. 2528) making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. 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 Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, 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.

The SPEAKER pro tempore (Mr. LATHAM). The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

Mr. GINGREY. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), 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. Speaker, H. Res. 298 is an open rule providing for consideration of H.R. 2528, the Military Quality of Life and Veterans Affairs Appropriations Act of 2006. The rule allows for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. It waives all points of order against consideration of the bill. It waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI, prohibiting unauthorized appropriations or legislative provisions in an appropriations bill.

It authorizes the Chair to accord priority and recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD, and it provides one motion to recommit with or without instructions. Under the rules of the House, the bill shall be read for amendment by paragraph.

Mr. Speaker, today I am proud to present for consideration the rule for the very first Military Quality of Life and Veterans Affairs Appropriation bill. This important subcommittee was formed to take an all-inclusive look at the programs related to the quality of life for the brave servicemen and -women who currently serve America in the Armed Forces, their families and those men and women who sacrificed so much for our freedom in the past.

I also believe the bill before us achieves this important goal in a fiscally responsible manner. The new subcommittee held 14 hearings this year covering a wide range of issues pertaining to their new jurisdiction, and I believe their product is a strong one.

The underlying bill totals $121.8 billion of which $85.2 billion is discretionary and $36.6 billion is mandatory. The discretionary funding level represents a $1 billion increase above the President's request and $5.9 billion above last year's enacted level. The bill funds the Department of Veterans Affairs at $68.1 billion, $2.3 billion above the fiscal year 2005 enacted level, and $635 million above the 2006 budget request.

Particularly important is the $21 billion for veterans medical services, $1.6 billion above the 2005 enacted level and a billion dollars more than the budget request. This is an 8.5 percent increase over last year's level, and an 18.2 percent increase in medical services from fiscal year 2004.

Perhaps most importantly, and what I heard the most about from the veterans back home in northwest Georgia, is that this bill does not contain any new fees for veterans medical services or prescription drugs. The bill restores funding for long-term care to the level it was in the fiscal year 2005 appropriation legislation, and the bill directs the Secretary to work with the National Association of State Veterans Homes to generate an agreeable policy to make the program function more effectively for the veterans and for the taxpayer.

Mr. Speaker, there are two State veterans homes in Georgia that are hugely important to many aging citizens and their families, and I am personally grateful for this measure.

Additionally, the bill includes language directing the Department to spend more than $2.2 billion on specialty mental health care in fiscal year 2006, an important issue that many Members of Congress brought to the attention of the chairman. The subcommittee also included report language directing the VA to double the funding available for mental health research.

For the Department of Defense, the bill provides a total of $53.5 billion, and within this total is funding for military construction, for family housing construction and maintenance, basic allowance for housing payments, facilities maintenance, modernization, and environmental restoration.

Also included in this bill is $20 billion for the Defense health program. This is an increase of $1.8 billion above the fiscal year 2005 enacted level, and it is $192.3 million above the 2006 Presidential budget request.

This amount will sufficiently allow for ongoing preparation of our brave soldiers, sailors, airmen and Marines while caring also for their families at home.

□ 1030

Finally, the subcommittee has allowed for greatly enhanced interaction between the Department of Defense and the VA to explore joint ventures that can enhance a continuity of services provided between the two departments.

Mr. Speaker, in a tough budget year such as this, we have a responsibility to make sure that scarce resources are allocated in the most effective and efficient manner possible. This bill achieves that goal.

Mr. Speaker, I would be remiss if I did not acknowledge Subcommittee Chairman WALSH, Ranking Subcommittee Member EDWARDS and, of course, Chairman LEWIS for their vision and hard work on this bill. I look forward to this debate, and I encourage my colleagues to support the rule and the underlying bill.

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

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Georgia for yielding me the customary 30 minutes, and I yield myself 5 minutes.

Mr. Speaker, this is the first year that the House will consider a military quality of life-VA appropriations bill. As a result of the subcommittee realignment adopted earlier this year by the Appropriations Committee, military construction, Defense Department health programs and all veterans' programs are now contained in this one appropriations bill.

I want to commend Chairman WALSH and Ranking Member EDWARDS for the bill that they have crafted. Both gentlemen are well known for their skill at reaching out and working in a bipartisan manner and this bill reflects that collaboration as well as their deep commitment to our uniformed men and women and their families, both those in current service and those who have honored our Nation with past service.

Regrettably, while H.R. 2528 is a significant improvement over the President's shameful budget for veterans' health care, even this bill will not get the job done for the men and women who are depending on the Department

of Veterans Affairs to meet their health care needs. I appreciate that this bill is $1 billion more than the President suggested for veterans' medical services, but a significant portion of that increase is offset by cutting the very personnel and equipment necessary for the VA to carry out its mission and provide timely, and quality, service to our veterans. Further, the increases in this bill are simply not enough to keep up with inflation and the rapidly growing number of veterans needing services from the VA.

Mr. Speaker, more than 20 percent of soldiers who have left active duty after service in Iraq or Afghanistan have sought health care services from the VA, and with no end of combat in sight, I am sure that that number will continue to rise. Recent studies show that the mental and psychological impact of war is taking its toll on our newest generation of veterans. Through February 11, 2005, according to a study performed by the VA, over 17,000 veterans of the Iraq and Afghanistan wars have been diagnosed with mental disorders. The New England Journal of Medicine reported last July that nearly one in five soldiers is leaving the war with post-traumatic stress disorder and other mental health problems.

How can we ensure the successful treatment and rehabilitation of these veterans when we know that the system in place is already insufficient to meet current needs?

Mr. Speaker, this bill does not meet the needs of our veterans, old or new, because it simply does not provide the resources for the transition from soldier to veteran. It does not provide the resources needed to update and modernize crumbling facilities. It does not provide the funds to adequately staff and equip veterans' health care problems. You can spin it all you want, but those are the facts.

This is an important question of priorities, Mr. Speaker, and the Members of this House should have a chance to debate and vote on these priorities.

Last night in the Rules Committee, the gentleman from Wisconsin (Mr. OBEY) presented a very simple amendment to provide an additional $2.6 billion for veterans' health care. To pay for this increase, the amendment proposed reducing the tax cut for people making over $1 million this year in taxable income from $140,000 to $129,000.

But the Republicans on the Rules Committee said ''no,'' Mr. Speaker. They voted not to allow the amendment to be debated on the floor today. They voted to deny every Member of this House from expressing what their priorities would be if given a chance to vote on the matter: a slightly smaller tax cut for millionaires? Or $2.6 billion for our veterans? That is the choice. A smaller tax cut for millionaires, or to make sure our veterans get the health care that they need and that they deserve and have earned.

Mr. Speaker, it was even suggested in the Rules Committee last night that millionaires need this tax cut more than our veterans returning from Iraq and Afghanistan need the services provided by the veterans' health system. I could not disagree more. If this rule passes, the Members of this House will be denied their right to debate and vote on whether or not it is a priority for them to adequately fund the VA and health care for America's veterans.

At the end of this debate today, Mr. Speaker, I will call for a vote on the previous question. If the previous question is defeated, I will amend the rule so that we can consider and vote on the Obey amendment to increase funding for veterans' health services.

Last night, Mr. Speaker, the Republican majority on this floor voted to deny adequate health care to our National Guard and Reserves. It was shameful what happened on the floor last night. Today, they have a chance to redeem themselves by voting ''no'' on the previous question and allowing the Obey amendment to be voted on on this floor today.

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

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

In regard to the gentleman's comments about mental health care for our veterans, for the first time ever, the President proposed and Congress provided a dedicated pool of resources, actually $2.2 billion, to provide specialty mental health care to veterans, particularly those who are returning from the combat area, as so many are now.

In order to better serve combat veterans, the Department of Veterans Affairs is directed to do a comprehensive study on post-traumatic stress disorder, focusing on improving mental health, mental health research, mental health care and access to information. In addition, in encouraging better cooperation and care of veterans and active military personnel, VA and the Department of Defense are directed to develop a plan to improve seamless transition on internal and external obstacles to transition and recommendations that would continue to enhance the continuity of care.

Mr. Speaker, in regard to total spending on VA medical care, let us just go back to 1999 and come forward to 2005 over the last 6 years. In 1999, VA medical care appropriations were $17.8 billion. In fiscal year 2005, that number was $29.9 billion. The increases over those 6 years:

1999 to 2000, 9.2 percent;

2000 to 2001, 11.3 percent;

2001 to 2002, a lean year, as we all know, because of the economy and 9/11; nevertheless, a 4.6 percent increase;

2002 to 2003, 11.9, an almost 12 percent increase;

2003 to 2004, another 11.4 percent increase;

2004 to 2005, a 6.2 percent increase.

The commitment is there. Absolutely the numbers show it. I do not see how anybody could refute that.

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 respond to the gentleman. He talks about how the Republican majority has increased the amount of money that we are spending on veterans' issues. But the bottom line is, we are at war and there are more and more veterans coming back. And so you can spin this all you want, but what you are providing in this bill is not nearly enough to take care of the needs of our veterans. That is a fact.

It is not just me saying it. The American Legion sent a letter to the Congress saying the same thing, that VA medical care is approximately $2.5 billion short for fiscal year 2006. They write, As Operations Enduring Freedom and Iraqi Freedom veterans continue to seek timely access to the VA health care delivery system, older veterans should not be kicked to the curb to make room for the newest generation of wartime veterans.

The coalition of Amvets, Paralyzed Veterans of America, Disabled American Veterans and Veterans of Foreign Wars have endorsed the Obey amendment because, they wrote, the Obey amendment would provide the funding needed to meet fixed costs and to care for returning veterans as well as provide the resources the VA needs to meet shortfalls that are affecting veterans today.

We are asking you to support this amendment and to provide the dollars needed to care for servicemembers returning from Iraq and Afghanistan, as well as all veterans who rely upon the VA to provide their health care.

Almost every veterans organization in this country is saying that what we are doing here today is not enough. You can say that you have increased it a little bit, but the bottom line is that we are at war. We are in Afghanistan and we are in Iraq, and more and more veterans are coming back, and we do not have the resources in this bill to adequately take care of their needs.

Let us be clear. Let us not try to spin to the American people that somehow we are doing our job here. The Republican leadership has made a choice. They would rather spend the money to provide more tax cuts for millionaires and billionaires than adequately fund the VA budget. I think at a time of war that that is just absolutely wrong.

Mr. Speaker, I am happy to yield 3 minutes to my colleague on the committee, the gentlewoman from California (Ms. MATSUI).

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

Ms. MATSUI. Mr. Speaker, it is appropriate that the last bill we take up before recessing for the Memorial Day District Work Period is the military quality of life appropriations bill, the bill which includes funding for Veterans Affairs. Today, when we pass this

bill and fund veterans' programs, we are reaffirming the promise we made to each veteran when they agreed to serve and protect our Nation. Part of that promise, one of the most important promises, is to provide them with superior medical care.

While I do commend the committee for increasing funding for veterans' health care over the President's request, as the gentleman from Massachusetts mentioned, even leading veterans' groups state it does not increase funding enough. The funding does not keep pace with the rising population of veterans or the rising cost of health care.

Yesterday, as the gentleman from Massachusetts also mentioned, the Rules Committee had the opportunity to make in order an amendment by the gentleman from Wisconsin (Mr. OBEY) that would have increased funding for veterans' health care to the necessary levels. The Republican majority chose not to. This is truly, truly unfortunate.

Most Members, myself included, have already heard from veterans in their district that they have to wait far too long for medical care. In some instances, veterans face wait times of up to 6 months. Yet the bill before us does not provide the funding necessary to provide prompt access to health services. And with our ongoing operations in Iraq and Afghanistan, the number of veterans needing medical service will only continue to rise.

I am truly thankful that those men and women honorably serving our Nation in the world's hot spots are likely to return home to their family and friends. With protective armor and the improving quality of medical treatment in the field, more of our servicemembers are surviving combat wounds and returning, though with an increased need for medical service. Many of these men and women are amputees who will need months of rehabilitation to learn to walk and use prosthetic limbs. Because of these injuries, the men and women of our Armed Forces will need continuous care for the rest of their lives.

At a time when American men and women are serving our Nation in hostile environments, we must demonstrate our intent to fulfill our promise and fund veterans' medical services at the highest possible level. We must provide them with the most efficient and highest quality medical care this country can offer.

I hope that on the floor today, we can make in order the gentleman from Wisconsin's amendment increasing our commitment to veterans.

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

In regard to the comment about the waiting time for our veterans to receive care, we had several years ago, and I want to respond, of course, to the gentlewoman from California about her concerns, but there was a waiting time of greater than 6 months for up to 350,000 veterans. I think most of those were in Category, priority level, 7 and 8. But because of increased funding and policy change, that number was reduced to 36,000.

We do not want to have, Mr. Speaker, any of our veterans having to wait 6 months or more. But to cut that down from hundreds of thousands to 36,000, I think, is significant progress.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. CUNNINGHAM), a member of the subcommittee.

□ 1045

Mr. CUNNINGHAM. Mr. Speaker, the thing, I guess, that irks me the most, some of the Members on the other side come from the liberal left. They do not support the military. They vote against defense bills. They vote against defense supplementals, which protect our men and women and gives them the equipment and things they need to survive to do their job and come back alive. Many of these same Members give a cry for the veterans that we want to increase above budget, we want to increase that, because they know they vote. We want them to come back alive.

When the Democrats had control of this House, they cut the military COLAs. They cut veterans' COLAs. They increased Social Security tax. They increased the tax on the veterans and the military. And cut their health care, VFW and American Legion chastised the Democrats because they not only just level funded it or reduced it, they gutted it. And I still have the articles in my office about how the Democrats did not come up to speed on the health care for the veterans.

Since we took the majority over the last few years, we have increased health care over 60 percent. Subvention was my bill for the military, TRICARE for everybody.

Another thing last night where they said, well, the Republicans did not vote to take care of our National Guard, they sign a contract, Mr. Speaker. When one goes into the National Guard or Reserve, they are a citizen soldier. They sign up and they are working in a business and they get your health care through the business or they sign up with private insurance.

My colleagues on the other side want socialized medicine. They want single-payer, government controlled system. If the government gets involved in that, all of a sudden we are up around $5-plus billion, and the private sector will not provide for it. And they tried to use it as a political pawn. It sickens me. I am military retired, and I have health care, and so do our veterans in an increasing manner.

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

Let me say just to the gentleman from California who referred to the vote we had yesterday to provide more health care benefits to our Guard and Reserves, he may not think that an important thing to do, but those of us on this side do, especially when we are relying on them more and more to be the soldiers on the frontline in Iraq and Afghanistan.

And I also want to point out that currently about 50,000 of our veterans are waiting in line for at least 6 months for veterans health care, and that problem will only gets worse with the growing number of returning soldiers from Operation Iraqi Freedom and Enduring Freedom. And as of May, 2005, the Department of Veterans Affairs had treated more than 85,000 of the 360,675 veterans from these deployments. In 2006 the Department expects to treat 5.2 million veterans, double the number in 1995. And overall, the medical care inflation rate for 2004 was close to double the inflation rate.

So, Mr. Speaker, again, the point here is if we are going to send our young men and women overseas to fight wars, then I think we have an obligation, a moral obligation, to make sure they have the health care and the support when they return home that they not only deserve but they have earned.

Mr. Speaker, I yield 6 minutes to the gentleman from Wisconsin (Mr. OBEY), ranking member on the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, appropriation bills represent the legislation where we have a chance to put our money where our rhetoric is. On Veterans' Day, I would venture to say that virtually every Member of this House has gone home and spoken about how much we care for veterans, and I am sure on Memorial Day that many Members will be going home and they will put their hands over their hearts and say how much they respect veterans.

When wars start, we are very good at having the bands play. We are very good at having the crowds cheer. But all too often, when those veterans come home, they do not get the same treatment. They certainly did not during Vietnam. And I think the test of our concern for veterans is not the kind of speeches we give as we send them off to war. It is the kind of treatment we give them when they get home.

Now, we can brag all we want about the fact that this bill is a billion dollars above the President's for veterans health care. Fine. I am glad it is. But the fact is that still does not keep up with the cost of inflation. The fact is there are still waiting lists and waiting lines. The fact is that VA facilities are still badly in need of repair. The fact is we still do not do enough prosthesis research.

Next year, the VA expects to handle twice as many veterans as they did in 1995, and medical care inflation is twice the rate of inflation in the regular economy.

The reason this bill is so squeezed is because the budget resolution, which this House passed about a month ago, has imposed tight limits on this Congress's ability to fund veterans

health care and a number of other areas because the number one priority in that budget bill was tax cuts and we wound up guaranteeing to everybody who makes $1 million a year or more that they will take home a tax cut of $140,000 on average this year.

The amendment that I wanted the Committee on Rules to make in order was very simple. We simply wanted this House to reconsider that tax package and to shave that $140,000 average tax cut down to 129,000 bucks. I think every American would be very happy to settle for a $129,000 tax cut this year. If we simply shaved it down to 129,000 bucks for people making over 1 million bucks a year, we would be able to put $2.6 billion more into veterans health care.

In the past, this country has always thrived because it believed in the sense of shared sacrifice. How is the sacrifice being shared today? We are asking those who wear the uniform of the United States, whether they be regular forces or Guard or Reserves, we are asking them to bear the full burden of our effort in Iraq and Afghanistan. And what burden are we asking the folks to bear here at home? We are saying, ''Oh, they have got to sacrifice by taking a tax cut.'' What we are asking is that we adjust that sense of shared sacrifice so that we shave the benefits for people who are already the most blessed in this society, we shave their tax benefits by just a little bit in order to make just a little bit more room for veterans health care. And I make no a apology for trying to do that.

I believe that we need to remember Abraham Lincoln's admonition in the second inaugural address: ''To care for him who shall have borne the battle, and for his widow and his orphan.'' This Congress has taken some initiatives to do that this year. But it is not enough. I plead fully guilty to wanting to have health care for every single American. I think it is a mortal sin that there are 45 million Americans who do not have health care coverage, but at the very least, we ought to see to it that every person who wears the uniform of the United States has whatever health care they need whenever they need it.

We do not worry about how much a war is going to cost when we start one or when we get into one. We pay the cost. We should also not worry about how much it is going to cost to provide adequate health care for people who fight that war. Whatever they need is what we ought to provide, and there is not a Member in this House who can demonstrate that this bill is fully adequate. Is it better than the President's budget? Of course. Anything would be. But it is not enough, and we have tried to show a way for us to provide more funding for veterans without doing serious damage to anybody else's interests in this country.

And I would hope we would turn down the previous question so that we have a chance to offer that amendment.

Mr. GINGREY. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I have a question for the gentleman from Massachusetts: Has he ever been in the Guard?

Mr. MCGOVERN. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. No, Mr. Speaker. But I am in awe of those who serve this country.

Mr. CUNNINGHAM. Mr. Speaker, has he ever been in the Reserves?

Mr. MCGOVERN. No, I have not.

Mr. CUNNINGHAM. Has he ever been in active duty military?

Mr. MCGOVERN. No, Mr. Speaker. But I support these men and women who are serving our country, and they deserve health care, which it is a disgrace what the Republican majority did.

Mr. CUNNINGHAM. Mr. Speaker, reclaiming my time, I have. And I thought not.

Mr. MCGOVERN. Mr. Speaker, it was shameful what happened on the House floor, and they have an opportunity to redeem themselves today.

Mr. CUNNINGHAM. I thought not, Mr. Speaker.

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

I should say to the gentleman I respect his service as well. I just wish he would join with us in providing the adequate allocation for our veterans.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, just to follow up on the last comment of my colleague who has served our Nation so well in service in the military, let me just point out that Vice President CHENEY did not serve our country in the military. And I do not think any one of us in this room would have the right, based on that, to question his allegiance to our country or his commitment to our servicemen and -women.

I do not want to get into a partisan debate between Republicans and Democrats over military service. What I do want to do is raise one simple question: Should this House not have the right to vote on the Obey amendment, which would provide a $2.6 billion increase for veterans health care, education, and other programs? Should we not have the right during a time of war to vote on that?

Now, the gentleman from Georgia said in his comments that this rule waives points of order against the bill. My follow-up question is if the House Committee on Rules waives points of order against the bill to pass the bill, would it not be fair to say why do we not waive one point of order against an amendment in order to help veterans receive better health care? This would not be the first time, if my Republican colleagues will check the record, that they would have waived a point of order to allow a tax measure to be part of an appropriations bill. It has been done multiple times by this leadership in this House.

The point has been made that VA health care has been increased by, I believe, 40 percent over the last 5 years. And that is correct, and I think that has been a bipartisan effort. In fact, it has taken Congress a lot of increases over the President's requests over the last 5 years in order to get to that 40 percent increase. But what that fact does not paint a true picture of is that during that time period there has been an increase in the number of veterans needing VA health care of 31 percent.

So that means over the last 5 years, including during a time of war, we have only had a 9 percent increase in VA health care spending to cover all of the inflationary cost for that health care. And we all know health care budgets, whether they are within the VA or the private system, are going up at 5, 6, 7, 8 percent a year.

Let us look at the inflationary costs in the VA health care that, frankly, make the Obey amendment very critical in trying to improve health care for our veterans. First is just a mandated 2.3 percent salary increase, which is the minimum increase we probably will pass this year, will take $247 million out of the VA health care budget. For prescription drugs, last year alone prescription drugs in the VA went up $548 million. So that is nearly $800 million we are talking about in inflationary costs.

The fact is that this year, according to the Bush administration, we will expect a net increase of 300,000 veterans needing VA health care services. Many of those, tens of thousands of those, would be veterans of the Iraqi and Afghanistan war. Using the administration's own numbers, a little over $6,400 per veteran per year for VA health care times 300,000 veterans, that alone would require a $1.94 billion increase in VA health care funding for fiscal year 2006 just to meet inflationary costs and the increase in the number of veterans needing that care.

□ 1100

The fact is, and I think we all know this, we can talk statistics and percentages, that VA hospitals today all over the country are using capital equipment and other equipment budgets just to keep the lights on and to pay salaries. We all know, as Members of Congress who visit our VA hospitals back home, they are underfunded and are having to cut corners, which should not have to be cut, especially during a time of war.

Through all this debate we might forget what the Obey amendment does. It prevents a $500 million cut in medical administration for VA care. It prevents a $417 million cut in dollars needed to keep the lights on and run our VA hospitals. It prevents a cut in VA health care research dollars. That is what this amendment is all about, not a partisan debate.

Let us vote against this rule, vote against the previous question, and allow the veterans of America during a time of war to have the right for Congress to vote on increasing our commitment to quality care for our veterans.

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

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this rule.

I, too, am pleased with the establishment of the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies. This is an important new development to be able to look holistically at the needs of our military.

I also appreciate the great leadership that this subcommittee has with the gentleman from New York (Chairman Walsh) and the ranking member, the gentleman from Texas (Mr. EDWARDS). These are people who have proven their commitments to our veterans and who understand the intricacies of the appropriations process, are willing to get into the details and work hard. I commend their leadership, and look forward to ultimately supporting this bill today.

I certainly support the open rule that has been granted, as is customary for an appropriations bill, particularly because it will allow for the first time in at least 10 years, and perhaps longer, for us to have a specific vote on the opportunity to have money dedicated to the cleanup of unexploded ordnance and military pollution.

Mr. Speaker, this is one of the great hidden issues surrounding military quality of life. Unexploded ordnance and military toxins pollute an area we anticipate is larger than the States of Maryland and Massachusetts combined. Let me repeat that. We face military pollution of over 200 years of military activity in this country that is suspected to pollute an area larger than the combined States of Maryland and Massachusetts.

This is an area that is taking billions of dollars, we do not know how much, frankly, and we are on a path, given the current patterns of expenditure, that it will take not dozens of years, not decades, but it could take centuries to clean up.

Now, military quality of life is threatened by exposure to unexploded ordnance and military toxins. My good friend from Massachusetts knows well the problem with the Massachusetts Military Reservation, where groundwater contamination is threatening the water supply of Martha's Vineyard, and there were 8,000 shells that have been discovered already, some within half a mile of an elementary school. We have the opportunity under this bill to be able to dedicate funds to meaningfully accelerate the cleanup.

I am shocked as a Member of Congress that we are talking about the fifth round of base closures, the fifth round of base closures, threatening upset for communities across the country and job loss, and we have not yet cleaned up bases that were closed in the 1988 round.

I will be offering amendments to remedy this situation and deal with the unexploded ordnance and the military toxins. I would suggest that this is an opportunity that will not only protect the people in these communities that lost military facilities and were not cleaned up, but it will accelerate the development of technology that will save lives for our military around the world. Because the sooner we can figure out whether it is a hubcap or a shell that is buried, it is not just going to make a difference in Massachusetts or in Georgia, where you have unexploded ordnance, or in my State, but it will make a difference in Iraq, Afghanistan and for innocent people that are dying in former battlefields every day around the world.

Mr. GINGREY. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. FOLEY), a Member of the Committee on Ways and Means.

Mr. FOLEY. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, let me support strongly this bill which supports our veterans who have served this country so incredibly well. We are a nation of freedom because of the hard work and sacrifice of veterans everywhere, and every day of my life I think of my father and others who have served this great country with distinction.

We are a free nation, and we are winning the battles because of the bravery of our active duty Reservists. But it is the veteran who has brought honor to the flag behind the Speaker's well, and it is the veteran who has made it possible for us to be the free and proud Nation we are.

Today, at 12:45, I will go to the Board of Veterans Appeals on a case that is vitally important to a person in my district, and that is Almon Scott. I have never personally gone to the Board of Appeals level for any veteran personally. My staff has worked tirelessly, Diana Robins in my district, fighting for veterans. But this is a unique case.

Almon Scott served this Nation during Vietnam. He was asked to guard a base where we believe there were potential radioactive materials. Almon Scott is dying now of cancer, a cancer largely linked with radioactive material.

Almon Scott has been shunted aside, if you will, by a system that suggests somehow his ailments are not related to his tour of duty. Unfortunately, he is not entitled to his records, they have been sealed, so Mr. Scott cannot even prove his case, which is why I have taken this extraordinary opportunity to testify on his behalf. He is in Stuart, Florida, today and cannot travel because of his illness. His illness is serious, and it is possibly close, from what I understand, to the end of his life.

What we are hoping to do today is to give Al Scott justice. We are hoping that they recognize his valiant efforts at service, and that the final measure of devotion to this Nation is, he did what he was told. Now they will not tell him what he was guarding.

Subsequent facts have indicated there may have been nuclear or other kinds of biological-type weaponry stored at the site he was requested to guard. At the end of his tour of duty he was told to go home and remain silent about what he did at that time. He honored that contract with America. Now I am hoping today, as I approach the Board of Veterans Appeal not as a lawyer, not as a Congressman, but as a fellow American, that Almon Scott's plea for justice will be heard, and that those hearing his appeal will look at his case specifically and recognize that the right thing to do for this veteran, this proud American, this Marine, is to stand by that same commitment he gave this Nation, that same devotion and that same dedication.

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

Mr. Speaker, this bill is inadequate to meet the health care needs of our veterans, plain and simple. Every veterans group in America has recognized that fact. They have all written to all of us. So we can spin this all we want, that somehow this is this incredible bill that is going to take care of all the health care needs of our veterans, but the bottom line is, it is better than what the President requested, but it is not enough. And we have an opportunity to fix it.

To the gentleman from California who earlier questioned my patriotism and pointed out I did not serve in the military, let me say to him that I am in awe of those men and women who have served in our military. I am grateful for what they have done.

I have two children, and there is not a day that I do not wake up and thank God they live in the freest country in the world. And it is precisely because of the veterans who have served our country over the years that they have that privilege. And it is precisely because of my gratitude to the men and women who serve in our military that I feel so passionately about making sure that we do the right thing here today and we adequately fund our veterans' health care budget.

That is what this debate is all about, and that is whether you are a Republican or Democrat, liberal or conservative. I would like to think we could come together on this one issue and make sure that the veterans get what they deserve and have earned. We are at war, and yet, as the gentleman from Texas (Mr. EDWARDS) pointed out earlier and as the gentleman from Wisconsin (Mr. OBEY) pointed out, we are not making any sacrifices.

What the Obey amendment would do is simply shave a little bit off of the tax cuts that millionaires are getting and put it towards the veterans budget to make sure we get what we need.

Mr. Speaker, I will be asking Members to vote ''no'' on the previous question. If the previous question is defeated, I will amend the rule so we can consider the Obey amendment that was rejected in the Committee on Rules last night on a straight party line vote.

Mr. Speaker, the Obey amendment would add an additional $2.6 billion for VA health care and pay for it by slightly reducing the size of the tax cut for those persons who make more than $1 million a year. Instead of receiving a tax cut of $140,000, they would get $129,000, a reduction of $11,000 for millionaires. I will tell you that I cannot believe anybody in this country would object to that. I think if you did a poll right now, overwhelmingly the American people would say, that makes sense in this time of war. I am sure that the Donald Trumps and the Bill Gates of this country could afford to reduce their tax cut by $11,000 so that our troops can have the best health care possible when they return from Iraq and Afghanistan.

This amendment will correct one of most serious shortfalls in this bill, quality health care for our Nation's veterans. It is absolutely critical that this funding be increased to meet the growing needs of our country's veterans.

This Nation made a promise to those serving in the military that they would receive quality health care in return for their valiant service to this country, and now that wounded soldiers are returning to their homes, they deserve the best medical treatment and care available.

We can fix this today. We can fix this today if we allow the Obey amendment to be considered on the floor. But the only way that will happen is if we defeat the previous question.

I want to assure my colleagues that a ''no'' vote will not prevent us from considering the military quality of life-VA appropriations bill under an open rule, but a ''no'' vote will allow Members to vote on the Obey amendment. However, a ''yes'' vote will block consideration of this amendment to help our Nation's soldiers and our veterans.

Mr. Speaker, as I said, I am in awe of our Nation's veterans. A few hours from now, Members of this body will get on planes and go to their districts and prepare to attend various Memorial Day events throughout the country, and I know all of us will pay tribute to our veterans. We will thank them, we will pay tribute by using the most wonderful words that we can express to be able to say ''thank you'' adequately.

But, Mr. Speaker, words are not enough. We have enough words in this House. They are not enough. Yesterday, the Republican majority turned their backs on so many veterans by defeating the motion by the gentleman from Mississippi (Mr. TAYLOR) to provide more health care benefits to our members of the Guard and Reserve. It was shameful. But today you have a chance to redeem yourself. Today, you have a chance to stand up and do the right thing.

Mr. Speaker, we need to support our veterans. We need to make sure they have what they need. We need to support them not just with words, but with action.

Mr. Speaker, at this point, I ask unanimous consent to insert the text of the amendment immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. LATHAM). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

□ 1115

Mr. GINGREY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I rise again in support of this rule and in recognition of its importance to the men and women who have and who continue to serve and protect America.

Mr. Speaker, our service men and women sacrifice so much for the safety and security of this Nation, and we have the responsibility to ensure that they have everything that they need, not only to succeed in their duties, but also to enjoy the quality of life that they deserve.

This bill represents the culmination of a lot of hard work and a lot of cooperation to not only completely support our service men and women but to also do so in the most helpful and fiscally responsible way. With a total amount of $121.8 billion, this bill includes an overall increase of $5.8 billion in discretionary spending from last year. Specifically, the Department of Veterans Affairs will receive $2.3 billion more than the previous year. The VA medical care increase from 2005 to 2006, I gave the number earlier for the previous 5 years, another 8.5 percent increase. They will receive, they the VA medical services, an increase of $1.6 billion. And again, I emphasize that there will be no new fees for either veterans medical services or for prescription drugs.

Today represent a victory for our service men and women in all stages of service from recruitment to retirement. And I appreciate all of my colleagues who have spoken on behalf of the rule and in support of the underlying bill.

Mr. Speaker, I would again like to thank the subcommittee chairman, the gentleman from New York (Mr. WALSH); the ranking member, the gentleman from Texas (Mr. EDWARDS); and the chairman, the gentleman from California (Mr. LEWIS), for leading the way and ensuring the necessary funds to provide for the quality of life of our service men and women.

I want to encourage my colleagues to support both this rule and the underlying bill for the sake of those who spend their lives defending ours.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in opposition to the previous question on H. Res. 298, the rule providing for the Military Quality of Life Appropriations Bill for FY06.

Memorial Day will soon be here, and members of this body will head home to join Americans all across the country in celebrating those who serve, and have served, our Nation. These brave men and women undeniably deserve our praise and enduring gratitude for all they have done to defend our nation and secure our freedom. While grateful words and thoughtful recognition is right and necessary, it is incumbent on us in this Congress to ensure that words are met with action.

Over 1 million of our active-duty and reserve soldiers have served to date in Iraq and Afghanistan. These men and women—like their predecessors before them—were promised a life time of health care in return for their service to our country. However, as these young soldiers return home, they find that this promise has not been kept by this Congress or the current Administration.

Today, more than 50,000 veterans are waiting in line for at least 6 months for veterans' health care—and that problem will only get worse with the growing numbers of returning soldiers from Operations Iraqi Freedom and Enduring Freedom. As of May 2005, VA had treated only about 85,000 of the 360,675 veterans from these deployments. In 2006, the Department expects to treat 5.2 million veterans—double the number in 1995. And the overall medical care inflation rate for 2003 was close to double the inflation rate.

It is telling that major veteran service organizations call this bill ''totally inadequate'' and tantamount to veterans being ''kicked to the curb.'' The current proposal before us is no less than $2.6 billion below the amount needed to maintain current V A services.

The majority is nothing if not consistent, and has once again blocked attempts to fully fund the VA. The Obey amendment, blocked from even being considered on the floor today, would have increased spending on veterans health services by a total of $2.6 billion over H.R. 2528 This amendment means real improvements to medical services to meet increased demand for mental health services, prosthetics and amputee care, and for priority 8 veterans. It adds $300 million to upgrade and improve accessibility to VA medical facilities, restoring most of the $400 million cut in the bill. And it does so by reducing the tax cuts for millionaires by about 8 percent—so instead of a $140,000 tax cut, the millionaire filer would get $129,000 tax cut. When compared to all our veterans have fought for and sacrificed, this seems like the least that we can do.

When Americans serve their nation in the military, whether it is the Second World War or the current war in Iraq, this government makes the promise of a lifetime of guaranteed healthcare. It is outrageous that after all the lip service and rhetoric paid to American veterans, the Republican Majority then turns around and reduces funding for their healthcare. It is long past time that Congress match rhetoric with real action to ensure veterans receive the level of service they were promised.

As my good friend Mr. TAYLOR of Mississippi said last night on this floor, our soldiers, sailors, airmen and marines have been there for us. Now it is our turn to be there for them. I urge my colleagues to defeat the previous

question and finally give our veterans the health care system they deserve.

The material previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION STATEMENT ON H. RES. 298—RULE FOR H.R. 2528 FY06 MILITARY QUALITY OF LIFE—VA APPROPRIATIONS

At the end of the resolution, add the following new sections:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative Obey of Wisconsin or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO MILITARY QUALITY OF LIFE, VA, APPROPRIATIONS BILL OFFERED BY MR. OBEY OF WISCONSIN

Page 31, line 1, relating to VA compensation and pensions, insert after the dollar amount the following: ''(increased by $26,000,000)''.

Page 34, line 21, relating to VA medical services, insert after the dollar amount the following: ''(increased by $1,500,000,000)''.

Page 36, line 9, relating to VA medical administration, insert after the dollar amount the following: ''(increased by $500,000,000)''.

Page 37, line 1, relating to VA medical facilities, insert after the dollar amount the following: ''(increased by $300,000,000)''.

Page 37, line 8, relating to VA medical and prosthetic research, insert after the dollar amount the following: ''(increased by $67,000,000)''.

Page 37, line 20, relating to VA general operating expense, insert after the dollar amount the following: ''(increased by $11,000,000)''.

Page 39, line 16, relating to major construction projects, insert after the dollar amount the following: ''(increased by $150,000,000)''.

Page 41, line 11, relating to minor construction projects, insert after the dollar amount the following: ''(increased by $51,000,000)''.

At the end of the bill (before the short title) add the following new section:

SEC. 409. In the case of taxpayers with an adjusted gross income in excess of $1,000,000 for taxable year 2006, the amount of tax reduction resulting from the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 (Public Law 107–16) and the Jobs and Growth Tax Relief Reconciliation Act of 2003 (Public Law 108–27) shall be reduced by 8.125 percent.

Mr. GINGREY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. LATHAM). 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 clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 223, nays 194, not voting 16, as follows:

[Roll No. 223]

YEAS—223

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
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
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
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
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 (NJ)
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)

NAYS—194

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
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
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
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
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—16

Doyle
Emerson
Filner
Frelinghuysen
Hastings (WA)
Herseth
Hyde
Johnson, E. B.
Jones (OH)
McKinney
Menendez
Millender-McDonald
Murtha
Norwood
Sweeney
Young (FL)

□ 1143

Messrs. SERRANO, CHANDLER and POMEROY changed their vote from ''yea'' to ''nay.''

Mr. TURNER changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 223, on H. Res. 298, I was in my Congressional District on official business. Had I been present, I would have voted "nay."

The SPEAKER pro tempore (Mr. LATHAM). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1145

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1449

Mr. BUTTERFIELD. Mr. Speaker, I ask unanimous consent to have my

name removed as a cosponsor of H.R. 1449.

The SPEAKER pro tempore (Mr. LATHAM). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2528 and that I may include tabular material on the same.

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

There was no objection.

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 298 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 bill, H.R. 2528.

The Chair designates the gentleman from New Hampshire (Mr. BASS) as chairman of the Committee of the Whole, and requests the gentlewoman from Illinois (Mrs. BIGGERT) to assume the chair temporarily.

□ 1147

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 bill (H.R. 2528) making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mrs. BIGGERT (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York (Mr. WALSH) and the gentleman from Texas (Mr. EDWARDS) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. WALSH).

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

Madam Chairman, today I am proud to represent the first Subcommittee on Military Quality of Life and Veterans Affairs and Related Agencies appropriations bill for consideration of the House.

This subcommittee was formed for the purpose of taking a more comprehensive look at the programs related to providing a suitable quality of life for our service men and women, from recruitment through retirement. I believe the bill before Members today does just that, and it does it in a fiscally responsible way.

Since the advent of the All-Volunteer Force in 1973, quality of life has come to play an increasingly important role. In the short time between the subcommittee's organization and today, I have met with many officials from the Department of Defense who are energized and excited with the makeup of this new subcommittee. Everyone we met said the same thing, you recruit the soldier, but you retain ''the family''; and this new bill structure will make a significant contribution to that goal.

I have also met with many people on the issues related to the Defense Health Program and the VA. Again, there is excitement about the synergies that currently exist and the ones that can be developed or enhanced between DOD and VA. This bill makes all that possible.

I salute the gentleman from California (Chairman LEWIS) for having the foresight and persistence to bring about this positive change.

The bill before us today totals $121.8 billion, of which $85.2 billion is discretionary spending and $36.6 billion is mandatory spending. On the discretionary side, the bill is $1.1 billion above the President's request and $5.9 billion above last year's bill. The bill funds the VA at $68.1 billion, $2.3 billion above fiscal year 2005, and $635 million above the budget request. Included in this amount is $21 billion for medical services, a $1.6 billion increase above the 2005 enacted level, and $1 billion above the budget request. This is an 8.5 percent increase over last year. I would also note that with the funding in this bill, the medical services account will grow by 18.2 percent over the past 2 years.

Also, this funding level does not assume adoption of any new fees, nor does it preclude the committee of jurisdiction from moving on such legislation. The VA funding level, among other things, restores funding for long-term care to the level it was in the fiscal year 2005 appropriation, and we direct the Secretary to work with the National Association of State Veterans Homes to come to some agreeable policy to make the program work better for veterans and the taxpayers.

The bill also includes language directing the Department to spend not less than $2.2 billion on specialty mental health care in fiscal year 2006, in direct concern to many Members of Congress that the VA needs to make this a priority. We have never specified funding for a category of care in this bill in the past.

We have also included report language directing the Department to more than double the funding available for mental health research. For the Department of Defense, the bill provides $53.5 billion. Within this total is funding for military construction, family housing construction and maintenance, costs associated with BRAC for the prior rounds and the current round, basic allowance for housing payments, facilities sustainment, restoration and modernization, and environmental restoration.

Regarding BRAC, let me just repeat what we have said in subcommittee. As of now, we consider the Secretary of Defense's recommendations just that, recommendations only. We will be following the commission process, but we see no need to make changes to the military construction budget at this time. Also included in this total is $20 billion for the Defense Health Program, an increase of $1.8 billion above fiscal year 2005 and $192 million above the budget request. This amount supports troop readiness by making sure we have an adequate funding level to prepare our soldiers, sailors, and airmen for training and deployments while caring for their families and dependents.

One last thing I wanted to mention is the joint DOD–VA incentives program which was authorized in fiscal year 2003 and has been appropriated since that time. This program creates a fund which creates the opportunity for the DOD and VA to explore joint ventures in research and information technology that establishes and enhances continuity between these two Departments and contributes to the synergies we all want.

We have a responsibility to make sure that the limited resources we have are spent efficiently and effectively and that programs achieve their mission. The structure of this bill provides us with an opportunity to take a bold look across programs and Departments and find synergies and efficiencies. Change is not always easy to go through, and it does not happen overnight; but we have taken the first step towards producing a more focused bill, and I want to thank the gentleman from California (Mr. LEWIS) for his vision and support.

Lastly, I would like to express my gratitude to the gentleman from Texas (Mr. EDWARDS), the ranking member of the subcommittee. We have developed a strong working relationship based upon trust. He has a wealth of experience with the military, given his long association with Fort Hood, Texas. He has been very generous with his time and his counsel as we assembled this bill, and it is much appreciated.

Thanks to my subcommittee members for their active participation in the hearing process and also for their advice, and also to our very professional staff led by the capable Carol Murphy, and to my personal staff for their help in preparing this work product. I am very grateful to all of them. This would not have been possible without their help.

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATION BILL, 2006 (H.R. 2528)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE					
Military construction, Army	1,981,084	1,479,841	1,652,552	-328,532	+172,711
Rescissions	-18,976	---	---	+18,976	---
Total	1,962,108	1,479,841	1,652,552	-309,556	+172,711
Military construction, Navy and Marine Corps	1,069,947	1,029,249	1,109,177	+39,230	+79,928
Rescissions	-24,000	---	---	+24,000	---
Emergency appropriations (P.L. 108-324)	138,800	---	---	-138,800	---
Additional appropriations (Div. J) (P.L. 108-447)	-4,350	---	---	+4,350	---
Total	1,180,397	1,029,249	1,109,177	-71,220	+79,928
Military construction, Air Force	866,331	1,069,640	1,171,338	+305,007	+101,698
Rescission	-21,800	---	---	+21,800	---
Total	844,531	1,069,640	1,171,338	+326,807	+101,698
Military construction, Defense-wide	686,055	1,042,730	976,664	+290,609	-66,066
Rescission	-22,737	---	---	+22,737	---
Total	663,318	1,042,730	976,664	+313,346	-66,066
Total, Active components	4,650,354	4,621,460	4,909,731	+259,377	+288,271
Military construction, Army National Guard	446,748	327,012	410,624	-36,124	+83,612
Military construction, Air National Guard	243,043	165,256	225,727	-17,316	+60,471
Rescission	-5,000	---	---	+5,000	---
Total	238,043	165,256	225,727	-12,316	+60,471
Military construction, Army Reserve	92,377	106,077	138,425	+46,048	+32,348
Emergency appropriations (P.L. 108-324)	8,700	---	---	-8,700	---
Total	101,077	106,077	138,425	+37,348	+32,348
Military construction, Naval Reserve	44,246	45,226	45,226	+980	---
Additional appropriations (Div. J) (P.L. 108-447)	4,350	---	---	-4,350	---
Total	48,596	45,226	45,226	-3,370	---
Military construction, Air Force Reserve	123,977	79,260	110,847	-13,130	+31,587
Total, Reserve components	958,441	722,831	930,849	-27,592	+208,018
Total, Military construction	5,608,795	5,344,291	5,840,580	+231,785	+496,289
Appropriations	(5,553,808)	(5,344,291)	(5,840,580)	(+286,772)	(+496,289)
Emergency appropriations	(147,500)	---	---	(-147,500)	---
Rescissions	(-92,513)	---	---	(+92,513)	---
North Atlantic Treaty Organization Security Investment Program	165,800	206,858	206,858	+41,058	---
Rescission	-5,000	---	---	+5,000	---
Total	160,800	206,858	206,858	+46,058	---
Family housing construction, Army	636,099	549,636	549,636	-86,463	---
Rescission	-21,000	---	---	+21,000	---
Total	615,099	549,636	549,636	-65,463	---
Family housing operation and maintenance, Army	926,507	812,993	803,993	-122,514	-9,000
Emergency appropriations (P.L. 108-324)	1,200	---	---	-1,200	---
Total	927,707	812,993	803,993	-123,714	-9,000

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATION BILL, 2006 (H.R. 2528)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Family housing construction, Navy and Marine Corps	139,107	218,942	218,942	+79,835	---
Rescission	-12,301	---	---	+12,301	---
Total	126,806	218,942	218,942	+92,136	---
Family housing operation and maintenance, Navy and Marine Corps	696,304	593,660	588,660	-107,644	-5,000
Emergency appropriations (P.L. 108-324)	9,100	---	---	-9,100	---
Total	705,404	593,660	588,660	-116,744	-5,000
Family housing construction, Air Force	846,959	1,251,108	1,236,220	+389,261	-14,888
Rescission	-45,171	---	---	+45,171	---
Total	801,788	1,251,108	1,236,220	+434,432	-14,888
Family housing operation and maintenance, Air Force	853,384	766,939	755,319	-98,065	-11,620
Emergency appropriations (P.L. 108-324)	11,400	---	---	-11,400	---
Total	864,784	766,939	755,319	-109,465	-11,620
Family housing construction, Defense-wide	49	---	---	-49	---
Family housing operation and maintenance, Defense-wide	49,575	46,391	46,391	-3,184	---
Department of Defense Family Housing Improvement Fund	2,500	2,500	2,500	---	---
Rescission	-19,109	---	---	+19,109	---
Total	-16,609	2,500	2,500	+19,109	---
Total, Family housing	4,074,603	4,242,169	4,201,661	+127,058	-40,508
Appropriations	(4,150,484)	(4,242,169)	(4,201,661)	(+51,177)	(-40,508)
Emergency appropriations	(21,700)	---	---	(-21,700)	---
Rescissions	(-97,581)	---	---	(+97,581)	---
Chemical demilitarization construction, Defense-wide	81,886	---	---	-81,886	---
Base realignment and closure:					
Base realignment and closure account, 1990	246,116	377,827	377,827	+131,711	---
Base realignment and closure account, 2005	---	1,880,466	1,570,466	+1,570,466	-310,000
Emergency appropriations (P.L. 108-324)	50	---	---	-50	---
Total, Base realignment and closure	246,166	2,258,293	1,948,293	+1,702,127	-310,000
Basic Allowance for Housing:					
Army	3,341,882	3,945,392	3,945,392	+603,510	---
Navy	3,471,251	3,592,905	3,592,905	+121,654	---
Marine Corps	1,053,573	1,179,071	1,179,071	+125,498	---
Air Force	3,010,770	3,240,113	3,240,113	+229,343	---
Army National Guard	434,073	453,690	453,690	+19,617	---
Air National Guard	214,151	248,317	248,317	+34,166	---
Army Reserve	290,117	310,566	310,566	+20,449	---
Naval Reserve	202,282	191,338	191,338	-10,944	---
Marine Corps Reserve	38,945	40,609	40,609	+1,664	---
Air Force Reserve	59,781	71,286	71,286	+11,505	---
Total, Basic Allowance for Housing	12,116,825	13,273,287	13,273,287	+1,156,462	---
Facilities Sustainment, Restoration and Modernization:					
Army	1,967,028	1,825,518	1,850,518	-116,510	+25,000
Navy	1,333,288	1,344,971	1,344,971	+11,683	---
Marine Corps	523,756	553,960	553,960	+30,204	---
Air Force	1,991,710	1,815,701	1,845,701	-146,009	+30,000
Defense-Wide	95,000	115,400	115,400	+20,400	---
Army National Guard	384,044	391,544	391,544	+7,500	---
Air National Guard	230,642	169,791	184,791	-45,851	+15,000
Army Reserve	201,141	204,370	204,370	+3,229	---
Naval Reserve	73,410	62,788	67,788	-5,622	+5,000
Marine Corps Reserve	12,126	10,105	10,105	-2,021	---

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATION BILL, 2006 (H.R. 2528)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Air Force Reserve	53,056	55,764	55,764	+2,708	---
Total, Facilities Sustainment, Restoration and Modernization	6,865,201	6,549,912	6,624,912	-240,289	+75,000
Environmental Restoration:					
Army	400,948	407,865	407,865	+6,917	---
Navy	266,820	305,275	305,275	+38,455	---
Air Force	397,368	406,461	406,461	+9,093	---
Defense-Wide	23,684	28,167	28,167	+4,483	---
Formerly used Defense sites	266,516	221,921	221,921	-44,595	---
Total, Environmental Restoration	1,355,336	1,369,689	1,369,689	+14,353	---
Defense Health Program:					
Operation and maintenance	17,297,419	19,247,137	19,184,537	+1,887,118	-62,600
Procurement	367,035	375,319	355,119	-11,916	-20,200
Research and development	506,982	169,156	444,256	-62,726	+275,100
Total, Defense Health Program	18,171,436	19,791,612	19,983,912	+1,812,476	+192,300
General provision (sec. 128)	---	65,000	65,000	+65,000	---
Total, title I:					
New budget (obligational) authority	48,681,048	53,101,111	53,514,192	+4,833,144	+413,081
Appropriations	(48,706,892)	(53,101,111)	(53,514,192)	(+4,807,300)	(+413,081)
Emergency appropriations	(169,250)	---	---	(-169,250)	---
Rescissions	(-195,094)	---	---	(+195,094)	---
TITLE II - DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions	32,607,688	33,412,879	33,412,879	+805,191	---
Readjustment benefits	2,556,232	3,214,246	3,214,246	+658,014	---
Veterans insurance and indemnities	44,380	45,907	45,907	+1,527	---
Veterans housing benefit program fund program account (indefinite)	43,784	64,586	64,586	+20,802	---
(Limitation on direct loans)	(500)	(500)	(500)	---	---
Credit subsidy	-144,000	-112,000	-112,000	+32,000	---
Administrative expenses	152,842	153,575	153,575	+733	---
Vocational rehabilitation loans program account	47	53	53	+6	---
(Limitation on direct loans)	(4,108)	(4,242)	(4,242)	(+134)	---
Administrative expenses	309	305	305	-4	---
Native American veteran housing loan program account	566	580	580	+14	---
(Limitation on direct loans)	(50,000)	(30,000)	(30,000)	(-20,000)	---
Total, Veterans Benefits Administration	35,261,848	36,780,131	36,780,131	+1,518,283	---
Veterans Health Administration					
Medical services	19,316,995	19,995,141	20,995,141	+1,678,146	+1,000,000
Emergency appropriations (P.L.108-324)	38,283	---	---	-38,283	---
Medical administration	4,667,360	4,517,874	4,134,874	-532,486	-383,000
Emergency appropriations (P.L.108-324)	1,940	---	---	-1,940	---
Medical facilities	3,715,040	3,297,669	3,297,669	-417,371	---
Emergency appropriations (P.L.108-324)	46,909	---	---	-46,909	---
Medical and prosthetic research	402,348	393,000	393,000	-9,348	---
Medical care cost recovery collections:					
Offsetting collections	-1,985,984	-2,170,000	-2,170,000	-184,016	---
Appropriations (indefinite)	1,985,984	2,170,000	2,170,000	+184,016	---
Total, Veterans Health Administration	28,188,875	28,203,684	28,820,684	+631,809	+617,000
Departmental Administration					
General operating expenses	1,314,155	1,418,827	1,411,827	+97,672	-7,000
Emergency appropriations (P.L.108-324)	545	---	---	-545	---
National Cemetery Administration	147,734	156,447	156,447	+8,713	---
Emergency appropriations (P.L.108-324)	50	---	---	-50	---
Office of Inspector General	69,153	70,174	70,174	+1,021	---

MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATION BILL, 2006 (H.R. 2528)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
Construction, major projects	455,130	607,100	607,100	+151,970	---
Construction, minor projects	228,933	208,937	208,937	-19,996	---
Emergency appropriations (P.L.108-324)	36,343	---	---	-36,343	---
Grants for construction of State extended care facilities	104,322	---	25,000	-79,322	+25,000
Grants for the construction of State veterans cemeteries	31,744	32,000	32,000	+256	---
Total, Departmental Administration	2,388,109	2,493,485	2,511,485	+123,376	+18,000
Total, title II:					
New budget (obligational) authority	65,838,832	67,477,300	68,112,300	+2,273,468	+635,000
Appropriations	(65,714,762)	(67,477,300)	(68,112,300)	(+2,397,538)	(+635,000)
Emergency appropriations	(124,070)	---	---	(-124,070)	---
(Limitation on direct loans)	(54,608)	(34,742)	(34,742)	(-19,866)	---
Discretionary	30,730,748	30,851,682	31,486,682	+755,934	+635,000
Mandatory	35,108,084	36,625,618	36,625,618	+1,517,534	---
TITLE III - RELATED AGENCIES					
American Battle Monuments Commission					
Salaries and expenses	40,771	35,250	35,750	-5,021	+500
Foreign currency fluctuations	11,904	15,250	15,250	+3,346	---
Total, American Battle Monuments Commission	52,675	50,500	51,000	-1,675	+500
U.S. Court of Appeals for Veterans Claims					
Salaries and expenses	17,112	18,295	18,295	+1,183	---
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses	29,363	28,050	29,550	+187	+1,500
Armed Forces Retirement Home					
Operation and maintenance	57,163	57,033	57,033	-130	---
Capital program	3,968	1,248	1,248	-2,720	---
Total, Armed Forces Retirement Home	61,131	58,281	58,281	-2,850	---
Total, title III:					
New budget (obligational) authority	160,281	155,126	157,126	-3,155	+2,000
Grand total, all titles:					
New budget (obligational) authority	114,680,161	120,733,537	121,783,618	+7,103,457	+1,050,081
Appropriations	(114,581,935)	(120,733,537)	(121,783,618)	(+7,201,683)	(+1,050,081)
Emergency appropriations	(293,320)	---	---	(-293,320)	---
Rescissions	(-195,094)	---	---	(+195,094)	---

Madam Chairman, I reserve the balance of my time.

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

Madam Chairman, I first want to salute the gentleman from New York (Mr. WALSH) for his professional, thorough, and fair-minded leadership in crafting this bill, which I support.

Throughout this entire process, every step of the way, the gentleman from New York (Mr. WALSH) focused on doing one thing: asking what is best for our service men and women and veterans, and for that he has my deep respect.

I would like to offer my observations on this important bill from the perspective of someone who had the privilege of representing over 40,000 Army soldiers who served our country in Iraq. For 14 years I represented Fort Hood, Texas, an Army installation which is now very ably represented by the gentleman from Texas (Mr. CARTER).

I have seen firsthand, like so many Members of Congress here, the sacrifices made by our troops and their families in time of war and peace: time away from children and loved ones, combat injuries, both mental and physical, and I have seen widows in their 20s holding babies in their arms that will never know their fathers because they gave the ultimate sacrifice to our Nation in combat.

I believe, as other Members do, that we have a solemn, moral obligation to support our troops, their families, military retirees, and veterans. They have kept their promise to our Nation, and now we should keep our promise to them. That is why I consider it a privilege to serve on the first Subcommittee on Military Quality of Life and Veterans Affairs with the gentleman from New York (Mr. WALSH).

My respect for our service men and women and veterans is also why I voted against the House budget resolution earlier this year and against the 302(b) allocation that determined how many dollars our subcommittee would have today to allocate to spend on DOD health, military construction and VA programs, including VA health and research programs.

I believe, especially during a time of war, Congress should make greater investments in health care and military construction programs that are vital to the training and well-being of our troops and their families. I believe we should invest significantly more in VA health care for our veterans. And despite dollar increases, and they have been real and they have been significant over the last 5 years for VA health care, our VA hospitals are facing serious budget challenges due to two things: one, high health care inflation that is affecting all hospitals, whether they be VA or in the private sector; and secondly, because the average annual increase in the number of veterans needing VA health care has been about 250,000 to 300,000 veterans.

Having said that, our appropriations subcommittee did not have the power to determine how much money we had to spend on programs under our jurisdiction. That was largely decided by the budget resolution. I commend the gentleman from California (Mr. LEWIS). Given the FY 2006 budget resolution, the gentleman worked hard to get an increased allocation for this subcommittee.

Given what I consider to have been tough choices, I believe the gentleman from New York (Mr. WALSH) and our subcommittee worked hard and we have worked in good faith on a bipartisan basis to put limited dollars where they are most needed: veterans and DOD medical services and housing for military troops and their families. We went the extra mile, along with professional staff on both sides of the aisle, to scrub the budget to put dollars in the highest priority areas. That was our responsibility, and I think we did it well.

I believe there are a number of very important positive steps taken in this bill. First, VA medical services were increased by $1 billion over the President's request, a request which I thought, frankly, was inadequate. The bottom line is we are allocating $1.6 billion over last year's VA medical services. I believe the VA needs more to keep up with medical inflation and an expected increase of 300,000 veterans. But given our allocation, the gentleman from New York (Mr. WALSH), in particular, fought very hard to make VA medical services funding our top priority; and I stand with him in that priority. I think it is the right choice.

Second, it is positive that DOD health care was increased by 10 percent. During a time of war, that is important.

Third, base allowance for housing was increased by 9.5 percent. Our troops deserve improved housing.

□ 1200

Let me also add that this committee, under Chairman WALSH and its bipartisan committee membership, has continued the very important role in leading what I consider to be the most important family housing improvement program in our military history, that is, the public-private partnership that is building tens of thousands of new homes to deserving men and women and their families serving in our military.

I salute the subcommittee's leadership on that important program.

Fourth, the subcommittee rejected the Administration's request to more than double prescription copays for veterans and to add a new $250 annual enrollment fee for some veterans. In addition, in my viewpoint, the committee wisely rejected massive proposed cuts in veterans' nursing home care. The committee's work in this area will mean tens of thousands of veterans will get long-term nursing care that otherwise might have been deprived of that care.

A fifth good thing that this committee did in its work is, it directed the VA to focus more of its medical care and research dollars on mental health care, an essential priority given our wars in Iraq and Afghanistan, as well as the mental health care needs of veterans from past wars. I particularly salute the gentleman from New York for his leadership in this much-needed initiative. I, for one, believe it will be one of the important legacies of his service in Congress.

The VA has underfunded mental health care services and research for too long and that is going to change because of the leadership of this committee.

While I wish we did not have to cut VA medical facilities operations by $400 million and VA health administration programs and DOD health care research and cut, $9 million out of VA health care research, I believe the committee put the limited dollars where they were most needed, in funding VA and DOD health care during a time of war.

I also wish we were not at the point where we were still funding military construction at levels below levels spent before the Iraqi war began, but this bill moves us in a positive direction, increasing military construction by 4 percent.

Given a smaller budget than I would have preferred, the bottom line is that I believe the subcommittee, led by its chairman, made solid decisions on a bipartisan basis to scour the budget and to fund our highest-priority needs. We stopped harmful cuts to VA nursing home care and took important new steps to ensure that mental health care services for our troops and our veterans will be improved. That is why I intend to support this bill and ask my colleagues, on a bipartisan basis, to do the same.

Madam Chairman, I reserve the balance of my time.

Mr. WALSH. Madam Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Florida (Mr. MILLER).

(Mr. MILLER of Florida asked and was given permission to revise and extend his remarks.)

Mr. MILLER of Florida. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I rise today in support of H.R. 2528—The Military Quality of Life and Veterans' Affairs Appropriations Act for Fiscal year 2006. Let me begin by commending the gentleman from New York, Mr. WALSH, for his work on this important bill.

I'd like to comment briefly on an issue that is important to me as the Chairman of the Disability Assistance and Memorial Affairs Subcommittee on the Veterans' Affairs Committee—the National Shrine Commitment. As you may know, pursuant to Public Law 106–117 the Department of Veterans Affairs entered into a contract to assess the state of VA's national cemeteries. That study identified

$279 million of needed repairs and maintenance. While the President requested $14.4 million to fund this initiative, the Veterans' Affairs Committee, in its views and estimates letter to the Budget Committee, recommended an additional $45.6 million in minor construction funding to begin a 5-year plan to fully fund needed repairs and maintenance.

It is necessary that Congress ensure our national cemeteries are maintained in a manner that pays proper tribute to our fallen veterans. Funding the National Shrine Commitment achieves that end. I look forward to working with Chairman WALSH to see if we can find the necessary resources to fund the National Shrine Commitment.

Mr. WALSH. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Madam Chairman, I rise today in support of H.R. 2528, a bill which will provide the essential funding that our Nation's heroes, our veterans, need. I applaud the gentleman from California (Mr. LEWIS) and the gentleman from the 25th District of New York (Mr. WALSH) for their vision and leadership on this important issue, and I also thank them for allowing me the time to speak on a bill that is so important to our country.

This bill increases overall veterans' benefits to $21 billion which is nearly $1.6 billion more than last year's funding level for our veterans.

Madam Chairman, over the last 2 years alone, this Congress has increased funding for veterans' medical care by 18 percent. In addition, H.R. 2528 doubles veterans' mental health research funding and requires a comprehensive study on post-traumatic stress disorder. As a veteran of our Armed Forces, I understand that this is an issue that our future veterans, who are currently fighting in the war on terror, will most certainly struggle with. I applaud the efforts that this bill makes to ensure America's veterans will receive the mental health care they need when they return home as our heroes.

Madam Chairman, I also support this bill because of the assistance it will provide to the veterans in my home State of Nevada. H.R. 2528 provides $199 million for a new veterans hospital in Las Vegas. Las Vegas is the fastest-growing metropolitan area in our Nation. Nevada's veteran population is simply exploding. This new hospital will ensure that those who have bravely served our country have access to all their health care needs. This is great news for Nevada's veterans.

The committee's report that accompanies H.R. 2528 also ensures that the vital per diem payments that the VA provides to our State veterans home in Boulder City will not be cut. This report language also requests Secretary Nicholson to engage in a dialogue with our State-operated veterans homes to come up with a solution to increasing the costs of providing quality health care to our veterans.

Madam Chairman, I urge my colleagues to support this bill because it provides our Nation's veterans with the benefits that they have earned by protecting our great Nation.

Mr. EDWARDS. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. ROTHMAN).

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

Mr. ROTHMAN. I thank the gentleman for yielding me this time.

Mr. Chairman, as a member of the Committee on Appropriations, I rise in support of the Military Quality of Life and Veterans Affairs Appropriations bill. I want to thank the gentleman from New York (Mr. WALSH) and the gentleman from Texas (Mr. EDWARDS) for their very hard work in drafting this well-balanced bill.

I also want to acknowledge the majority and minority staff for the diligence and dedication that they have demonstrated throughout this process. I can appreciate the tough choices that both the gentleman from New York and the gentleman from Texas had to make with this tight allocation. Admittedly, if there were a different majority in the House, there would have been more money allocated to these programs, but within the budget constraints imposed upon the gentleman from California (Mr. LEWIS), the gentleman from New York (Mr. WALSH) and the gentleman from Texas (Mr. EDWARDS), I believe they have done a fine job, and I urge all of my colleagues to support the bill.

Mr. WALSH. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, as a member of the subcommittee, I want to commend both our chairman and ranking minority member for producing a bill which will dramatically improve the life and the experience of men and women joining the United States Navy and going for basic training and other schools in my district at Great Lakes Naval Training Center.

This bill funds two new barracks for the Great Lakes Naval Training Center and an infrastructure upgrade. It continues a $1 billion capitalization program which has transformed Great Lakes into the birthplace of the United States Navy.

But this bill does something even more important. Throughout the country, we know that we have several hospital facilities funded by the Department of Defense close to VA facilities also funded by the taxpayer in caring for our veterans. What this bill does is it accelerates plans to build a new joint VA-Navy hospital in North Chicago, Illinois. This new facility, with two reports required by the administration to accelerate the progress, will be the first ever Navy-VA joint facility. We are very proud that that will be located in North Chicago, Illinois. This $100 million facility will ensure veterans' health care in northern Illinois and provide cutting-edge, quality care for the recruits who are joining the United States Navy.

For these reasons and others, I really commend the chairman and the staff for what they have done to accelerate this, better health care for veterans, better health care for naval recruits and at lower cost to the taxpayer.

Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in yielding me this time.

Mr. Chairman, I, too, am pleased that we have the creation of a Military Quality of Life committee. It is hard to imagine more capable leadership than that that will be offered by the gentleman from New York (Mr. WALSH) and the gentleman from Texas (Mr. EDWARDS) and there is tremendous potential to look holistically at the problems and opportunities dealing with military quality of life.

I am particularly pleased because it will give for the first time a true focus to look at what is a serious, hidden issue of military quality of life, and that is military cleanup. For too long, this Congress has been missing in action. It has never given priority to the vast stretches of the United States in every State of the Union, an area the size of the States of Maryland and Massachusetts combined, to deal with the cleanup of past military activities.

It impacts our troops and their families on the bases, their neighbors past and present, and it has significant financial impacts, although if we do this job right, we have the opportunity to dramatically reduce the cost. I am impressed over the last 7 years working on this issue that the military, the men and women in the ranks, want to do this job right. They have sensitivity to the environment and they know that they are in trouble if they are exposed unnecessarily to pollution and unexploded ordnance.

Cleanup gives the military many advantages. There are less hazards to fighting men and women. There will be more area to train. There are better relationships with the surrounding area. Most important, it will develop tools and techniques that will save American lives. It will give the military long-term security with these new techniques and technologies.

Every day people die unnecessarily from land mines and UXO around the world. I am going to offer some amendments because, frankly, as much respect as I have for the new subcommittee and the fact it is new, they are looking at a whole new range of areas.

We are looking at allocating over $1.5 billion to the 2005 base closure rounds, and we have not yet cleaned up after the very first round of military closures. That is unacceptable. It is time for Congress to no longer be missing in action. We need to step up, provide the guidance, and clean up these areas.

It is unacceptable after 17 years that we will tell the people in Sacramento that their base might be cleaned up in the year 2072. The money is available. The Congress just needs to find the will to allocate it and support the Military Quality of Life Subcommittee in its important work to make sure that we protect military families and the military environment.

Mr. WALSH. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. BISHOP), a very respected member of the subcommittee.

Mr. BISHOP of Georgia. Mr. Chairman, I thank the gentleman very much for yielding me this time. I would like to congratulate the gentleman from New York (Mr. WALSH) and the gentleman from Texas (Mr. EDWARDS) for a fine job, with limited resources, in producing, I think, a very good work product.

I know that the gentleman from New York shares my concern for our service men and women who are returning from Iraq and Afghanistan with the adverse psychological effects of combat. Many of the difficulties experienced by these brave men and women can be classified as post traumatic stress disorder, or PTSD. As you are aware, the GAO report on VA and defense health care dated September 2004 has highlighted the lack of services at the Department of Defense military treatment facilities and VA hospitals to address the needs of these former and active duty personnel. The report language and various initiatives that you have included in our bill address this problem, and I want to thank you for your leadership.

However, the lack of services available demands that we take immediate steps to increase psychological screening and treatment for our returning troops. PTSD cannot be just a Veterans' Administration problem. The needs of our active duty men and women have to be at the forefront of our agenda, meaning that it is wrong simply to discharge service men and women because we do not have the capacity to treat them while they are on active duty.

Since most of our military hospitals lack the expertise to deal with a large influx of such patients, I would like to urge the chairman, as the bill goes to conference, to consider allowing the creation of regional centers across our country located at private hospitals or available military clinics to help meet these increasing needs.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. BISHOP of Georgia. I yield to the gentleman from New York.

Mr. WALSH. I thank the gentleman from Georgia for raising this issue, and I share his concern.

The gentleman has correctly indicated that this bill works to address PTSD research so that we can better treat mental health symptoms of our active and retired military personnel.

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As the gentleman is aware, in this difficult budget climate, we crafted a bill that uses our resources wisely. I commit to the gentleman that I will take his views with great respect as they relate to PTSD into consideration as we move forward toward the conference of this bill.

Mr. BISHOP of Georgia. Mr. Chairman, reclaiming my time, I thank the chairman for his consideration and for his leadership, and I thank him for yielding me the time.

Mr. WALSH. Mr. Chairman, I reserve the balance of my time.

Mr. EDWARDS. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank my colleague from Texas for yielding me this time.

I rise in support of this bill because, as a member of the Military Personnel Subcommittee of the House Committee on Armed Services, I can tell the Members that people are the most precious resource we have in our Armed Forces.

As we get closer to Memorial Day, many of us here in Congress will go home and talk about how important it is to support our troops and our veterans, and that is a fine sentiment, and I agree 100 percent. But what does Congress actually do to follow through? Our obligation to support our troops by no means ends when they separate from their branch of service. Yet in the age of spiraling deficits, some folks in Washington seem all too willing to forget the promises that we have made to our veterans.

The Veterans Administration is chronically underfunded every year, and it is struggling to provide the basic services and benefits that veterans have been promised.

The President's proposed VA budget, for example, would have significantly raised out-of-pocket health care expenses for many veterans. That was his so-called increase, by increasing fees to our veterans. And I am glad that this Committee on Appropriations saw to it that we would not raise the out-of-pocket costs for veterans. That is not the acceptable answer for the VA funding problems. The answer to the funding problem is to adequately fund the VA in the budget so that the veterans will receive the kind of care that they were promised when they signed up to defend our country.

While I am pleased that the Committee on Appropriations saw fit to increase VA funding from the wholly inadequate amount requested by the President, I am very disappointed that the efforts of the gentleman from Wisconsin (Mr. OBEY), our ranking member, to provide significant additional funding, $2.6 billion, for our Nation's veterans, financed by reducing the tax cut for the very richest Americans, that all of this was blocked by the Republican majority.

As a member of the Blue Dog Coalition, I readily advocate the importance of fiscal responsibility in government, but let us not do that on the backs of our veterans.

Mr. WALSH. Mr. Chairman, I reserve the balance of my time.

Mr. EDWARDS. 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, the first order of business is to thank the gentleman from New York (Chairman WALSH) and to thank the gentleman from Texas (Mr. EDWARDS), ranking member, for a very fine effort on behalf of the Nation's veterans.

We leave today and most Americans will join us on Memorial Day to honor the fallen heroes and, might I say, sheroes. The women of the United States Congress just came back from Arlington Cemetery honoring the fallen women who lost their lives in battle. Again, we restate our commitment for the opportunity for women to be able to serve on the front lines, as they have advocated for and as we have noted that they have offered their lives in battle without any suggestion of taking the back seat.

Today we attempt to pass legislation that speaks to the Nation's veterans; and many of them, all of them, will be joining us on Memorial Day as we honor those who have lost their lives, but we will be with the veterans who were willing to give the ultimate sacrifice.

I want to thank the gentleman from Texas (Mr. EDWARDS) so very much and the gentleman from New York (Mr. WALSH) for the work that they have done dealing with keeping veterans hospitals opened. I would have hoped, however, that we would have been able to debate the Obey amendment that would have given us $2.6 billion to really be able to honor and be with our veterans and mourn those who had lost their lives, because let me remind them, when soldiers fall, their families are left behind and we need a strong VA health system.

In fact, I recently, in my representation, had the Veterans Hospital of Houston in my congressional district. I now share it with the distinguished gentleman from Texas (Mr. AL GREEN), but we are all still fighting for our veterans hospitals. And I thank both of them, and I thank the gentleman from Texas (Mr. EDWARDS), for the great fight that they have had.

I see the gentleman from Florida (Chairman YOUNG) on the floor, and I just want to note the great work done with the Fisher House in years past when we funded a place for veterans' families, families of veterans who are in the hospital, that their families may stay nearby.

We must realize that we have 1,500 dead in Iraq and Afghanistan, maybe

upwards of 2,000, and they are dying every day. But we also have the injured who are coming home who need to have a full open hospital system. Their families need to have it. So it is important, Mr. Chairman, that even as we look at the good work that this committee did, to see the opportunity to be able to debate the Obey amendment because the $2.6 billion is needed.

I would like to ask the distinguished gentleman from Texas about the concerns that I have raised. One, we know the trauma that many of these returning soldiers will face in mental health. That is one of the aspects of service of the veterans hospital. We know the fact that there is a need, even though the CARE Commission is now looking at closing eight hospitals, that we need to keep the hospitals open, and then, of course, we need to protect the families and give them good health care.

I would like to ask the distinguished gentleman that if we were able to add an extra $2.6 billion, a mere drop in the bucket, to this particular funding, and, by the way, that only gives the rich a $129,000 tax break versus $140,000, but would we be able to answer the concerns of America's veterans whom he has heard from around the Nation?

Mr. EDWARDS. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Texas.

Mr. EDWARDS. Mr. Chairman, let me just say I am proud of the work the subcommittee did on a bipartisan basis to take limited dollars and use them wisely and focus them on high priorities. But, clearly, the reason I supported the Obey amendment and am sorry it was not allowed by the Committee on Rules is because it would allow a significant increase in resources and provide mental health care services and funding for the operations of our hospitals. And I thank the gentlewoman from Texas for her great leadership over the years in standing up and fighting for our men and women who have served our country in uniform.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I will simply thank the gentleman for his comments and say I know that the hospitals are vital to our veterans and I hope that we can continue the fight for them and I look forward to working with him and the chairman.

Mr. WALSH. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana (Mr. BUYER), the distinguished chairman of the Committee on Veterans' Affairs, my good friend, someone who has worked very closely with us throughout this process.

Mr. BUYER. Mr. Chairman, I thank the chairman for the quality of his work, and I want to thank the gentleman from Texas (Mr. EDWARDS). We have had the opportunity to work over the years in the Committee on Armed Services, and we continue to work with them.

I came down here to tell them I am proud of them. They put together a pretty good product. They are operating under new procedures. I am really pleased with regard to the leadership of taking the personnel and housing and coupling it with veterans. I want to work with the gentlemen and the gentlewoman on their committees and their staff because the only way we can get the seamless transition is through working together.

And we are going to end this procurement of I will buy my own systems and VA buys their own systems and then they are incompatible and we have got duplicity and multiplicity and, guess what, it is now up to us to end this.

And we are going to make this seamless transition work. We are going to give the right platforms with regard to IT. I want to thank them for making that cut in IT. A lot of people are going to say, Why did they do that? We are about to set the correct platform under the right form of leadership. And what I would like to work with the gentlemen on is that we are going to hopefully take the chief information officer within the VA and we are going to give them line and budget authority. We are going to end the stovepipes and the wasting of hundreds of millions of dollars, because we need to modernize this system. So I want to work with them as we proceed.

Despite this recent comment about $1 billion being a drop in the bucket, they plussed-up health care $1 billion. That is real money. One billion dollars in my congressional district, and I cannot speak for yours, but in my congressional district, I take all of the income tax receipts of my constituents and it is $990 million. So $1 billion represents the labor of every constituent who works in my congressional district.

So they work together and plus this up $1 billion over the President's mark; and as a matter of fact, they exceeded the mark that we gave to the budget views and estimates. So I stand here and congratulate the bipartisan work; 1.64 billion is meaningful, Mr. Chairman.

With regard to their focus on PTSD and following the President's recommendation of the $100 million, I thank them. We are going to be holding a hearing coming up; so to the gentleman from Georgia (Mr. BISHOP) and his concerns, hopefully he can contact us and we can also address his ideas. I am pleased about the COLA adjustment. We are going to move in June to do the authorization on the COLA.

And I also want to pause for a moment and thank them with regard to the second pilot on revenue enhancement. This is boring stuff that a lot of people do not like to talk about, but it is the operations of these health systems. And we are not getting it right at the beginning, and we are not getting coding right. We are not getting the number right even on collections. So we have this project out in the visit in Ohio, and now we are opening up a second front, a competitive pilot. This is going to be the right thing as we move to improve revenue enhancement.

So I want to thank them, and I want to thank their staff for their fine work. I know I focused my entire remarks on the veterans side, but let me thank them also for what they do for the men and women and the families in taking care of their housing on these bases. It is extremely important and very valued. And they are doing some real grinding, and sometimes it does not get all of the attention, and I know what they are doing on the inside. So on behalf of the men and women in uniform, I thank them and God bless them.

Mr. EDWARDS. Mr. Chairman, I yield myself 30 seconds.

To respond to the distinguished chairman of the Committee on Veterans' Affairs, my mentor and one of the real heroes in this world is former Congressman Olin E. Teague, who once held the position that the gentleman from Indiana (Chairman BUYER) now holds. Mr. Teague was a distinguished combat veteran of World War II, served in Congress 32 years, played a leadership role on writing the modern G.I. bill. And I thank the chairman for his leadership on veterans issues, and I think his point regarding the importance of the Committee on Appropriations and authorizing committee regarding veterans working together is terribly important, and I thank him for bringing that point to the floor of the House.

Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the gentleman from Texas, my friend and colleague, for yielding me this time.

I would like to bring to the subcommittee's attention and to all of the Members of the House an issue that falls under the jurisdiction of the Military Quality of Life Subcommittee, and that is the Department of Defense's security standards for buildings. I do not think that these standards really meet the test of scrutiny when applied to cost effectiveness nor to mission accomplishment. The Department of Defense has issued standards without checking with the Congress, without having any hearings and I think without fully assessing what the cost and operational impact will be.

These building security standards preclude the Department of Defense from leasing any office space in a metropolitan area because they require a setback of anywhere from 82 feet to 148 feet from the street. Under these newly issued requirements, buildings cannot have underground or rooftop parking. They cannot have retail activity on the ground floor. They basically cannot be accessible to the public or have reasonable traffic and parking plans in operation.

We have been working in Northern Virginia in concert with the Pentagon for years to get the Department of Defense employees to their work in a

cost-efficient manner and to be able to meet the Pentagon's needs.

□ 1230

Now they say none of your buildings qualify. Well, I am not going to go into this just for my own self-serving purposes, but I do think that when DOD issues a mandatory requirement affecting tens of thousands of people that its consequences ought to be fully considered. In this case, it is a mandate that has been imposed unilaterally, resulting in the displacement of over 23,000 Defense Department personnel in Northern Virginia. It is going to affect additional thousands of people around the country.

But beyond that, it is going to require hundreds of millions of dollars to build new buildings with this enormous setback from the street, and no one else is going to want to use these buildings. The cost premium of building these buildings that meet the prescriptive DOD standards is so excessive that no other activity is going to be able to afford the cost of these buildings. So we are talking about hundreds of millions of dollars spent excessively to build buildings that will soon become outmoded by technology and common sense.

The General Services Administration has come up with an alternative, what is called a performance-based standard, as opposed to DOD's prescriptive-based standard, that provides just as much security, but they use traffic management, they harden the building, make the windows shatterproof, and move the most sensitive activities to the interior space. They use technology, they use a lot of common sense and judgment, and they accomplish the same purpose and still they can locate buildings in metropolitan areas at much less expense. They just built a building in New York that meets all of the building security standards, much less expensive than DOD wants but just as secure from terrorist attack.

So what I am suggesting is that this subcommittee look at this matter, look at the cost implications, consider whether there may be better ways of accomplishing the same security objectives. This DOD requirement is based upon protecting ourselves from a truck bomb carrying an arbitrary figure of 200 pounds of TNT, whereas a truck can carry 1,000 pounds of TNT. Furthermore, there are so many other ways a building could be attacked that these security standards don't address.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MORAN of Virginia. I would be happy yield to my friend, to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I thank the gentleman from Virginia for bringing this to us. This certainly would have an impact on all metropolitan areas where land values are high. So I would be happy to work with the gentleman as we go forward with this bill.

Mr. MORAN of Virginia. Mr. Chairman, reclaiming my time, would the gentleman consider some report language, requiring some feedback from the Defense Department on cost implications and alternative ways of accomplishing the same security objectives?

Mr. WALSH. Mr. Chairman, if the gentleman will yield further, I certainly cannot commit to language I haven't seen, but as I said, I would be happy to continue to work with the gentleman as we go towards conference.

Mr. MORAN of Virginia. Mr. Chairman, I thank my friend very much and look forward to fixing this situation in a fiscally efficient and operationally effective manner.

Ms. DELAURO. Mr. Speaker, I want to thank my colleagues Chairman WALSH and Ranking Member EDWARDS for including two provisions very important to me and so many Americans in this legislation.

This bill preserves the organization of our Defense Cancer Research Programs, which have served our Nation so well and have helped drive breakthroughs in breast, prostate and ovarian cancer research. Consolidation of these programs would have disrupted and delayed the granting of research awards, siphoned scarce resources away from research endeavors to support administrative functions. And I am pleased my colleagues, with the help of Mr. Murtha, were able to maintain the distinct nature of these cancer research programs.

I am especially pleased by the funding level for ovarian cancer research. Ovarian cancer is the fourth deadliest cancer for women. This year, approximately 22,220 women will be diagnosed and an estimated 16,210 will lose their lives to the disease. One in 57 women will get ovarian cancer, a disease with a 5-year survival rate of only 24 percent when caught in advanced stages. As an ovarian cancer survivor, I can tell you first-hand how important early detection is critical.

Despite progress made, we still do not fully understand the risks factors, symptoms and causes of ovarian cancer. Unlike other diseases and conditions, there is no screening test for ovarian cancer—there is no equivalent to the mammogram. And as such, more than 80 percent of women are diagnosed late stages when prognosis is the worst, and the overall rates of ovarian cancer mortality remain unchanged year after year.

Appropriately, the DOD Ovarian Cancer Research Program is focusing its efforts on developing science and scientists to help us achieve the breakthroughs desperately needed in the field of ovarian cancer. Sustaining the current structure of the program and providing sufficient resources will help speed the day that we have a valid and reliable early detection tool for ovarian cancer reducing and preventing suffering from ovarian cancer for our nation's wives, mothers, aunts, nieces, daughters, and friends.

Mr. Chairman, this bill also includes $2.2 billion in funding for veterans' mental health needs—and I want to thank my colleague, Mr. EDWARDS, for ensuring that it did. Many of us have long been concerned with the growing mental health needs of our returning soldiers, marines, sailors and airmen. That is why I offered an amendment to add additional funding to the Supplemental for veterans mental health needs.

Today, more than one-quarter of Operation Enduring Freedom and Operation Iraqi Freedom veterans who seek care at the VA do so for mental health reasons. And according to the New England Journal of Medicine, 16 percent of surveyed Marines and 17 percent of Army soldiers meet screening criteria for major depression, generalized anxiety, or PTSD. These rates are similar to those of service men and women in the Vietnam and Gulf Wars. And I understand from some in the veterans community that these numbers may even understate the severity of the problem.

While this bill will help provide the VA with some of the tools to meet the needs of our brave servicemembers, I do believe we have a moral obligation to do more. In particular, I am concerned that the overall VA budget is not sufficient to meet the needs of troops returning from Iraq and Afghanistan. The American Legion and other veterans groups have said that this bill falls short by as much as $2.5 billion in veterans health care funding. Indeed, in my own district, veterans tell me that they are waiting up to 9 months for some surgical procedures. And our veterans deserve better than that.

Mr. Chairman, ensuring that we are funding cancer research and providing services to our veterans are two of the most important responsibilities we have with this bill. And I am pleased the House was able to come together in a bipartisan way to see that we did. That is why I urge my colleagues to support this bill.

Mr. PAUL. Mr. Chairman, I rise in favor of this appropriations bill, although with some reservations. I am pleased that the reorganization of the appropriations bills has brought about a more logical and supportable Veterans Affairs appropriations product.

I do retain strong concerns over some of the funds appropriated under the Military Construction and North Atlantic Treaty Organization Security Investment Program sections of this bill.

Although I recognize the need for legitimate funds for military construction, I do remain concerned that the funds appropriated herein will be used to fund the construction of U.S. military installations overseas. At a time when we are closing dozens of military installations in the United States—installations that actually contribute to the defense of the United States—under the auspices of saving money, it is unconscionable to be spending money for the defense of foreign countries.

I also strongly object to the appropriation of U.S.taxpayer funds for, as the bill states, "the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area." NATO is a relic of the Cold War and most certainly has no purpose some fifteen years after the fall of the Soviet Union. As we saw in the NATO invasion of Yugoslavia, having outlived its usefulness as a defensive alliance, the Organization has become an arm of aggressive militarism and interventionism. NATO deserves not a dime of American taxpayer's money, nor should the United States remain a member.

In conclusion, though I support this appropriations bill, I remain concerned about the construction of military bases overseas and the dangerous interventionist foreign policy that drives this construction.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to speak on H.R. 2528 the

Military Quality of Life-Veterans Affairs Appropriations. Unfortunately, in rising to speak on this spending legislation, I have to tell our Nation' s veterans that they can not expect the level of medical care that they deserve from this appropriation's measure. The sad truth is that our veteran's have been getting the short end of the stick, and unfortunately they will receive no relief from H.R. 2528.

Being from the City of Houston, which is the home to the Michael E. DeBakey Veterans Affairs Medical Center where more than 137,000 veterans are provided their primary healthcare, I know how vitally important it is to provide our veterans with the care they were promised. Now is the time for the U.S. government to again fulfill our moral obligation to those who have fought for freedom and democracy. However, as outrageous as it may seem, this body will not be considering the Obey Amendment that would have increased this bill's appropriation for veterans' medical care by a total of $2.6 billion. The Obey Amendment would have paid for this vitally important medical care by simply reducing the size of the tax cut for those making over one million dollars, those millionaires would have received a tax cut of $129,000 this year, instead of $140,000. Is this what our Nation has come to? Where we chose to give millionaires a few thousand dollars more in tax cuts instead of funding proper medical care for our veterans, who left their families and risked their lives abroad to keep our Nation free, does this seem just in any way? Its truly a shame that the Appropriations Committee in a completely partisan vote decided to reject the Obey Amendment and its truly disgraceful that the Rules Committee did not allow this pertinent Amendment to come before this body for full consideration.

The sad secret of Veterans Affairs and medical care for our veterans is that with the rising cost of health care these days, the modest increases in funding for veterans' medical care in this legislation are not even enough to maintain the current level of care, which in itself is insufficient. Our veterans need and deserve proper VA benefits because they depend so heavily upon them. According to the Veteran's Administration, 28 million veterans are currently using VA benefits. Another 70 million Americans are potential candidates for such programs. This amounts to a quarter of the country's population. Veterans and their families will sadly begin finding that they have no place to turn for their medical treatment as V.A. hospitals across the country face closing their doors. With the budget shrinking, staff will be let go. This could mean the loss of over 19,000 nurses. Without these nurses, this leads to the loss of over 6.6 million outpatient visits. Approximately one out of every two veterans could lose their only source of medical care. This is a shameful situation and one that again is not properly addressed in this appropriation bill.

While I am greatly disappointed that this legislation does not fully address the crisis in veterans medical care, I am pleased to find that the Appropriations Committee rejected the administration's proposal to restrict payments to State veterans' homes for long-term care, and provides sufficient funding within this account to continue the current policy. I am also pleased the Appropriations Committee directed the VA to work with the National Association of State Veterans Homes and other stakeholders to develop and implement solutions that will give veterans the best options for quality long-term care at the most reasonable cost to the taxpayer. I can only hope that this legislation offers our veterans more options in getting quality long-term care instead of less.

We must protect the rights of our veterans because they went abroad and protected our Nation when they were called to duty. I find it unfortunate that this legislation only goes halfway towards solving the veterans medical care crisis that exists, the sad fact is that it could do so much more. I can only pray that all members of Congress will give the same effort in fighting for our veterans that they did fighting for us.

Mr. FILNER. Mr. Chairman, as a Senior Member of the House Veterans' Affairs Committee, I oppose this appropriations bill because the amount included for veterans' healthcare is woefully inadequate. An additional $2.6 billion, the amount called for in the Obey amendment which was not accepted, is desperately needed for the coming fiscal year because the number of veterans is growing and the quantity of health care per veteran is growing.

As many of our servicemembers return from Iraq and Afghanistan without legs and arms and with many and varied physical and mental heath care needs, as many of our veterans live longer and need long-term care, a grateful nation should be prepared to provide for them. Shamefully, this appropriations bill does not keep that promise, and I cannot support it.

Finally, the new appropriations structure irresponsibly pits active military needs against veterans needs. Our great Nation can support both!

Mr. LEVIN. Mr. Chairman, I rise in strong support of the Obey Amendment. This amendment provides badly needed funding for veterans health care, and represents the minimum necessary to maintain the current level of services.

While the increase in veterans health care funding in the underlying Military Quality of Life and Veterans Appropriations bill is welcome, it is also inadequate. The underlying bill fails to maintain the level of health care provided to our veterans at time when demand for those services is on the rise. The Obey Amendment corrects this by providing an additional $2.6 billion to ensure that all our veterans receive the health care they have earned and that they deserve.

I am disappointed that the President has failed to provide leadership on this issue. His request for less than a 1 percent increase for VA health care services was completely inadequate to meet the needs of our veterans. Furthermore, for the third straight year, the President proposed doubling prescription drug co-pays to $15 and charging a $250 enrollment fee to many of our veterans. Fortunately, the Appropriations Committee has rejected placing this unfair burden on our Nation's veterans and did not impose these new fees.

I urge the Majority to allow a vote on the Obey Amendment and let the House complete the work of writing a bill that honors our veterans by providing the necessary health care resources. This is the very least we can do for the men and women who have given so much in the service of our country.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in strong support of this Military Quality of Life and Veterans Affairs Appropriations bill and would like to commend the gentleman from New York—Mr. WALSH—and the gentleman from Texas Mr. EDWARDS—(and their very able staff) for their good work on this legislation.

Mr. Chairman, many of us will spend this weekend doing exactly what we should be doing—returning home to our communities to pay solemn tribute to those brave men and women who have paid the ultimate price in service of our Nation.

We are painfully mindful that we are a Nation at war. Our young fighting men and women are in action around the world, serving with distinction and dedication. To honor them, we should pass this legislation which provides important assistance to our American heroes—past and present—our veterans and our current warfighters.

This legislation: Significantly increases funding devoted to military housing and health care. Increases total funding for the VA by 3.5 percent; Boosts Veterans Medical Services $1 billion above the budget request and $1.64 billion over last year's levels: (Over the last 2 years, funding for Veterans medical care has increased by 18 percent.)

Appropriates $20 billion for the Defense Health Program—a 9.9 percent increase over fiscal 2005. Proposes a 10-percent increase in the basic allowance for military housing; Hikes total military construction 4.2 increase above last year's levels.

Mr. Chairman, our troops—active, reserve and Guard—are enduring extraordinary mental and physical stress during long tours of duty battling an insurgency engaged in intense guerilla warfare. Clearly, these troops will have special needs, including mental health needs, when they rotate from the combat zone. I am proud that this bill goes to extraordinary lengths to fund treatment of Post Traumatic Stress Syndrome, and doubles funding for mental health research.

We know from experience that the mental health and physical health of our troops are closely linked, and mental health disorders can exacerbate or even induce physical disorders. Returning service men and women need to be treated for both through integrated physical and mental health care and this bill recognizes that fact on many important levels.

Mr. Chairman, I would also like to point out what is NOT in this bill, namely higher copays at veterans health care facilities and new annual surcharges for certain categories of veterans.

Mr. Chairman, we are a Nation at war. And our young fighting men and women have real needs. Our veterans have real needs.

I want to thank the Appropriations Committee for providing for those needs and urge support for the bill.

Mr. NUSSLE. Mr. Chairman, when the Appropriations Committee realigned its subcommittees earlier this year, one of the larger challenges fell to the measure we are considering today—the Military Quality of Life and Veterans Affairs appropriations bill. The bill provides benefits, housing, and health care for our military troops and their families; and ensures that our veterans—who have given so much for our Nation—continue to receive pensions, readjustment benefits, loans, and medical care. I am pleased to rise in full support of the bill the appropriators have crafted.

MILITARY QUALITY OF LIFE

In structure, H.R. 2528 adds considerably to the previous Military Construction bill by including the Department of Veterans Affairs; the Defense Health Program; the military personnel base allowance and housing accounts; the military facilities, sustainment, restoration, and modernization accounts; the military environmental restoration accounts; and a number of small related agencies.

The bill is consistent with the levels established in H. Con. Res. 95, the House concurrent resolution on the budget for fiscal year 2006, which Congress adopted as its fiscal blueprint on April 28th. It stays within the 302(b) allocation to the subcommittee, as provided by the full Appropriations Committee pursuant to the budget resolution. Consequently, it does not violate section 302(f) of the Budget Act, which prohibits consideration of bills in excess of the 302(b)s.

[I should note that the Congressional Budget Office [CBO] has recast the 2005 enacted levels into the new subcommittee structure for this year's appropriations bills, so we can make year-to-year comparisons. Also, please be aware that CBO's figures, which I am using, employ base figures and categories that may differ slightly from those published by the Appropriations Committee.]

H.R. 2528 provides $53.5 billion to the Department of Defense [DoD]. Of that amount, $20 billion is for the Defense Health Program, which provides top-notch medical care to our service members and their families at little or no cost to them. This amount represents a slight increase over the President's request and an increase of $1.8 billion over the 2005 enacted level. This bill also funds the military construction and family housing accounts used by DoD to provide our service members and their families quality housing. The funds made available in this bill for base allowance and housing—$13.3 billion—also ensure that those serving our country are able to afford to live in quality housing whether on or offbase. This represent an increase of $1.2 billion over the 2005 enacted level.

H.R. 2528 provides $31.5 billion in discretionary funds for the Department of Veterans Affairs [VA]. Most of this amount—$28.8 billion of it—is for the Veterans Health Administration, which provides medical care to our Nation's veterans, medical research, medical facilities, and medical administration. The largest component is medical care, which is funded at $21.0 billion, an increase of $745 million over the President's request and an increase of $1.1 billion, or 6 percent, over the 2005 enacted level. The bill does not include a medical care enrollment fee or an increase in prescription drug copayments. H.R. 2528 provides total discretionary funding for the Department of Veterans Affairs of $33.7 billion, an increase of $637 million above the President's request and an increase of $2.9 billion, or 9.5 percent, above the 2005 enacted level.

H.R. 2528 does not contain any emergency-designated BA, which is exempt from budget limits. The bill contains no rescission of previously enacted discretionary BA.

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I would also like to acknowledge a specific provision that benefits the National Guard in my State. The measure includes $431,000 for planning and design of a field maintenance shop at Readiness Center in Iowa City.

THE BUDGET RESOLUTION/CONCLUSION

As I have noted before, the budget resolution provides a total allocation for discretionary appropriations of $843 billion in fiscal year 2006. This relatively tight spending level requires significant effort by the Appropriations Committee to set priorities and make choices. As we continue the appropriations season, I commend Chairman Lewis and our colleagues on the Appropriations Committee for meeting the needs of the American public within the framework established by the budget resolution.

In conclusion, I express my support for H.R. 2528.

Mr. EDWARDS. Mr. Chairman, I have no other speakers on this side, so I yield back the balance of my time.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2528

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies, for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,602,552,000, to remain available until September 30, 2010: *Provided*, That of this amount, not to exceed $168,804,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

AMENDMENT OFFERED BY MR. MELANCON

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

The Clerk read as follows:

Amendment offered by Mr. MELANCON:

Page 2, line 15, insert after the dollar amount the following: ''(reduced by $1) (increased by $1)''.

Page 10, line 6, insert after the dollar amount the following: ''(reduced by $169,000,000)''.

Page 31, line 1, insert after the dollar amount the following: ''(increased by $23,000,000)''.

Page 34, line 21, insert after the dollar amount the following: ''(increased by $8,000,000)''.

Page 36, line 9, insert after the dollar amount the following: ''(increased by $6,000,000)''.

Page 37, line 8, insert after the dollar amount the following: ''(increased by $9,000,000)''.

Page 37, line 20, insert after the dollar amount the following: ''(increased by $7,000,000)''.

Mr. MELANCON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. MELANCON. Mr. Chairman, as I begin my remarks, let me say that in my first 2 days as a newly sworn-in Congressman, I had the unfortunate experience of attending seven funerals for young men within a 20-mile radius of my home.

I bring this war-related veterans service amendment to you today. This amendment provides an additional $53 million in urgently needed funding for items critical for veterans returning from the war. The increased money for vets is paid for by cutting back this year's funding for the next round of the BRAC by 9 percent.

The amendment will provide $8 million for combat-related trauma care. The VA is currently operating four polytrauma centers for research, education and clinical activities on complex multitrauma associated with combat injuries. The important work of these centers needs to be expanded and demands dedicated funding.

Six million dollars is provided for hardware and software to support telemedicine initiatives to allow the polytrauma centers to support wounded troops once they return to their homes. Long-term follow-up is particularly problematic for Reservists and National Guardsmen who return to their communities without the support of nearby military bases.

Nine million dollars is added for medical and prosthetic research, which is needed to support current spending levels for VA research. Last year, this was funded at $402, but the bill only includes $393, a $9 million cut. Unlike NIH, VA research is uniquely focused on veterans' health issues. It investigates new prosthetic devices, infectious disease, the effects of various environmental hazards, postdeployment mental health and war-related illnesses. Veterans returning from the global war on terrorism will all benefit from this research. It should not be cut.

Provide retroactively $23 million for war orphans: Surviving spouses with minor children are eligible for Dependency and Indemnity Compensation to assist the families with immediate and transitional needs after the death of a spouse. Right now, only servicemember families whose spouses die after November 30, 2004, receive this $250 per

month benefit for 2 years. This amendment will help approximately 4,100 spouses with children whose servicemember spouse died during the war on terrorism between September 11, 2001, and November 30, 2004.

This will also provide $7 million for 100 additional staff who process claims for compensation and pension benefits. Veterans coming home from the war deserve quick response to their claims, but as of May 21, 2005, over half a million claims for compensation and pension benefits were pending at VA regional offices. This includes 342,811 claims by veterans who are seeking a disability rating.

I propose a BRAC offset. The administration requested $1.88 billion for fiscal year 2006 for the new round of BRAC. While the administration was formulating this request, the DOD consistently was stating that there was about a 20 to 24 percent excess capacity in military installations. Then, on May 12, just 2 weeks ago, Secretary Rumsfeld reported at a press conference that the new BRAC list would only cut between 5 and 11 percent of excess capacity.

The 2005 BRAC round will actually require less than half of the closure and realignment activities originally projected. The administration's budget request reflects much more money than will be needed to be spent for BRAC activities in fiscal year 2006.

The bill already cuts $310 million from the BRAC request, and the program would not suffer with an additional $169 million cut. This is well under the $180 million in additional cuts that was approved by the Committee on Armed Services.

While it is important to begin funding the implementation of the new BRAC round, this money is the first installment in a process that will take several years. By contrast, money for veterans' health is urgently needed, especially in the critical areas funded in this amendment. We need to take care of our servicemen and -women returning from the war as they come home.

Mr. WALSH. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. WALSH. Mr. Chairman, I would like to welcome the gentleman to the Congress. We are very proud and happy that he is here, and I hate to oppose the very first amendment that he is offering, but I think it is the responsible thing to do.

We believe this bill is a balanced bill that addresses all of the needs of the Nation in a fair manner. This amendment would cut $169 million from the funding required to carry out the BRAC recommendation. This cut would slow down the cleanup and disposal of closed bases for this round, and also the realignment of bases, and will therefore negatively impact the economies of those communities by stalling the reuse and development of that land.

Now, the gentleman is from Louisiana. As we are all aware, there were a number of closures and realignments in the State of Louisiana, particularly around Baton Rouge and New Orleans, if this amendment were to pass, the redevelopment of those bases and properties, and I am sure land values are quite high in New Orleans and people would like to redevelop those properties, that would stall. It would be delayed. It would cause confusion. And I suspect that others Members of the Louisiana delegation may not want to support this because it will definitely affect their communities.

I would also offer that at this point we are talking about a list of proposed closures. We do not know exactly which bases will be closed or realigned until the process is over.

We do know one thing, though, that this $169 million that the gentleman would like to take out of BRAC will not get you, dollar for dollar, the money that you would like to see spent in veterans' health care.

Because of our budget rules, this money that is in the BRAC fund, the $169 million that the gentleman would like to cut from BRAC, will only get $30 million. It would only free up $30 million in 2006 for the purposes that the gentleman has described.

The reason is because, again, under our budget rules, this money in BRAC spends out or outlays at a rate of only 15 percent. So, in effect, this is penny wise and pound foolish, because you lose almost $170 million in the BRAC funding to get $30 million in veterans' health. That money would be much better spent in BRAC, because you will get the full benefit of $170 million.

The bill that we presented does much to improve VA health care by adding $1 billion to the budget request. This results in an 8.5 percent increase over last year and over a 40 percent increase since the year 2001. So as I have said before to Members who appeared before the hearing, members of the veterans community, the House has the power of the purse. We establish our priorities by how we allocate funds, how we appropriate funds. And other than Defense health, no area, no budget within the Federal budget, has increased the way veterans' health care has. This would be an 18.2 percent increase in 2 years in veterans' health care.

So this would do great harm to the BRAC and it would do little to impact on veterans' health care. This comes at a high cost to BRAC, especially when one considers the large increases that we have already provided in veterans' health care programs.

Mr. Chairman, I would urge that the Members oppose this amendment.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Louisiana (Mr. MELANCON).

Mr. MELANCON. Mr. Chairman, I thank the gentleman from New York (Chairman WALSH) and the ranking member, the gentleman from Texas (Mr. EDWARDS), and I thank the gentleman from New York (Mr. WALSH) for the welcome to the floor of the House, to the Chamber. It is an honor to be here.

I, too, regret that the gentleman has to oppose my amendment.

Mr. OBEY. Mr. Chairman, reclaiming my time, I simply want to say that I congratulate the gentleman for offering this amendment. I would say that I greatly respect the chairman of the subcommittee, but I disagree with the implication of one thing that he said. He is evidently suggesting that because of a difference in outlay rates between these two accounts, that we would not get the full amount in the amendment, or that the full amount in the amendment would not be immediately made available for the purposes of the amendment.

I would simply point out that whether it is $79 million being redirected or $53 million being redirected, it is still better than nothing.

□ 1245

I would also say that BRAC is going to go on for a long, long time. We have no idea how much money we are going to need for BRAC, and this Congress will be adjusting what it provides for BRAC many times over, the next 7 or 8 or 9 years. But the fact is that the troops coming home now need these services now. I do not think that anyone believes that either the budget amount or the amount in the committee is fully sufficient, given the needs of the troops.

So I would urge a ''yes'' vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. MELANCON).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MELANCON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana (Mr. MELANCON) will be postponed.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, $50,000,000, to remain available until September 30, 2007, for overhead cover systems to support force protection activities in Iraq: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,109,177,000, to remain available

until September 30, 2010: *Provided*, That of this amount, not to exceed $36,029,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,171,338,000, to remain available until September 30, 2010: *Provided*, That of this amount, not to exceed $91,733,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $976,664,000, to remain available until September 30, 2010: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $107,285,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $410,624,000, to remain available until September 30, 2010.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $225,727,000, to remain available until September 30, 2010.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $138,425,000, to remain available until September 30, 2010.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $45,226,000, to remain available until September 30, 2010.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $110,847,000, to remain available until September 30, 2010.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $206,858,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $549,636,000, to remain available until September 30, 2010.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $803,993,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $218,942,000, to remain available until September 30, 2010.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $588,660,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $1,236,220,000, to remain available until September 30, 2010.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $755,319,000.

Mr. MICA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the chairman of the Subcommittee on Military Quality of Life and Veterans Affairs of the Committee on Appropriations.

First of all, I want to take a moment to commend the gentleman from New York (Mr. WALSH) and the committee for bringing this important pending bill to the floor and providing resources to our military and those who serve in our military. I thank him for his leadership in the United States House of Representatives and for his service to our Nation.

I had intended to offer an amendment to add $1.3 million to the Army National Guard construction account in order to complete the design of a joint National Guard Reserve Center in Daytona Beach, Florida. Last year, through the good work of this appropriations subcommittee, the Subcommittee on Military Construction appropriated $789,000 in fiscal year 2005 funding to begin the design, and that funding is now being depleted.

Mr. Chairman, this project is the Florida National Guard's number one priority in the 2012 to 2013, 5-year plan and will be included in the President's budget for the 2007 budget.

I am concerned that possibly cutting the funding or not providing the funding for this project now may negatively impact on the Florida National Guard's ability to move forward with this important project that is now some nearly 8 years behind schedule.

I would ask the gentleman from New York whether he can commit to working with me during the conference on this bill to ensure that funding or adequate attention and language is in the final bill.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I congratulate the gentleman from Florida for his hard work and his dedication to getting this base back on track, and I will be happy to work with the gentleman from Florida as we go forward.

Mr. MICA. Mr. Chairman, I thank the gentleman.

Mr. CHANDLER. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the gentleman from New York (Chairman WALSH).

Mr. Chairman, I would like to enter into a colloquy to discuss a funding matter concerning the Assembled Chemical Weapons Alternatives program.

I rise today, Mr. Chairman, to bring attention to a significant funding problem that, if it is not solved, could halt the destruction of dangerous chemical weapons stockpiles in Richmond, Kentucky and Pueblo, Colorado.

Within the last 2 months, there have been significant changes in the status of what is known as the ACWA program which manages the Blue Grass Ammunition Demilitarization Facility at the Blue Grass Army Depot in Kentucky and at the Pueblo Chemical Depot in Pueblo, Colorado.

Due to recent Department of Defense decisions, the President's fiscal year 2006 budget no longer reflects the funding requirements needed for the Blue Grass site.

If the United States is to meet the 100 percent extended destruction deadline of April 2012 set by the Chemical Weapons Convention, a total of $31 million in funding needs to be allocated to the Military Quality of Life Chemical Demilitarization Construction account.

This $31 million would come in the form of a zero-sum adjustment to the President's budget, as he had included a $33 million request for ACWA under the RDT&E account.

I recognize that this bill does not have jurisdiction over the RDT&E account, which complicates the transfer of these funds. However, I request that when the House and Senate conferees meet to reconcile the two versions of this bill, that they consider adding these vital military construction funds to the ACWA program.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. CHANDLER. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I thank the gentleman.

I am aware that the Department of Defense wants to revise the budget request for this program. I am also aware that the Department does not want to submit a budget amendment. The gentleman from Kentucky is correct, the jurisdiction complicates the transfer of funds from RDT&E to the Chemical Demilitarization Construction account, and the timing of this request is also a complicating factor. However, I assure the gentleman from Kentucky that this issue will be kept in mind during the conference consideration of this bill.

Mr. CHANDLER. Mr. Chairman, reclaiming my time, I thank the gentleman from New York for his recognition of both the funding needs of the ACWA program and the need to dispose of these dangerous weapons that threaten the safety of communities in Richmond, Kentucky and Pueblo, Colorado.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $46,391,000.

Mr. MEEHAN. Mr. Chairman, I move to strike the last word to engage in a colloquy with the gentleman from New York (Chairman WALSH).

Mr. WALSH. Mr. Chairman, if the gentleman will yield, I would be pleased to engage in a colloquy with my friend, from the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Chairman, as the gentleman from New York is aware, over 75 million Americans suffer serious pain, and over 50 million of these endure serious pain with a duration of 6 months or more. Many of these Americans are being treated in facilities within the Department of Veterans Affairs. Currently, available treatment mechanisms do not cure the pain and usually involve medications that are hardly more effective than a placebo, while introducing the risk of serious side effects. Recent clinical findings are causing widespread concern that pain killers available through prescription and over the counter are placing users at additional risk.

As the chairman of the appropriations subcommittee that must find funding to pay for these medications, the gentleman from New York has an important role in directing the Department of Veterans Affairs to use their medical dollars wisely.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MEEHAN. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I am aware of those facts and of the significant cost to society in the form of dollars and the quality of life.

I am also recently aware that research being done in the gentleman's district may lead to significant changes in how we treat pain and offers the promise of reducing the side effects. This research in the area of photon mediated treatment for pain, in effect using light and its associated heat, offers enough hope that I would suggest it as an area of further research within the Department of Veterans Affairs.

Mr. MEEHAN. Mr. Chairman, reclaiming my time, I thank the gentleman for his remarks and look forward to working with him as he moves this bill forward and into conference. I would hope that the conference statement of managers would include a suggestion to the Department of Veterans Affairs that they consider doing research in this area.

Mr. WALSH. Mr. Chairman, if the gentleman will continue to yield, I thank the gentleman and pledge to do all I can to work with the other body to put some language on this subject in the statement of managers when we get to conference.

Mr. MEEHAN. Mr. Chairman, I thank the gentleman from New York.

Mr. FARR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage with the gentleman from New York (Chairman WALSH) in a brief colloquy, if he would be so kind, on the subject of cleanup at closed bases.

Mr. WALSH. Mr. Chairman, if the gentleman will yield, I am happy to enter into a colloquy with my friend, the gentleman from California.

Mr. FARR. Mr. Chairman, I rise to bring to the attention of the House a problem that desperately needs attention, which is cleanup at our closed military bases. I realize that in today's tight budget situation, we have difficult choices to make, but I think it is critical that the Members of this body realize that the issue of cleanup at military bases, both the active bases and the closed bases, but especially at those that are closed, is literally a time bomb.

Mr. Chairman, I know the gentleman from New York (Chairman WALSH) has tried to accommodate the cleanup needs of closed bases. Through the gentleman's efforts, this bill provides $377 million in BRAC money for previous rounds of closed bases. Most of this will go to cleanup, but that is far from enough to complete the cleanup and transfer this land to others so that economic growth can occur.

To my colleagues I say, if we are serious about BRAC, we have to get serious about cleanup. DOD officials claim that earlier rounds of BRAC have saved about $7 billion a year, but that is false savings when the Defense Science Board Task Force on UXO, unexploded ordnances, in February of 2004, put the cost of unexploded ordnance cleanup between $26 billion and $52 billion.

Just this past January, the GAO reported that $3.6 billion remains to be cleaned up at closed bases, and identified the base in my district, closed base Fort Ord, as having yet another $322 million in cleanup costs before the land can be transferred. This is on top of the $327 million that has already been spent on the cleanup at Fort Ord.

□ 1300

The scope of this problem is large, and Fort Ord is not the only problem. The same GAO report shows that Kelly Air Force Base in Texas still has about $209 million in cleanup costs outstanding. Seneca Army Depot in New York has $72 million in cleanup costs remaining. Savanna Depot in Illinois has $55 million, and the naval air station in South Weymouth, Massachusetts, has $39 million. The five bases cited carry a $697 million cleanup price tag, yet the bill is only able to provide $377 million for that purpose, less than half.

If, 10 years after the last BRAC round, we are still struggling to remove these bases from the Pentagon's inventory, but cannot because of cleanup problems, how are we going to cope with a round that was just announced a week ago?

BRAC has become all about disposal of military property. We have forgotten about the part of BRAC that is supposed to be about conversion of military property.

Disposal must contain a more aggressive component of cleanup so that conversion and, therefore, economic recovery can take place more quickly and more effectively.

I would suggest one option for us to consider is to rescind the MILCON money in this bill currently slated for bases that are on the closure list, and reallocate it to the BRAC cleanup. Closing bases do not need new construction, but they will need cleanup.

Mr. WALSH. Mr. Chairman, I thank the gentleman from California (Mr. FARR), who is a respected and active member of the subcommittee and knows these issues very well. Certainly, the gentleman has made us all more sensitive to the problems of unexploded ordnance and hazardous wastes at closed bases, and I commend the gentleman for that.

While I do not dispute the gentleman's logic, I cannot endorse his suggestion at this time.

As we all know, the Secretary of Defense released his BRAC recommendations to the BRAC Commission on May 13. At this time, they are just that, recommendations to the Commission. It is the Commission who will present the final report to the President later this year.

However, I will commit to my friend, the gentleman from California (Mr. FARR), that we will be following this process closely, and as we move to conference on this bill, I will work with him to adjust the funding available for cleanup of bases closed in previous BRAC rounds.

Mr. FARR. Mr. Chairman, I thank the gentleman. I appreciate his commitment to address this matter in conference and eagerly look forward to working with the gentleman on it.

I thank the chairman for engaging in this colloquy.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $2,500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

BASE REALIGNMENT AND CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $377,827,000, to remain available until expended.

AMENDMENT NO. 2 OFFERED BY MR. BLUMENAUER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. BLUMENAUER:

Page 9, line 22, insert after the dollar amount the following: ''(increased by $351,000,000)''.

Page 10, line 6, insert after the dollar amount the following: ''(reduced by $351,000,000)''.

Mr. BLUMENAUER. Mr. Chairman, I appreciated what we just heard a moment ago from the chairman and my friend, the gentleman from California (Mr. FARR). And I appreciate the gentleman's long involvement with this issue and sensitizing us to it.

I am deeply concerned that the parameters that the gentleman from California outlined are such that we are going to have to take a serious step back and do something this Congress. I mentioned earlier, I know that the new subcommittee's configuration gave it broad scope with lots to do. But it is time for us to take a step back and give proper focus to the problem of military cleanup on bases that have been realigned and closed.

My amendment would simply say, before we start the fifth round of base closure, the fifth round, that we ought to take some of that money that has been designated for the fifth round and instead keep faith with the 17 communities that are waiting, now since 1988, to have their problems solved.

We are all aware of the trauma that can take place in communities when bases close, how they lose jobs. They are upset. But to compound it by leaving people with a toxic white elephant is absolutely unacceptable.

I have before me here a list of the 1988 BRAC installations and the estimated date of the cleanup. At the top of the list, in no particular order, in Sacramento, California. They are going to have to wait till the year 2072 to be able to fully clean this up.

As we go down the list, it is absolutely unacceptable. It is one of the reasons that we find such apprehension regarding the BRAC process, although there is the promise of redevelopment. There are opportunities that we have seen, for example, in Lowry Air Force Base in Denver. Where it is done right, bases can be cleaned up, it can add economic vitality to communities. The sorry fact is that we have not kept faith with the communities that have suffered base closure.

I strongly urge that each and every Member of Congress take a step back. To the best of my knowledge, we have not voted specifically to put money in the cleanup process in at least the 9 years that I have been in Congress, and I have not been able to identify a specific vote before that.

The fact is that Congress is missing in action. There are people in the Department of Defense who are skilled, eager and interested to go. There is a significant private sector range of activities, businesses that are ready to do their job in base cleanup.

What is missing is that Congress has never made it a funding priority. And at the top, at the Pentagon, despite having some great people through the last two administrations who understand this problem, it has never been a top priority of the Pentagon, until we come around again talking about base closures.

I am strongly suggesting that we step forward, that we allocate this $351 million, put it here, so that we are keeping faith with these people. The fact is that if we were to approve this amendment, it would still be only a third of what is necessary, less than a third of what is necessary to deal with prior base closures. And frankly, that is just the tip of the iceberg because there are 2,307 formerly used defense sites in every State of the Union that are littered with unexploded ordnance and military toxins.

Mr. Chairman, I appreciate the opportunity to bring this amendment forward. I appreciate the opportunity of working with this subcommittee in the future, but I want to make clear that it is time for Congress to no longer be missing in action and to take this small step to keep faith with these people who have been waiting for 17 years for the Pentagon and Congress to do the cleanup job that faces them.

Mr. WALSH. Mr. Chairman, I rise in opposition to the gentleman from Oregon (Mr. BLUMENAUER's) amendment.

Mr. Chairman, let me begin by saying that I know the gentleman from Oregon (Mr. BLUMENAUER) brings a tremendous amount of history to this issue and expresses the concerns that all of us feel for communities that have this long-term problem. So I accept his genuineness and his attention to this. And pressure is a good thing.

Let me state that we have just discussed this with my colleague on the subcommittee, the gentleman from California (Mr. FARR), and we intend to work on this when we get to conference with the Senate.

I would just point out that the Navy recently sold the former Marine Corps Air Station at El Toro in California for $650 million, which was a much higher price than was anticipated. Since all land sale revenues must come back into the priority BRAC account, there will be some additional funds available in fiscal year 2006 for environmental cleanup.

This amendment is probably not necessary. DOD has indicated that by the year 2008 it will have either completed the cleanup or put into place all the remedial systems it needs for cleanup at all but two installations. Once in place, the cleanup will take time, and more funds will not necessarily speed up the process.

These are areas, for example, where you have a range, firing range, where mortars or small arms or other weaponry was fired and remains unexploded in the ground. It will take time to find that. It is a very dangerous process. I am sure it is a very tedious, stressful process, but it has to be done right, so it does take time.

I would also note that by taking money out of the 2005 BRAC account, the gentleman would actually compound the very problem he is trying to correct for the upcoming BRAC. It will slow down the cleanup and disposal of closed bases for this round and will, therefore, negatively impact the economies of those communities by stalling reuse development.

We do intend to deal with this issue in conference. And we will look at what funds may reasonably be added to the prior BRAC account to accelerate environmental cleanup. We need to make

sure that more funds will actually translate into more effect. Since I do not know, at this time, what that plus-up could be, I am afraid that I must oppose the gentleman's amendment.

Mr. LARSON of Connecticut. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to rise and associate myself with the remarks of the distinguished gentleman from Oregon (Mr. BLUMENAUER) and strongly support his amendment. Let me also add and thank the very thoughtful colloquy that was conducted by the gentleman from California (Mr. FARR) and the distinguished chairman from New York (Mr. WALSH). Clearly, his involvement and assistance is much needed and greatly appreciated.

But as a State and, I daresay, for the Northeast as an entire region that has been targeted, when you look at statistically what is going on here in the 17 communities, as the gentleman noted, that are in dire shape, and you look at the length of time as we project out, you now understand why communities have such enormous apprehension about this. Or as Peter Finley Dunne would say, ''Trust everyone, but cut the cards.'' And in the case of the BRAC hearings, we feel that we need a new deal.

I further would just say in listening to the distinguished Chair, the gentleman from New York (Mr. WALSH), and again, I applaud him personally for his efforts, while there will be more money available for cleanup from the sale of the El Toro Marine Air Station, the amount needed is over $3.6 billion. Even with these new funds, we are less than one-third of the way there in terms of the funding. One-third of the way there, and we are adding on all these new communities.

And in looking at what the BRAC findings initially have projected, and especially looking at the State of Connecticut in terms of the cleanup, how drastically underestimated they have been in those areas as well. So these are very disturbing, and that is why I again thank the gentleman from Oregon (Mr. BLUMENAUER) for raising this very important and thoughtful amendment, a common-sense approach, that before we proceed to a fifth round, that we make sure that we address these very important issues that impact all of our communities.

If we are going to have trust in this process, as the gentleman has appropriately pointed out, then Congress cannot abrogate its responsibility. It has to assume that responsibility and assure these communities that are going to be impacted, if we are to proceed in a strategic and very important, common-sense approach to this issue.

Mr. FARR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment to discuss it in a broad sense. I am also very supportive of our chairman, the gentleman from New York (Mr. WALSH). I am on the committee. But this is an opportunity for us to focus in on the need for base cleanup.

And it is an easy expression to say base ''cleanup,'' the word, but the process is elaborate because there are all kinds of cleanup. Essentially, the cleanup that most people know that would be in any city where you had a motor pool, where you had garages and fuel spent, all bases have that. Those are common kinds of industrial types of cleanup.

You have areas that most communities do not have, which are firing ranges. Most of that is lead cleanup. Those are not necessarily unexploded ordnances because you fire in for targets. You have cleanup because big bases have their own places that they dumped, in many cases, the old days they just dumped the fuel, poured it on the ground, but they also had solid waste sites. And as the rains came the leachates through the solid waste site get into the groundwater. So we have now ground water contamination. That is another cleanup.

And lastly and most elaborately, you have one cleanup that only the Federal Government does and only people that have been trained by the Federal Government, even though they may be in the private sector, are authorized to do. We do all the unexploded ordnance cleanup; nobody else in the world does that. And that cleanup is very specific because, as the chairman said, it is dangerous. It is unexploded ordnances that are in the ground and oftentimes buried. And it is slow.

But the fact of the matter is that if these were private lands, the private sector would have to clean it up. That is the law. And we know about Superfund law and things like that. When it is the government they can take more time and do it at their own pace, and particularly the military, because their mission is to go fight military battles.

□ 1315

The last thing that you want to do is spend a lot of money just trying to clean up the ground which is left behind. And on that ground, are some buildings that, I might add, are old buildings that have lead paint and asbestos in them which have to have certain protocols for getting rid of the lead paint and asbestos.

So unless this attention is given, what people do is they put this stuff on the back burner and say, that is expensive. Let us go at it slowly. We will not have to appropriate enough money to it. You have communities now coming and begging to the military saying, why do you not just give us the money. This is called a buy-out. I am working on this in my own district to see if you can buy a buy-out so that the government can put up the money and the community will accept the responsibility for getting it done. They may be able to get it done faster. They think they can.

So these are the kinds of issues that I think it is important that we focus on. I really applaud the gentleman from Oregon (Mr. BLUMENAUER) for not only bringing this amendment to the floor, but he has been doing this for years by trying to tweak the conscience of Congress to say these things are about cleanup. It is a responsibility that the private sector knows they have to do, and we in the public sector ought to be doing the same and particularly the military.

I might add, it is not all criticism of the military. Recently, since the environmental laws have come along, I found that the military has been a very good steward of these laws. In fact, now on all our ranges and all the things that the military does, they have reports of where every shell goes. They keep those reports. They know where the contamination is. They try to do cleanup as they go along, and they try to minimize any kind of adverse impacts on the environment. I applaud the military for that.

We have to be good stewards and good citizens of our communities where our military bases are and take the responsibility for cleaning up these extraordinary amounts of messes, particularly at a time when you want to use that land for economic recovery. And you cannot even get on the land; you cannot walk on it. They put a fence around it. That is the worst thing that can ever happen to a community and to closed bases.

I applaud this effort to bring attention to all of the Members of Congress that we have got a real problem here, and that we have got to focus some attention and figure out the resources that we need to get the job done. I applaud the chairman for his work and conscientiousness in trying to see that we might be able to go some money in conference to address this problem.

Mr. GINGREY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, today I rise in support of the Blumenauer amendment that would shift funding for the 2005 BRAC round into accounts that would be used to finish the cleanup of all the installations closed in previous rounds, all of which, by the way, occurred over 10 years ago.

The Department of Defense is currently conducting a review of the military's overseas facility structure as well as the upcoming Quadrennial Defense Review, the QDR. These are important and very telling studies that have not yet been completed that will give us in Congress a much clearer picture of our military's future landscape and needs; and meanwhile, we should take the time to finish the job we started in the late 80s.

Mr. Chairman, yesterday morning I flew home to Marietta, Georgia, in my district, where I had the pleasure of meeting one of the nine BRAC commissioners as he toured Naval Air Station Atlanta in the 11th district. While we

were there, a comment was made that the commander of the facility would like to have rolled the 40-plus planes, Humvees, and Cobra helicopters out on the tarmac for review, but they were all deployed in the war on terror.

Mr. Chairman, the DOD has recommended that these assets be realigned elsewhere; yet I am concerned that proper due diligence has not been paid to consider the overall force structure needs of the military, the very purpose of the QDR that will not be completed for months.

If BRAC is to occur, I believe that it can be carried out in a much more effective manner once we have a better idea about what the future holds. So for that reason, I believe that we should allocate our scarce resources to completing the cleanup necessary for those communities already impacted by BRAC to reclaim the land and put it to good use.

Once again, Mr. Chairman, I fully support the Blumenauer amendment.

Mr. CASE. Mr. Chairman, on June 22, 2004, I came to the floor of this house in support of the gentleman from Oregon's (Mr. BLUMENAUER) amendment to the Fiscal Year 2005 Defense Appropriations bill relative to unexploded ordnance (UXO). I rise again today in support of my colleague's UXO amendment.

My home state of Hawaii is the perfect example of how and why funds for the cleanup of UXO are very much needed. Several years ago, the Department of Defense (DOD) identified over fifty DOD-registered locations in my state that have not been cleaned up. These sites continue to present significant and ongoing public safety risks.

One of these locations is the Waikoloa/Waimea Formerly Used Defense Site (FUDS) on my Island of Hawaii. The site includes over 137,000 acres and all or parts of the communities of Waikoloa and Waimea (Kamuela). The U.S. Navy acquired the area in 1943 through licensing agreements for use as a military training camp and artillery range. U.S. Marine Corps maneuvers and intensive live-fire training included hand grenades, 4.2-inch mortar, and 37 millimeter (mm), 75mm, 105mm, and 155mm high explosive shells.

The first ordnance cleanup activity occurred in 1946. In 1954, military ordnance disposal units began to identify and dispose of thousands of munitions. The United States Army Corps of Engineers determined the site was eligible for the Defense Environmental Restoration Program Formerly Used Defense Site in 1992.

An engineering evaluation/cost analysis, completed in January 2002, designated the entire property as a potential ordnance health and safety risk. Eleven areas within property (48,000 acres) were determined to have the highest risk, including all of the Waikoloa Village and the developing urban area from Kawaihae to Waimea. In that analysis, the United States Army Corps of Engineers estimated that the cost to complete the cleanup for the entire site is $653 million.

Mr. Chairman, our military plays a vital role in our society and throughout the world. My state of Hawaii is the location for the regional headquarters of each of the service branches as well as the Pacific Command. Hawaii proudly continues to play a vital role in America's military, commercial, and diplomatic relations with countries in the Pacific Rim and beyond.

However, I strongly believe that the military must also follow practices espoused by parents, teachers, and camp counselors alike: Leave any place you have visited cleaner than when you arrived. Along these lines, the United States Army Corps of Engineers is ready and willing to be better engaged in the cleanup process. Congress must now take the first step of appropriating sufficient funds for this important action.

I again wish to commend the gentleman from Oregon (Mr. BLUMENAUER) for his continued diligent work on this important issue. I look forward to working with him in the future and urge my colleagues to support this important, vital amendment for communities throughout our country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BLUMENAUER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BLUMENAUER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. BLUMENAUER:

Page 9, line 22, insert after the dollar amount the following: ''(increased by $55,000,000)''.

Page 10, line 6, insert after the dollar amount the following: ''(reduced by $55,000,000)''.

Mr. BLUMENAUER. Mr. Chairman, it is my intention not to unduly delay this effort. I will withdraw this amendment at the end, but I want to finish the thought because I deeply appreciate what my colleagues have mentioned referencing the unexploded ordnance issue.

I want to agree with what the gentleman from California (Mr. FARR) said, the Department of Defense is making tremendous progress dealing with cleanup of unexploded ordnance.

This is a representative sample of the problem. I will tell you that this picture could have been taken at any of dozens of sites around the country. What is most distressing is that we do not know the full extent of all of the unexploded ordnance that is our responsibility.

A couple of years ago, I led a tour with my colleague, the gentlewoman from the District of Columbia (Ms. NORTON), to the campus of American University where the toxic residue of World War I was still being cleaned up after three efforts. The child care center was closed down. An athletic field was denied access to athletes, and over the fence, the back yard of the $10 million little bungalow of the Korean ambassador was all dug up because they were trying to complete what they hoped might be the final cleanup of this site within the boundaries of the District of Columbia. There are 2,307 sites around the country were formally used sites.

It is true that these amendments, as the chairman says, may take a little money away from the fifth round. It may slow it. I would be prepared to argue that in good faith that it is not going to slow it, but frankly, if we cannot keep faith with the people 18 years ago, maybe we should slow it down before we go to the districts in Georgia and Connecticut and elsewhere around the country. But, in fact, I do not think that will be the case.

This program has been plagued by an on-again off-again effort. We have not geared it up. We have not turned loose the expertise in the military and in the private sector, people who could solve these problems if we had a guaranteed stream of funding.

If we did the research, we would find that more people would be in the business, the cost of the bids would go down, we would develop the technology, and not only would we remove unexploded ordnance that is in every State of the Union, but we would develop technology that would make our fighting men and women safer in Iraq and Afghanistan. It would make civilians safer in Southeast Asia and in Africa and the Balkans.

This is our responsibility, and we have been missing in action too long as a Congress.

The gentleman from New York (Mr. WALSH) talks about the complexity of being able to survey large areas. It takes time. But there is new technology that can speed it up. I have been working with another subcommittee to get funding for what is called Wide Area Assessment. The Defense Science Board says if we would spend a billion dollars over the next 5 years, we could probably identify 8 million acres or more that was not contaminated. We could return it to be wildlife or redeveloped, or it could even be used for other military purposes. It is an example of where, if we do our job, we will save money, we will save lives, we will advance technology, and it will move forward.

I deeply appreciate the time that has been taken this afternoon for this discussion. I appreciate the chairman and ranking member for their engagement in this, for providing feedback to me and my staff and others, for the assurances that in conference we will try to move some of this money around, that the El Toro money that could be used for additional naval cleanup. All this is great, but it is a drop in the bucket of the overall problem. It is less than half of our obligation just for things that we have already closed.

Mr. Chairman, as I said, I am going to withdraw this amendment. I appreciate being able to make the point. I look forward to working with the gentleman, but I would hope that our colleagues will take this seriously because it can have vast implications for military readiness, for the environment, and keeping faith with our communities who expect that we will do our job. Today I hope we will take a step in doing just that.

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

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BASE REALIGNMENT AND CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Realignment and Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $1,570,466,000, to remain available until expended.

BASIC ALLOWANCE FOR HOUSING, ARMY

For basic allowance for housing, for members of the Army on active duty, $3,945,392,000.

BASIC ALLOWANCE FOR HOUSING, NAVY

For basic allowance for housing, for members of the Navy on active duty, $3,592,905,000.

BASIC ALLOWANCE FOR HOUSING, MARINE CORPS

For basic allowance for housing, for members of the Marine Corps on active duty, $1,179,071,000.

BASIC ALLOWANCE FOR HOUSING, AIR FORCE

For basic allowance for housing, for members of the Air Force on active duty, $3,240,113,000.

BASIC ALLOWANCE FOR HOUSING, ARMY NATIONAL GUARD

For basic allowance for housing, for members of the Army National Guard on active duty, $453,690,000.

BASIC ALLOWANCE FOR HOUSING, AIR NATIONAL GUARD

For basic allowance for housing, for members of the Air National Guard on active duty, $248,317,000.

BASIC ALLOWANCE FOR HOUSING, ARMY RESERVE

For basic allowance for housing, for members of the Army Reserve on active duty, $310,566,000.

BASIC ALLOWANCE FOR HOUSING, NAVAL RESERVE

For basic allowance for housing, for members of the Naval Reserve on active duty, $191,338,000.

BASIC ALLOWANCE FOR HOUSING, MARINE CORPS RESERVE

For basic allowance for housing, for members of the Marine Corps Reserve on active duty, $40,609,000.

BASIC ALLOWANCE FOR HOUSING, AIR FORCE RESERVE

For basic allowance for housing, for members of the Air Force Reserve on active duty, $71,286,000.

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, ARMY

For expenses for facilities sustainment, restoration and modernization of the Army, $1,850,518,000.

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, NAVY

For expenses for facilities sustainment, restoration and modernization of the Navy, $1,344,971,000.

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, MARINE CORPS

For expenses for facilities sustainment, restoration and modernization of the Marine Corps, $553,960,000.

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, AIR FORCE

For expenses for facilities sustainment, restoration and modernization of the Air Force, $1,845,701,000.

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, DEFENSE-WIDE

For expenses for facilities sustainment, restoration and modernization of the Department of Defense, $115,400,000.

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, ARMY NATIONAL GUARD

For expenses for facilities sustainment, restoration and modernization of the Army National Guard, $391,544,000.

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, AIR NATIONAL GUARD

For expenses for facilities sustainment, restoration and modernization of the Air National Guard, $184,791,000.

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, ARMY RESERVE

For expenses for facilities sustainment, restoration and modernization of the Army Reserve, $204,370,000.

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, NAVAL RESERVE

For expenses for facilities sustainment, restoration and modernization of the Naval Reserve, $67,788,000.

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, MARINE CORPS RESERVE

For expenses for facilities sustainment, restoration and modernization of the Marine Corps Reserve, $10,105,000.

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION, AIR FORCE RESERVE

For expenses for facilities sustainment, restoration and modernization of the Air Force Reserve, $55,764,000.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $407,865,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $305,275,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $406,461,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $28,167,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $221,921,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law, $19,983,912,000, of which $19,184,537,000 shall be

for operation and maintenance, of which not to exceed 2 percent shall remain available until September 30, 2007, and of which up to $10,212,427,000 may be available for contracts entered into under the TRICARE program; of which $355,119,000, to remain available for obligation until September 30, 2008, shall be for procurement; and of which $444,256,000, to remain available for obligation until September 30, 2007, shall be for research, development, test and evaluation: *Provided*, That notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $7,500,000 shall be available for HIV prevention educational activities undertaken in connection with U.S. military training, exercises, and humanitarian assistance activities conducted primarily in African nations.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds appropriated in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 118. The Secretary of Defense is to provide the Committees on Appropriations of both Houses of Congress with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Sea to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(TRANSFER OF FUNDS)

SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 121. None of the funds made available in this title may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.

SEC. 122. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(TRANSFER OF FUNDS)

SEC. 123. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for

expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 124. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 125. None of the funds made available in this title under the heading ''North Atlantic Treaty Organization Security Investment Program'', and no funds appropriated for any fiscal year before fiscal year 2006 for that program that remain available for obligation, may be obligated or expended for the conduct of studies of missile defense.

SEC. 126. Whenever the Secretary of Defense or any other official of the Department of Defense is requested by the subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives or the subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate to respond to a question or inquiry submitted by the chairman or another member of that subcommittee pursuant to a subcommittee hearing or other activity, the Secretary (or other official) shall respond to the request, in writing, within 21 days of the date on which the request is transmitted to the Secretary (or other official).

SEC. 127. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(TRANSFER OF FUNDS)

SEC. 128. During the 5-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation, ''Foreign Currency Fluctuations, Construction, Defense,'' to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 129. None of the funds appropriated in this title available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) or TRICARE shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: *Provided*, That this limitation does not apply in the case of inpatient mental health services provided under the program for persons with disabilities under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 130. The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to distribute surplus dental and medical equipment of the Department of Defense, at no cost to the Department of Defense, to Indian Health Service facilities and to federally-qualified health centers (within the meaning of section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

SEC. 131. None of the funds made available in this title may be used to carry out a military construction project, land acquisition, or family housing project for a military installation approved for closure in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), and the Secretary of Defense may not transfer funds appropriated for such a military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the approval of the Committees on Appropriations of both Houses of Congress.

SEC. 132. None of the funds in this title for operation, maintenance, or repair of housing for general officers and flag officers in the National Capital Region may be used until the Department of Defense submits the report required by section 2802(c) of the Military Construction Authorization Act for Fiscal Year 2005.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $33,412,879,000, to remain available until expended: *Provided*, That not to exceed $23,491,000 of the amount appropriated under this heading shall be reimbursed to ''General operating expenses'' and ''Medical services'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code), the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical facilities revolving fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY:

Page 31, line 1, relating to VA compensation and pensions, insert after the dollar amount the following: ''(increased by $26,000,000)''.

Page 34, line 21, relating to VA medical services, insert after the dollar amount the following: ''(increased by $1,500,000,000)''.

Page 36, line 9, relating to VA medical administration, insert after the dollar amount the following: ''(increased by $500,000,000)''.

Page 37, line 1, relating to VA medical facilities, insert after the dollar amount the following: ''(increased by $300,000,000)''.

Page 37, line 8, relating to VA medical and prosthetic research, insert after the dollar amount the following: ''(increased by $67,000,000)''.

Page 37, line 20, relating to VA general operating expense, insert after the dollar amount the following: ''(increased by $11,000,000)''.

Page 39, line 16, relating to major construction projects, insert after the dollar amount the following: ''(increased by $150,000,000)''.

Page 41, line 11, relating to minor construction projects, insert after the dollar amount the following: ''(increased by $51,000,000)''.

At the end of the bill (before the short title) add the following new section:

SEC. 409. In the case of taxpayers with an adjusted gross income in excess of $1,000,000 for taxable year 2006, the amount of tax reduction resulting from the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 (Public Law 107–16) and the Jobs and Growth Tax Relief Reconciliation Act of 2003 (Public Law 108–27) shall be reduced by 8.125 percent.

Mr. OBEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order is reserved.

Mr. OBEY. Mr. Chairman, let me simply explain the amendment.

As I discussed earlier, under existing law given the tax cuts that the Congress has passed this year, persons making a million dollars or more will on average get a tax cuts of $140,000. Meanwhile, we have a significant squeeze on veterans funding.

Very briefly, my amendment would simply scale back the size of those tax cuts from $140,000 to $129,000. It would use the $2.6 billion saved by that action to add funding to a number of accounts for veterans health care. It would add $1.5 billion more for medical services for returning veterans. It would add $500 million more for increased medical administrative costs. It would add $300 million to keep the VA medical facilities up and running by refurbishing them. It would add $67 million for VA medical and prosthetic research; $201 million to build medical clinics and long-term care facilities; and $37 million for general administrative costs to assist veterans in receiving the prompt attention they deserve.

As has been indicated, the rule that was adopted precludes this amendment from being, or I should put it this way, the rule that is offered makes this amendment subject to a point of order. That means that it cannot be considered unless a point of order is not lodged against it.

I would hope that the majority would not lodge a point of order against it so that we might adjust so very slightly the tax cut for those who are already the most fortunate people in our society economically, and allow this money to be added for veterans health care.

I do not want to take any more of the House's time. I would simply urge an ''aye'' vote in the event that a point of order is not lodged against the amendment.

□ 1330

POINT OF ORDER

Mr. WALSH. 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 and, therefore, violates clause 2 of rule XXI. The rule states in pertinent part: An amendment to a general appropriation bill shall not be in order if changing existing law. The amendment does indeed change the application of existing law.

The gentleman from Wisconsin has served for many, many years with distinction on the Committee on Appropriations. He knows full well the powers of the Committee on Appropriations. This is not one of them. The ability to manipulate and change the Tax Code is not within our jurisdiction.

So, Mr. Chairman, with that, I insist on the point of order and I ask for a ruling from the Chair.

The CHAIRMAN. Does anyone else wish to be heard on the point of order?

Mr. OBEY. Yes, Mr. Chairman.

Mr. Chairman, the purpose of the Budget Act, when it was passed several decades ago, was to force Congress to make trade-offs between different spending programs and between revenues and spending. The problem is that the way the Budget Act is being used these days, instead of forcing the Congress to face those trade-offs, the process is being segmented, thereby enabling the House to avoid facing those trade-offs.

I think that is unfortunate because it prevents the House from making value judgments that would put veterans' health care, for instance, higher in our value structure than a $140,000 tax cut for somebody making $1 million.

I cannot deny that under the rules of the House, as they are being pursued under the Budget Act, this amendment is not in order. And so, Mr. Chairman, I regretfully concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $3,214,246,000, to remain available until expended: *Provided,* That expenses for rehabilitiation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, $45,907,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be neccessary to carry out the program, as authorized by 38 U.S.C. chapter 37: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That during fiscal year 2005, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carrry out the direct and guaranteed loan programs, $153,575,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $53,000, as authorized by chapter 31 of title 38, United States Code: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $4,242,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $305,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $580,000, which may be transferred to and merged with the appropriation for ''General operating expenses'': *Provided,* That no new loans in excess of $30,000,000 may be made in fiscal year 2006.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by subchapter VI of chapter 37, of title 38, United States Code, not to exceed $750,000 of the amounts appropriated by this Act for ''General operating expenses'' and ''Medical administration'' may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment and salaries and expenses of health-care employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; $20,995,141,000, plus reimbursements, of which not less than $2,200,000,000 shall be expended for specialty mental health care: *Provided,* That of the funds made available under this heading, not to exceed $1,100,000,000 shall be available until September 30, 2007: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further,* That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: *Provided further,* That for the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 721 of Public Law 107–314, a minimum of $15,000,000, to remain available until expended, for the purposes authorized by section 8111 of title 38, United States Code.

MEDICAL ADMINISTRATION

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; information technology hardware and software; uniforms or allowances therefor, as authorized by sections 5901–5902 of title 5, United States Code; administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); $4,134,874,000, plus reimbursements, of which $250,000,000 shall be available until September 30, 2007.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing

homes, and domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry and food services, $3,297,669,000, plus reimbursements, of which $250,000,000 shall be available until September 30, 2007.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, to remain available until September 30, 2007, $393,000,000, plus reimbursements.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,411,827,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That the Veterans Benefits Administration shall be funded at not less than $1,086,938,000: *Provided further*, That of the funds made available under this heading, not to exceed $70,000,000 shall be available for obligation until September 30, 2007: *Provided further*, That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $156,447,000: *Provided*, That of the funds made available under this heading, not to exceed $7,800,000 shall be available until September 30, 2007.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $70,174,000, to remain available until September 30, 2007.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $607,100,000, to remain available until expended, of which $532,010,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities; and of which $8,091,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds provided in this appropriation for fiscal year 2006, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2006; and (2) by the awarding of a construction contract by September 30, 2007: *Provided further*, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations of the House of Representatives and Senate any approved major construction project in which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $208,937,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section, of which $160,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities: *Provided*, That funds in this account shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131–8137 of title 38, United States Code, $25,000,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, $32,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2006 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred to any other of the mentioned appropriations.

SEC. 202. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901–5902 of such title.

SEC. 203. No appropriations in this title (except the appropriations for ''Construction, major projects'', and ''Construction, minor projects'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 204. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under sections 7901–7904 of title 5, United States Code or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of cost is made to the ''Medical services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 205. Appropriations available in this title for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2005.

SEC. 206. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

SEC. 207. Notwithstanding any other provision of law, during fiscal year 2006, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the ''General operating expenses'' account for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2006 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided*

further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2006 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 208. Notwithstanding any other provision of law, the Department of Veterans Affairs shall continue the Franchise Fund pilot program authorized to be established by section 403 of Public Law 103–356 until October 1, 2006: *Provided*, That the Franchise Fund, established by title I of Public Law 104–204 to finance the operations of the Franchise Fund pilot program, shall continue until October 1, 2006.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed $29,758,000 for the Office of Resolution Management and $3,059,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to ''General operating expenses'' for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits a report which the Committees on Appropriations of the Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

SEC. 213. None of the funds made available to the Department of Veterans Affairs in this Act, or any other Act, may be used to implement sections 2 and 5 of Public Law 107–287 and section 303 of Public Law 108–422.

SEC. 214. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, major projects'' and ''Construction, minor projects'' accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, major projects'' and ''Construction, minor projects''.

SEC. 215. Amounts made available under ''Medical services'' are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

SEC. 216. That such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to ''Medical services'', to remain available until expended for the purposes of this account.

SEC. 217. Amounts made available for fiscal year 2006 under the ''Medical services'', ''Medical administration'', and ''Medical facilities'' accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts after notice of the amount and purpose of the transfer is provided to the Committees on Appropriations of the Senate and House of Representatives and a period of 30 days has elapsed: *Provided*, That the limitation on transfers is 20 percent in fiscal year 2006.

SEC. 218. Any appropriation for fiscal year 2006 for the Veterans Benefits Administration made available under the heading ''General operating expenses'' may be transferred to the ''Veterans Housing Benefit Program Fund Program Account'' for the purpose of providing funds for the nationwide property management contract if the administrative costs of such contract exceed $8,800,000 in the budget year.

SEC. 219. Notwithstanding any other provision of law, the Secretary of Veterans Affairs (Secretary) shall allow veterans eligible under existing VA Medical Care requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Services or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan veterans in areas where an existing VA facility or VA-contracted service is unavailable; (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with CARES; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

SEC. 220. That such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, major projects'' and ''Construction, minor projects'' accounts, to remain available until expended for the purposes of these accounts.

SEC. 221. None of the funds available to the Department of Veterans Affairs in this Act, or any other Act, may be used by the Department of Veterans Affairs to implement a national standardized contract for diabetes monitoring systems.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $35,750,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, $15,250,000, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251–7298 of title 38, United States Code, $18,295,000, of which $1,260,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $29,550,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $58,281,000, of which $1,248,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 403. Such sums as may be necessary for fiscal year 2006 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 404. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program,

project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 405. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 406. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 407. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 408. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

Mr. WALSH (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 54, line 13, be considered as read, printed in the RECORD and open to any amendment at this point.

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

There was no objection.

AMENDMENT OFFERED BY MRS. JONES OF OHIO

Mrs. JONES of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. JONES of Ohio:

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

SEC. 4____. None of the funds appropriated or otherwise made available by this Act may be used to implement the results of the 2005 round of base closures and realignments until the completion of all environmental remediation associated with the closure of military installations approved for closure in the 1995 round of base closures and realignments.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

Mrs. JONES of Ohio. Mr. Chairman, I intend to withdraw this amendment, but what I wanted to have in the RECORD before I do the withdrawal is the fact that in many of the prior base closures there are still environmental issues that have not been addressed, that have not been remedied; and we really need to take a look at that as we go through the next round to make sure that the dollars we have allocated and the closures we have put in place under BRAC have been taken care of.

Mr. Chairman, in order to ensure the movement of this legislation through the house, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is considered withdrawn.

There was no objection.

AMENDMENT OFFERED BY MRS. JONES OF OHIO

Mrs. JONES of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. JONES of Ohio:

At the end of the bill (before the short title), add the following new section:

SEC. 4____. None of the funds made available by this Act may be used to close or realign any military installation approved for closure or realignment in 2005 before the Secretary of Defense makes the information available upon which the Secretary's closure and realignment recommendations were based, as required by section 2903(c)(4) of the Defense Base Closure and Realignment Act of 1990 (title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentlewoman's amendment.

Mrs. JONES of Ohio. Mr. Chairman, I rise to offer an amendment to the Subcommittee on Military Quality of Life and Veterans Affairs, and Related Agencies of the Committee on Appropriations, which would require that all information used by the Secretary of Defense to implement its current base closing recommendations be released to Congress, the public, and the BRAC Commission before any actions on base closings can take place.

Mr. Chairman, first things first. Why are we proposing base closures during a time of war? This BRAC round should be delayed until the following actions can be completed: recommendations of the review of overseas military structures are implemented by the Secretary of Defense, a substantial number of American troops returned from Iraq, the House and the Senate Committee on Armed Services receive the Quadrennial Defense Review, the National Maritime Security Strategy is implemented, and the Homeland Defense and Civil Support Directive is implemented.

In addition, all information used by the Secretary to determine base closings should be released to the Congress and the American public. It is important these be addressed before implementing the BRAC process because once a base is closed, it can never be reopened.

Mr. Chairman, in the 11th Congressional District and in northeast Ohio, over 1,100 jobs will be lost due to the BRAC process. These job losses will have a tremendous economic impact on the City of Cleveland, which has been named the most impoverished city in the country. Now is simply not the time for BRAC, in Cleveland or around the country.

Mr. Chairman, I realize the importance of the BRAC process; however, I feel that all information should be released in order for communities to prepare adequate defense tactics for future hearings. Now is simply not the time for BRAC.

I commend my colleagues, the gentlewoman from South Dakota (Ms. HERSETH) and Senator THUNE for introducing legislation to address this issue.

Mr. Chairman, I support this amendment.

Mr. WALSH. Mr. Chairman, will the gentlewoman yield?

Mrs. JONES of Ohio. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, the gentlewoman from Ohio has changed the language to comply with the existing legislation, so I have no objection to it, and I withdraw my reservation of the point of order.

□ 1345

Mr. PALLONE. Mr. Chairman, will the gentlewoman yield?

Mrs JONES of Ohio. I yield to the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I just wanted to rise in support of the Jones amendment. I think the gentlewoman is right on point here. I know for my base, in this case Fort Monmouth, we have not received a lot of the data, most of the data upon which the Pentagon's recommendations were made. I think that was quite clear if you listen to the hearings that were held last week by the BRAC. Many of the commissioners at that time indicated they did not have the background data upon which the Pentagon's recommendations were made.

I think this is just another indication of the fact that we have not been able to proceed with this BRAC round in the way we have in the past. I have actually been through three other BRAC rounds since I have been in the Congress; and just from the questioning that occurred last week at the BRAC hearings from the commissioners, it was clear this is not the time to have a BRAC round.

We are in the middle of a war, both in Iraq and in Afghanistan. Many of the commissioners asked questions about the war and the military value because they frankly felt that in a general sense questions had not been answered by the Pentagon, and the Pentagon was not able to answer the questions properly about how this BRAC round was supposed to proceed in the context of an ongoing war.

Mrs. JONES of Ohio. Mr. Chairman, in closing, I am so pleased that Senator SNOWE is offering a similar piece of legislation in the Senate with regard to data information on specific projects. I thank all of my colleagues for coming to the floor to support this amendment, and I yield back the balance of my time in the name of the people of the 11th Congressional District of Ohio.

Ms. HERSETH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Jones amendment today because it gives this House another opportunity to slow the process down. We did not take that opportunity last night in

support of the amendment offered by the gentleman from New Hampshire (Mr. BRADLEY), despite the compelling testimony offered by a number of Members about the fact that we still have a lot of information outlying that should come to us within the upcoming months, within the year, including the Quadrennial Defense Review, that would actually help the BRAC commissioners to evaluate the DOD's recommendations for those installations that they have submitted on a list for recommendations of closure and realignment.

But the Jones amendment says, okay, if we are not going to do that, if we are not going to postpone the BRAC rounds to get all of the information from the overseas base closures, from the QDR, getting troops home from Iraq and Afghanistan, dealing with the maritime issues, dealing with homeland defense and civil support directives, then let us at least say in fairness and for a process that should be open and transparent as opposed to emulating litigation discovery processes here, give us the information as Members of Congress, the task force and the communities, the commissioners now that are supposed to be evaluating these recommendations.

How can we expect them to do that in a process that is supposed to be open and transparent, when piecemeal by piecemeal the Department of Defense is releasing this information as opposed to releasing it in a more comprehensive way, as was done in the last BRAC round in 1995?

Let me give an example. Last night right before we voted on the Bradley amendment, we received word, the offices for South Dakota here and over in the Senate and in the community of Rapid City, that the Department of Defense had just released some additional information.

Here we thought we have what we need to start assessing and evaluating these recommendations. Most of this information had already been released. We have less than 10 percent of what we need. Less than 10 percent of what we need, just a couple of weeks out from our regional hearing to begin evaluating what drove the Department of Defense's evaluation to rank Ellsworth Air Force Base the way they did, and how they applied the criteria.

We cannot make our case, and there are people in Rapid City, South Dakota, with the task force in support of Ellsworth Air Force Base that have been working for years in anticipation of this day, and we are not willing to slow this process down enough to get adequate and comprehensive information from the Department of Defense?

It is clear that either they were so under the gun to meet the deadline of May 13 that they did not adequately plan or have enough time to determine what it was that was going to have to be classified or declassified before releasing the information, either in the aggregate or installation by installation.

If the reason for that is primarily for national security reasons because we are at war, that justifies slowing this process down at least a little bit so the Department of Defense is forced to release this information that we have had in past BRAC rounds so it is in fairness to the communities and really faithful to the BRAC process which is to be open and transparent and allow communities to make their best case before the commissioners prior to the site reviews, prior to the regional hearings.

I encourage my colleagues, while Members may have had reservations last night, to postpone the BRAC round awaiting all of the other information. Can we not at least slow it down enough to ensure that the Department of Defense is accountable to each and every one of us and our constituents and our military installations to get that information to ensure a fair, open, and transparent process? I hope Members will agree and support the Jones amendment.

Mr. PALLONE. Mr. Chairman, I move to strike the requisite number of words.

I just wanted to comment on what the gentlewoman from South Dakota (Ms. HERSETH) said. In the last BRAC round in 1995, we had all of the information to back up the Pentagon's recommendations within a few days. It is almost 2 weeks now since the base closure list came out. I think it was the Friday before last.

As the gentlewoman mentioned, we are still lacking most of the background information for these recommendations.

For example, in the case of Fort Monmouth, which is represented by me and the gentleman from New Jersey (Mr. HOLT), the recommendation says that to close Fort Monmouth and move it would cost $822 million and that over the next 6 years, annually, there would be a savings of about $143 million.

We do not have the background information that the Pentagon used to make those kinds of number-crunching decisions. The number-crunchers have not given us that kind of information. How are we supposed to prepare for a site visit next week, or regional hearings in early July, without having that information?

It is simply inappropriate, and it certainly has not been the case in the past. I have been through three previous BRAC rounds, and that was never the case. That is why the Jones amendment is so important. And particularly when the gentlewoman from Ohio (Mrs. JONES) references military value, this is all about military value.

In the case of Fort Monmouth, New Jersey, we are an electronics and communications command for the Army. We basically back up the soldier in the field with equipment that is electronic or related communications. Our point that we have been trying to make is if you close Fort Monmouth over the next few years, that commander in the field who might need some communications or electronics equipment in the next few days or the next few weeks will not have access to it because Fort Monmouth is in the process of moving and people will not be available to do what is necessary for the soldier in the field.

How can the Pentagon make recommendations and not take that into mind? We have no indication of how they address that issue because we do not have the backup data. That is why this amendment is important. I urge my colleagues on a bipartisan basis to support it.

Mr. HOLT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just wanted to elaborate very briefly on the preceding remarks. We are talking about a time when men and women are risking their lives in the field, facing roadside bombs and mortar fire from insurgents. They need help and support from back here in the United States, from our bases, from places such as, as my colleague from New Jersey was talking about, Fort Monmouth, for example.

We are not looking so much for the data on what is the implication of base closing and realignment on local economies. We are looking for the data on how the Pentagon intends to provide for the needs of the men and women in the field today, tomorrow and next year, how they will make up for any loss of capability that results from realignment and transfer of personnel.

In order to have a conscientious evaluation of what is being proposed here, we need the data. It is as simple as that. I applaud the gentlewoman from Ohio (Mrs. JONES) for offering this amendment and demanding that we get the information that we need to do our job.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Mrs. JONES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TIAHRT

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

The Clerk read as follows:

Amendment offered by Mr. TIAHRT:

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

SEC. _____. None of the funds made available in this Act may be used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The CHAIRMAN. The gentleman from New York (Mr. WALSH) reserves a point of order.

Mr. TIAHRT. Mr. Chairman, in this legislation, the Military Quality of Life and VA appropriations, much of the work, especially for construction and maintenance, are governed by rules and regulations. A good example of the problem this can create occurred in Wichita, Kansas, not too long ago

when OSHA targeted the Wichita area building and construction industry.

Through the threat of citations and fines, they literally shut down all of the work going on in the area of home building. What I did was go back to the Wichita area and I met with OSHA and the area home builders, and I found out they both had the same goal. That goal was to see that the workplace was safe. So by bringing them together, they worked out an agreement that they would work together, instead of assessing fines and citations, and create a better work environment, a safe work environment, and they were successful.

Only recently have I found that the OSHA department here in Washington wants to renege on that agreement and can no longer sustain the concept of working together to have a safe workplace. Instead, they are going to continue on an adversarial relationship. That brings me to the point that I want to stress with this amendment, and that is if we would work together, the Federal Government and the private sector, we could be much more successful in achieving the goals that both want.

Mr. Chairman, less regulation and working together means granting the freedom to allow Americans to pursue their dreams. It also provides the space for businesses to thrive and create more jobs. Regulations promulgated by the Federal Government often become a creeping ivy of regulations that strangle enterprise. The unrealistic and impractical environment that OSHA mandates create are literally driving our industries and small businesses and our health care system to a grinding halt.

How can we expect our economy to develop and grow when bureaucracy prevents businesses from starting and expanding. It is estimated today that the total regulatory burden is about $850 billion a year. That is $850 billion that could go toward creating more jobs instead of stifling growth.

As we approve spending allocations on this bill and other bills, we need to remind regulators about the importance of their actions with that funding.

Regulations can help create jobs or strangle them. Each and every Federal agency should take into consideration the effect of proposed policies on competitiveness of United States business. Each agency should be held accountable for those effects.

Other countries are preparing for tomorrow's economy. Countries like Ireland are reducing regulations, working hand in hand with businesses. They have lowered their taxes, and they have changed their educational system to prepare their workers to be part of a technical economy.

□ 1400

We are working in the opposite direction.

My concern, Mr. Chairman, is that we are going to be a third-rate economy within 10 to 20 years if we do not change the environment that helps us keep and create jobs. That means having some common-sense regulations that work with our industries instead of against them.

Mr. Chairman, I have complete confidence that Chairman WALSH is going to be working together with us to make a better America, a more competitive America and to prepare us for the economy, because we all know that if we do not, we are going to have a third-rate economy.

With that hope in mind, I am going to respectfully withdraw my amendment.

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

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

There was no objection.

Mr. HINOJOSA. Mr. Chairman, I move to strike the last word. This is my last opportunity to express some remarks on the Military Quality of Life Appropriations bill.

Mr. Chairman, I rise today to express my disappointment with the amount of funding in this bill for our Nation's veterans. As we enter the Memorial Day weekend, I am concerned that the funding levels for veterans' health will not allow us to keep up with the current demand for services, let alone meet the needs of the thousands of new veterans who are returning from Iraq and Afghanistan.

Eighteen young soldiers have been killed in south Texas, which is where I was born and raised and that I represent, and many, many more have been injured. One of my constituents, Sergeant Nieves Rodriguez, Jr., is lying in a bed at Walter Reed Hospital right now. He has lost an arm and the doctors are fighting to save his leg. He is going to need months of therapy, expensive prosthetics and years of follow-up care. He is only one of thousands in similar situations.

Proponents of this legislation claim it increases veterans' health funding by $1 billion, but in fact, funds are just being shifted from other veterans' accounts. The real increase is a mere $700 million, not enough to meet inflation and mandated salary increases. I would have supported the Obey amendment that would add $2.6 billion for veterans' health care, but the amendment was not made in order.

Mr. Chairman, this funding would have allowed us to care for our returning veterans and meet current shortfalls. Although I will support the final bill, I urge the committee to find a way to increase funding for veterans' health.

Mr. EDWARDS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as we draw to a close, I again want to take this time to congratulate, salute and thank the gentleman from New York (Mr. WALSH) for his leadership in this, the first product of the new Military Quality of Life and Veterans Affairs Subcommittee on Appropriations. It has been a professional process, a thorough process, a respectful one and a bipartisan one, exactly the manner in which I think the people of this country would want us to deal with the important business of providing quality of life, training and other programs and facilities for our servicemen and -women, military retirees and veterans.

I want to thank the minority staff, Bob Bonner and Tom Forhan, for their leadership. I want to thank the professional staff on the majority side, led by the very able Carol Murphy, with a tremendous staff, for their great work. All of this would not have been possible today and the good work that is in this bill would not have been possible today without the genuine cooperation and great leadership of the chairman, and I thank him.

Mr. WALSH. Mr. Chairman, I move to strike the last word.

I would like to associate myself with the remarks of my colleague from Texas regarding our staff. They have done a remarkable job. This is a brand-new structure. The leadership of the committee, the chairman, Chief Clerk Frank Cushing, helped us to organize the staff and they gave us the best people they could give us. I am very proud of the work product that they have provided us with and the support that they have given us along the way.

Again, I credit the gentleman from Texas (Mr. EDWARDS), who has been a pleasure to work with. His knowledge of the military has helped me a great deal to get up to speed on these issues. I have a lot more to learn, but I look forward to working with him as we complete this bill after House passage and the conference with the Senate.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment offered by the gentleman from Louisiana (Mr. MELANCON), amendment No. 2 offered by the gentleman from Oregon (Mr. BLUMENAUER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. MELANCON

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. MELANCON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

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 213, noes 214, not voting 7, as follows:

[Roll No. 224]

AYES—213

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
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fitzpatrick (PA)
Ford
Fossella
Frank (MA)
Gerlach
Gibbons
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
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
Michaud
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Poe
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reichert
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 (NJ)
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
Wilson (NM)
Woolsey
Wu
Wynn

NOES—214

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
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Cramer
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Harris
Hart
Hastert
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
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
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
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
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Doyle
Emerson
Filner
Hastings (WA)
Johnson, E. B.
Menendez
Millender-McDonald

□ 1432

Messrs. BILIRAKIS, GINGREY, TOM DAVIS of Virginia, and SIMMONS, and Mrs. JOHNSON of Connecticut changed their vote from ''aye'' to ''no.''

Messrs. WYNN, FRANK of Massachusetts, PETERSON of Minnesota, DICKS, HALL, REYES, PASTOR, BISHOP of Georgia, SABO, DOGGETT, Ms. WOOLSEY, and Ms. LORETTA SANCHEZ of California changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chairman, on rollcall No. 224, on the Melancon Amendment, I was in my Congressional District on official business. Had I been present, I would have voted ''aye.''

AMENDMENT NO. 2 OFFERED BY MR. BLUMENAUER

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 2 offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 171, noes 254, not voting 8, as follows:

[Roll No. 225]

AYES—171

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Beauprez
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cummings
Davis (IL)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ford
Gingrey
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Jones (OH)
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larson (CT)
Lee
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, Gary
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Paul
Payne
Pelosi
Price (NC)
Rahall
Rangel
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Serrano
Simmons
Slaughter
Smith (WA)
Sodrel
Solis
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Walden (OR)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NOES—254

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
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
Cooper
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Duncan
English (PA)
Everett
Feeney

Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Harris
Hart
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Holden
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Mica
Michaud
Miller (FL)
Miller (MI)
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pastor
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Cox
Doyle
Emerson
Filner
Hastings (WA)
Johnson, E. B.
Menendez
Millender-McDonald

□ 1441

Mr. HALL and Mr. SCHIFF changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chairman, on rollcall No. 225, on the Blumenauer Amendment, I was in my Congressional District on official business. Had I been present, I would have voted ''aye.''

The CHAIRMAN. The Clerk will read the last two lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Military Quality of Life and Veterans Affairs Appropriations Act, 2006''.

Mr. WALSH. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GILLMOR) having assumed the chair, Mr. BASS, 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. 2528) making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 298, the previous question is ordered.

The question is on the amendment.

The amendment was 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.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

The vote was taken by electronic device, and there were—yeas 425, nays 1, not voting 7, as follows:

[Roll No. 226]

YEAS—425

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
Cubin
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
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
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)
Hayes
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, 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
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
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
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

Stark

NOT VOTING—7

Doyle	Hastings (WA)	Millender-McDonald
Emerson	Johnson, E. B.	
Filner	Menendez	

□ 1501

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 226 on H.R. 2528, I was in my Congressional District on official business. Had I been present, I would have voted "nay."

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JUNE 3, 2005 TO FILE PRIVILEGED REPORT ON AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATION ACT, 2006

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight, June 3, 2005, to file a privileged report on a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

The SPEAKER pro tempore (Mr. GILLMOR). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved on the bill.

PERMISSION FOR THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE TO HAVE UNTIL MIDNIGHT, JUNE 3, 2005 TO FILE PRIVILEGED REPORT ON H.R. 2475, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that the Permanent Select Committee on Intelligence may have until midnight, June 3, 2005 to file a privileged report on the bill, H.R. 2475, the Intelligence Authorization Act for Fiscal Year 2006.

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

There was no objection.

PERMISSION FOR REDACTION OF MISSTATEMENT FROM CONGRESSIONAL RECORD

Mr. EDWARDS. Mr. Speaker, today I made a factual statement about Secretary Rumsfeld. I later corrected myself. But to ensure against the possibility that the initial misstatement might be viewed out of context with the correction, I ask unanimous consent to redact my initial reference to Secretary Rumsfeld and the statement of correction from the RECORD.

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

There was no objection.

ANNOUNCEMENT REGARDING H.R. 2475, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2006

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

Mr. HOEKSTRA. Mr. Speaker, I wish to announce to all Members of the House that the Permanent Select Committee on Intelligence has ordered the bill, H.R. 2475, the Intelligence Authorization Act for Fiscal Year 2006, reported favorably to the House with an amendment. The committee's report will be filed next week under the unanimous consent just agreed to.

Mr. Speaker, I would also like to announce that the classified Schedule of Authorizations and the classified Annex accompanying the bill will be available for review by Members at the offices of the Permanent Select Committee on Intelligence in Room H–405 of the Capitol beginning any time after the report is filed. The committee office will be open during regular business hours for the convenience of any Member who wishes to review this material prior to its consideration by the House. I anticipate that H.R. 2475 will be considered on the floor of the House the first week after the recess.

I recommend that Members wishing to review the classified Annex contact the committee's Director of Security to arrange a time and date for that viewing. This will assure the availability of committee staff to assist Members who desire assistance during their review of these classified materials.

I urge interested Members to review these materials in order to better understand the committee's recommendation. The classified Annex to the committee's report contains the committee's recommendations on the intelligence budget for Fiscal Year 2006 and related classified information that cannot be disclosed publicly.

It is important that Members keep in mind the requirements of clause 13 of House rule XXIII, which only permits access to classified information by those Members of the House who have signed the oath provided for in the rule. Members are advised that it will be necessary to bring a copy of the rule XXIII oath signed by them when they come to the committee offices to review the material.

If a Member has not yet signed the oath, but wishes to review the classified Annex and Schedule of Authorizations, the committee staff can administer the oath and see to it that the executed form is sent to the Clerk's office.

In addition, the committee's rules require that Members agree in writing to a nondisclosure agreement. The agreement indicates that the Member has been granted access to the classified Annex and that they are familiar with the rules of the House and the committee with respect to the classified nature of that information and the limitations on the disclosure of that information.

APPOINTMENT OF CONFEREES ON H.R. 3, TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

Is there objection to the request of the gentleman from Alaska?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OBERSTAR

Mr. OBERSTAR. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. Oberstar moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, be instructed to insist on a level of funding for highway, transit, and highway and motor carrier safety programs equal to: (1) the level of funding provided in H.R. 3 ($283.9 billion); plus (2) the additional resources necessary to increase the guaranteed rate of return for States to not less than 92 percent while ensuring that each State receives no less than it is provided under H.R. 3.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Alaska (Mr. YOUNG) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. Speaker, yesterday, when we passed the legislation to extend highway programs for another 30 days, I said that the most hopeful sign for the upcoming conference was the apparent agreement that the chairman of our committee, the gentleman from Alaska (Mr. YOUNG) would chair the conference. That assures that this conference will move expeditiously, on time, with attention to detail and with a deliberate spirit of achieving all that we need to do in policy and financing to get a bill back, a conference report back to the House, to the other body and downtown to be signed.

I know how hard the chairman has worked, how much time and effort and commitment he has made personally to that initiative, and I am proud to work alongside with him.

The motion to instruct that I offer directs House conferees to do two things: Insist in the conference on a level of funding for highway transit

and highway and motor carrier safety programs equal to the level of funding that is in the bill that passed this body, was reported from our committee, passed this body, 283.9, it should be 284, but who is going to quibble with Filene's Basement's version of transportation, and the additional resources necessary to increase the guaranteed rate of return for States to not less than 92 percent, while ensuring that every State gets no less than we provided for every State in our version of the bill.

It has been our goal all along to increase from 90.5 to 92 percent. The question of equity has been central to last year's and the year before and this year's reauthorization debate on surface transportation. In fact, the very title of our bill, Transportation Equity Act: A Legacy for Users, makes equity the very top issue in our legislation.

Donor States, as we have heard for months and months, want their guaranteed rate of return raised from 90.5 percent to as much as 95 percent. Now, we could do 95 percent handily at $375 billion, the bill that the chairman and I agreed upon, and 74 to 75 members of our committee cosponsored, but that was not possible under the politics of transportation. We understand that.

Donee States, on the other hand, want to ensure that they continue receiving the adequate highway transportation funding that they have been accustomed to and committed to. So the bipartisan bill that we reported from committee in the last Congress set the level at $375 billion.

We knew that that was not going to be acceptable downtown or very likely in the other body, so we scaled the bill back to $275 billion. But even then the administration threatened to veto a bill with funding above its view of the proper investment level, which was a paltry $256 billion that everyone, the contractor community, the labor community, the States, the transit authorities, everybody knows that does not build you one more mile of highway, one new bridge or buy one new transit bus or rail car. Everybody knew that. It was completely unrealistic.

When we got into conference last year just before the August recess, the administration finally put on the table $283.9 billion. And we said, you know, it is movement in the right direction. Let us take it and let us go with this. But we never reached agreement in conference, which is why, of course, we are back here on the floor.

We agreed at the outset of this Congress to start where we left off in the last Congress, without any smoke and mirrors, without any fussing said, this is the number that is realistic, that if you want to do legislation, this is the way to do it. Let us start with this number.

But we also had to face the reality that it is not possible to do anything above 90.5 percent return on equity for those States who want us to move higher, without taking away from someone else, without doing damage to core programs, without a whole host of other difficulties.

Now, the other body found some money. The other body found $11 billion; and in their bill, provided $295 billion in funding and were able to increase the minimum rate of return to 92 percent. Now, whether that $11 billion is fiscally sound or politically sustainable is a matter we will have to address when we get into conference, which is why this motion to instruct is important.

We all want to achieve equity. We all want to raise those States up. We all understand, as the other body understood, that if they did not raise their numbers to get to be able to commit $295 billion, they would not be able to achieve the equity they needed for those western States, large geographic areas and large highway mileages and transportation needs, nor would they be able to satisfy the donor States or other, smaller, donee States. So they needed more money. They realistically approached the issue and approved 11 billion additional dollars.

The reality, as we get into conference, we are not going to be able to, without additional resources, to come up to the $292 billion level. The other body will need to pass a conference report, and we will not be able to bring back to this body a conference report that will satisfy donor States, donee States without additional resources. So that is why the additional resources language is needed.

□ 1515

All of it comes right on the heels of the Texas Transportation Institute Annual report on congestion, their Urban Mobility Report, issued just a few weeks ago, which finds once again, every year, they find congestion increasing. Overall traffic delays totaled 3.7 billion hours, up from 3.6 billion a year ago.

Congestion and delay cause an additional consumption of 2.3 billion gallons of fuel. That means every driver in America in a congested area is spending 1 week longer in their car than they would if they could drive at posted highway speeds, and they are buying one tank of gasoline more than they would if they could drive at posted highway speeds. It is a moral issue because they are taking the name of the Lord more often in traffic on weekdays than they do in church on Sundays.

We need to address that issue, all three of those issues. We are the most mobile society in history. We travel at an increasing rate and we travel in our cars. Population in the decade of the '90s as expressed in the Census of 2000 group is 4 percent. But transportation usage grew 14 percent, 3-plus times as much as population growths. Total vehicle miles traveled, just vehicle miles traveled, rose 19 percent in that decade. Number of households grew 72 percent in that decade, but household vehicle miles soared 193 percent.

The fact is congestion is choking our cities. It is choking off commerce. It is causing business to spend more money. UPS told me that for every 5 minutes' delay they lose $40 million nationally, every 5-minute delay. There is a business adverse impact unless we make the investment. It is within our hands to do this.

Now, even at the Senate-passed level of 295, we are $80 billion below where we know we need to be. What we are saying with this motion to instruct is let us go to conference. Let us keep 92 percent the rate of return on the radar screen, which is our objective and the other body's objective, and get the resources we need and do no less for every State in conference than we did in the House bill.

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

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I reluctantly oppose this motion to instruct the conferees.

It is a beautifully drafted, I thought, solution to a problem. But I will tell you after reviewing it that if we go to 92 percent and we insist that they be no less than what is in H.R. 3, there will be a problem of having a higher number in de facto. I think we can get there. I just do not think we ought to be instructing the conferees and having the illusion of actually going above to what we vote with 417 votes for in this House.

I will urge the gentleman to consider that as we go to conference that I will do everything in my power to get more money. I think what we ought to be concentrating on is, that yesterday was the seventh extension that we had on this legislation. It is not this body's fault. It is not the House and the people's fault. It is the other side who decided not to finish this product. Yes, we just got the papers today, before we go on this short recess so it has hamstrung us.

I want us to get to conference. I want the conferees to be nominated today. I want us to get the staffs working together to solve this problem. Try to get more money than was there, but sticking with the number of House-passed so that we finally get some stability within the States.

Everything the gentleman said about traffic is absolutely right: it has got worse in the last 4 years. We have seen a tremendous increase of automobile and trade traffic, and we are not addressing that issue as we should be.

I have tried to explain to the people that this is just another step forward. When we do get this bill, it is every intention I have by the first or the middle of June that we will have this bill on the President's desk. But that is just the beginning. We will come back again, and with the gentleman's help,

again and again and again until we solve this problem with transportation in this great Nation of ours.

Yes, we are mobile compared to the rest of the world, but we are very quickly becoming less mobile. We are becoming standing in traffic. We are not able to deliver next day. We are losing effort. We are losing what I call productive hours. And more than that we are losing the edge globally. We are going to have a vote here in the near future on CAFTA, or whatever they call that thing, Central America. We had a vote on NAFTA. We had a vote on GATT. We had a vote on world trade, et cetera, et cetera; and this is well and good, but if we are going to get into that business of trade and production and import and export, we have got to have the transportation system in place. We have to have the rail in place, which it is not.

Every railroad we have today is oversubscribed. We have not laid any new rail access or relieved the congestion on the highway. We have not improved, what I think is necessary, truck lanes, which is in our bill. We have not done the things we should have done and everyone says, well, it will take care of itself. Well, that is a very shortsighted, I think, point of view for this country.

So for those who look upon this bill as the final thing, whatever we come out of a conference, if it is 289, 284, 283, whatever it will be, if it is 290, that is just the beginning. And I hope you take time to understand that.

I again reluctantly oppose the motion to instruct. We will be together in that conference, and we will hopefully together achieve the goals they are seeking.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, I appreciate the comments of the chairman, and I simply reiterate what a delight it is to work with him in concert towards the objective we all share.

Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO), the ranking member of the Subcommittee on Surface Transportation.

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman. I thank the ranking member for his leadership on this issue, and I thank the chairman for his leadership.

I know that were we acting independently as a committee to formulate the legislation and set the surface transportation policy for the United States of America, the bill would be much more robust than what is before us today. But we have to deal with the facts that are before us.

We are 20 months overdue on a surface transportation reauthorization. We have extended the old transportation bill seven times at lower levels of funding than under any scenario of bill that will come out of any conference with the House and the Senate. That means that projects have been foregone, investments have not been made, jobs have not been created.

As the gentleman from Minnesota (Mr. OBERSTAR) point out, people are sitting in traffic. We are not keeping up with demand; we are not keeping up with maintenance as we should.

For every billion dollars we invest, now, remember, we are borrowing a pile of money to run this government, $1.3 million a minute to run the government. Some of it goes to pay people, not to grow things. Some of it goes to other programs of dubious value. But for this program, for surface transportation, for highways, for roads, for bridges, for mass transit, we are not borrowing the money. The American people have already paid the tax. It is sitting there waiting to be spent, spent productively, putting people to work, and moving us more efficiently and moving goods more efficiently. We should not forego that.

A billion dollars, 47,000 jobs are created or sustained for every billion-dollar investment; $6.1 billion in additional economic activity; 32 percent of our major roads are in poor or mediocre condition; 28 percent of bridges are structurally deficient or functionally obsolete; 36 percent of the Nation's urban rail vehicles and maintenance facilities, 29 percent of the Nation's bus fleet and maintenance facilities are in substandard or poor condition.

My State alone, the little State of Oregon, has a $4.7 billion interstate, not intrastate, interstate bridge problem. The interstate that connects Canada, the United States and Mexico; California, Oregon, and Washington, $4.7 billion.

Our neighbors to the north in Washington State have one problem, a viaduct problem in Seattle, an incredible safety issue on an incredible choke point and problem. That is $1.5 billion for that one project. And so it is across the country. Member after Member can come forward and enumerate these projects that are necessary, needed investments.

We need the most robust bill possible. I am hopeful that this is the last extension. I am hopeful this will be a conference that comes to a positive conclusion. We can get this done before the end of June with a sense of urgency and with the leadership of these two gentlemen.

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, I thank the chairman for yielding me time. I must say that I enjoy serving with the gentleman from Minnesota (Mr. OBERSTAR). He certainly is one of the most knowledgeable people on transportation issues. He was working on it long before I came to Congress. We agree on many transportation issues. However, I think we may disagree on this particular action he is asking for the House to take.

To paraphrase him, he said we need to address the problem of people taking the Lord's name more in traffic than they do in church on Sunday. I am right with him. And I am trying to correct that situation.

Again, we agree that we need to move this process forward. This is the seventh extension. There are people waiting. There are jobs waiting. In some areas, unlike Florida, you only have a certain building season. But we have come to an agreement on a 30-day extension. We are about to appoint conferees and move forward with the process that will finish the job. But we do not want to finish the job and start on a shaky foundation. We would send the wrong message now if we put our position forward, the 283.9 or 284 billion, it is the House position.

Agreeing on 92 and sending a message to conference at this point, I submit, is premature. Why would you show your cards at this particular juncture in the conference process? We may be able to do better. We may not have the money to do the 92. We may be putting ourselves in a very difficult position to start out the conference in already dealing with an administration that we know is temperamental on this issue. So we need to move forward on a good solid foundation.

We do not need to pass this.

The other thing, too, I heard our majority leader address some folks from Florida, and he said in Congress the legislative process is something that is very important. He said they have a term for this in Texas. He said they called it ''strategey,'' just joking of course, for strategy. And I submit this is strategery, not good strategy, because we are not moving forward in a timely fashion.

Members have not been alerted to this action. Some Members, I think, have already departed the Chamber and are on their way to Memorial Day events back in their districts. So from a strategic standpoint, I think we make a mistake by even offering this at this time. I think at the right time with the right strategy that we could do better to move this process and also the dollars forward to build our Nation's infrastructure.

□ 1530

Mr. OBERSTAR. Mr. Speaker, I yield myself 15 seconds.

I appreciate the difficulty in which my committee colleagues find themselves in this matter, but I would also observe that the business of the House is never over until the adjournment vote.

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

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in yielding me this time to speak on his motion to instruct.

And I must say, Mr. Speaker, that I join in the gentleman's assessment of the capacity of the chairman of our committee, who will be chairing the conference committee; and we know

there will be no cell phones that will violate the sanctity of the conference committee activity. Would that it would set the tone for the entire Congress.

I take modest exception to my friend from Florida, because I think the spirit with which this is offered is to, in fact, strengthen the foundation upon which the chairman and the members of our conference committee will go into this discussion. It is an opportunity for us to present a united front in the House.

I think it is quite clear, based on the work that has gone on in the course of the last 2½ years, that there is strong, strong interest and understanding and appreciation of what robust means. This is an opportunity for us to demonstrate once again the breadth of support that our chairman and our leadership take into this conference committee.

It is truly the broadest base of support for a transportation infrastructure bill that we have ever seen. It represents from coast to coast, rural and urban, small State, suburb, not just highway, of which we are deeply concerned, but our chairman and ranking member are deeply appreciative of the relationship of all the transportation modes and many of the smaller projects that are within the ambit of the ISTEA legislation.

This vote on the motion to instruct will clearly strengthen the hand of the Chair and of the House. It is a point of departure. I am willing to follow them forward if we can expand the boundaries here to capture the spirit and the interest and the concern not just of our committee, but the people that we represent at home and the Members in the House.

With all due respect, I would suggest that the offer with which I think this is offered and that I will support is to strengthen the hand of the chairman and ranking member, strengthen the hand of the House, and capture the broad base of support so we can be successful in this important deliberation.

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

Mr. OBERSTAR. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman for yielding me this time, and I echo the remarks of my colleague from Oregon as well the ranking member of the Committee on Transportation and Infrastructure. This is a bipartisan bill. I cannot do anything more than to congratulate Chairman YOUNG and Ranking Member OBERSTAR for the collaborative method in which they have approached the legislation that would provide for transportation for America.

But, Mr. Speaker, this motion to instruct is a big plus for the State of Texas because of the great changing needs that we are facing: The congestion that we are facing not only in our cities, but in our rural areas, the necessity of urban areas to have sound walls in order to ensure that transportation is near neighborhoods, the increasing use of toll roads, primarily because there is need for more money to provide for transportation, the lack of dollars to help with our rail systems throughout America.

Clearly, we need to ensure that the funding in H.R. 3, that was collaboratively voted on in a bipartisan manner, is preserved and to instruct that our States receive the dollars necessary for safety and for transportation. This motion to instruct is simply a gift to the conferees in order to give them the enhanced instruction to make the transportation bill the one that provides jobs, builds highways, provides highway safety programs and transit programs; and for me, happening to be a mass transit supporter, we would hope these dollars would also be focused on bus transportation and mass transportation, including light rail, which is so needed in the city of Houston.

So I hope my colleagues will support enthusiastically this motion to instruct because, again, it provides a solid foundation for us to build a new and innovative transportation system for all of America.

Mr. OBERSTAR. Mr. Speaker, I yield myself 15 seconds to thank the gentlewoman from Houston for her thoughtful remarks, representing the Nation's fourth largest urban area. She certainly knows whereof she speaks about transportation and congestion.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. CORRINE BROWN), the ranking member on our Subcommittee on Railroads.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to thank Chairman YOUNG and Chairman PETRI, and particularly I want to thank Ranking Member OBERSTAR for his leadership on this issue.

This bill is over 2 years overdue, and that is just not fair to the Nation's traveling public who deserve better from this Congress and, of course, from this administration. We spend $1 billion a week in Iraq, yet there is a question as to the level of spending in this transportation bill. Clearly, the committee voted $318 billion for transportation. The Department of Transportation itself said that we needed $375 billion. They said $375 billion.

The Department of Transportation statistics show that for every $1 billion invested in transportation infrastructure, it creates 42,000 jobs. It also saves the lives of 1,400 people, and you cannot argue with those figures. Transportation funding is a win-win for everyone involved. The States get to improve their transportation and infrastructure. That creates economic development and puts people back to work; it enhances safety and improves local communities.

By delaying the passage of this much-needed legislation, we are doing a disservice to the driving public and to the Nation as a whole. The States are battling red ink and want to see this bill passed. The construction companies, who are laying off employees, want to see this bill passed. And the citizens waiting in traffic jams in Orlando, Florida, and central Florida want to see this bill pass.

Let us get serious about putting people back to work and let us pass a bill that truly meets the needs of the traveling public and not the needs of this President who is trying to look fiscally responsible while he runs up the national debt.

I encourage everyone to contact their Members and ask them to support transportation funding that truly meets the needs of this growing Nation. We need to stop spending money everywhere but here in the United States. Transportation infrastructure spending is an investment in America, and it is time we spent money on something that benefits the people that are actually paying the bills.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself the balance of my time.

We have had a good discussion of the subject matter. I think it need not be further elaborated. Again, if you are serious about a good result in the conference, you will support this motion to instruct conferees, a fair, equitable, and balanced motion.

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

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. YOUNG of Alaska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 189, nays 223, not voting 21, as follows:

[Roll No. 227]

YEAS—189

Abercrombie	Brown, Corrine	Davis (CA)
Ackerman	Butterfield	Davis (FL)
Allen	Capps	Davis (IL)
Andrews	Capuano	Davis (TN)
Baca	Cardin	Davis, Tom
Baird	Cardoza	DeFazio
Baldwin	Carnahan	DeGette
Barrow	Carson	DeLauro
Bean	Case	Dicks
Becerra	Chandler	Dingell
Berman	Clay	Doggett
Berry	Cleaver	Edwards
Bishop (GA)	Clyburn	Emanuel
Bishop (NY)	Conyers	Engel
Blumenauer	Cooper	Eshoo
Boren	Costa	Etheridge
Boswell	Costello	Evans
Boucher	Crowley	Farr
Boyd	Cuellar	Ford
Brady (PA)	Cummings	Frank (MA)
Brown (OH)	Davis (AL)	Gonzalez

Gordon
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCollum (MN)
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
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
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
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
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

NAYS—223

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
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fattah
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
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
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
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
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 (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—21

Berkley
Cramer
Cunningham
Deal (GA)
Delahunt
Doyle
Emerson
Filner
Green, Gene
Hastings (WA)
Holden
Jenkins
Kind
McCarthy
McDermott
McNulty
Menendez
Millender-McDonald
Smith (WA)
Taylor (MS)
Weldon (PA)

□ 1602

Mr. BONNER, Mr. OTTER, Ms. PRYCE of Ohio, Mr. ISTOOK and Mr. DANIEL E. LUNGREN of California changed their vote from ''yea'' to ''nay.''

So the motion was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. SIMPSON). The Chair will appoint conferees at a later time.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 227, on H.R. 3 Motion to Instruct, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on May 26, 2005, I unfortunately missed 5 recorded votes and regret missing them.

Mr. Speaker, on rollcall No. 223, On Ordering the Previous Question (House Resolution 298), had I been present, I would have voted "no." I ask unanimous consent that my statement appear in the RECORD.

Mr. Speaker, on rollcall No. 224, On Agreeing to the Melancon of Louisiana Amendment (House Resolution 2528), had I been present, I would have voted "aye." I ask unanimous consent that my statement appear in the RECORD.

Mr. Speaker, on rollcall No. 225, On Agreeing to the Blumenauer of Oregon Amendment (House Resolution 2528), had I been present, I would have voted "aye." I ask unanimous consent that my statement appear in the RECORD.

Mr. Speaker, on rollcall No. 226, Final Passage of H.R. 2528, the Military Quality of Life & Veterans Affairs Appropriations Act, had I been present, I would have voted "aye." I ask unanimous consent that my statement appear in the RECORD.

Mr. Speaker, on rollcall No. 227, On Motion to Instruct Conferees to the Transportation Equity Act, had I been present, I would have voted "aye." I ask unanimous consent that my statement appear in the RECORD.

PERSONAL EXPLANATION

Mr. FATTAH. Mr. Speaker, I inadvertently voted against the Motion to Instruct Conferees on H.R. 3, which instructs conferees to increase funding for the Transportation/Highway bill. The motion would increase the minimum guaranteed rate of return to 92 percent, while ensuring that each state receives no less than what is provided under the bill.

I request that the record reflect that I support the motion and I intended to vote for it.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. PRICE of Georgia. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 167) and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the concurrent resolution.

The Clerk read as follows:

H. CON. RES. 167

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, May 26, 2005, or Friday, May 27, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, June 7, 2005, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, May 26, 2005, or Friday, May 27, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, June 6, 2005, or Tuesday, June 7, 2005, or until such other time on either of those days as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

Sec. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassembled at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CONDITIONAL ADJOURNMENT TO MONDAY, MAY 30, 2005

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday, May 30, 2005, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 167, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JUNE 8, 2005

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, June 8, 2005.

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

There was no objection.

MEMORIAL DAY

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wanted to take this opportunity to thank America's veterans and to offer my sympathy to those families that will experience for the first time and for many, many times the difficulty of Memorial Day, for they are the families that are now suffering the loss of a loved one who has fallen in battle or in the service of his or her country.

Today, we had the honor of traveling to Arlington Cemetery, as I said earlier, to place the wreath of honor in honor of women who have fallen in battle. The good news about America is that in times of conflict, however we may disagree on the policy, we are united behind the men and women who leave their homes and leave their families and leave all that they love to be able to serve this country.

My sadness, however, is that there are so many that are coming back in caskets covered and draped by the American flag. And so I think it is extremely important that on this Memorial Day, we are united in our honoring and our admiration and our affection for those who have lost their lives in Iraq and Afghanistan.

May God bless them, God bless their families, and God bless the United States of America.

COMMUNICATION FROM INSPECTOR GENERAL, HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. KUHL of New York) laid before the House the following communication from Steven A. McNamara, Inspector General, House of Representatives:

OFFICE OF INSPECTOR GENERAL,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 16, 2005.

MEMORANDUM

To: Hon. DENNIS HASTERT, Speaker of the House.
Hon. TOM DELAY, Majority Leader of the House.
Hon. NANCY PELOSI, Minority Leader of the House.
From: STEVEN A. MCNAMARA, Inspector General.
Subject: Notification of Resignation and Retirement.

Please accept my offer of resignation, as the Inspector General for the U.S. House of Representatives, effective May 30, 2005. This date will also be my effective date of retirement from Federal Service.

It has been an honor to serve the House as the Inspector General for the last five years. My goal, and that of my staff, has been to help the House achieve the best use of all the dollars it spends, increase efficiencies, and ensure the health, safety, and security of Members, staff, and visitors. Through the combined support of the House Leadership, the Committee on House Administration, and the hard work of my staff, I believe we have helped the House accomplish its administrative goals.

Now, after slightly more than 35 years of Federal Service, I look forward to a new chapter in my life; the pursuit of a hobby and business venture as a kayak instructor and kayaking guide.

Once again, it has been a great honor to serve the House of the Inspector General for the last five years. It has been a fulfilling and rewarding experience!

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.

INTRODUCTION OF REDUCING CRIME AND TERRORISM AT AMERICA'S SEAPORTS ACT OF 2005

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

Mr. SCHIFF. Mr. Speaker, along with the gentleman from North Carolina (Mr. COBLE), chairman of the Judiciary Committee's Subcommittee on Crime, Terrorism, and Homeland Security, I am pleased to introduce the Reducing Crime and Terrorism at America's Seaports Act of 2005.

There are 361 seaports in the United States that serve essential national interests by facilitating the flow of trade and the movement of cruise passengers, as well as supporting the effective and safe deployment of U.S. Armed Forces. These seaport facilities and other marine areas cover some 3.5 million square miles of ocean area and 95,000 miles of coastline.

Millions of shipping containers pass through our ports every month. A single container has room for as much as 60,000 pounds of explosives, 10 to 15 times the amount in the Ryder truck used to blow up the Murrah Federal Building in Oklahoma City. When you consider that a single ship can carry as many as 8,000 containers at one time, the vulnerability of our seaports is alarming.

Each year, more than 141 million ferry and cruise ship passengers, more than 2 billion tons of domestic and international freight and 3 billion tons of oil move through U.S. seaports. Millions of truck-size cargo containers are off-loaded onto U.S. docks. Many seaports are still protected by little more than a chain link fence and, in far too many instances, have no adequate safeguards to ensure that only authorized personnel can access sensitive areas of the port. If we allow this system to continue unchecked, it is only a matter of time until terrorists attempt to deliver a weapon of mass destruction to our doorstep via ship, truck or cargo container.

New reports by the Government Accountability Office, Congress' investigative arm, fault both the Customs-Trade Partnership Against Terrorism and the Container Security Initiative. C-TPAT allows international shippers to get quicker clearance through Customs in exchange for voluntary security measures. But the GAO said that the U.S. Customs and Border Protection's vetting process was not thorough enough. It found that only 10 percent of the certified members had been validated through an actual physical inspection by the Agency. The rest had been certified by paperwork applications.

As part of the recently passed Homeland Security authorization bill, the House took some important steps to improve the screening of cargo by expanding the Container Security Initiative and refocusing it, based on risk. But the truth is that not every container can be inspected, and we need to use other tools at our disposal to deter those who would use our seaports as a point of attack until we can inspect or somehow verify each container. Strengthening criminal penalties, as Chairman COBLE and I are proposing with this bill, is one way we make our Nation's ports less vulnerable.

The Reducing Crime and Terrorism at America's Seaports Act of 2005 will fill a gaping hole in our defense against terrorism and make American ports, passengers and cargo safer. Our bill is substantially similar to bipartisan Senate legislation introduced earlier this year by Senators BIDEN and SPECTER and supported by other key members of the Judiciary Committee, including Senators DIANNE FEINSTEIN and ORRIN HATCH. The Senate version of this legislation has been reported favorably by the Senate Judiciary Committee and is awaiting action by the full Senate.

Our bill makes common-sense changes to our criminal laws and will help to close security gaps confronting our ports. The amendment will make it a crime to use a vessel to smuggle terrorists or dangerous materials, including nuclear material, into the U.S., impose stiff criminal penalties for providing false information to a Federal law enforcement officer at a port or on a vessel, and double the sentence of anyone who fraudulently gains access to a seaport.

Our bill would also directly access several immediate threats by increasing penalties for smugglers who misrepresent illicit cargo. It would also bridge specific gaps in current Federal law by making it a crime for a vessel operator to fail to stop when ordered to

do so by a Federal law enforcement officer.

Mr. Speaker, America's ports remain vulnerable and this Nation needs a multifaceted strategy to secure them and to deter those who would harm this country. The Reducing Crime and Terrorism at America's Seaports Act of 2005 is part of that strategy.

I urge my colleagues to join Chairman COBLE and me by cosponsoring this legislation.

□ 1615

The SPEAKER pro tempore (Mr. KUHL of New York). 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.)

ORDER OF BUSINESS

Mr. NORWOOD. Mr. 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 Georgia?

There was no objection.

BORDER CONTROL AND AMNESTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

Mr. NORWOOD. Mr. Speaker, this month a bill to grant amnesty to illegal immigrants was introduced in the United States Senate.

I think we should send a very clear message to the other body not to waste their time or ours on any bill dealing with the status of illegal immigrants until we first secure our borders.

What good does it do to try to address the problems of 11 to 16 million people who are here illegally if we do not address the gaping wound that allowed them in this country to start with?

The majority of illegals simply walk across our woefully undermanned 2,000-mile border with Mexico. We could deport them back to their country of origin, and millions would be pouring back across that same border within hours. We could turn our backs on justice and the rule of law and declare everyone here as now to be legal. Within hours we would have millions more illegal immigrants walking across that same border, encouraged by the fact that they could laugh at our laws with impunity.

Either extreme, or anything in between, is pointless while we let our border continue to bleed. Trying to defend 1,951 miles of border against 4 million illegal immigrants a year with just 10,817 border patrol officers is a mathematical impossibility.

This month Customs and Border Protection Commissioner Robert Bonner told the House Committee on Government Reform that we could secure the border, that we could secure the border, with an additional 50,000 auxiliary officers. That figure is in very close agreement with the draft field research by the Immigration Reform Caucus that was reported this week by the Washington Times, CNN's Lou Dobbs, and Fox News, which estimates 36,000 auxiliaries may accomplish the same purpose.

Governor Arnold Schwarzenegger of California and Janet Napolitano of Arizona, Bill Richardson of New Mexico, and Governor Rick Perry of Texas can order their National Guard, with support from other States through the National Guard Bureau, to secure their section of their border today. We have already authorized the Secretary of Defense to pay the cost of that deployment in last year's Defense Authorization Act. In addition, we are bringing home 70,000 Federal troops from around the world, where they have been guarding other nations' borders for the past 60 years. A simple executive order from the President would allow them to relieve our National Guard and have 20,000 men and women to spare.

All it takes, Mr. Speaker, is will. We have the manpower and we have the money.

Mr. Speaker, on May 5 the American people responded to a Zogby nationwide poll on this issue. They approve using Federal troops to secure our border by a 53 to 40 percent margin. They approve using State and local law agencies to help secure our border by an 81 to 14 percent margin. They oppose an amnesty plan like that proposed in the Senate by a 56 to 35 percent margin.

This week, after the border patrol draft reported by caucus investigators was released, CNN online polls were running 92 percent in favor of using our military to control our borders. In response, the Mexican Government this week spoke out against us securing our border with our troops.

The American public demands we do so.

Now is the time for every Member of this body to choose whose side we are on.

SMART SECURITY AND THE NEED FOR AN IRAQ PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, it is time for Congress to take a good, hard look at the role the United States is playing in Iraq and whether or not it is in our national interest to maintain a military presence.

We need to acknowledge the fact that Iraq's insurgency is growing in strength, not diminishing, and that the very presence of 150,000 American troops on Iraqi soil appears as though they see us as occupiers that actually unites the growing collection of insurgent forces.

Since our military presence actually encourages further fighting, this war will continue as long as U.S. troops remain in Iraq. That is why Congress must accept the fact that we cannot possibly bring our involvement in Iraq to any kind of successful conclusion through military means.

Yesterday, during consideration of the National Defense Authorization Act for Fiscal Year 2006, I offered an amendment urging the President to develop a plan for the withdrawal of troops from Iraq. Surprisingly, this was the first time the House has formally debated the possibility of withdrawal from Iraq. We were allotted only 30 minutes for the debate: 15 minutes on my side, 15 minutes on the side opposing my amendment. But it is no surprise, of course, the amendment was defeated. But in spite of that, it is clear that the Congress is starting to get serious about a plan for leaving Iraq. 128 Members, including five Republicans, voted for this amendment.

But there is much more work to do, Mr. Speaker. The Iraq war has now raged on for more than 2 years, and we are no closer to winning this conflict than we were when President Bush declared an end to major combat operations under an arrogant banner declaring ''Mission Accomplished.''

Despite this lack of progress, the war has exacted a deeply troubling human and financial toll. In just over 2 years of war, more than 1,600 American soldiers and an estimated 25,000 Iraqi innocents have been killed. The Pentagon lists the number of Americans wounded as just over 12,000. But that does not take into account even the invisible wounds many of our soldiers will be bringing home and have already brought home, the painful mental trauma they have contracted from months and years of fighting. When accounting for these psychological injuries, the number of wounded jumps to nearly 40,000.

To date, Congress has appropriated more than $200 billion for military operations in Iraq, despite little to no oversight as to how these funds are going to be spent, which has allowed $9 billion in reconstruction funds to just vanish from the coffers of the Coalition Provisional Authority, which was the American governing body that managed Iraq until the year 2004.

Given what is at stake here, do the American people not deserve a plan? Do our brave men and women, who are selflessly sacrificing their lives, not to mention their arms, legs, for a war that we should not be in in the first place, not deserve a plan?

Let us not forget that the legislative branch is constitutionally mandated to oversee expenditures from our National Treasury. Instead of allowing fat-cat war profiteers like Halliburton and its subsidiary, Kellogg, Brown and Root, to line their pockets as war profiteers, it is time Congress started fulfilling our responsibility.

We must develop a smarter agenda. We must develop an agenda that will help Iraq, and we will then be able to reduce our military occupation. We must insist on planning by the Bush administration. This 2-year war has left us disturbingly weak against the true security threats we face. Let us not forget that Osama bin laden is still at large and al Qaeda continues to recruit new members in Iraq as well as the rest of the Middle East.

Fortunately, there is a plan that would secure America for the future: the SMART Security concurrent resolution, H. Con. Res. 158, which I recently reintroduced with the support of 49 of my House colleagues. SMART is a Sensible, Multilateral, American Response to Terrorism for the 21st Century. It will help us address the threats we face as a Nation. SMART Security will prevent terrorism by addressing the very conditions which allow terrorism to take root: poverty, despair, resource scarcity, and lack of educational opportunity. Instead of rushing off to war under false pretenses, SMART Security encourages the United States to work with other nations to address the most pressing global issues.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. FRANKS of Arizona. Mr. 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 Arizona?

There was no objection.

AMERICAN POLICY IN THE BALKANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANKS of Arizona. Mr. Speaker, allow me to address a very deep and growing concern about American policy in the Balkans. The policy of the United States should be predicated upon its own interests and its own sovereignty and security. Defying reason, somehow we keep hearing that the current administration plans to continue the former administration's policy in Southeast Europe.

Mr. Speaker, I cannot understand this, given the fact that we have learned so much about the nature of the foreign fighters that have come into Bosnia-Herzegovina to fight the Serbs, and now we have encountered them ourselves in Iraq.

To observe the current unemployment and socialist economic structure in Kosovo is to recognize that the previous administration's so-called policy there has been an absolute and utter failure. I certainly agree that we should be looking for a workable solution for all in that region; but in order to do so, we cannot disregard the fact that there have been over 300 mosques constructed in Kosovo since 1999, mostly funded by Saudi Arabia, while at the very same time, 150 Serbian churches, Orthodox churches, about 10 percent of all the churches in Kosovo, have been destroyed. And I am wondering if this is the legacy that we want to leave for the United States involvement, Mr. Speaker.

Further, we can now clearly see that many of the most dangerous terrorists that the United States has encountered in the fight against terrorism have had some connection to the Balkans and particularly Bosnia. For example, two of the September 11 hijackers fought in the wars in Bosnia. Sohel al Saahli fought in Afghanistan, Bosnia, and Chechnya; and he later became a leader in Iraq and was killed in a U.S. air strike in March of 2003. Abdel Aziz al Muqrin, al Qaeda's leader in Saudi Arabia, personally decapitated Paul Johnson; and he had fought in Bosnia, Algeria, Ethiopia, and Afghanistan.

Mr. Speaker, there is an alarming pattern here.

Abu Anas al Shami fought with other Jordanian extremists to fight jihad in Bosnia. He was the right hand of Abu Masab al Zarqawi fighting against U.S. forces in Iraq until he was killed in September, 2004.

And, unfortunately, Mr. Speaker, our Balkans policies helped these terrorists.

And now there is data found on Mr. Zarqawi's laptop computer indicating that terrorists have the means and the plans to use WMDs here in Europe and perhaps even here someday, in the United States.

Mr. Speaker, given these disturbing details, the fact that we are now moving troops out of Bosnia and out of the Balkans is a profound concern to me. Further, as a guarantor of the Dayton Peace Accords, we have a duty to reaffirm them and to ensure a sense of comity and fair play. We should not seek to change them through a coercive top-down pressure, as has been recently attempted in the talks in Bosnia under the auspices of the High Representative, Paddy Ashdown, and this with the approval of our U.S. Ambassador Douglas McElhaney.

I am also very concerned that, according to news reports, our ambassador incited public opinion against the Republic of Srpska's chief of police by insinuating that he should be removed from office for statements he made concerning the nexus between Bosnia and the Madrid bombings.

□ 1630

Mr. Speaker, the police chief's statements concerning the relationship between certain individuals and materials in Bosnia and the horrific Madrid bombings that took place last year deserve our attention and our investigation rather than our rebuke. I truly believe, Mr. Speaker, it is time we take a second, very serious look at the realities and the growing terrorist danger in Bosnia.

The SPEAKER pro tempore (Mr. KUHL of New York). Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IN OPPOSITION TO CANCELLATION OF GENOCIDE CONFERENCE IN TURKEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I rise this afternoon to voice my outrage and great disappointment about a recent development in Turkey. A conference set to begin yesterday in Bogazici University, of Turkish scholars and academics, entitled ''Ottoman Armenians During the Decline of the Empire: Issues of Scientific Responsibility and Democracy,'' was indefinitely postponed by the university organizers.

According to Agence France-Presse, Turkish Justice Minister Cemil Cicek yesterday accused conference organizers of committing treason, saying, ''We must put an end to this cycle of treason and insults, of spreading propaganda against the Turkish nation by people who belong to it.'' In addition, Turkish officials have demanded copies of all papers submitted to the conference.

The development further affirms the speculation that the image that the Turkish Government has attempted to create for itself is nothing more than a desperate attempt to create a facade. Contrary to what Turkish Prime Minister Erdogan and other Turkish officials would have us believe, the Government of Turkey is not democratic, is not committed to creating a democracy, is not making an effort to create better relations with Armenia and is definitely not ready to join the European Union.

Over the last year, we have witnessed the Government of Turkey attempt to move towards democratization. However, the manner in which they have chosen to do so is an insult to any truly democratic government. Their attempts have included the adoption of a penal code that, in reality, represents a dramatic display of the Turkish government's campaign to deny the Armenian genocide. Furthermore, this new criminal code further hindered improved relations between the Republic of Armenia and Turkey.

Section 306 of this penal code punishes individual Turkish citizens or groups that confirm the fact of the Armenian genocide in Ottoman Turkey or call for the end of the Turkish occupation of Northern Cyprus, with up to 10 years in prison. Far from coming to terms with the genocide or reaching out to Armenia, Turkey, in adopting Section 306 of its new penal code, hardened its anti-Armenian stance and undermined hopes for reduction of tension in the region. This sets the stage for possible legal action against conference planners and participants. The Turkish Government has refused to support rescinding this prohibition against free speech, despite international criticism.

Mr. Speaker, with the cancellation of this conference, we find that the Government of Turkey will go to any length to avoid facing its bloody past. In just 2 weeks, Turkey's prime minister will be in the United States for an official visit, proclaiming that his nation is a democracy ready for full membership in the European Community and asking for U.S. support. The sad reality, Mr. Speaker, is that when it comes to facing the judgment of history about the Armenian genocide, Turkey, rather than acknowledging the truth, has instead chosen to trample on the rights of its citizens and still maintain lies.

Hrant Dink, editor of the Armenian weekly Agos in Turkey stated, ''This decision strengthens the hand of those outside Turkey who say Turkey has not changed, it is not democratic enough to discuss the Armenian issue, it shows there is a difference between what the government says and its intentions.''

Numerous European countries, including Poland, France and Greece, have passed Armenian genocide resolutions and have continuously urged Turkey to admit its crime. Just this week, French President Jacques Chirac urged Turkey to recognize the genocide and said failure to do so could harm Ankara's drive to join the European Union.

We cannot sit by and allow any nation that we consider an ally and a nation that is desperately seeking admission into the European Union to behave in such a manner. To bring this development into perspective, consider that according to current law in Turkey, dozens of U.S. Senators and hundreds of Congressmen would be punished simply for having voted for Armenian genocide resolutions, spoken about the lessons of this crime against humanity or commemorated the victims of the atrocity. So, too, would the American academic establishment, human rights groups, the mainstream media and just about everyone else aside from the Turkish embassy and its paid lobbyists here in Washington, D.C.

Only by being prepared to admit mistakes and make amends can the Turkish Government truly be considered a nation governed by the values of democracy. This recent event reveals the vulnerable side of Turkey, one that is still hiding from its history and is incapable of learning from its mistakes so as to ensure that they will not be repeated in the future.

Mr. Speaker, the United States prides itself on being the world's leader in spreading democracy and liberty. As an effective leader, it is our duty to recognize that Turkey is not yet a democratic state and it will take a sincere effort on the part of Turkey to make a transition from a government that currently advocates censorship and lack of freedom of speech to one that embraces the principles of democracy in its true meaning.

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.)

MEMORIAL DAY—PAYING A DEBT TO THOSE WE CAN NEVER REPAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

Mr. PENCE. Mr. Speaker, with Memorial Day 2005 just around the corner, men and women in Congress are hurrying home for festivities like those that we will enjoy in Indiana. This Sunday, the Indianapolis 500 Mile Race will draw half a million people. But it will not be the most important occasion of this long family weekend, because Hoosiers will gather in places like New Castle and Muncie and Elwood, Indiana, to commemorate this Memorial Day.

I could not help but think about the obligations of this day as I toured the battlefield of Antietam, near Sharpsburg, Maryland, just last weekend. There, Mr. Speaker, I walked on the ground that saw 6,000 Americans fall in battle in a single day, the bloodiest day in American history. Six thousand Americans at Antietam would turn into 600,000 Americans on both sides of the battle that fell in the Civil War.

Just 3 years after the end of that conflict, Americans set aside the 30th day of May each year to remember their sacrifice, and for 130 years, Decoration Day became Memorial Day, and it is something that we take seriously in the Hoosier State, as it will be taken seriously in every State in this Union.

The Bible says, If you owe debts, pay debts; if honor, then honor; if respect, then respect. I rise humbly as the Congressman from the Sixth District of Indiana to pay a debt of respect and honor to those men who have fallen most recently in the service of this Nation in my congressional district.

These are men like Sergeant Jeremy Wright, who died January 3, 2005, when an improvised explosive device struck his military vehicle. He was 31 and a part of the Special Forces group from Fort Lewis.

Master Sergeant Mike Hiester died March 26, 2005, when his military vehicle also struck a land mine 30 miles west of Kabul, Afghanistan. He was 33, from Bluffton, Indiana, survived by his brave wife, Dawn, and two small children. He was with the 76th Infantry Brigade, Army National Guard, Indianapolis. Both men fell in Operation Enduring Freedom.

In Operation Iraqi Freedom we remember Lance Corporal Matthew Smith, who died May 10, 2003, in a vehicle accident in Kuwait, age 20, from Anderson, Indiana. He was a Reservist assigned to Detachment 1, Communications Company, 4th Force Service Support Group, Peru, Indiana.

Private Shawn Pahnke was killed June 16, 2003, by a sniper while on patrol. He was 25, of Shelbyville, Indiana. He was with the 1st Battalion, 37th Armored Regiment, 1st Armored Division, Friedberg, Germany.

Specialist Chad Keith who was killed July 7, 2003, in Iraq, when a roadside bomb exploded as his unit patrolled the streets of Baghdad. He was 21, from Batesville, Indiana. He was with Company D, Fort Bragg, North Carolina.

Staff Sergeant Frederick Miller, Jr. Fred was killed September 20, 2003, when an IED hit his vehicle. He was 27, from Hagerstown, Indiana, and was with the 3rd Armored Cavalry Regiment, Fort Carson, Colorado.

Sergeant Robert Colvill, Jr., was among five soldiers killed 8 July 2004 in Baghdad. All were in the Iraqi National Guard headquarters when it came under mortar attack. He was 31 and from Anderson, Indiana, part of the 1st Infantry Division in Schweinfurt, Germany.

And Specialist Raymond White. Ray died 12 November 2004, in Baghdad, when his patrol was attacked with small arms fire. Ray was 22 and from Elwood, Indiana.

It is an honor to serve such men, Mr. Speaker, and it is an honor to rise and to pay some debt of honor and recognition to these brave men and their families.

As we approach this Memorial Day, we do it with humility and no small amount of emotion, knowing that as we read these names, they are more than names. They are sons, they are husbands, they are brothers, they are uncles, they are friends and they are neighbors; and they are gone. Gone perhaps to this world, but I am confident not to the next. Their duty was to serve. Our duty is to remember.

So I rise with a deep spirit of humility simply before this Memorial Day arrives to remember these men; to assure them and all of the tens of thousands who went before them that this Nation will never fail to feel the gratitude for their sacrifice, and on this Memorial Day never fail to pray for them, for the salvation of their immortal souls, and for the comfort of those they left behind.

Happy Memorial Day.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Samoa (Mr. FALEOMAVAEGA) is recognized for 5 minutes.

(Mr. FALEOMAVAEGA 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 gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DEMOCRATS NOT REVEALING THEIR HAND ON SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, I was stunned today when I picked up a copy of The Hill magazine and saw an article written by Hans Nichols, and the headline was ''Rubin Urges Democrats Not to Reveal Their Hand, Clinton Aide Tells Party to Hold Firm on Social Security.''

They go on to describe, ''The steward of President Clinton's economic policy told the House Democratic Caucus yesterday that it needs to continue to hold firm in opposition to the President's plan and advised Democrats not to introduce their own plan, according to aides and lawmakers in the meeting.''

It goes on to say, ''The aide said that Rubin told his party that his party's colleagues would be hard-pressed to win a battle of specifics.''

Hard-pressed to win a battle of specifics, this from the former Treasury Secretary, a man largely credited with building the international reputation of Goldman Sachs, which is all about specifics, tells the party, the Democrats, not to offer specifics.

And they say, ''Democratic lawmakers said that the encouragement from a Clinton administration figure would steel the Caucus in its resolve to defeat the President's plan.'' Steel the caucus to defeat a plan. Of course, they do not have one of their own.

Since they are using President Clinton as an example, his experts say, ''Do not offer a plan,'' let me read to you Morton Kondracke's editorial, ''Democrats Need Their Own Social Security Plan.''

''It is time for Democrats to declare what kind of Social Security reform they favor. Even former President Clinton thinks so. Yet the Democrats persist in attacking President Bush's ideas, often misleadingly.

President Clinton told ABC's ''Good Morning, America'' in an exchange curiously not broadcast, curiously not broadcast, '' 'I think Democrats should say what they are for on Social Security in the next couple weeks. Democrats should have a plan and they should talk to the President and congressional Republicans about it.'

''According to ABC's political blog, The Note, Clinton said he didn't think Democrats deserved criticism for not producing a plan yet, but they still had time to produce one. He added, 'I think they need to come up with a plan of their own.'

''One Member,'' the gentleman from Florida, ROBERT WEXLER, whom I respect and admire, ''came up with a plan and he was largely booed by his colleagues.'' Largely booed. ''According to numerous aides, minority leader PELOSI's strategy is to wait until we see the whites of their eyes before offering a Democratic alternative. Democratic leadership aides were critical of Wexler's timing, saying it clashed with PELOSI's strategy of waiting until they see the whites of their eyes before offering a Democratic alternative.''

□ 1645

Wait until they see the whites of their eyes. Like this is a battle, like this is a combat mission. It is, after all, about saving Social Security for future generations, not about fighting an enemy force. Seeing the whites of their eyes has largely been equated to battle, to taking down the enemy. They are using those same kinds of conversations about American citizens trying to build a safety net in Social Security.

Lo and behold: ''Teamsters President Praises Bush's Social Security Work. Teamsters President James P. Hoffa, breaking his estrangement from the White House, praised President Bush on Tuesday for attempting to fix Social Security and said Democrats were wrong to oppose any discussion until Mr. Bush drops his personal retirement account plan.'' That is Jimmy Hoffa representing 1.4 million members of a union. And he said he was willing to work with the administration and the Republican majority in Congress to come up with a bipartisan solution.

I quote Mr. Hoffa: ''Social Security is a major problem in this country. We have to make sure that it is preserved for those that come after us,'' Mr. Hoffa said in an interview with Gannett News Service. ''I think President Bush should be given credit for the fact that he has initiated a debate regarding what we should do.''

Now let me read some quotes from Democrats who, when President Clinton had a plan, oh, they were enthusiastic. This refers to President Clinton: ''This fiscal crisis in Social Security affects every generation.''

Let us read HARRY REID, the minority leader of the Senate: ''Most of us have no problem with taking a small amount of the Social Security proceeds and putting it into the private sector.''

When asked by Tony Snow on Fox News, ''Are you opposed to letting people make the investment decisions? In other words, having some component where they say, I will save the money rather than letting Uncle Sam doing it for me?'' Senator REID in 1999: ''I think it is important that we look, and I am totally in favor to do this. And, in fact, there are a couple of programs now that we are taking a look at to see if it works for Social Security.''

Now, I agree in my heart that there is opportunity for negotiations, but simply saying ''no'' by the Democrats is unacceptable to every senior and every future generation to follow.

EDUCATION FUNDING

The SPEAKER pro tempore (Mr. KUHL of New York). Under a previous order of the House, the gentleman from Oregon (Mr. WU) is recognized for 5 minutes.

Mr. WU. Mr. Speaker, on Monday, May 23, I read a disturbing story in The Oregonian newspaper. It was not about the war in Iraq, the rise of unemployment in Oregon, or even the growing problem with methamphetamine abuse. Instead, this story focused on a school fundraiser.

What was so disturbing about this fundraiser is that the students and their parents at Redland Elementary School in Oregon City were hosting a jog-a-thon to raise money to hire a physical education teacher. It was not for band uniforms, not for supplies, or even for a field trip; it was to hire a teacher. The parents and students have hosted this fundraiser every year since 1994 when the school district no longer had enough money to pay for a PE teacher.

Sadly, this is not the first tale of such fundraisers in Oregon. In 2003, the Eugene Register-Guard reported on similar efforts of parents who were hosting fundraisers to pay for a math teacher. Math classes were jeopardized because the then current math teacher was retiring and there was not enough money to hire a new math teacher. The parents and teachers decided to give their blood to fund the position. That is right, blood. After realizing that bake sales would not raise enough money, parents and teachers decided to sell their blood plasma to raise money to fund a teacher.

When it comes to education funding, it is increasingly parents and teachers who are scrambling to cover budget shortfalls; and, unfortunately, Oregon has been one of the States hit hardest by budget shortfalls. Across our State, schools are closing, increasing class sizes, or eliminating or cutting music, art, athletics, marching band, and other important so-called ''extracurricular'' activities.

Oregon's school districts have carved a total of almost 500 days or 12 million instructional hours off the 2003 school year, and at least 1,100 teacher positions have been lost so far. Oregon has abolished State tests for writing, math, and science in middle schools; and some schools have received no new textbooks since 1988.

Spanish is emerging as the sole option for Oregon students who want to study a foreign language, as budget cuts translate to reduced programs in languages such as German, French, Russian, Chinese, and Japanese.

In Douglas County, 80 new teaching positions were eliminated, class sizes are expected to increase from 20 or so students to the low 30s, and sports and other extracurricular activities are going to take a hit.

Yamhill High School in my congressional district saw average class size jump by 10 to 20 students. That is 10 to 20 more students in the average classroom.

A math teacher in Hillsboro has two classes that top out at 54 students in each class, and other classes throughout our State routinely have 40 or more students per class.

In Portland, high school students and their parents were running telethons and auctions and collecting recyclables to pay money for teacher salaries and basic supplies.

The Medford School District eliminated 23 staff members, including seven child development specialists, two school nurses, two psychologists, and several maintenance and secretarial positions; and the district will start charging each student, each student, $100 to pay a fee per sport in high school and $50 in middle school.

In Lake Oswego, families are paying as much as $900 a year for their children to play high school sports.

In order to retain as many teachers as possible and to keep class sizes down, the Dallas school district was unable to purchase new textbooks. Many students were studying from textbooks older than themselves until an anonymous donor gave $185,000 and provided 2,700 students with new science and math books. Other school districts have asked parents to help curb the supply shortage by pitching in a variety of items, including crayons and even toilet paper.

And after Junction City School District cut art, music, and gym classes, laid off three teachers, and eliminated all field trips, some local male farmers ages 40 to 70 decided to drop everything, Full Monty style, by modeling for a nude pin-up calendar to raise money for schools.

These stories would be funny if they were not so deeply disturbing. We have a responsibility so that our children can get their education, and we should not be relying on parents to do bake sales, students to do jog-a-thons, parents to do pin-up calendars, or, worst of all, blood sales to bridge budget gaps; but they are, and sadly, they are not the only ones making sacrifices. A couple of years ago, the teachers in the Portland public schools taught for 2 weeks without pay.

Mr. Speaker, I urge this Chamber to do a better job, and I urge my home State of Oregon to do a better job.

Parents, teachers, and community leaders continuously demonstrate their deep pride in and commitment to public education. Most parents will make any sacrifice to ensure that their children receive a quality education. And I know that teachers want nothing more than to see their students learn. While this generosity and commitment are heartwarming and inspiring we should hang our heads in shame that our schools are so desperate that parents and teachers have to sell their blood, pose for pinups, or work without pay to provide our children with the education they deserve.

I ran for Congress to improve the quality and accessibility of our education system. I believe strongly that an education is the best investment that we can make in our children and for our future.

We already have a glimpse of what our future can bring.

We can now travel the globe in a matter of hours. Business transactions can be performed with the click of a mouse. And our cars have more computing power than the Apollo spacecraft.

In this fast paced, digital age, it is important that we provide our children with a high quality education that will equip them for what the future holds.

Since I have been in Congress, I have made over 200 visits to over a hundred schools, and I have talked to teachers, students and parents from all over Oregon. In every school I have visited, the parents, students and teachers all agreed about what works: quality teachers, small class size, high standards and shared accountability, parental and community involvement, and adequate and equitable funding.

That is why I introduced the Class Size Reduction Initiative, which would hire 100,000 new teachers to reduce class size to 18 students in kindergarten through third grade. As a result of this initiative, we were able to provide over $3 billion to school districts all across the country, hiring over 30,000 teachers—including over 300 in Oregon. One of those new teachers was placed in Reedville Elementary School in Aloha and reduced class size in first grade 54–27 54–18.

Yet, today the Administration and the Majority Leadership in Congress are turning their backs on education. President Bush in his budget has proposed a cut of $530 million in education. He has eliminated funding for the Class Size Reduction Initiative. In fact, of the 150 programs that the president has targeted for massive reduction or elimination, 50 of them are education programs. He also short-changes the No Child Left Behind Act (NCLB) by $12 billion. That guarantees children will be left behind.

The Federal Government is not the only one at fault. States across the nation are also balancing their budgets on the backs of our children, and our schools.

We can and must do better for our children, for ourselves and for our future. Common sense tells us that we need to prepare our students for the future so that the United States will continue to prosper. But this issue is more than about staying economically competitive. An education is necessary for everyone's quality of life. It is necessary for our society and for our democracy.

I urge my colleagues to join me in fighting for high quality public education. Our children should not be short-changed. They should not be forced to jog to raise money for a PE teacher, their teachers should not be asked to work for free, and their parents should not pose nude or be drained of blood to keep the schoolhouse doors open.

IN MEMORY OF VICE MAYOR KATHLEEN NICOLA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. HAYWORTH) is recognized for 5 minutes.

Mr. HAYWORTH. Mr. Speaker, it is my sad duty to inform this House and the people of this Nation of the passing of a dedicated public servant. The vice mayor of Fountain Hills, Arizona, Kathleen Nicola, passed away last week as the result of a boating accident.

A longtime Arizona resident, Kathleen Connelly Nicola moved to Lake Havasu City, Arizona, in June of 1967. After a move to Mesa in 1985, Kathleen and her family settled in Fountain Hills in 1989.

Kathleen's service to the town of Fountain Hills began in 1990 when she began working for the municipal court after a brief period of volunteering her services. During her tenure as administrator of the court over the following 9 years, Kathleen's extensive duties included budget preparation and day-to-day management of that court.

Kathleen's responsibilities likewise included the court's compliance with local, county, and State statutes, rules and administrative orders, in addition to statistical and financial reports; and with that involvement and background in government, Kathleen Nicola decided to run for the Fountain Hills Council in 2002, serving there with distinction, rising to the post of vice mayor prior to her tragic death last week.

Kathleen earned a Bachelor of Science degree in Justice Studies from the College of Public Programs from Arizona State University. She graduated from the Arizona School of Real Estate and Business, making a career change in the summer of 2000 to become a licensed real estate salesperson. A local real estate professional, Kathleen was an active member of the Fountain Hills Chamber of Commerce and the Scottsdale Association of Realtors.

Kathleen Nicola, one of those in America who understood that public service can be expressed through many avenues of citizen involvement, finally choosing to run for public office, serving as the vice mayor of the town she loved.

Residents of the fifth congressional district, the town of Fountain Hills join as one to express their sympathies and condolences to the Nicola family. And, Mr. Speaker, I would hope that all Americans would remember the Nicola family in their prayers during these difficult days.

The legacy of Kathleen Connelly Nicola, a woman called to service, service in her town, service in public office, service in her profession. She will be

long remembered, and she is most definitely missed.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

DEMOCRATS OUT OF MAINSTREAM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, I rise today to put the lie to House Democrat rhetoric. The Democrat leadership, from Howard Dean to the gentlewoman from California (Ms. PELOSI), claim that House Republicans are out of the mainstream. Well, Mr. Speaker, if we are out of the mainstream, they are swimming downriver in some backwoods tributary.

From a parent's right to know what their children are doing, to protecting citizens across the country from the growing threat of gang violence, the House Democrat leadership is simply out to lunch.

Eight pieces of landmark legislation that passed this House with strong support from rank-and-file Democrats, and still the minority leadership refuses to see the light. On every one of these important bills, the gentlewoman from California (Leader PELOSI) chose to vote against legislation that the vast majority of Americans, Democrats and Republicans alike, approve of.

Bankruptcy reform, 73 Democrats voted for it, but Leader PELOSI did not. Class action reform, 50 Democrats voted for it, but Leader PELOSI did not. The Gang Deterrence and Protection Act of 2005, 71 Democrats voted for it, but Leader PELOSI did not. A new energy policy for America, 41 Democrats voted for it, and, you guessed it, Leader PELOSI did not. Protecting a parent's right to know before their daughter has an abortion, 54 Democrats voted for it, and Leader PELOSI did not.

It is as simple as this, Mr. Speaker. The House Democrat leadership is engaged in a strategy designed to do one and only one thing: prevent any and all action sponsored by Republicans from becoming law. Their obstruction of House Republicans' solutionist agenda shows just how far out of the mainstream they really are.

Mr. Speaker, it would be one thing if House Democrats tried to block legislation based on policy disagreements, but it is quite another for them to block legislation based on politics. And that, Mr. Speaker, is just what they are doing.

Democrats believe they can win at the ballot box by obstructing, and they would rather win the next election than move America forward. Make no mistake: the votes I just spoke about are telling. Rank-and-file Democrats, those who believe what is best for America is more important than election politics, are brave in their defiance of their leaders. They understand that simply being the Democrat Party of No will not increase our security, build our economy, or create jobs.

If you need more proof, just look at retirement security. Republicans, led by President Bush, have the foresight to address the looming crisis facing tomorrow's retirees. We know that sometime in the near future, our Social Security system will be bankrupt.

□ 1700

If we do not make tough decisions now, future Americans will have to make even tougher ones. But Democrats just do not see a problem. Or is it that they would rather pretend there is not one?

When President Bush announced his intention to reform Social Security, he and other Republicans crossed the country to engage the American people in dialogue. He declared that nothing was off the table and signaled his willingness to consider any and all options. The Democrat response: refusal to come to the negotiating table.

One poll shows that by 61 percent to 29 percent Americans under 40 say that Social Security needs to be fixed. At the same time, many in the minority stick to their head-in-the-sand argument that there is no problem. Democrat leaders are not only out of the American mainstream, but are also out of the Democratic mainstream. Yet they have the gumption to accuse Republicans of being out of touch.

The American people must not buy into the Democrat rhetoric. They are doing a lot of talking. But do not confuse activity for achievement. What tangible results can the minority point to? The answer is none. They have no agenda. They have no vision and they have a fundamental misunderstanding of the issues we face as a Nation.

Democrats, not Republicans, Mr. Speaker, are the ones who are out of the mainstream.

The SPEAKER pro tempore (Mr. KUHL of New York). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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. 2566. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

EMBRYONIC STEM CELL RESEARCH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes as the designee of the majority leader.

Mr. BARTLETT of Maryland. Mr. Speaker, we want to spend some moments this evening talking about a subject which is a very high priority for a lot of Americans, including a number of us here in the Congress, and that has to do with embryonic stem cell research. I want to start out by telling you what the essence of a bill that we have dropped is. We filed this bill a couple of days ago. And then I will come back to this later on, to a more detailed discussion of it.

What I have here, Mr. Speaker, is a little depiction of what happens in the human body. This shows one-half of the reproductive tract of a female. This would be replicated, mirror image, on the other side, because here we are seeing only one ovary and one Fallopian tube and one-half of the uterus; and what this depicts, Mr. Speaker, is the sequence of events in the fertilization and the growth and the ultimate implantation of the embryo, this whole trip, not an unhazardous trip for the embryo, because not all of them make that trip successfully.

In fact, probably about as many as two-thirds of those that are fertilized here never are implanted down in the uterus. But this is a sequence of events which takes 10 days, perhaps, to make the trip down to finally be implanted in the uterus.

Fertilization, as is noted here, occurs very far up in the Fallopian tube, and then there is a single cell called a zygote, and that splits to form two cells. They split to form four cells and eight cells. And we are going to come back and talk about those eight cells because that is the focus of a lot of attention in today's world, particularly in infertility clinics where they are doing in vitro fertilization.

Let us imagine now that that sequence of events is not occurring in the uterus and the fallopian tube of the mother, but it is occurring in a petri dish in the laboratory. For some reason, the mother cannot become pregnant, and so they, with the use of hormones, take eggs, generally more than one, from the mother, and they take sperm, of which there are millions, from the male, and they expose these eggs to sperm, and they are fertilized. And so the doctor has a number, generally several, of these fertilized embryos. And he looks under a microscope and determines the embryos which look the strongest, and then he implants them in the mother.

Because not every embryo takes when it is implanted in the mother, he

will usually implant more than one. One of my good friends here in the Congress, the gentleman from California (Mr. ROHRABACHER), his wife had three babies because all of the embryos that were implanted took. And so now they are the very happy parents of triplets that were born.

Well, at this eight-cell stage, in clinics, it started in England a couple of years ago; it has now spread to this country. At the eight-cell stage, the doctors are able, with a very fine pipette, to remove a cell or two from that embryo, and they then do a genetic diagnosis on that cell. It is called a preimplantation genetic diagnosis because they are doing it before they implant the embryo in the uterus. The parents want to make sure that their baby is not going to have a genetic defect. If there is no genetic defect, they put the egg, minus a cell or two, in the uterus. And more than 600 times in the clinic in England, and well more than 1,000 times worldwide, we have had a perfectly normal baby born.

Now, the hope is that ultimately, but that is not what our bill is. I will come to that in a moment. The hope is, ultimately you could take that cell and do two other things with it, that cell or two that you have removed. One of the other things that you would do with it is to establish a repair kit for your baby.

We are now attempting to sort of do that when we are freezing umbilical cord blood, Mr. Speaker, and I know you have heard of that, with the hope that the stem cells, they are not really a true embryonic stem cell because they are already differentiated somewhat, that is, they have already decided ultimately what they are going to be, at least to some measure, that the baby can get, or the adult later on can get, some help from that.

We hope that we will be able to develop a repair kit from the cell that is taken. If that is true, then you could take some of the cells from the repair kit to produce a new stem cell line.

And as you know, Mr. Speaker, we are now down to 22 stem cell lines of humans that we can use Federal money working with. They are all contaminated with mouse ''feeder'' cells, and so there is a need in the medical research community for additional stem cell lines.

There is, Mr. Speaker, the hint of a moral ethical problem here, and that is that maybe the cell that I take out of this eight-cell-stage embryo could, under proper circumstances, become another embryo and, therefore, another baby. There is some cause to reflect on that, Mr. Speaker, because nature, on occasion, at some point between the two-cell stage and the inner cell mass, which is clear down here, will split the embryo and then end up with two embryos, and obviously, half of the cells went to each embryo and those half cells, each one, develops into a perfectly normal identical twin.

But if we could take the cell for preimplantation genetic diagnosis, if we could take that cell from the inner cell mass, then it is already differentiated, so that it cannot produce decidua.

Now the decidua, Mr. Speaker, is the amnion, chorion. These are elements of the placenta. And already the cells that are the inner cell mass, which will become the baby, have lost the ability to produce the decidua, so there would be no concern that the cells you took could produce another embryo and, if implanted, another baby.

Our bill looks only at animal experimentation because we need to determine several things. First of all, we need to determine, can you, in fact, from these single cells? By the way, one of the additional advantages of the inner cell mass is that there are a lot of cells there. So you could potentially take much more than one cell, which would give you an enhanced capability of producing a stem cell line and a repair kit, because these cells do not like being alone. And what we want to do is have animal experimentation on nonhuman primates, which are the great apes, which are 99.99 percent genetically identical to humans. That may reflect something on who you think you are, but the truth is that the gene differences between the great apes and humans is very, very small.

If, in fact, we can do these things with cells taken from embryos and cells taken from nonhuman primates, then we will have increased confidence that it will be safe in humans, that we can, in fact, develop the repair kit and the stem cell line that we would like to develop.

Let me take just a moment, and then I am going to recognize my friend, the gentleman from Georgia (Mr. GINGREY). Let me take just a moment to talk about what stem cells are.

There are fundamentally two types of stem cells. There are adult stem cells and there are embryonic stem cells. Here we show the growth of the embryo, and as you notice, there are fewer stages here than that previous chart we had, because they have skipped the morula and they go to the blastula, and then they skip the gastrula, well, here is the gastrula, and then they go on to the three derm layers.

These cells start differentiating. They first differentiate into the inner cell mass and the tissues which will become the decidua, and then the inner cell mass differentiates into three types of cells, the ectoderm and the mesoderm and the endoderm. And at the bottom here it shows the kinds of tissues that will develop from those.

From ectoderm will develop your skin and your nervous system, the brain and spinal cord and all the nerves that run to and fro in the body.

From the mesoderm, that is in the middle. From the mesoderm the middle layer will develop most of what you are, all of your muscle, all of your bone, all of your heart and so forth, the smooth muscle of your gut.

And then we have small but important contributions of the endoderm. And this is some of the glands in the body and the lining of the digestive system and the lining of the lungs and so forth.

Now, adult stem cells, and a good example of those is a stem cell that produces red blood cells here, that cell produces more than that. It is in the bone marrow and it produces red blood cells. It produces the thrombocytes for clotting. It produces the polymorphonuclear leukocytes, that is some of the white cells.

Now, maybe you can take that stem cell, which is not totally differentiated, and you can put it in an environment where it will be confused as to what it really is, so that it might be able to produce for you something else. And that is what we do, at least partially, with adult stem cells.

The embryonic stem cell is a cell taken from the embryo no later than the blastocyst, which has the inner cell mass, because only then will it be purely embryonic.

In the morula, the eight-cell stage we talked about, it is totally undifferentiated. Conceivably, it might produce an embryo. The President's Commission on Bioethics does not think so, but conceivably, it might. But if you take that cell or cells from the inner cell mass, it certainly will not, because it is already differentiated to the point that these cells in the inner cell mass will become the baby, and these cells in the trophoblast will become the decidua, the amnion and chorion, the placenta.

Mr. Speaker, now I would like to yield to my good friend, the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I want to, first of all, thank the gentleman from Maryland (Mr. BARTLETT). And I want to tell my colleagues, Mr. Speaker, how enthused I am to be an original cosponsor on H.R. 2574, the Respect for Life Embryonic Stem Cell Act of 2005.

□ 1715

I think that the gentleman has an excellent idea of solving this moral, ethical problem that we spent so much time talking about on the floor of this great body yesterday in the passage of those two pieces of legislation, the one, of course, to expand the opportunity for obtaining umbilical cord blood with up to 150,000 umbilical cord banks that would communicate with each other in regard to trying to match the stem cells obtained in that blood to the specific recipient who is suffering from one of these terrible diseases that we have heard so much about. I am talking about things like juvenile type I diabetes. I am talking about spinal cord injuries, Alzheimer's, leukemia.

That was the one bill. And, of course, also in that bill would expand the banking ability of bone marrow where adult stem cells are plentiful. That bill I think passed this body with maybe one dissenting vote out of 435. That does not happen very often that you get such a unanimous support.

The other bill, of course, the Castle/DeGette bill, is the one that caused a great controversy, consternation. Not partisan concern, because we had Members, both Republican and Democratic Members, for and opposed to that bill. Indeed, the authors were the gentleman from Delaware (Mr. CASTLE), a Republican Member, and the co-author, the gentlewoman from Colorado (Ms. DEGETTE), a Democrat; so it was a very, I think, in some ways it was a good thing even though I was very, very much opposed to the bill and disappointed to be on the losing side. There were 194 of us, though, who felt very strongly that we did not want to go in that direction of destroying embryos, even though the proponents, Mr. Speaker, used the term, hey, these are throwaway babies.

I even heard somebody say in their time in the well, Mr. Speaker, that these embryos, these frozen embryos were just going to be flushed down the toilet. Well, as we know, my colleagues know this week we had, I do not know how many of the hundred snowflake babies, the babies that infertile couples have adopted, the frozen embryos with the permission of the natural parents and carried these precious children to term. I think 22 of them were roaming around Capitol Hill yesterday and had an opportunity to be over at the White House with President Bush. You ask one of those moms or dads if those were throwaway babies. Indeed, they were not. They were precious lives. And I am just so thankful that that opportunity is there.

I will say this, if my colleague from Maryland will permit me to digress just a little bit on this subject, reproductive endocrinologists are superspecialist OB/GYNs. Their work involves primarily infertility. And they are wonderful doctors. They are so well trained and it is amazing the things that they can do with infertile couples, whether the infertility is a female problem with a sparsity or lack of sufficient number of eggs or whether it is a male infertility where the sperm count is extremely low, and maybe like in 25 percent of the cases you just do not know. But the success rates that they achieve is remarkable.

One of the most exciting things that they do and have been doing now for, gosh, 15, almost 20, years is in vitro fertilization. But when they first started that technology of actually stimulating a woman's ovaries to produce multiple eggs, not without some risks because when you do that with injections, the ovaries swell, they get quite large, and of course there is some danger there, as all of us in the medical profession, especially the OB/GYNs know, Mr. Speaker. But they do. It is called hyperstimulation when it gets to the dangerous stage. But even before that, it is superstimulation so that they can obtain multiple eggs.

So then there is this fertilization in the petri dish, whether it is the husband's sperm or the donor sperm if the husband is azospermic, has no sperm. So you are getting really so many of these fertilized eggs, many more than you can safely put back into the uterus. And that has created, really in a way, somewhat of a dilemma with these so-called throwaway frozen embryos, some 100,000 of them.

I think I want to hopefully sometime soon talk to my colleagues in that specialty of reproductive endocrinology and say, first of all, there should be a limit to the number of embryos that can actually be implanted in a woman's uterus, and you should never put more in than they can safely conceive.

What has been done in this country and others is if all of the sudden six or eight are implanted with the hopes that two or three or maybe just one will take and be a successful pregnancy, in those situations where lo and behold five or more take, then what is typically recommended is something called ''pregnancy reduction'' where the doctor is able to go in actually at a certain stage with a needle and destroy two or three or four sort of indiscriminately. Not knowing whether you were getting the boys or the girls or an equal mix of the same or the most intelligent or the least intelligent, the one that will grow up to be a doctor or the one that will grow up to be a lawyer. Pretty unethical in my estimation, Mr. Speaker, a pretty unethical procedure to be doing or recommending to a couple. And I think that we need to get away from that.

We need to be a little more careful and only implant a total number so that if every one of them took, that it would be safe for them to carry to near term so that all of those children would survive. And also in getting into the situation that maybe, Mr. Speaker, couples need more counseling when they go to their reproductive endocrinologist and they sign up for IVF, in vitro fertilization, maybe they need a little more counseling as to, well, how many children do you hope to have. And if they say, well, only two; I would certainly not want to have more than two children, then I think it is unethical to do this egg retrieval process and get 10 or 12 eggs and fertilize all of them and then freeze the extras when the couple had absolutely no intention of ever having a family of six or eight or 10 children.

Now, some people do. We have a Member on our side of the aisle, the gentleman from Arizona (Mr. RENZI), who has 12 precious children, and he is still a young man. But it is an amazing thing that we have really created this problem ourselves by not regulating this specialty.

So I have digressed a little bit and I hope the gentleman from Maryland (Mr. BARTLETT) will understand. I wanted to make that point because I think it is very important. But what the gentleman recommended here, this is not some mad scientific proposal. Not at all. The gentleman from Maryland (Mr. BARTLETT) is one of the most thoughtful Members of this body, Mr. Speaker, and I think colleagues on both sides of the aisle recognize that.

He is serving in his seventh term. He is not a rookie. He is a very, very bright Ph.D., physiologist, who taught in medical school. He has taken advanced course work in embryology, so he does understand, Mr. Speaker. He is thinking about what can we do to solve this problem where we in this country do not have to fight about this moral, ethical divide. He does not want us to have to cross that divide and we do not have to.

So I really commend the gentleman, and this bill I have great support for because we need some studies and we need Federal funding of those studies and we are not destroying a human life in the process. So his allowing me to come and spend a few minutes here to be with him to discuss this is most appreciated on my part.

I plan to stay here for a little while and if the gentleman would like for me to comment further, I would be glad to do so.

Mr. BARTLETT of Maryland. Mr. Speaker, I thank the gentleman so much. I am honored he has come, and I really appreciate your articulate description of the situation we are in in the country where I think that a vast majority of Americans believe that there is considerable potential from embryonic stem cell research. And yet we have this big divide in our country where a lot of our citizens in this country and a lot of our Members here in the Congress have real problems taking a life, the life of one of these early embryos.

By the way, this has in it the blueprint for a completely unique individual. There are now 6½ billion people in the world and no two alike. And so each of these embryos created in the laboratory has in it a completely unique genetic blueprint. It is not that we know which of these embryos is going to be implanted because they are frozen, could be implanted in the future. But one thing we do know, one thing we do know is that if you take the embryo and destroy it, that that potential life is gone.

Now you may argue, you may argue that you really ought to opt for the greater good and there could be enormous potential from embryonic stem cell research. If that were the only argument, Mr. Speaker, I would engage in that argument, but it is not because we do not have to kill embryos. You do not have to hurt embryos to get stem cell lines.

I have here a piece today from Roll Call which is kind of an inside paper here on the Hill. And it is quoting from freshman Senator TOM COBURN. He is a freshman there because fairly recently he was here in the House. He came in 2 years after I came in. He is a doctor. He has delivered a lot of babies in Oklahoma. And I called him the other day and he said, I will carry this bill in the Senate.

This is what he is quoted as saying in Roll Call just today: ''Coburn said, It is possible to harvest stem cells without destroying embryos and would focus his efforts on amending the bill,'' that is the bill that will be going through the Senate, ''amending the bill to promote this procedure.''

I also want to note in this week's edition of Time magazine, the first story, a pretty big story on stem cells, ''Why Bush's Ban Could Be Reversed.'' Now, we voted yesterday to reverse that ban. It needs to be voted in the Senate, and then it needs to go to conference and then it needs to go to the President's desk and the President has assured the world that he will veto this because of his respect for life.

I hope that the bill we are discussing tonight reaches the President's desk at the same time as the bill we voted on yesterday so the President has before him the option of signing a bill which opens up all of the promises of embryonic stem cell medical application and still preserves life.

I want to emphasize again, Mr. Speaker, that our bill deals only with the animal experimentation because we want to know that in fact it is efficacious and safe to do the procedures that will need to be done if we are going to reach the potential for medical application of embryonic stem cells.

I would like to for just a moment talk about the general potential from stem cells, whether they are embryonic or whether they are adult stem cells.

□ 1730

There are two basic kinds of diseases in the body. There are diseases from tissue or organ deficiencies, and there are diseases from pathogens. Mostly what we are talking about are diseases from tissue or organ deficiencies, although if there is a pathogen that destroys an organ or a tissue and it might be replaced through embryonic or adult stem cell application, that would be included also. But there are a large number of diseases that represent tissue or organ deficiencies, which appear to hold promise for stem cell medical application.

My colleague mentioned Type 1 diabetes. This is really a very tragic disease. It represents the largest cost of any disease in our country. I see diabetics come through my office and the most heart-wrenching are those little children, juvenile diabetes, sometimes very virulent. They have to sample, several times a day, their blood.

Thank God, we have improved techniques which require just a fraction of a drop of blood. And they have, many of them, embedded in their side a little hockey-puck-size pump that pumps insulin. But they have to sample their blood to know what the sugar level is so they know how to set the pump, so it is pumping the right dose of insulin. This they have to do 24 hours a day. And some of them are so brittle that they have to wake up at night to do this.

When they come to your office with diseases like this, or like multiple sclerosis, or like lateral sclerosis that my grandmother died from, then your heart really goes out to these people. I remember my grandmother's death. I was a teenager. They had misdiagnosed it for quite a while, because this is Lou Gehrig's disease, and it was not all that common. When they finally figured out what it was, there was nothing that could be done for it. We hope in the future, with stem cell application, there will be something that can be done for it.

My grandmother went from falling now and then to degenerating slowly, until just before she died the only motion she had was blinking her eyes. And that was the only way she could communicate with us. One blink for ''yes,'' two blinks for ''no.''

So from a personal perspective, and I suspect many families are like my family, that they have a relative, if not a relative, a friend who has one of these many diseases, diabetes, multiple sclerosis, lateral sclerosis, or Alzheimer's disease.

And, Mr. Speaker, there are a whole host. I have here 63 different autoimmune diseases. These are diseases where the body gets confused as to what is really body. You see, very early in our embryonic development there are certain miracle cells in our body called T-cells that are imprinted with who we are. And that is very essential, because in the future there are going to be a lot of foreign invaders, mainly bacteria and particularly viruses, that would like to occupy us and live there comfortably without being rejected; and that, of course, would be hazardous and frequently fatal. So these T-cells are imprinted with who we are so that they reject everything that is not us.

Well, in many people, and there are 63 diseases here that are listed, in many people these immune reactions get confused, and so we have what are called autoimmune diseases where the body starts attacking its own tissues. Well, the body marshals its resources and many times it has overcome this deficiency, but by that time, the tissues are decimated. So we have the potential that we could provide enormous medical help in a great number of diseases.

There is another potential, which is much debated and explored, and that is the potential difference between adult stem cells and embryonic stem cells. And there are many people who will tell you that adult stem cells have the most potential because they have presently the most medical applications, 58 as compared to zero for embryonic stem cells. The reason for that, Mr. Speaker, or at least one reason, is that we have been working with adult stem cells for over 3 decades and just over 6 years with embryonic stem cells. And so there has not really been time for medical applications.

But all of the professionals in the area will tell you that, theoretically, because of what embryonic stem cells are, embryonic stem cells way back here in early development of the embryo, that they retain, or they have the ability to make any and every tissue in the body. So, theoretically, they ought to have the most potential.

You will hear, Mr. Speaker, debates on this issue, and it is well to remember that from a teleological perspective, the embryonic stem cells ought to have more application than adult stem cells, which is why all the clamor, why the $3 billion in California voted by the voters for embryonic stem cell research, because the professionals and most people who think about it believe that there is more potential from embryonic stem cells. There may not be, but that is why we need to do the research so that we know what is feasible here.

I just want to spend a moment, Mr. Speaker, going over my personal involvement with this field. As was mentioned by my good friend, the gentleman from Georgia (Mr. GINGREY), I was privileged in a former life to work in a scientific medical environment. I taught medical school for 4 years, I taught postgraduate medicine at the School of Aviation Medicine in Pensacola, Florida. I had the opportunity, while studying for my doctorate, to take a course in advanced embryology. And so when I went to NIH in 2001 with a group from the Hill here, most of them staff members, quite a large number as I remember, for a briefing at NIH on the potential for embryonic stem cell applications, and this was in 2001 before the President came down with his executive order that we could not kill any more embryos; that there were 60 cell lines, maybe not quite 60, but 60 cell lines in existence and that Federal money could be spent only on those, we knew then that these cell lines would eventually run out.

Now they are down to 22 and all of them contaminated with mouse ''feeder'' cells, so there is now a need, if this research is going to continue with Federal funding, there is a need for additional stem cell lines. That is why the bill yesterday and why the bill that we are talking about today.

Because I remembered my embryology, and the next chart here will show what happens with ordinary twinning with fraternal twins, in fraternal twins there are two eggs, and those two eggs may implant in the uterus far apart, in which case the babies will present in separate amnions, or they may implant in the uterus close together so that they will present with a single chorion, I guess it is.

The next chart shows what happens in identical twinning. In identical twinning, early in the development of the embryo, and you will remember the first chart we looked at that went from one cell to two to four to eight, then 16 and on to the inner-cell mass stage, and the embryo can divide at either the two-cell stage or clear up to the inner-cell mass stage. And the little chart here shows two inner-cell masses.

The cell at which it divides determines how the babies will present. Here you see you have two babies in the same chorion and they mimic the two babies that were fraternal twins that happened to implant in the uterus close together. Well, I knew, Mr. Speaker, that in both of these cases half of the cells were taken away from the developing embryo either at the two-cell stage or anything in between clear up to the inner-cell mass, and there are a lot of stages in between here. And when you took half the cells away, the half you took away made a perfectly normal baby, and the half that was left made a perfectly normal baby: identical twins.

So it was reasonable to me that you ought to be able to take a cell or two or three or so away and the cells that were left ought to produce a perfectly normal baby. And I asked NIH researchers, is this theoretically possible? They said, yes, it is theoretically possible.

A few days later I happened to be at an event with the President, and I knew he was struggling with this decision. So I mentioned to him my visit to NIH and the possibility that this could be done. The President handed the follow-up to this to Karl Rove, and so Karl Rove went to NIH.

Now, I did not know he was involved until he called me and he said, Roscoe, they tell me at NIH they cannot do this. I said, Karl, either they did not understand the question or there is some confusion, because these are the same people that can take a nucleus out of a single cell and put another nucleus in it. That is what people do in cloning, and this is now done widely since that Dolly sheep up there in Scotland.

In fact, I went to a farm in Maryland that has two cloned cows, and it may be unique in all the world. They have a heifer there, born to a cloned cow, fertilized by a cloned bull.

So I knew that it was possible to go in and do this. But they told him again, no, they could not do it. So the President came out with his executive order saying we could use only the stem cell lines in existence.

Subsequent to that, a couple years later, in my office talking about this with NIH, they admitted that there was some confusion that permitted Mr. Rove to believe something that they had not said. What they told him was that they were not sure that we could make a stem cell line from such an early embryo, at the eight-cell stage. We make them all the time, by the way, from the inner-cell mass. That is the stage at which they do this. That is true. That is why I wanted then and want now to do the animal experimentation to determine whether this is true or not.

I have here a letter, and I submitted this for the RECORD the last time we spoke about this, so I will not do it again, but this is a letter from Dr. Battey, who is the NIH spokesman, the point person for embryonic stem cell work. It is a large, 3-page letter in which he discusses a number of the things that we are discussing here this evening, Mr. Speaker.

There are several statements in his letter which indicate the probability that what we want to do in fact can be done, which could have enormous potential applications for good to the people that have diseases that could be cured, well, maybe not cured, but where defective tissues and organs could be replaced.

We were talking about diabetes, Mr. Speaker. That has a really high potential application. The problem in the diabetic is that the cells of Langerhans, these are little island cells. They are called the islands of Langerhans for the gentleman who first described them. They happen to be located in the pancreas. They do not need to be there. They have nothing to do with what the pancreas does.

The pancreas secretes a large number of enzymes in the intestine that help digest all three classes of food in the intestine: fats, carbohydrates, and protein. The islands of Langerhans, if we could make them from stem cells and they could be placed in people, anywhere, their earlobe, their groin, under the skin in their side, anywhere, they would then secrete the insulin that is so essential.

And by the way, it is more than just insulin, because giving insulin to a diabetic prolongs their life and helps a great deal, but it does not cure the disease. There still would be potential eye problems and potential circulation problems. Many people, Mr. Speaker, have friends and relatives that have diabetes and they see this progression.

What we want to do in our bill is to provide an opportunity to explore in nonhuman primates the potential for making a repair kit so that that individuals, through all of their life, would have the possibility of applications with completely genetically compatible material. And then with surplus cells from the repair kit, we could establish new embryonic stem cell lines. But our research aims only at the animal experiments which would determine the efficacy and the safety of doing this.

There is debate, and you, Mr. Speaker, heard the debate yesterday. That was a really good illustration of something my wife notes frequently, that during those debates everything has been said, but they go on and on because everybody has not said it. We heard yesterday people from both sides repeating. And since repetition is the soul of learning, I am sure the message from both sides got through.

And what was that message? From the side that voted for the Castle bill, the message was that we have 400,000 frozen embryos out there. They are not all going to be used; some will die because they are frozen too long.

□ 1745

Ultimately, some will be discarded so why should we not get some potential medical benefit since they are going to be discarded?

The argument on the other side, and I am on the other side because I have a true reverence for life, the argument on the other side is that for any one of those 400,000 embryos, you do not know that is not the embryo that could be adopted in the snowflake operation and become a much longed for and loved child.

At the end of the day, if you have taken one of these embryos and destroyed it in your pursuit of embryonic stem cell research, you have destroyed the potential life of a unique individual with a genetic blueprint unlike any other individual on the planet, another Albert Einstein, another Ronald Reagan. I think the reverence for life argues very strongly in favor of the President's position that he will veto the bill.

I hope that my bill can get to his desk at the same time because this is a bill that is reverent of life, and everything that is done is done for the benefit of the embryo. The parents cannot conceive normally, so they have in vitro fertilization. They would like to know, since they have the ability to know, that their baby is not going to have a genetic defect. So what happens to the embryo with the genetic defect?

Mr. Speaker, I hope it is refrozen and made available for adoption. There are many people in the world that get genuine fulfillment in adopting children that are handicapped. That is why they adopt crack cocaine babies or babies with AIDS. I would not want to preclude that this baby with a genetic defect might not be wanted by another family. If the family decides that they want to ensure that their baby is going to have a high quality of life and does pre-implantation genetic diagnosis, if the potential is there, and our research in animals will help determine that, if the potential is there, they will certainly go on to develop a repair kit so their baby will have more than just a potential of frozen cord blood. And then once they have established the repair kit, hopefully if it is needed, they will donate a few cells so we can start another stem cell line to do the research and the medical applications that are necessary to determine the full potential of embryonic stem cells in medicine.

Mr. Speaker, I want to spend a few moments on a white paper produced by the President's Council on Bioethics called ''Alternative Sources of Pluripotent Stem Cells.'' What it really means is you can go into this early embryo that I talked about, and let me put that up on the board. This is from page 25 in their paper. The highlighted part says it may be some time before stem cell lines can be reliably derived from single cells. If we go to the cell mass stage, we may be able to get several cells since there are a lot of them there. And, of course, our chances will be enhanced with single cells extracted from early embryos and in ways that do no harm to the embryo.

So they are saying this is possible. But the initial success of the Verlinsky Group's effort, and this is a group that says they have done this, that needs to be corroborated by other scientists, and our research would determine whether or not that is feasible through animal experimentation; but it raises the future possibility that pluripotent stem cells could be derived from single blastomeres removed from early human embryos without apparently harming them.

They do a really good job of talking about the potential opportunities, and I want to note the asterisk; and a similar idea was proposed by the gentleman from Maryland (Mr. BARTLETT) as far back as 2001. This was a suggestion that I made to the people at NIH and then to the President, and that was well before the President came down with his executive order on the stem cell lines that could be used for further experimentation with Federal money.

They do a really good job in the body of this text. They talk about all of the potential benefits. They talk about developing the repair kit and taking cells in the repair kit to produce the stem cell line. And they said here at the beginning of it that all of this may be possible. But then it almost looks to me like somebody else wrote their recommendation section because going to the back to the recommendation section, they said the second proposal, blastomere extraction from living embryos, we find this proposal to be ethically unacceptable in humans owing to the reasons given. We would not impose risk on living embryos destined to become children for the sake of getting stem cells for research.

Mr. Speaker, that is not what they said in the first part of it. They said they were getting the stem cells to do preimplantation genetic diagnosis and getting the stem cells to develop a repair kit. I, too, have some concern about getting cells if the only reason for getting the cells is for research, but that is not the reason that the parents decide to do preimplantation genetic diagnosis; they do that because they want to have a baby that does not have a genetic defect.

That is not the reason that they have the cells cultured to produce a repair kit, because they want their baby to have the potential miracle of embryonic stem cells for the rest of their life. It is only at that time, after successful animal experimentation, as outlined in our bill, it is only at that time you would ask the parents, if you have surplus cells from your repair kit, might we start a stem cell line with them.

So although they do a very good job of discussing in the body of the text, please go back to the body of the text and read what they said there because they really short circuit the whole thing in their recommendations because the presumption in the recommendation is that we are taking the cells only for research. That was never the presumption, that we were taking the cells only for research.

In closing, I would like to look again, and this is a different chart, but it shows the same sequence of events, come back to what we are proposing so there is no misunderstanding of what we are proposing.

Again, I will go through what happens in normal fertilization, and then you have to imagine this is not occurring in the body of the mother, but it is occurring in a petri dish in a laboratory, in a fertility clinic.

This is the ovary and this is the funnel end called the infundibulum and this is the fallopian tube, and we come down to the uterus. This is half of the uterus, and there is a mirror image on this on the other side. It takes about 10 days until the egg implants in the uterus.

This is occurring now in the petri dish. We know at the 8-cell stage here that you can take a cell or two out, they have done it more than a thousand times, and get a perfectly normal baby after taking that cell or two out for preimplantation genetic diagnosis.

There is the possibility, although the authors of the ''Alternative Sources of Pluripotent Stem Cells'' argue that it is probably not possible, but there is a faint possibility, perhaps, if you put this in the proper environment you might have another embryo. Therefore, you start the ethical argument all over again.

But if you can wait, and I believe you can, if you wait until the inner cell mass to take that cell, now you have completely avoided that argument because at the inner cell mass there has already been enough differentiation that the cells in the inner cell mass will become the baby, but they can only become the baby if there are the cells in the trophoblast which will produce the decidua which is the amnion and the chorion, and they have not yet done this because there is no reason to do this. The inner cell mass stage is the stage at which the embryos are ordinarily taken to produce stem cell lines.

Again, our bill deals only with animal experimentation in nonhuman primates, and those are the great apes which I emphasized previously were genetically very similar, and they are widely used in research that would affect humans to determine the efficacy and the safety of those procedures on humans.

I would like to return for just a moment to the fundamentals of this debate: Christopher Reeves, Ronald Reagan, ever so many people out there that have diseases that one can imagine could be cured with applications of stem cell research. The real challenge is to be able to do that without what I think is a morally unacceptable procedure of destroying another potential human being in doing that. I know that there are 400,000 embryos out there. I know that not all of them will probably be implanted; but for any one of those embryos, Mr. Speaker, it could be implanted. It could be tomorrow's Albert Einstein; it could be tomorrow's Ronald Reagan.

Mr. Speaker, I do not want to be in the position of making the decision that it is okay to take this potential baby, it is a life, to take this potential baby and destroy it because in doing so I might help some other people. We do not have to do that because as Dr. Coburn said in the Senate and as this letter from NIH says, it is completely feasible that we can reach these objectives by taking cells from an early embryo for the benefit of the embryo. Let me stress again that these cells would be taken at the parents' request to benefit their baby, to do a preimplantation genetic diagnosis to develop a repair kit.

Mr. Speaker, it would be wonderful if the 6.5 million people in the world today had repair kits. How much human suffering could be alleviated by that. The parents would have made these three decisions: in vitro fertilization because they cannot have a baby otherwise; to do a preimplantation genetic diagnosis because they want a baby that is going to have the highest possible quality of life; and to develop a repair kit. It is only at that time that we would ask them if you have surplus cells from your repair kit, might we not start another stem cell line with them.

Mr. Speaker, again, I want to emphasize that our bill is just preparatory to all of this because it deals with none of this. It deals only with the animal experimentation that would determine the efficacy of developing repair kits and stem cell lines from this early embryo.

I hope my colleagues on both sides of the aisle, I have now cosponsors on both sides of the aisle, hopefully we will have a large number of cosponsors because this bill meets both the objectives and the objections of any Member who is concerned with the potential for embryonic stem cell application to medicine.

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2005 AND THE 5-YEAR PERIOD FY 2005 THROUGH FY 2009

The SPEAKER pro tempore (Mr. KUHL of New York). Under a previous order of the House, the gentleman from Iowa (Mr. NUSSLE) is recognized for 5 minutes.

Mr. NUSSLE. Mr. Speaker, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 2005 and for the five-year period of fiscal years 2005 through 2009. This report is necessary to facilitate the application of sections 302 and 311 of the Congressional Budget Act. This status report is current through May 23, 2005.

Ther term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays,

and revenues with the aggregate levels set forth by H. Con. Res. 95, the conference report on the budget resolution. This comparison is needed to enforce section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2005 because those years are not considered for enforcement of spending aggregates.

The second table compares, by authorizing committee, the current levels of budget authority and outlays for discretionary action with the ''section 302(a)'' allocations made under H. Con. Res. 95 for fiscal year 2005 and fiscal years 2005 through 2009. ''Discretionary action'' refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which crates a point of order against measures that would breach the section 302(a) discretionary action allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of budget authority and outlays for discretionary appropriations for fiscal year 2005 with the total of ''section 302(b)'' suballocations among Appropriations subcommittees. The comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures reported by the Appropriations Committee that would breach its section 302(a) discretionary action allocation of new budget authority.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2005 CONGRESSIONAL BUDGET ADOPTED IN HOUSE CONCURRENT RESOLUTION 95

[Reflecting action completed as of May 23, 2005—On-budget amounts, in millions of dollars]

	Fiscal year—2005	Fiscal years 2005–2009
Appropriate Level:		
Budget Authority	2,078,456	(1)
Outlays	2,056,006	(1)
Revenues	1,483,658	8,519,748
Current Level:		
Budget Authority	2,073,350	(1)
Outlays	2,055,934	(1)
Revenues	1,484,065	8,603,391
Current Level over (+) / under (−) Appropriate Level:		
Budget Authority	−5,106	(1)
Outlays	−72	(1)
Revenues	407	83,643

[1] Not applicable because annual appropriations Acts for fiscal years 2006 through 2009 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of measures providing new budget authority for FY 2005 in excess of $5,106,000,000 (if not already included in the current level estimate) would cause FY 2005 budget authority to exceed the appropriate level set by H. Con. Res. 95.

OUTLAYS

Enactment of measures providing new outlays for FY 2005 in excess of $72,000,000 (if not already included in the current level estimate) would cause FY 2005 outlays to exceed the appropriate level set by H. Con. Res. 95.

REVENUES

Enactment of measures that would reduce revenue for FY 2005 in excess of $407,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate level set by H. Con. Res. 95.

Enactment of measures resulting in revenue reduction for the period of fiscal years 2005 through 2009 in excess of $83,643,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate levels set by H. Con. Res. 95.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR DISCRETIONARY ACTION REFLECTING ACTION COMPLETED AS OF MAY 23, 2005

[Fiscal years, in millions of dollars]

House committee	2005		2005–2009 total	
	BA	Outlays	BA	Outlays
Agriculture:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Armed Services:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Education and the Workforce:				
Allocation	0	0	400	400
Current Level	0	0	0	0
Difference	0	0	−400	−400
Energy and Commerce:				
Allocation	0	0	1,525	1,525
Current Level	0	0	0	0
Difference	0	0	−1,525	−1,525
Financial Services:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Government Reform:				
Allocation	0	0	50	50
Current Level	0	0	0	0
Difference	0	0	−50	−50
House Administration:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Homeland Security:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
International Relations:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Judiciary:				
Allocation	0	0	6	6
Current Level	0	0	0	0
Difference	0	0	−6	−6
Resources:				
Allocation	6	6	45	45
Current Level	0	0	0	0
Difference	−6	−6	−45	−45
Science:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Small Business:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Transportation and Infrastructure:				
Allocation	3,488	0	12,238	0
Current Level	0	0	0	0
Difference	−3,488	0	−12,238	0
Veterans' Affairs:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Ways and Means:				
Allocation	554	64	1,800	1,558
Current Level	0	0	0	0
Difference	−554	−64	−1,800	−1,558

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2005—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

[In millions of dollars]

Appropriations subcommittee	302(b) suballocations [1]		Current level reflecting action completed as of May 23, 2005		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	n.a.	n.a.	18,689	18,844	n.a.	n.a.
Defense	n.a.	n.a.	352,127	398,270	n.a.	n.a.
Energy & Water Development	n.a.	n.a.	30,533	30,107	n.a.	n.a.
Foreign Operations	n.a.	n.a.	18,892	25,898	n.a.	n.a.
Homeland Security	n.a.	n.a.	38,469	31,925	n.a.	n.a.
Interior-Environment	n.a.	n.a.	26,969	26,874	n.a.	n.a.
Labor, HHS & Education	n.a.	n.a.	143,180	141,773	n.a.	n.a.
Legislative Branch	n.a.	n.a.	3,545	3,785	n.a.	n.a.
Military Quality of Life-Veterans Affairs	n.a.	n.a.	80,263	76,417	n.a.	n.a.
Science-State-Justice-Commerce	n.a.	n.a.	58,438	57,956	n.a.	n.a.
Transportation-Treasury-HUD-Judiciary-DC	n.a.	n.a.	67,873	117,669	n.a.	n.a.
Total (Section 302(a) Allocation) [1]	840,036	929,520	838,978	929,518	−1,058	−2

[1] Appropriations Committee has not submitted the subcommittee allocations since the restructuring of the committee.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 26, 2005.

Hon. JIM NUSSLE,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2005 budget and is current through May 23, 2005, This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

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

Since my last letter, dated January 24, the Congress has cleared and the President has signed the following acts that changed budget authority, outlays, or revenues for fiscal year 2005:

An act to provide for the proper tax treatment of certain disaster mitigation payments (Pub. L. 109–7);

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (Pub. L. 109–8); and The Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Pub. L. 109–13).

The effects of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 are identified separately on the enclosed report. The effects of all other laws are included in the ''previously enacted'' section of the report, consistent with the budget resolution assumptions.

Sincerely,

ELIZABETH M. ROBINSON
(For Douglas Holtz-Eakin, Director).

Enclosure.

FISCAL YEAR 2005 HOUSE CURRENT LEVEL REPORT AS OF MAY 23, 2005

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous sessions: [1]			
Revenues	n.a.	n.a.	1,484,024
Permanents and other spending legislation	1,191,357	1,102,621	n.a.
Appropriation legislation	1,298,963	1,369,221	n.a.
Offsetting receipts	−415,912	−415,912	n.a.
Total, enacted in previous sessions:	2,074,408	2,055,930	1,484,024
Enacted this session:			
Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Pub. L. 109–13) [2]	−1,058	4	41
Total Current Level [2, 3]	2,073,350	2,055,934	1,484,065
Total Budget Resolution	2,078,456	2,056,006	1,483,658
Current Level Over Budget Resolution	n.a.	n.a.	407
Current Level Under Budget Resolution	5,106	72	n.a.
Memorandum:			
Revenues, 2005–2009:			
House Current Level	n.a.	n.a.	8,603,391
House Budget Resolution	n.a.	n.a.	8,519,748
Current Level Over Budget Resolution	n.a.	n.a.	83,643
Current Level Under Budget Resolution	n.a.	n.a.	n.a.

Notes: n.a. = not applicable; P. L. = Public Law.

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

[2] Pursuant to section 402 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes $83,140 million in budget authority and $33,034 million in outlays from the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Pub. L. 109–13).

[3] Excludes administrative expenses of the Social Security Administration, which are off-budget.

Source: Congressional Budget Office.

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2006 AND THE 5-YEAR PERIOD FY 2006 THROUGH FY 2010

Mr. NUSSLE. Mr. Speaker, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 2006 and for the five-year period of fiscal years 2006 through 2010. This report is necessary to facilitate the application of sections 302 and 311 of the Congressional Budget Act and section 401 of the conference report on the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95). This status report is current through May 23, 2005.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays, and revenues with the aggregate levels set forth by H. Con. Res. 95. This comparison is needed to enforce section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2006 because those years are not considered for enforcement of spending aggregates.

The second table compares, by authorizing committee, the current levels of budget authority and outlays for discretionary action with the ''section 302(a)'' allocations made under H. Con. Res. 95 for fiscal year 2006 and fiscal years 2006 through 2010. ''Discretionary action'' refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) discretionary action allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 2006 with the ''section 302(b)'' suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The

comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation as well as the 302(a) allocation.

The fourth table gives the current level for 2007 of accounts identified for advance appropriations under section 401 of H. Con. Res. 95. This list is needed to enforce section 401 of the budget resolution, which creates a point of order against appropriation bills or amendments thereto that contain advance appropriations that are: (I) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2006 CONGRESSIONAL BUDGET ADOPTED IN HOUSE CONGRESSIONAL RESOLUTION 95

[Reflecting action completed as of May 23, 2005—On-budget amounts, in millions of dollars]

	Fiscal year 2006	Fiscal years 2006—2010
Appropriate Level:		
Budget Authority	2,144,384	(1)
Outlays	2,161,420	(1)
Revenues	1,589,892	9,080,006
Current Level:		
Budget Authority	1,320,811	(1)
Outlays	1,644,899	(1)
Revenues	1,607,661	9,185,688
Current Level over (+)/under (−) Appropriate Level:		
Budget Authority	−823,573	(1)
Outlays	−516,521	(1)
Revenues	17,769	105,682

[1]Not applicable because annual appropriations Acts for fiscal years 2007 through 2010 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of measures providing new budget authority for FY 2006 in excess of $823,573,000,000 (if not already included in the current level estimate) would cause FY 2006 budget authority to exceed the appropriate level set by H. Con. Res. 95.

OUTLAYS

Enactment of measures providing new outlays for FY 2006 in excess of $516,521,000,000 (if not already included in the current level estimate) would cause FY 2006 outlays to exceed the appropriate level set by H. Con. Res. 95.

REVENUES

Enactment of measures that would reduce revenue for FY 2006 in excess of $17,769,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate level set by H. Con. Res. 95.

Enactment of measures resulting in revenue reduction for the period of fiscal years 2006 through 2010 in excess of $105,682,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate levels set by H. Con. Res. 95.

DIRECT SPENDING LEGISLATION COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR DISCRETIONARY ACTION REFLECTING ACTION COMPLETED AS OF MAY 23, 2005

[Fiscal years, in millions of dollars]

House committee	2006		2006–2010 total	
	BA	Outlays	BA	Outlays
Agriculture:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Armed Services:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Education and the Workforce:				
Allocation	100	100	500	500
Current Level	0	0	0	0
Difference	−100	−100	−500	−500
Energy and Commerce:				
Allocation	100	100	2,000	2,000
Current Level	0	0	0	0
Difference	−100	−100	−2,000	−2,000
Financial Services:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Government Reform:				
Allocation	50	50	50	50
Current Level	0	0	0	0
Difference	−50	−50	−50	−50
House Administration:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Homeland Security:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
International Relations:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Judiciary:				
Allocation	6	6	6	6
Current Level	0	0	0	0
Difference	−6	−6	−6	−6
Resources:				
Allocation	8	8	50	50
Current Level	0	0	0	0
Difference	−8	−8	−50	−50
Science:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Small Business:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Transportation and Infrastructure:				
Allocation	3,027	0	4,107	0
Current Level	0	0	0	0
Difference	−3,027	0	−4,107	0
Veterans' Affairs:				
Allocation	0	0	0	0
Current Level	0	0	0	0
Difference	0	0	0	0
Ways and Means:				
Allocation	350	346	1,537	1,914
Current Level	0	0	0	0
Difference	−350	−346	−1,537	−1,914

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2006—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

[In millions of dollars]

Appropriations subcommittee	302(b) Suballocations as of May 18, 2005 (H. Rpt. 109–85)		Current level reflecting action completed as of May 23, 2005		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	16,832	18,691	7	5,399	−16,825	−13,292
Defense	363,440	372,696	27	126,306	−363,413	−246,390
Energy & Water Development	29,746	30,273	36	11,092	−29,710	−19,181
Foreign Operations	20,270	25,380	0	17,091	−20,270	−8,289
Homeland Security	30,846	33,233	0	14,762	−30,846	−18,471
Interior-Environment	26,107	27,500	0	11,504	−26,107	−15,996
Labor, HHS & Education	142,514	143,802	19,166	98,279	−123,348	−45,523
Legislative Branch	3,719	3,804	0	624	−3,719	−3,180
Military Quality of Life-Veterans Affairs	85,158	81,634	−2,170	16,515	−87,328	−65,119
Science-State-Justice-Commerce	57,453	58,856	0	23,080	−57,453	−35,776
Transportation-Treasury-HUD–Judiciary-DC	66,935	120,908	4,223	70,800	−62,712	−50,108
Unassigned	0	59	0	0	0	−59
Total (Section 302(a) Allocation)	843,020	916,836	21,289	395,452	−821,731	−521,384

STATEMENT OF FY2007 ADVANCE APPROPRIATIONS UNDER SECTION 401 OF H. CON. RES. 95, REFLECTING ACTION COMPLETED AS OF MAY 23, 2005

[In millions of dollars]

	Budget authority
Appropriate Level	23,158
Current Level:	
Elk Hills	0
Employment and Training Administration	0
Education for the Disadvantaged	0
School Improvement	0
Children and Family Services (Head Start)	0
Special Education	0
Vocational and Adult Education	0
Payment to Postal Service	0
Section 8 Renewals	0
Shipbuilding and Conversion, Navy	0
Total	0

STATEMENT OF FY2007 ADVANCE APPROPRIATIONS UNDER SECTION 401 OF H. CON. RES. 95, REFLECTING ACTION COMPLETED AS OF MAY 23, 2005—Continued

[In millions of dollars]

	Budget authority
Current Level over (+) / under (−) Appropriate Level	−23,158

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 26, 2005.

Hon. JIM NUSSLE,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: the enclosed report shows the effects of Congressional action on the fiscal year 2006 budget and is current through May 23, 2005. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

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

Sincerely,

ELIZABETH M. ROBINSON
(For DOUGLAS HOLTZ-EAKIN, *Director*).

Enclosure.

FISCAL YEAR 2006 HOUSE CURRENT LEVEL REPORT AS OF MAY 23, 2005

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous sessions:[1]			
Revenues	n.a.	n.a.	1,607,650
Permanents and other spending legislation	1,351,021	1,318,426	n.a.
Appropriation legislation	0	382,272	n.a.
Offsetting receipts	−479,872	−479,872	n.a.
Total, enacted in previous sessions:	871,149	1,220,826	1,607,650
Enacted this session:			
Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Pub. L. 109–13)[2]	−39	−21	−11
Entitlements and mandatories:			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	449,701	424,094	n.a.
Total Current Level[2, 3]	1,320,811	1,644,899	1,607,661
Total Budget Resolution	2,144,384	2,161,420	1,589,892
Current Level Over Budget Resolution	n.a.	n.a.	17,769
Current Level Under Budget Resolution	823,573	516,521	n.a.
Memorandum:			
Revenues, 2006–2010:			
House Current Level	n.a.	n.a.	9,185,688
House Budget Resolution	n.a.	n.a.	9,080,006
Current Level Over Budget Resolution	n.a.	n.a.	105,682
Current Level Under Budget Resolution	n.a.	n.a.	n.a.

Notes: n.a. = not applicable, P.L. = Public Law.

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

[2] Pursuant to section 402 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, provision designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes $30,790 million in outlays from funds provided in the Emergency Supplement Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (P.L. 109–13).

[3] Excludes administrative expenses of the Social Security Administration, which are off-budget.

Source: Congressional Budget Office.

COLORADO TORPEDO PROGRAM REALIZES COST SAVINGS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Colorado (Mr. BEAUPREZ) is recognized for 60 minutes.

Mr. BEAUPREZ. Mr. Speaker, I come to the floor tonight to speak to my colleagues and those watching these proceedings about something that is occurring in Colorado's 7th Congressional District which is directly benefiting the Department of the Navy and the U.S. taxpayer.

I am so honored to have met the great folks in Arvada, Colorado, my home State, who work for Barber-Nichols, Incorporated, and to hear their story about what they have been able to do so far for the Navy's Surface Ship Torpedo Defense, SSTD, program.

□ 1800

This program uses a torpedo, or more particularly an anti-torpedo torpedo to protect our ships.

I know it sounds a bit off center, a landlocked State such as Colorado with such expertise in torpedo programs. In fact, Barber-Nichols possesses both advanced engineering and manufacturing prowess that are ideal for reducing the high cost of technology equipment such as the ATT, a very complicated weapon which has approximately 700 separate parts.

Barber-Nichols has used their expertise to help the Navy and the American taxpayer reduce the cost of the torpedo and provide tremendous cost savings in the program. To date, for every $1 we have spent on the ATT affordability program, the Navy has realized future production cost savings of $15. Barber-Nichols approached the Navy and their design agent, the Applied Research

Laboratory, or ARL, at Penn State to discuss how to consider manufacturability and assemble ability concepts in the design today so that we can save money in the production tomorrow.

As we have all witnessed, Mr. Speaker, developing and maintaining the best military in the world comes with a hefty price tag. In an extremely tight budget environment, it goes without saying that any program that can save money helps that service perform better.

With that said, let me tell you more about the ATT program and the affordability efforts that are ongoing in this program. The surface ship torpedo defense program and the anti-torpedo torpedo program were started by the United States Navy because our ships were, and remain, vulnerable to torpedo attack. Currently, there are several torpedoes available on the world market that we have little or no defense against. That is right, little to no defense against a torpedo attack.

The threat increases when we move our ships from the open ocean, where we can see for hundreds of miles, to coastal areas where threats can get closer to our ships and our reaction time is lessened. As we project our forces into the Third World areas, we operate in locations like the Persian Gulf where we are much more vulnerable.

Torpedoes can be bought on the black market by people and organizations who wish to do us harm. These torpedoes can be launched from the shoreline or small boats, threats that we were not too worried about until the USS *Cole* incident where 17 U.S. sailors made the ultimate sacrifice.

Because of this threat to our ships and sailors, Congress has weighed in heavily in support of torpedo defense, as was stated in a letter to the Secretary of the Navy back in 1997, signed by Chairman DUNCAN HUNTER and other Members of this House, including ROSCOE BARTLETT, who is with us tonight, Bob Dornan, DUKE CUNNINGHAM and GENE TAYLOR. I quote from their letter:

''We are especially concerned that our high-value ships that carry hundreds or even thousands of our young sailors and marines are very vulnerable to particular classes of torpedoes.''

Congress has also asked the Navy to study the vulnerability of our ships as evidenced in this quote:

''We therefore ask you to conduct an independent review of the SSTD program and provide us with your findings.'' That in a letter to the Under Secretary of the Navy, again from Congressman HUNTER, BARTLETT, Dornan and CUNNINGHAM.

And Congress has agreed with the independent studies that say we should move forward with torpedo defense as seen in this quote:

''I understand that the IDA study is completed and that the results strongly confirm that all ships need to be protected from torpedoes. I look forward to working with you to improve the capability of our ships to defend themselves against torpedo attack.'' That, in a letter to the Secretary of Defense from Chairman DUNCAN HUNTER.

Congress since has provided multiple years of funding to allow the Navy to address the issue. The Navy agrees our sailors and high-value ships are worth protecting and that torpedo defense is an important capability to have.

Thus, the Navy has, first, teamed with our ally, Great Britain, to jointly develop elements of a surface ship torpedo defense system; secondly, made torpedo defense a requirement for new ship design efforts; third, identified the anti-torpedo torpedo as the solution for torpedo defense; and fourth, developed an anti-torpedo torpedo technology demonstrator that has included successful in-water testing.

In the FY 2006 budget, the Navy requested over $47 million for torpedo defense, so Congress is well aware of their interest in continuing this program into the future.

Mr. Speaker, I have talked a lot about the need and the desire to protect our ships and our sailors. I bet you would like to hear about how the Navy envisions the system will work. This chart to my left depicts the AN/WSQ–11, this surface ship torpedo defense system. In very simple terms, surface ship torpedo defense is accomplished by detecting a threat torpedo with a sensor towed behind the ship, launching the anti-torpedo torpedo against that threat, intercepting the threat torpedo with the ATT, and destroying it, obviously, before the threat can reach our ship.

Conceptually, it looks fairly simple. Practically, intercepting a torpedo under water is quite difficult. We have all seen the challenges played out in the newspapers regarding missile defense. This is essentially the same thing under water, albeit at far slower speeds. The good news is that the tests, to date, show that the technology works.

Mr. Speaker, we started this discussion tonight with an acknowledgment regarding the hefty price tag associated with developing and maintaining the best military in the world. However, as stewards of the public's money in this Chamber, we should be looking for ways to spend it wisely. The ATT affordability program is a prime example of fiscal responsibility in military spending.

The anti-torpedo torpedo affordability program was started to ensure we could afford the surface ship torpedo defense system when it goes to production. The ATT affordability program is very similar to the efforts commercial companies across our Nation practice on a daily basis.

Commercial product companies develop a new product with a final cost in mind. They eliminate features that are not cost effective, and they continually look for ways to reduce cost during that product design. Once the product is designed and developed, they work hard to manufacture the product in a cost-effective manner.

The important fact to realize is that 80 percent of the product cost is predetermined in the design process, not in the manufacturing process. Thus, addressing affordability must be done in that first design process.

In the ATT affordability program, my constituent Barber-Nichols, a commercial company again in Arvada, Colorado, is working with the Navy's design agent, ARL-Penn State, to simplify the product, reduce costs of manufacture and assembly and ensure affordability and cost reduction are considered in the design process.

Affordability is usually not addressed in government technology development programs until after a production program is awarded. Contractors can reduce cost with innovative manufacturing approaches, but the bulk of the potential cost savings will not ever be realized because they were not addressed in the product design. Incorporating commercial best practices like we have just discussed into government procurement practices could save us potentially a great deal of taxpayer money.

One aspect of affordability is design for manufacturability. In a simplistic way, this chart to my left depicts the major steps in the process. The way this is accomplished is that you first start with a baseline design, understand what each part of it costs to make, then look at the high-priced pieces to see if costs can be reduced. You then develop lower-cost alternative designs that are constructed and tested. If these alternative designs are successful, both technically and costwise, you can incorporate the alternative design into the baseline design.

This design for manufacturability method has been used on the anti-torpedo torpedo. First, a baseline design cost study was performed. From this study, the most expensive parts of the torpedo were found and it was determined that the engine was the most expensive subsystem of the product, as depicted in this new graph. This cost analysis helped in understanding what to focus on first. Where is the biggest bang for the buck? From this analysis, the development moved into affordability projects.

One example of a high-priced component that was made into an ATT affordability project is the torpedo propulsor shown on this next chart. That is this machined part from the ATT depicted here. In the production quantities planned, the part was estimated to cost about $14,000 each. I have seen this part. It fits easily into the palm of my hand. Again, it was estimated initially to cost about $14,000 each.

The DFM process yielded a lower-cost design that was much easier to

make. This low-cost design was manufactured and tested. The tests showed it performed as well as the expensive design. Thus, this low-cost design will now be incorporated into the government's baseline design. When this part goes into production, it will now cost a little over $2,000 each instead of the $14,000, resulting in production program savings of about 80 percent of the original cost estimate.

Another example of an affordability project under way is the electronic card carrier set, one of which is shown here. The current design is a set of fully machined metal pieces that would cost approximately $4,000 a set if manufactured in production today as originally designed.

The low-cost alternative design uses die cast pieces with very little machining. If these are successfully fabricated and tested later this year, the Navy will achieve a very substantial cost savings with this part as well. The low-cost design is expected to cost approximately $200 per set and result is a cost savings of almost that full $4,000 of the original estimated cost, or about 95 percent.

In conclusion, Mr. Speaker, the ATT affordability program has been extremely successful and must stay the programmatic course in order to protect our sailors and ships when they are in harm's way. The projects completed in 2003 and 2004 are expected to save $31.2 million of taxpayer money when the ATT goes into production. More projects are planned in 2005 through 2007. We estimate the government will save $15 in production costs for every $1 spent in this affordability effort.

Developing and maintaining the best military in the world comes with a price. In an extremely tight budget environment, any program that can save money should be applauded and supported.

I congratulate Barber-Nichols, Inc., of Arvada, Colorado; ARL-Penn State, and certainly the Navy for their efforts with the ATT program and hope other such collaborative design projects will provide for our security, protect our troops and use taxpayer dollars as prudently as possible.

APPOINTMENT OF HON. MAC THORNBERRY OR HON. WAYNE T. GILCHREST TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JUNE 7, 2005

The SPEAKER pro tempore (Mr. KUHL of New York) laid before the House the following communication from the Speaker:

HOUSE OF REPRESENTATIVES,
THE SPEAKER'S ROOMS,
Washington, DC, May 26, 2005.

I hereby appoint the Honorable MAC THORNBERRY or, if he is not available to perform this duty, the Honorable WAYNE T. GILCHREST to act as Speaker pro tempore to sign enrolled bills and joint resolutions through June 7, 2005.

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

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

□ 1815

APPOINTMENT OF CONFEREES ON H.R. 3, TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

The SPEAKER pro tempore (Mr. KUHL of New York). Without objection, the Chair appoints the following conferees:

From the Committee on Transportation and Infrastructure, for consideration of the House bill (except title X) and the Senate amendment (except title V), and modifications committed to conference:

Messrs. YOUNG of Alaska, PETRI, BOEHLERT, COBLE, DUNCAN, MICA, HOEKSTRA, LATOURETTE, BACHUS, BAKER, GARY G. MILLER of California, HAYES, SIMMONS, BROWN of South Carolina, GRAVES, SHUSTER, BOOZMAN, OBERSTAR, RAHALL, DEFAZIO, COSTELLO, Ms. NORTON, Messrs. NADLER, MENENDEZ, Ms. CORRINE BROWN of Florida, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TAYLOR of Mississippi, Ms. MILLENDER-MCDONALD, Mr. CUMMINGS, Mr. BLUMENAUER, and Mrs. TAUSCHER.

From the Committee on the Budget, for consideration of sections 8001–8003 of the House bill, and title III of the Senate amendment, and modifications committed to conference: Messrs. NUSSLE, MARIO DIAZ-BALART of Florida, and Spratt.

From the Committee on Education and the Workforce, for consideration of sections 1118, 1605, 1809, 3018, and 3030 of the House bill, and sections 1304, 1819, 6013, 6031, 6038, and 7603 of the Senate amendment, and modifications committed to conference: Messrs. KLINE, KELLER, and BARROW.

From the Committee on Energy and Commerce, for consideration of provisions in the House bill and Senate amendment relating to Clean Air Act provisions of transportation planning contained in sections 6001 and 6006 of the House bill; and sections 6005 and 6006 of the Senate amendment; and sections 1210, 1824, 1833, 5203, and 6008 of the House bill; and sections 1501, 1511, 1522, 1610–1619, 1622, 4001, 4002, 6016, 6023, 7218, 7223, 7251, 7252, 7256–7262, 7324, 7381, 7382, and 7384 of the Senate amendment, and modifications committed to conference: Messrs. BARTON of Texas, PICKERING, and DINGELL.

From the Committee on Government Reform, for consideration of section 4205 of the House bill, and section 2101 of the Senate amendment, and modifications committed to conference: Messrs. TOM DAVIS of Virginia, PLATTS, and WAXMAN.

From the Committee on Homeland Security, for consideration of sections 1834, 6027, 7324, and 7325 of the Senate amendment, and modifications committed to conference: Messrs. COX, DANIEL E. LUNGREN of California, and THOMPSON of Mississippi.

From the Committee on the Judiciary, for consideration of sections 1211, 1605, 1812, 1832, 2013, 2017, 4105, 4201, 4202, 4214, 7018–7020, and 7023 of the House bill, and sections 1410, 1512, 1513, 6006, 6029, 7108, 7113, 7115, 7338, 7340, 7343, 7345, 7362, 7363, 7406, 7407, and 7413 of the Senate amendment, and modifications committed to conference: Messrs. SENSENBRENNER, SMITH of Texas, and CONYERS.

From the Committee on Resources, for consideration of sections 1119, 3021, 6002, and 6003 of the House bill, and sections 1501, 1502, 1505, 1511, 1514, 1601, 1603, 6040, and 7501–7518 of the Senate amendment, and modifications committed to conference: Messrs. POMBO, WALDEN of Oregon, and KIND.

From the Committee on Rules, for consideration of sections 8004 and 8005 of the House bill, and modifications committed to conference: Mr. DREIER, Mrs. CAPITO, and Mr. MCGOVERN.

From the Committee on Science, for consideration of sections 2010, 3013, 3015, 3034, 3039, 3041, 4112, and title V of the House bill, and title II and sections 6014, 6015, 6036, 7118, 7212, 7214, 7361, and 7370 of the Senate amendment, and modifications committed to conference: Messrs. EHLERS, REICHERT, and GORDON.

From the Committee on Ways and Means, for consideration of title X of the House bill, and title V of the Senate amendment, and modifications committed to conference: Messrs. THOMAS, MCCRERY, and RANGEL.

For consideration of the House bill and Senate amendment, and modifications committed to conference: Mr. DELAY.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DOYLE (at the request of Ms. PELOSI) for today on account of a family emergency.

Mr. GENE GREEN of Texas (at the request of Ms. PELOSI) for today after 3:00 p.m. on account of business in the district.

Mr. MENENDEZ (at the request of Ms. PELOSI) for today on account of official business.

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. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. SCHIFF, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. WU, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. HAYWORTH) to revise and extend their remarks and include extraneous material:)

Mr. PENCE, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today.

Mr. HAYWORTH, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

Mr. NUSSLE, 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. 2566. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

ADJOURNMENT

Mr. BEAUPREZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the previous order of the House today, the House stands adjourned until noon on Monday, May 30, 2005, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 167, in which case the House shall stand adjourned pursuant to that concurrent resolution.

Thereupon, (at 6 o'clock and 23 minutes p.m.), pursuant to the previous order of the House of today, the House adjourned until noon on Monday, May 30, 2005, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 167, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2183. A letter from the Acting Assistant Deputy Secretary, Office of Innovation and Improvement, Department of Education, transmitting the Department's final rule—Notice of Final Selection Criteria and Other Application Requirements—Teaching American History—received April 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2184. A letter from the Assistant Secretary for Elementary and Secondary Education, Department of Education, transmitting the Department's final rule—Comprehensive School Reform Quality Initiative—received May 5, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2185. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2186. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2187. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2188. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2189. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2190. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2191. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2192. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2193. A letter from the Director, Office of White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2194. A letter from the Director, Office of White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2195. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2196. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2197. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2198. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2199. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2200. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2201. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2202. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2203. 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.

2204. A letter from the Director, Office of National Drug Control Policy, transmitting a report on the ''Fiscal Year 2004 Accounting of Drug Control Funds,'' pursuant to Public Law 105–277, section 705(d)(Div. C—Title VII); to the Committee on Government Reform.

2205. A letter from the Deputy Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Special Regulations; Areas of the National Park System (RIN: 1024–AD29) received April 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2206. A letter from the Deputy Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Apostle Islands National Lakeshore; Designation of snowmobile and off-road motor vehicle areas, and use of portable ice augers or power engines. (RIN: 1024–AD26) received April 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2207. A letter from the Deputy Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—National Park System Units in Alaska (RIN: 1024–AD13) received April 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2208. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Illinois Regulatory Program [Docket No. IL–104–FOR] received May 16, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2209. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Iowa Regulatory Program [Docket No. IA–014–FOR] received April 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2210. A letter from the Assistant Secretary, Land and Mineral Mgmt., Department of the Interior, transmitting the Department's final rule—Land Use Planning [WO–350–2520–24 1A] (RIN: 1004–AD57) received March 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2211. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Recordkeeping and Reporting Requirements; Regulatory Amendment to Modify Seafood Dealer Reporting Requirements [Docket No. 050216041–5105–02; I.D. 020705C] (RIN: 0648–AS87) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2212. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's

final rule—Residence and Source Rules Involving U.S. Possessions and Other Conforming Changes [TD 9194] (RIN: 1545–BE22) received April 11, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2213. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Diesel fuel and kerosene excise tax; dye injection [TD 9199] (RIN: 1545–BE44) received April 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2214. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Appeals Settlement Guidelines: Maquiladora—Section 168(g)—received April 11, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2215. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Coordinated Issue: ''Notice 2002–65'' Tax Shelter—received May 11, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2216. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Coordinated Issue: ''Notice 2002–50'' Tax Shelter—received May 11, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2217. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Nonconventional Source Fuel Credit, Section 29 Inflation Adjustment Factor, and Section 29 Reference Price [Notice 2005–33] received April 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2218. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters. (Rev. Proc. 2005–25) received April 11, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2219. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rates Update [Notice 2005–34] received April 11, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2220. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Election for Multiemployer Plan to Defer Net Experience Loss Charge [Notice 2005–40] received May 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2221. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Guidance Under Section 355(e); Recognition of Gain on Certain Distributions of Stock or Securities in Connection with and Acquisition [TD 9198] (RIN: 1545–AY42) received April 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2222. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2005–27) received April 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 1496. A bill to return general aviation to Ronald Reagan Washington National Airport; with an amendment (Rept. 109–98). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2293. A bill to provide special immigrant status for aliens serving as translators with the United States Armed Forces; with an amendment (Rept. 109–99). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. House Joint Resolution 27. Resolution withdrawing the approval of the United States from the Agreement establishing the World Trade Organization; adversely; (Rept. 109–100). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HENSARLING (for himself and Mr. SAM JOHNSON of Texas):

H.R. 2646. A bill to eliminate certain restrictions on air transportation to and from Love Field, Texas; to the Committee on Transportation and Infrastructure.

By Mr. NUSSLE:

H.R. 2647. A bill to amend the Internal Revenue Code of 1986 to clarify that qualified personal service corporations may continue to use the cash method of accounting, and for other purposes; to the Committee on Ways and Means.

By Mr. FOSSELLA (for himself, Mr. STEARNS, Mrs. MCCARTHY, Mr. WALDEN of Oregon, Mr. NEY, Mr. GOODE, Mr. KUHL of New York, Mr. GIBBONS, and Mr. ENGEL):

H.R. 2648. A bill to amend title XIX of the Social Security Act to require Medicaid drug utilization review programs to deny coverage of erectile dysfunction drugs for individuals registered (or required to be registered) as sex offenders; to the Committee on Energy and Commerce.

By Mr. MARKEY:

H.R. 2649. A bill to strengthen aviation security; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NORWOOD:

H.R. 2650. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and 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. SCHIFF (for himself and Mr. COBLE):

H.R. 2651. A bill to reduce crime and terrorism at America's seaports, and for other purposes; to the Committee on the Judiciary.

By Mr. COLE of Oklahoma:

H.R. 2652. A bill to provide for the establishment of a memorial to the U.S.S. Oklahoma as part of the USS Arizona Memorial in Pearl Harbor, Hawaii; to the Committee on Resources.

By Mr. ANDREWS:

H.R. 2653. A bill to ensure that dwelling units assisted under the rental housing voucher program under section 8 of the United States Housing Act of 1937 comply with housing quality standards; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 2654. A bill to provide for renewal of project-based assisted housing contracts at reimbursement levels that are sufficient to sustain operations, and for other purposes; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 2655. A bill to establish neighborhood review committees to advise public housing agencies regarding the enforcement of laws and regulations governing assistance provided under tenant-based rental assistance programs; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 2656. A bill to amend section 502(h) of the Housing Act of 1949 to improve the rural housing loan guarantee program, and for other purposes; to the Committee on Financial Services.

By Mr. BAIRD (for himself, Mr. MORAN of Virginia, and Mr. RUPPERSBERGER):

H.R. 2657. A bill to provide comprehensive reform regarding medical malpractice; 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. BAKER (for himself, Mr. BERRY, Mr. BROWN of South Carolina, Mrs. NORTHUP, Mr. CANNON, and Mr. DUNCAN):

H.R. 2658. A bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the Federal Government over waters of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BOSWELL:

H.R. 2659. A bill to provide grants to States to improve sex offender registries; to the Committee on the Judiciary.

By Mr. OXLEY (for himself and Mr. FRANK of Massachusetts):

H.R. 2660. A bill to amend the Bank Holding Company Act of 1956 to clarify that real estate brokerage activities and real estate management activities are authorized financial activities for financial holding companies and financial subsidiaries of national banks, and for other purposes; to the Committee on Financial Services.

By Mr. BRADY of Texas:

H.R. 2661. A bill to amend the Deficit Reduction Act of 1984 to clarify the Permanent University Fund arbitrage exception and to increase from 20 percent to 30 percent the amount of securities and obligations benefitting from the exception; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Ms. BALDWIN, Ms. BERKLEY, Mr. BERMAN, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mr. BOSWELL, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Mr. CASE, Mr. CLAY, Mr. COOPER, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. DAVIS of Florida, Mr. DELAHUNT,

Ms. DELAURO, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Mr. HOYER, Mr. INSLEE, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KIND, Mr. KIRK, Mr. KOLBE, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSON of Connecticut, Mr. LEACH, Ms. LEE, Mrs. LOWEY, Mr. LYNCH, Mrs. MALONEY, Mr. MATHESON, Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mr. MEEHAN, Mr. MEEK of Florida, Mr. MENENDEZ, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Mr. NADLER, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PASTOR, Mr. PAYNE, Mr. PRICE of North Carolina, Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, Mr. SABO, Ms. LORETTA SANCHEZ of California, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Georgia, Mr. SERRANO, Mr. SHAYS, Mr. SHERMAN, Mr. SIMMONS, Mr. SMITH of Washington, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mr. UDALL of Colorado, Mr. VAN HOLLEN, Ms. WATERS, Ms. WATSON, Mr. WEXLER, Ms. WOOLSEY, and Mr. WU):

H.R. 2662. A bill to provide Federal assistance to States and local jurisdictions to prosecute hate crimes, and for other purposes; to the Committee on the Judiciary.

By Ms. DELAURO (for herself, Mr. LARSON of Connecticut, Mr. SIMMONS, Mrs. JOHNSON of Connecticut, and Mr. SHAYS):

H.R. 2663. A bill to provide a grant program to support the establishment and operation of Teachers Professional Development Institutes; to the Committee on Education and the Workforce.

By Mr. DREIER (for himself, Mr. YOUNG of Florida, Mr. REGULA, Mr. WHITFIELD, Mr. JONES of North Carolina, Mr. BASS, and Mrs. NAPOLITANO):

H.R. 2664. A bill to provide a biennial budget for the United States Government; to the Committee on the Budget, and in addition to the Committees on Rules, and 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. ENGEL:

H.R. 2665. A bill to encourage the availability and use of motor vehicles that have improved fuel efficiency, in order to reduce the need to import oil into the United States; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Energy and Commerce, 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. ENGLISH of Pennsylvania:

H.R. 2666. A bill to amend the Internal Revenue Code of 1986 to modify the determination and deduction of interest on qualified education loans; to the Committee on Ways and Means.

By Mr. FITZPATRICK of Pennsylvania (for himself, Ms. HERSETH, Mr. SIMMONS, and Ms. SCHWARTZ of Pennsylvania):

H.R. 2667. A bill to require the Secretary of Homeland Security to prepare a report on the homeland security consequences of the base closure and realignment recommendations made by the Secretary of Defense and to require the Defense Base Closure and Realignment Commission to consider the report during their review of such recommendations; to the Committee on Armed Services.

By Mr. FOLEY (for himself, Mr. ENGLISH of Pennsylvania, Mr. ROYCE, Mr. RADANOVICH, Mr. DOOLITTLE, and Mr. PAUL):

H.R. 2668. A bill to amend the Internal Revenue Code of 1986 to provide for the creation of disaster protection funds by property and casualty insurance companies for the payment of policyholders' claims arising from future catastrophic events; to the Committee on Ways and Means.

By Mr. GERLACH (for himself and Mr. FARR):

H.R. 2669. A bill to amend the Animal Welfare Act to strengthen the ability of the Secretary of Agriculture to regulate the pet industry; to the Committee on Agriculture.

By Mr. GENE GREEN of Texas:

H.R. 2670. A bill to amend title 10, United States Code, to require the amounts reimbursed to institutional providers of health care services under the TRICARE program to be the same as amounts reimbursed under Medicare, and to require the Secretary of Defense to contract for health care services with at least one teaching hospital in urban areas; to the Committee on Armed Services.

By Mr. GENE GREEN of Texas (for himself, Ms. ROS-LEHTINEN, Mr. PRICE of North Carolina, and Mr. TIBERI):

H.R. 2671. A bill to provide for the expansion of Federal programs to prevent and manage vision loss, 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 Ms. HARRIS (for herself, Mr. PEARCE, and Mr. SHAYS):

H.R. 2672. A bill to direct the Secretary of State and the Secretary of Homeland Security to establish a program to enhance the mutual security and safety of the United States, Canada, and Mexico, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Armed Services, and Homeland Security, 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. HEFLEY (for himself, Mr. KILDEE, Mrs. DAVIS of California, Mr. UDALL of Colorado, Mr. HOLT, Mr. HONDA, Mr. CUNNINGHAM, and Ms. MCCOLLUM of Minnesota):

H.R. 2673. A bill to protect diverse and structurally complex areas of the seafloor in the United States exclusive economic zone by establishing a maximum diameter size limit on rockhopper, roller, and all other groundgear used on bottom trawls, and for other purposes; to the Committee on Resources.

By Mr. HOLDEN (for himself and Mr. POMEROY):

H.R. 2674. A bill to waive time limitations specified by law in order to allow the Medal of Honor to be awarded posthumously to Richard L. Etchberger of Hamburg, Pennsylvania, for acts of valor on March 11, 1968, while an Air Force Chief Master Sergeant serving in Southeast Asia during the Vietnam era; to the Committee on Armed Services.

By Mr. HOLT:

H.R. 2675. A bill to suspend temporarily the duty on TMC114; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 2676. A bill to suspend temporarily the duty on certain chemicals and chemical mixtures; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 2677. A bill to suspend temporarily the duty on certain chemicals; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 2678. A bill to suspend temporarily the duty on mixtures of (1A1B1A)-(cis and trans)-1-(2-(2,4-Dichlorophenyl)- 4-propyl-1,3-dioxalan-2-yl)methyl)-1H-1,2,4-triazole (Propiconazole) and application adjuvants; to the Committee on Ways and Means.

By Mr. HOSTETTLER (for himself, Mr. WAMP, Mr. NORWOOD, Mr. JENKINS, Mr. PAUL, Mr. DOOLITTLE, Mr. SODREL, Mr. WELDON of Florida, Mr. ALEXANDER, Mr. BACHUS, Mr. PITTS, Mr. INGLIS of South Carolina, Mr. OTTER, Mr. DUNCAN, Mr. JONES of North Carolina, Mr. KINGSTON, Mr. SMITH of Texas, Mr. BARTLETT of Maryland, Mr. POE, and Mr. BARRETT of South Carolina):

H.R. 2679. A bill to amend the Revised Statutes of the United States to eliminate the chilling effect on the constitutionally protected expression of religion by State and local officials that results from the threat that potential litigants may seek damages and attorney's fees; to the Committee on the Judiciary.

By Mr. HULSHOF (for himself, Mr. POMEROY, Mr. FOLEY, and Mr. SHAW):

H.R. 2680. A bill to amend the Social Security Act to permit a waiver by the Secretary of Health and Human Services of the 24-month waiting period for Medicare coverage of disabled individuals who are terminally ill; to the Committee on Ways and Means.

By Mr. JEFFERSON (for himself, Mr. ENGLISH of Pennsylvania, Mr. RANGEL, Mrs. JOHNSON of Connecticut, Mr. CARDIN, Mr. FOLEY, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. BECERRA, Mrs. JONES of Ohio, Mr. LARSON of Connecticut, Mr. ABERCROMBIE, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. FATTAH, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK of Michigan, Mrs. MALONEY, Mr. MEEKS of New York, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Mr. PRICE of North Carolina, Mr. ROSS, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SERRANO, Mr. THOMPSON of Mississippi, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Ms. WATSON, Mr. WYNN, and Mr. CUELLAR):

H.R. 2681. A bill to amend the Internal Revenue Code of 1986 to rename the low-income housing credit the affordable housing credit and to increase the per capita amount allowed in the determination of the State housing credit ceiling; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. POMEROY, Mr. RAMSTAD, Ms. HERSETH, Mr. SIMMONS, Mr.

MICHAUD, Mr. SHAYS, Mr. MARKEY, Mr. BOOZMAN, and Mr. KING of New York):

H.R. 2682. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs; to the Committee on Ways and Means.

By Mrs. JONES of Ohio (for herself, Mr. TIBERI, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. MCINTYRE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. OWENS, Mr. KILDEE, Ms. CARSON, Ms. SCHAKOWSKY, and Mr. BROWN of Ohio):

H.R. 2683. A bill to increase the expertise and capacity of community-based organizations involved in economic development activities and key community development programs; to the Committee on Financial Services, 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 Mrs. KELLY (for herself and Mrs. TAUSCHER):

H.R. 2684. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LARSON of Connecticut (for himself, Mr. GRIJALVA, and Mr. HINCHEY):

H.R. 2685. A bill to provide for prescription drugs at reduced prices to Medicare beneficiaries; 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. LOBIONDO (for himself, Mrs. DAVIS of California, and Mr. SAXTON):

H.R. 2686. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for grants for coastal recreation water quality monitoring and notification programs; to the Committee on Transportation and Infrastructure.

By Ms. ZOE LOFGREN of California (for herself, Mr. SMITH of New Jersey, Mr. HONDA, Mr. TOM DAVIS of Virginia, Ms. WOOLSEY, Ms. LORETTA SANCHEZ of California, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Mr. GRIJALVA, Mr. FARR, Mr. DELAHUNT, Mr. MCDERMOTT, Mr. GUTIERREZ, Mr. MORAN of Virginia, Mr. EMANUEL, Ms. SLAUGHTER, Ms. MILLENDER-MCDONALD, Ms. MCCOLLUM of Minnesota, Mr. FRANK of Massachusetts, and Mr. ABERCROMBIE):

H.R. 2687. A bill to amend the Immigration and Nationality Act to provide for the automatic acquisition of citizenship by certain Amerasians; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. THOMPSON of Mississippi, Ms. LORETTA SANCHEZ of California, Mr. ANDREWS, and Mr. MCNULTY):

H.R. 2688. A bill to amend title 49, United States Code, to establish a deadline for the screening of all individuals, goods, property, vehicles, and other equipment entering a secure area of an airport, and for other purposes; to the Committee on Homeland Security.

By Mr. MARKEY:

H.R. 2689. A bill to increase the security of radiation sources, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MCKINNEY:

H.R. 2690. A bill to provide that a State may use a proportional voting system for multiseat congressional districts, to require the use of instant runoff voting in certain elections for Federal office, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MELANCON:

H.R. 2691. A bill to amend the Bipartisan Trade Promotion Authority Act of 2002 to require the President to submit to the Congress, within 90 days after entering into a trade agreement, the implementing legislation, the statement of administrative action, and supporting information, with respect to that trade agreement; to the Committee on Ways and Means.

By Mr. MICHAUD:

H.R. 2692. A bill to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, and for other purposes; to the Committee on Resources.

By Mr. GEORGE MILLER of California (for himself and Mr. BAIRD):

H.R. 2693. A bill to amend the Great Ape Conservation Act to reauthorize the Secretary of the Interior to provide project grants and emergency assistance to address critical great ape conservation needs, and for other purposes; to the Committee on Resources.

By Mr. MOORE of Kansas (for himself, Mr. RAMSTAD, Mr. TANNER, Mr. JEFFERSON, Mr. ISRAEL, Mr. WEINER, Mr. ROTHMAN, Mr. DOGGETT, Mr. NADLER, Ms. MCCOLLUM of Minnesota, Mr. OWENS, Mr. CASE, Mr. GORDON, Mr. MATHESON, Mr. FORD, Mr. MICHAUD, and Ms. WOOLSEY):

H.R. 2694. A bill to require full funding of part A of title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001; to the Committee on Education and the Workforce.

By Ms. MOORE of Wisconsin (for herself and Ms. HARRIS):

H.R. 2695. A bill to amend the McKinney-Vento Homeless Assistance Act to protect the personally identifying information of victims of domestic violence, dating violence, sexual assault, and stalking; to the Committee on Financial Services.

By Mrs. MYRICK:

H.R. 2696. A bill to suspend temporarily the duty on 9,10-Anthracenedione, 1,8-dihydroxy-4-nitro-5-(phenylamino)-; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2697. A bill to suspend temporarily the duty on Chromate(2-), [2,4-dihydro-4-[[2-(hydroxy-kO)-4-nitrophenyl]azo-kN1]-5-met hyl-3H-pyrazol-3-onato(2-)-kO3][3-[[4,5-dihydro-3-methyl-1-(4-methylphenyl)-5-(oxo-kO)-1H-pyrazol-4-yl]azo-kN1]-4-(hydro xy-kO)-5-nitrobenzenesulfonato(3-)]-, disodium; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2698. A bill to suspend temporarily the duty on 9,10-Anthracenedione, 1,8-bis(phenylthio)-; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2699. A bill to suspend temporarily the duty on 2,7-Naphthalenedisulfonic acid, 4-amino-3,6-bis[[5-[[4-chloro-6-[methyl[2-(methylamino)-2-oxoethyl]amino]-1,3,5-triazin-2-yl]amino]-2-sulfophenyl]azo]-5 -hydroxy-, lithium potassium sodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2700. A bill to suspend temporarily the duty on 2-Naphthalenesulfonic acid, 7-[(5-chloro-2,6-difluoro-4-pyrimidinyl)amino]-4-hydroxy-3-[(4-methoxy-2-sulfophenyl)azo]-, sodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2701. A bill to suspend temporarily the duty on 2,7-Naphthalenedisulfonic acid, 4-amino-5-hydroxy-6-[[2-methoxy-5-[[2-(sulfooxy)ethyl]sulfonyl]phenyl]azo]-3-[[4-[[2-(sulfooxy)ethyl]sulfonyl]phenyl]azo -, tetrasodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2702. A bill to suspend temporarily the duty on 2,7-Naphthalenedisulfonic acid, 4-amino-5-hydroxy-3,6-bis[[4-[[2-(sulfooxy)ethyl]sulfonyl]phenyl]azo]-, tetrasodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2703. A bill to suspend temporarily the duty on [2,2'-Bi-1H-indole]-3,3'-diol-, potassium sodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2704. A bill to suspend temporarily the duty on 3-Pyridinecarbonitrile, 5-[(2-cyano-4-nitrophenyl)azo]-2-[[2-(2-hydroxyethoxy)ethyl] amino]-4-methyl-6-(phenylamino)-; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2705. A bill to suspend temporarily the duty on Acetic acid, cyano[3-[(6-methoxy-2-benzothiazolyl)amino]-1H-isoindol-1-yl idene]-, pentyl ester; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2706. A bill to suspend temporarily the duty on Benzenesulfonic acid, [(9,10-dihydro-9,10-dioxo-1,4-anthracenediyl)bis[imino[3-(2-methylpropyl)-3,1-propanediyl]]]bis-, disodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2707. A bill to suspend temporarily the duty on Acetic acid, [4-(2,6-dihydro-2,6-dioxo-7-phenylbenzo[1,2-b:4,5-b']difuran -3-yl)phenoxy]-, 2-ethoxyethyl ester; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2708. A bill to suspend temporarily the duty on Benzo[1,2-b:4,5-b']difuran-2,6-dione, 3-phenyl-7-(4-propoxyphenyl)-; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2709. A bill to suspend temporarily the duty on Ethanesulfonic acid, 2-[[[2,5-dichloro-4-[(2-methyl-1H-indol-3-yl)azo]phenyl]sulfonyl]amino]-, monosodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2710. A bill to suspend temporarily the duty on 2,7-Naphthalenedisulfonic acid, 5-[[4-chloro-6-[(3-sulfophenyl)amino]-1,3,5-triazin-2-yl]amino] -4-hydroxy-3- [[4-[[2-(sulfooxy)ethyl]sulfonyl]phenyl]azo],sodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2711. A bill to suspend temporarily the duty on 1,3,6-Naphthalenetrisulfonic acid, 7-[[2-[(aminocarbonyl)amino]-4-[[4-[4-[2-[[4-[[3-[(aminocarb onyl)amino]-4-[(3,6,8-trisulfo-2-naphthalenyl)azo]phenyl]amio] -6-chloro-1,3,5-triazin-2-yl]amino]ethyl]-1-piperazinyl]- chloro-1,3,5-triazin-2-yl]amino]phenyl]azo]-, lithium potassium sodium salt)-; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2712. A bill to suspend temporarily the duty on 9,10-Anthracenedione, 1,8-dihydroxy-4-nitro-5-(phenylamino)-; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2713. A bill to suspend temporarily the duty on 2-Anthracenesulfonic acid, 4-[[3-(acetylamino)phenyl]amino]-1-amino-9,10-dihydro-9,10-d ioxo-, monosodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 2714. A bill to suspend temporarily the duty on Acetic acid, [4-[2,6-dihydro-2,6-dioxo-7-(4-propoxyphenyl)benzo[1,2-b:4,5 -b′]difuran-3-yl]phenoxy]-, 2-ethoxyethyl ester; to the Committee on Ways and Means.

By Mr. NADLER (for himself and Mr. FLAKE):

H.R. 2715. A bill to establish reasonable procedural protections for the use of national security letters, and for other purposes; to the Committee on the Judiciary, 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. OLVER (for himself, Mr. BOEHLERT, Mrs. CAPPS, Mr. LATOURETTE, Mr. TOWNS, Mrs. JOHNSON of Connecticut, Mr. WAXMAN, Mrs. KELLY, Ms. HERSETH, Mr. ENGLISH of Pennsylvania, Mr. MARKEY, and Mr. PLATTS):

H.R. 2716. A bill to amend title XIX of the Social Security Act to improve access to advanced practice nurses and physician assistants under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. OSBORNE (for himself and Mr. MCGOVERN):

H.R. 2717. A bill to reduce hunger in the United States by half by 2010, and for other purposes; to the Committee on Agriculture.

By Mr. OTTER:

H.R. 2718. A bill to authorize the exchange of certain Federal land within the State of Idaho, and for other purposes; to the Committee on Resources.

By Mr. PALLONE (for himself, Mr. SHAYS, Ms. MILLENDER-MCDONALD, Mr. OLVER, Mr. GEORGE MILLER of California, Mr. VAN HOLLEN, Mr. MARKEY, Mr. FARR, Mr. SERRANO, Mr. GUTIERREZ, Mr. KILDEE, Mr. DEFAZIO, Mrs. JONES of Ohio, Mr. ANDREWS, Ms. LEE, Mr. HOLT, Mr. WAXMAN, Ms. BALDWIN, Ms. SCHAKOWSKY, Mr. OWENS, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. CASE, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. FILNER, Mr. HONDA, Ms. WOOLSEY, Mr. KENNEDY of Rhode Island, Mr. SANDERS, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. CUMMINGS, Ms. DELAURO, Mr. SPRATT, Mr. LANGEVIN, Mr. ALLEN, Mr. BROWN of Ohio, Ms. SLAUGHTER, Ms. ESHOO, Mr. SMITH of Washington, Ms. MCCOLLUM of Minnesota, Mr. WEXLER, Mr. STARK, Mr. GILCHREST, Mrs. JOHNSON of Connecticut, Mr. MCHUGH, Mr. MENENDEZ, Mr. GRIJALVA, Mr. HINCHEY, Mr. NEAL of Massachusetts, Mr. PAYNE, Mr. BLUMENAUER, Mrs. CAPPS, and Mr. MILLER of North Carolina):

H.R. 2719. A bill to amend the Federal Water Pollution Control Act to clarify that fill material cannot be comprised of waste; to the Committee on Transportation and Infrastructure.

By Mr. PEARCE (for himself, Mr. OSBORNE, Mr. BONILLA, Mr. CONAWAY, Mr. HUNTER, Mr. SALAZAR, Mr. UDALL of Colorado, and Mrs. CUBIN):

H.R. 2720. A bill to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to control salt cedar and Russian olive, and for other purposes; to the Committee on Resources, and in addition to the Committee on 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. PETERSON of Pennsylvania (for himself, Mr. HOLDEN, Mr. SHUSTER, Mr. PLATTS, Mr. GERLACH, Mr. ENGLISH of Pennsylvania, Ms. HART, Mr. KANJORSKI, Mr. SHERWOOD, Mr. DAVIS of Tennessee, Mr. REGULA, Mr. WAMP, Mr. RUPPERSBERGER, Mrs. BLACKBURN, Mr. FORD, Mr. GORDON, and Ms. SCHWARTZ of Pennsylvania):

H.R. 2721. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to reauthorize collection of reclamation fees, revise the abandoned mine reclamation program, promote remining, authorize the Office of Surface Mining to collect the black lung excise tax, and make sundry other changes; to the Committee on Resources.

By Mr. PLATTS (for himself, Mr. HOLDEN, and Mr. SHERWOOD):

H.R. 2722. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating Camp Security, located in Springettsbury, York County, Pennsylvania, as a unit of the National Park System; to the Committee on Resources.

By Mr. RANGEL:

H.R. 2723. A bill to provide for the common defense by requiring that all young persons in the United States, including women, perform a period of military service or a period of civilian service in furtherance of the national defense and homeland security, and for other purposes; to the Committee on Armed Services.

By Mr. RANGEL:

H.R. 2724. A bill to establish a national Civilian Volunteer Service Reserve program, a national volunteer service corps ready for service in response to domestic or international emergencies; to the Committee on Transportation and Infrastructure.

By Mr. REGULA (for himself, Mr. DINGELL, Mr. HYDE, Mr. HALL, Mr. LANTOS, Mr. WELDON of Pennsylvania, Mr. BAKER, Mr. MCCRERY, Mr. JEFFERSON, Mr. WICKER, Mr. ALEXANDER, Mr. BOUSTANY, Mr. JINDAL, and Mr. MELANCON):

H.R. 2725. A bill to direct the Secretary of Defense to make a grant to the National D-Day Museum Foundation for facilities and programs of America's National World War II Museum; to the Committee on Armed Services.

By Mr. SESSIONS:

H.R. 2726. A bill to prohibit municipal governments from offering telecommunications, information, or cable services except to remedy market failures by private enterprise to provide such services; to the Committee on Energy and Commerce.

By Mr. SESSIONS (for himself, Mrs. DAVIS of California, Mrs. CHRISTENSEN, Mr. SANDERS, and Ms. SCHAKOWSKY):

H.R. 2727. A bill to amend the Public Health Service Act to provide for educational activities and research with respect to women's pelvic floor health through the Centers for Disease Control and Prevention and the National Institutes of Health; to the Committee on Energy and Commerce.

By Mr. SHADEGG:

H.R. 2728. A bill to amend the Public Health Service Act to expand health care access and choice of coverage through Individual Membership Associations (IMAs); to the Committee on Energy and Commerce.

By Mr. SHADEGG:

H.R. 2729. A bill to amend the Public Health Service Act to protect certain health care providers against legal liability for providing emergency and related care to uninsured individuals; to the Committee on Energy and Commerce.

By Mr. SHADEGG (for himself, Mr. SHERMAN, Mr. KING of New York, Mr. PASTOR, Mr. BURTON of Indiana, Mr. RENZI, Mr. MILLER of Florida, Mr. CANNON, Mr. PALLONE, Mr. ENGEL, Mr. CROWLEY, Mr. GORDON, Mr. KENNEDY of Rhode Island, Ms. BERKLEY, Mr. MCNULTY, Mrs. MALONEY, Mr. WAXMAN, and Ms. SCHAKOWSKY):

H.R. 2730. A bill to establish a grant program to fund eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SHADEGG:

H.R. 2731. A bill to limit the liability of hospitals and emergency departments for noneconomic and punitive damages when providing uncompensated care, and for other purposes; to the Committee on the Judiciary.

By Mr. SHADEGG:

H.R. 2732. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable and advanceable credit against income tax for health insurance costs; to the Committee on Ways and Means.

By Ms. SLAUGHTER:

H.R. 2733. A bill to prohibit the closure or adverse realignment of facilities of the reserve components that the Secretary of Homeland Security determines have a significant role in homeland defense; to the Committee on Armed Services.

By Mr. SMITH of New Jersey:

H.R. 2734. A bill to amend title 38, United States Code, to enhance the authority of the Department of Veterans Affairs to recover from third parties costs of medical care furnished to veterans and other persons by the Department; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey (for himself, Mr. FITZPATRICK of Pennsylvania, and Mr. MURPHY):

H.R. 2735. A bill to amend title 38, United States Code, to provide an enhanced funding process to ensure an adequate level of funding for veterans health care programs of the Department of Veterans Affairs, to establish standards of access to care for veterans seeking health care from the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. STARK (for himself, Mr. LEACH, Mr. WEXLER, Mr. WAXMAN, Mr. HINCHEY, Mr. MCNULTY, Ms. BORDALLO, Mr. ABERCROMBIE, and Mr. KILDEE):

H.R. 2736. A bill to amend title XVIII of the Social Security Act to permit direct payment under the Medicare Program for clinical social worker services provided to residents of skilled nursing facilities; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. STRICKLAND (for himself, Mr. SERRANO, Mr. WAXMAN, Mr. HOLDEN, Mr. HASTINGS of Florida, Mr. BROWN of Ohio, Mrs. CHRISTENSEN, Mr. PAYNE, Mr. MCDERMOTT, and Mr. GRIJALVA):

H.R. 2737. A bill to amend the Public Health Service Act to establish an Office of Correctional Public Health; to the Committee on Energy and Commerce.

By Mr. STUPAK:

H.R. 2738. A bill to amend the Railroad Retirement Act of 1974 to provide that a current connection is not lost by an individual

who is misled or not properly informed by the Railroad Retirement Board of the requirement for, and the circumstances resulting in the loss of, a current connection; to the Committee on Transportation and Infrastructure.

By Mr. TIERNEY (for himself, Ms. MCCOLLUM of Minnesota, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. EMANUEL, Mr. BISHOP of New York, Mr. PAYNE, Ms. WOOLSEY, Mrs. MCCARTHY, Mr. WU, Mr. DAVIS of Illinois, Mr. GRIJALVA, Mr. MEEHAN, Mr. BECERRA, Mr. REYES, Mr. GONZALEZ, Ms. LINDA T. SÁNCHEZ of California, Mr. MCGOVERN, Ms. DELAURO, Mr. OWENS, Mr. HINOJOSA, Mr. KUCINICH, Mr. HOLT, Mr. CASE, Mr. VAN HOLLEN, Mr. ORTIZ, Mr. GUTIERREZ, Mr. CARDOZA, Mrs. JONES of Ohio, Ms. BALDWIN, Mr. WEXLER, Mr. BARROW, Mr. JEFFERSON, Mr. RYAN of Ohio, Ms. SOLIS, Ms. VELÁZQUEZ, and Ms. SCHAKOWSKY):

H.R. 2739. A bill to address rising college tuition by strengthening the compact between the States, the Federal Government, and institutions of higher education to make college more affordable; to the Committee on Education and the Workforce.

By Mr. WYNN:

H.R. 2740. A bill to amend title 31, United States Code, to require the provision of a written prompt payment policy to each subcontractor under a Federal contract and to require a clause in each subcontract under a Federal contract that outlines the provisions of the prompt payment statute and other related information; to the Committee on Government Reform.

By Mr. WYNN:

H.R. 2741. A bill to amend the Small Business Act to provide a penalty for the failure by a Federal contractor to subcontract with small businesses as described in its subcontracting plan, and for other purposes; to the Committee on Small Business.

By Mr. WYNN:

H.R. 2742. A bill to amend the Small Business Act to increase the minimum Government-wide goal for procurement contracts awarded to small business concerns; to the Committee on Small Business.

By Mr. LANTOS (for himself, Mr. THOMAS, Mr. KING of New York, Mr. BERMAN, Mr. SMITH of New Jersey, Mr. ACKERMAN, Mr. BURTON of Indiana, Ms. PELOSI, Ms. ROS-LEHTINEN, Mr. FALEOMAVAEGA, Mr. ROHRABACHER, Mr. MENENDEZ, Mr. TANCREDO, Mr. BROWN of Ohio, Mr. PITTS, Mr. SHERMAN, Mr. WELLER, Mr. WEXLER, Mr. PENCE, Mr. ENGEL, Mr. WOLF, Mr. DELAHUNT, Mr. POE, Ms. LEE, Mr. SOUDER, Mr. CROWLEY, Mr. KIRK, Mr. BLUMENAUER, Ms. WATSON, Ms. MCCOLLUM of Minnesota, Mr. EVANS, Mr. FRANK of Massachusetts, Ms. DELAURO, Mr. UDALL of New Mexico, Mr. GUTIERREZ, Mr. KUCINICH, Mr. DEFAZIO, Mr. SNYDER, Mr. MCGOVERN, Mrs. MALONEY, Mr. GRIJALVA, Mr. ABERCROMBIE, and Mr. STARK):

H.J. Res. 52. A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; to the Committee on Ways and Means.

By Mr. PRICE of Georgia:

H. Con. Res. 167. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. HYDE (for himself, Mr. CHABOT, Mr. SHIMKUS, Mr. ROHRABACHER, Mr. PITTS, Mr. LYNCH, and Mr. FRANK of Massachusetts):

H. Con. Res. 168. Concurrent resolution condemning the Democratic People's Republic of Korea for the abductions and continued captivity of citizens of the Republic of Korea and Japan as acts of terrorism and gross violations of human rights; to the Committee on International Relations.

By Mr. BISHOP of New York (for himself and Mr. JONES of North Carolina):

H. Con. Res. 169. Concurrent resolution recognizing the families of the members of the Armed Forces for their contributions and sacrifices to the United States; to the Committee on Armed Services.

By Mr. EVANS:

H. Con. Res. 170. Concurrent resolution supporting the goals and ideals of National Purple Heart Recognition Day; to the Committee on Armed Services.

By Mr. ISRAEL:

H. Con. Res. 171. Concurrent resolution commending individuals that have participated in volunteer programs that repair the homes of families of deployed members of the Armed Forces, and in particular those of the National Guard and Reserves; to the Committee on Armed Services.

By Ms. MCCOLLUM of Minnesota (for herself, Mr. LEACH, Mr. SHAYS, Ms. CARSON, Mr. OBERSTAR, Mr. CROWLEY, Mr. OLVER, Ms. WATSON, Mr. SERRANO, Mrs. DAVIS of California, Mr. KIND, Mr. MARKEY, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE, Mr. SABO, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, Mrs. CHRISTENSEN, Mr. CASE, Ms. DELAURO, Mr. FARR, Ms. BALDWIN, Mr. BLUMENAUER, Mr. LYNCH, Mr. FATTAH, Mr. HONDA, Mrs. MALONEY, Mrs. CAPPS, Mr. MEEKS of New York, Mr. MCGOVERN, and Mr. PAYNE):

H. Con. Res. 172. Concurrent resolution affirming the commitment and leadership of the United States to improve the lives of the world's 1.3 billion people living in extreme poverty and conditions of misery; to the Committee on International Relations.

By Mr. PALLONE (for himself, Ms. PRYCE of Ohio, Ms. HART, Mr. HOLT, Mr. MENENDEZ, Mr. FALEOMAVAEGA, Mr. BRADY of Pennsylvania, Mr. BISHOP of Georgia, Mr. CASE, Mr. KIND, Mr. WYNN, Mr. SKELTON, Mrs. MCCARTHY, Mr. SPRATT, Mr. CHANDLER, Ms. CARSON, Mr. MCDERMOTT, Mr. VAN HOLLEN, Mr. TANNER, Mr. MORAN of Virginia, Mr. KUCINICH, Mrs. JONES of Ohio, Mr. COSTELLO, Mr. BROWN of Ohio, Mr. CONYERS, Mr. SERRANO, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BORDALLO, Mr. GRIJALVA, Mr. DAVIS of Florida, Mr. SCOTT of Georgia, Mr. WEXLER, Ms. CORRINE BROWN of Florida, Mr. SANDERS, Mr. GIBBONS, Mr. WILSON of South Carolina, Mr. PORTER, Mr. TURNER, Mr. JONES of North Carolina, Mrs. NORTHUP, Mr. BURTON of Indiana, Mr. ALEXANDER, Mr. GOODE, Mr. KENNEDY of Minnesota, Mr. GOODLATTE, Mr. BARTLETT of Maryland, Mr. GREEN of Wisconsin, Mrs. MYRICK, Mr. FOSSELLA, Mr. SHIMKUS, Mr. PLATTS, Mr. SESSIONS, Ms. HARRIS, Mr. HERGER, and Mr. KING of New York):

H. Con. Res. 173. Concurrent resolution expressing support for the goals of Veterans Educate Today's Students (VETS) Day, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BISHOP of New York:

H. Res. 299. A resolution expressing the sense of the House that the President should take immediate action to initiate measures to lower the burden of gasoline prices on the economy of the United States, prevent Members of the Organization of Petroleum Exporting Countries from reaping windfall profits on sales of oil to the United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on International Relations, and 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. WILSON of South Carolina (for himself, Mr. SPRATT, Mr. CLYBURN, Mr. BROWN of South Carolina, Mr. BARRETT of South Carolina, and Mr. INGLIS of South Carolina):

H. Res. 300. A resolution recognizing the South Carolina Farm Bureau Mutual Insurance Company on the occasion of its 50th anniversary and saluting the outstanding service of the Company to the people of South Carolina; to the Committee on Financial Services.

By Mr. BISHOP of New York (for himself, Mr. KING of New York, Mr. ISRAEL, Mr. WELDON of Pennsylvania, Mrs. MCCARTHY, Mr. ACKERMAN, Mr. HIGGINS, and Mr. ANDREWS):

H. Res. 301. A resolution recognizing career and volunteer Emergency Medical Technicians and Paramedics for their bravery and critically important life-saving responsibilities in responding to crises and safeguarding the public; to the Committee on Energy and Commerce.

By Mr. POMBO (for himself, Mr. PICKERING, Mr. JINDAL, Mr. JONES of North Carolina, Ms. BORDALLO, Mr. DUNCAN, Mr. RADANOVICH, Mrs. CHRISTENSEN, Mr. UDALL of Colorado, Mr. FERGUSON, Mr. GARY G. MILLER of California, Mr. FITZPATRICK of Pennsylvania, Mr. KUHL of New York, Mr. CANNON, Mr. CASTLE, Mr. DOOLITTLE, Ms. HERSETH, Mr. SOUDER, Mr. GOHMERT, Mr. ROGERS of Michigan, Mr. WALDEN of Oregon, Mr. ISSA, Mr. CASE, Mr. CALVERT, Mr. DAVIS of Tennessee, Mr. MCCAUL of Texas, Mr. TANNER, Mr. KIND, Mr. GRAVES, Mr. WILSON of South Carolina, Mr. SIMPSON, Mr. RYAN of Ohio, and Mr. ALEXANDER):

H. Res. 302. A resolution recognizing and commending the continuing dedication and commitment of employers of the members of the National Guard and the other reserve components who have been mobilized during the Global War on Terrorism and in defense of the United States; to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. CUELLAR introduced a bill (H.R. 2743) for the relief of Aida Abigail Trevino de Zamarron; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. BOUSTANY, Mr. ORTIZ, Mr. REYES, and Ms. JACKSON-LEE of Texas.

H.R. 22: Mr. DELAHUNT.
H.R. 36: Mr. GREEN of Wisconsin.
H.R. 66: Mr. BARRETT of South Carolina.
H.R. 111: Mr. CARNAHAN and Mr. KENNEDY of Rhode Island.
H.R. 115: Mr. MILLER of North Carolina.
H.R. 128: Mr. PASCRELL.
H.R. 131: Mr. SMITH of Washington.
H.R. 192: Mr. BACA, Mr. BECERRA, Mr. BRADY of Pennsylvania, Mr. CARDOZA, Mr. COSTA, Mr. CUELLAR, Mr. DOGGETT, Mr. GONZALEZ, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HINOJOSA, Mr. PAYNE, Mr. SALAZAR, Mr. SERRANO, and Ms. VELÁZQUEZ.
H.R. 195: Mr. MILLER of Florida.
H.R. 215: Mr. CLAY.
H.R. 224: Mr. INSLEE.
H.R. 226: Mr. BARTLETT of Maryland and Mr. RUPPERSBERGER.
H.R. 277: Mrs. MCCARTHY.
H.R. 282: Mr. MANZULLO and Mr. LEVIN.
H.R. 292: Mr. SHADEGG.
H.R. 302: Mr. BISHOP of Georgia, Ms. MATSUI, and Mrs. MCCARTHY.
H.R. 303: Mr. ROGERS of Kentucky, Ms. DELAURO, Mrs. JONES of Ohio, and Mr. CLEAVER.
H.R. 305: Mr. TANCREDO and Mr. UDALL of Colorado.
H.R. 328: Mr. MURTHA and Mr. TAYLOR of North Carolina.
H.R. 376: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 414: Mr. CAPUANO, Mr. ORTIZ, Mr. KNOLLENBERG, Ms. HOOLEY, Mr. CUMMINGS, Mr. RAMSTAD, Mr. PALLONE, Mr. BOREN, and Mr. GREEN of Wisconsin.
H.R. 415: Mr. TOWNS, Ms. HERSETH, Mr. CUMMINGS, and Ms. MCCOLLUM of Minnesota.
H.R. 420: Mr. BACHUS and Mr. PUTNAM.
H.R. 421: Mr. RUPPERSBERGER.
H.R. 463: Mr. MCGOVERN.
H.R. 469: Mr. GRIJALVA.
H.R. 500: Mr. HEFLEY.
H.R. 503: Mr. PRICE of North Carolina and Mrs. TAUSCHER.
H.R. 550: Mr. KENNEDY of Rhode Island.
H.R. 557: Mr. LEWIS of California.
H.R. 558: Mr. COOPER.
H.R. 581: Ms. GRANGER, Mr. SANDERS, and Mr. POE.
H.R. 583: Mr. MURPHY.
H.R. 586: Mr. LARSEN of Washington.
H.R. 653: Mr. BOREN and Mr. THOMPSON of California.
H.R. 676: Mr. DAVIS of Illinois, Ms. KILPATRICK of Michigan, Mrs. MALONEY, Mr. TOWNS, and Mr. UDALL of New Mexico.
H.R. 697: Mr. HOLT, Mr. BISHOP of New York, Mr. MURPHY, Mr. OWENS, and Mr. MEEK of Florida.
H.R. 710: Mr. SMITH of Washington.
H.R. 786: Mr. FOLEY and Mr. SOUDER.
H.R. 791: Ms. WOOLSEY.
H.R. 799: Ms. ESHOO.
H.R. 809: Mr. NEUGEBAUER, Mr. SOUDER, Mr. SODREL, Mr. WESTMORELAND, Mr. CARTER, and Mr. BARRETT of South Carolina.
H.R. 817: Mr. NEAL of Massachusetts, Mr. GUTIERREZ, Mr. SCHIFF, Ms. MCCOLLUM of Minnesota, Mr. KELLER, Mr. WAXMAN, Mr. FORBES, Mr. BURTON of Indiana, Mr. WEINER, Ms. LINDA T. SÁNCHEZ of California, Ms. JACKSON-LEE of Texas, Mr. RANGEL, and Mr. ROYCE.
H.R. 818: Mr. VAN HOLLEN.
H.R. 819: Mr. CAPUANO and Mr. GORDON.
H.R. 839: Ms. ZOE LOFGREN of California.
H.R. 865: Mr. JONES of North Carolina and Mr. DOYLE.
H.R. 869: Mr. RUPPERSBERGER.
H.R. 893: Ms. LORETTA SANCHEZ of California.
H.R. 910: Mr. PASCRELL, Mr. PAYNE, Mr. KIND, Mrs. CHRISTENSEN, Mr. HOLT, Ms. SCHAKOWSKY, and Mr. MCNULTY.
H.R. 913: Ms. HARMAN, Mr. SCHIFF, and Mr. PUTNAM.
H.R. 916: Mr. CLAY and Mr. WEXLER.
H.R. 920: Mr. DICKS.
H.R. 994: Mrs. MYRICK, Mr. DELAHUNT, Mr. SODREL, Mr. COOPER, Mr. BISHOP of Utah, Mr. BERRY, Mr. TIERNEY, Mr. RYUN of Kansas, and Mr. SIMPSON.
H.R. 997: Mr. GILCHREST and Mr. PUTNAM.
H.R. 1000: Ms. BORDALLO, Mr. WYNN, and Mr. MCHUGH.
H.R. 1010: Mr. WELLER.
H.R. 1063: Mr. MCINTYRE.
H.R. 1071: Mr. COSTA.
H.R. 1126: Ms. JACKSON-LEE of Texas and Mr. NEAL of Massachusetts.
H.R. 1131: Mr. ROTHMAN, Mr. PASCRELL, Ms. SCHWARTZ of Pennsylvania, and Mr. SHAYS.
H.R. 1133: Ms. WASSERMAN SCHULTZ, Mr. FALEOMAVAEGA, and Mr. PRICE of North Carolina.
H.R. 1156: Ms. BERKLEY.
H.R. 1175: Mr. ROTHMAN.
H.R. 1177: Mr. PLATTS.
H.R. 1208: Mr. JACKSON of Illinois and Mr. SKELTON.
H.R. 1227: Mr. MORAN of Virginia.
H.R. 1233: Mr. LANTOS and Mr. Price of North Carolina.
H.R. 1241: Mrs. MILLER of Michigan.
H.R. 1243: Mr. SHUSTER, Mr. HAYWORTH, Mr. KUHL of New York, Mr. PUTNAM, Mr. BISHOP of Georgia, and Mr. KELLER.
H.R. 1246: Mr. CUMMINGS.
H.R. 1262: Mr. TIERNEY.
H.R. 1305: Mr. HIGGINS.
H.R. 1306: Mr. NUSSLE.
H.R. 1312: Mr. WYNN.
H.R. 1316: Mr. MARCHANT and Mr. GOHMERT.
H.R. 1333: Mr. WELLER, Mr. CHOCOLA, Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. SANDERS, Mr. CLAY, Mr. JENKINS, Mr. JONES of North Carolina, and Mr. BARROW.
H.R. 1335: Mr. ABERCROMBIE and Mr. PASTOR.
H.R. 1357: Mr. MURPHY.
H.R. 1358: Mr. MCINTYRE and Mr. BISHOP of Georgia.
H.R. 1360: Mr. SIMMONS and Mr. SCHWARZ of Michigan.
H.R. 1374: Ms. JACKSON-LEE of Texas.
H.R. 1376: Mr. BRADLEY of New Hampshire.
H.R. 1424: Mr. KENNEDY of Rhode Island, Mr. GUTIERREZ, and Mr. SCHIFF.
H.R. 1426: Mr. LIPINSKI.
H.R. 1431: Mr. CASE.
H.R. 1451: Mr. LANGEVIN and Mr. CROWLEY.
H.R. 1456: Mr. MCGOVERN and Mr. ETHERIDGE.
H.R. 1468: Mr. MCCRERY and Mr. BECERRA.
H.R. 1492: Mr. SANDERS.
H.R. 1498: Mr. SMITH of New Jersey, Mr. BISHOP of Utah, Mr. BRADLEY of New Hampshire, and Mr. BARTLETT of Maryland.
H.R. 1508: Mr. HIGGINS.
H.R. 1510: Mr. WELLER and Mr. PUTNAM.
H.R. 1548: Mr. DAVIS of Kentucky.
H.R. 1549: Mr. OSBORNE, Mr. JINDAL, Mr. FRANK of Massachusetts, Mr. RAHALL, Mr. MENENDEZ, Mrs. CAPPS, Mr. PITTS, Mr. LOBIONDO, Mr. SAXTON, Mr. SCHIFF, Mr. SMITH of New Jersey, Mr. HYDE, Ms. HARRIS, Mr. DOYLE, Mr. HOLT, Mrs. JO ANN DAVIS of Virginia, Mr. JONES of North Carolina, Ms. BALDWIN, Ms. HARMAN, Mr. BACA, Mr. NUNES, Mr. COSTA, Mr. MACK, Mr. PAUL, Mrs. MCCARTHY, Mr. WOLF, Mr. NUSSLE, Ms. CORRINE BROWN of Florida, Mrs. BONO, Mr. CARDOZA, Mr. PETERSON of Minnesota, Mr. LANTOS, Mr. BACHUS, and Mr. MOORE of Kansas.
H.R. 1554: Mr. DOGGETT.
H.R. 1582: Mr. BISHOP of New York.
H.R. 1588: Mr. FRANK of Massachusetts, Mr. UDALL of Colorado, and Mr. ROTHMAN.
H.R. 1591: Mr. ABERCROMBIE, Ms. DELAURO, Ms. MOORE of Wisconsin, and Mr. BOEHLERT.
H.R. 1600: Mrs. CAPITO.
H.R. 1602: Mr. BACHUS.
H.R. 1608: Mr. CHOCOLA.
H.R. 1632: Mr. LANTOS, Mr. PALLONE, and Mr. HOLDEN.
H.R. 1634: Mr. GEORGE MILLER of California, Mr. DENT, and Mr. JOHNSON of Illinois.
H.R. 1642: Mr. CARDOZA.
H.R. 1649: Ms. JACKSON-LEE of Texas.
H.R. 1663: Mr. COSTA and Mr. UDALL of New Mexico.
H.R. 1671: Mr. PLATTS.
H.R. 1682: Mrs. JONES of Ohio.
H.R. 1689: Mr. PLATTS, Mr. MCCOTTER, Mr. PUTNAM, and Mr. GERLACH.
H.R. 1696: Mr. REYES and Mr. LEWIS of Georgia.
H.R. 1707: Ms. WOOLSEY.
H.R. 1709: Mr. DAVIS of Florida, Mr. UDALL of Colorado, Mr. DICKS, Mr. ABERCROMBIE, Mr. STARK, Mr. SABO, Ms. WATSON, Mr. AL GREEN of Texas, and Mr. GUTIERREZ.
H.R. 1736: Mr. HOLT, Mr. MCCAUL of Texas, and Ms. HARMAN.
H.R. 1745: Mr. BRADY of Pennsylvania and Mrs. JONES of Ohio.
H.R. 1748: Mr. BARRETT of South Carolina and Ms. JACKSON-LEE of Texas.
H.R. 1749: Mr. ROSS, Mr. COSTA, and Ms. JACKSON-LEE of Texas.
H.R. 1790: Mr. NEUGEBAUER.
H.R. 1791: Mr. DAVIS of Tennessee.
H.R. 1804: Mr. SHAW, Mrs. MUSGRAVE, Mrs. MYRICK, and Mr. NEY.
H.R. 1835: Mr. LARSEN of Washington, Mr. MCDERMOTT, Mrs. CAPPS, Mr. SCHIFF, Ms. WOOLSEY, and Mr. PAYNE.
H.R. 1849: Mr. FRANK of Massachusetts, Mr. LOBIONDO, Mr. MICHAUD, Mr. BOYD, Mr. PASCRELL, Mr. DELAHUNT, Mr. GRIJALVA, and Mr. ETHERIDGE.
H.R. 1851: Mr. COSTA.
H.R. 1862: Mr. SHAYS.
H.R. 1898: Mr. KING of Iowa and Mrs. BLACKBURN.
H.R. 1946: Ms. WOOLSEY and Mr. LANTOS.
H.R. 1956: Mr. BARRETT of South Carolina.
H.R. 1957: Mr. MARCHANT, Ms. HARRIS, and Ms. FOXX.
H.R. 1996: Ms. ROS-LEHTINEN.
H.R. 2045: Mr. WALSH.
H.R. 2048: Mr. MANZULLO, Mr. MEEKS of New York, Mr. BURGESS, Mr. GARY G. MILLER of California, Mr. SENSENBRENNER, Mr. PLATTS, and Mr. MOORE of Kansas.
H.R. 2061: Mr. HOEKSTRA, Mr. BISHOP of Utah, and Mr. TIBERI.
H.R. 2063: Mr. MILLER of Florida, Mr. FLAKE, Mr. MCCOTTER, Mr. PENCE, and Mr. BURTON of Indiana.
H.R. 2068: Mr. CHOCOLA, Mr. THOMPSON of Mississippi, Mr. TANNER, Mr. MARCHANT, and Mr. BEAUPREZ.
H.R. 2073: Mr. BISHOP of New York.
H.R. 2076: Mrs. DAVIS of California.
H.R. 2103: Mr. OWENS, Mr. NEAL of Massachusetts, and Mr. MCHENRY.
H.R. 2106: Mr. MARCHANT and Mr. HOSTETTLER.
H.R. 2121: Mr. ENGLISH of Pennsylvania.
H.R. 2122: Mr. GUTIERREZ.
H.R. 2131: Mr. ANDREWS, Ms. CARSON, Mr. FATTAH, and Ms. MOORE of Wisconsin.
H.R. 2177: Mr. MURPHY.
H.R. 2196: Mr. SERRANO.
H.R. 2202: Mr. FLAKE, Mr. GARRETT of New Jersey, and Mr. CARTER.
H.R. 2217: Mrs. MCCARTHY.
H.R. 2230: Mr. FRANK of Massachusetts.
H.R. 2231: Mr. LANTOS, Mr. FORD, Mr. KIRK, Mr. DELAHUNT, Mrs. MALONEY, Mr. PETERSON of Minnesota, Mr. SCHIFF, and Mr. SHERMAN.
H.R. 2238: Mr. LINCOLN DIAZ-BALART of Florida, Mr. CLEAVER, Mr. FILNER, Mr. WELDON of Pennsylvania, Mr. FRANK of Massachusetts, Mr. DAVIS of Illinois, Mr. MCGOVERN, and Mr. MILLER of North Carolina.
H.R. 2251: Mr. GERLACH, Mr. DOOLITTLE, and Mr. BOSWELL.
H.R. 2259: Mr. LANTOS.

H.R. 2306: Mr. UDALL of Colorado.

H.R. 2317: Mr. UDALL of Colorado, Mr. ALLEN, Mr. BISHOP of New York, Mr. WALSH, and Mr. BACA.

H.R. 2327: Mr. HINOJOSA, Ms. WATSON, Mrs. CAPPS, Mr. MANZULLO, Mr. PAUL, Mrs. MALONEY, and Mr. INSLEE.

H.R. 2328: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2330: Mr. WALSH and Mr. CROWLEY.

H.R. 2335: Mr. CHANDLER, Mr. SCOTT of Virginia, Mr. LEWIS of Kentucky, Mr. BAIRD, Mr. COSTELLO, Mr. MORAN of Virginia, Mr. CRAMER, Mr. BOREN, and Mr. JEFFERSON.

H.R. 2349: Ms. WOOLSEY.

H.R. 2350: Ms. JACKSON-LEE of Texas.

H.R. 2354: Mr. DUNCAN.

H.R. 2356: Mr. WELDON of Florida, Mr. ALLEN, Mr. FITZPATRICK of Pennsylvania, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. CUNNINGHAM, and Mr. FILNER.

H.R. 2357: Ms. JACKSON-LEE of Texas and Mr. KUHL of New York.

H.R. 2359: Ms. WOOLSEY.

H.R. 2363: Mr. RUPPERSBERGER.

H.R. 2386: Mr. RAHALL, Mr. HERGER, Mr. SHIMKUS, Mr. JEFFERSON, and Mr. BACHUS.

H.R. 2387: Mr. GORDON, Mr. BISHOP of Georgia, Mr. KINGSTON, Mr. DUNCAN, Mr. BISHOP of Utah, Mr. PICKERING, Mr. RYUN of Kansas, and Mr. BACHUS.

H.R. 2389: Mr. HEFLEY, Mr. LINDER, Mr. SAXTON, Mr. CONAWAY, Mr. BARTON of Texas, Mr. GIBBONS, Mr. MCCRERY, Mr. TERRY, Mr. WELLER, Mr. SENSENBRENNER, Mr. CANNON, Mr. HOEKSTRA, Mrs. KELLY, Mr. KINGSTON, Mrs. MILLER of Michigan, Mr. MURPHY, Mr. OSBORNE, Mr. REGULA, Mr. SESSIONS, Mr. TURNER, Mr. WAMP, Mr. ALEXANDER, and Mr. MARCHANT.

H.R. 2412: Mr. GONZALEZ.

H.R. 2418: Mr. PICKERING, Mr. ENGEL, Mr. WYNN, Mrs. MCCARTHY, Mr. BROWN of Ohio, Mr. KIRK, Mr. WELLER, Mr. MCINTYRE, and Mr. RUSH.

H.R. 2420: Mr. BROWN of Ohio, Mr. NADLER, Mr. SANDERS, Mr. TOWNS, Mr. FRANK of Massachusetts, Mrs. MALONEY, and Ms. VELÁZQUEZ.

H.R. 2423: Mr. REICHERT.

H.R. 2427: Mr. RAHALL, Mrs. JONES of Ohio, and Mr. OBERSTAR.

H.R. 2458: Mr. BURGESS.

H.R. 2471: Ms. PRYCE of Ohio, Mr. BOREN, Mr. ROGERS of Michigan, and Mrs. JOHNSON of Connecticut.

H.R. 2472: Mr. MORAN of Virginia.

H.R. 2474: Ms. HARRIS.

H.R. 2498: Mr. MORAN of Kansas, Mr. PENCE, and Mr. SKELTON.

H.R. 2513: Mr. MARSHALL, Mr. CHABOT, and Mr. GOODE.

H.R. 2525: Mr. GORDON.

H.R. 2526: Mrs. MCCARTHY, Mr. WELLER, Mr. MENENDEZ, and Mr. DAVIS of Illinois.

H.R. 2533: Mr. BOEHLERT, Mr. LATHAM, Mr. KIND, and Mr. GENE GREEN of Texas.

H.R. 2553: Mrs. MCCARTHY.

H.R. 2561: Mr. KLINE.

H.R. 2574: Mr. BILIRAKIS and Mr. ABERCROMBIE.

H.R. 2592: Mr. RUSH and Ms. ROS-LEHTINEN.

H.R. 2600: Mr. OWENS and Mr. KUHL of New York.

H.R. 2631: Mr. SANDERS.

H.R. 2636: Ms. WOOLSEY and Mrs. MALONEY.

H.R. 2641: Mr. HIGGINS.

H.J. Res. 10: Mr. OSBORNE and Mr. HERGER.

H.J. Res. 22: Mr. MARSHALL and Mr. RUPPERSBERGER.

H. Con. Res. 108: Mr. THOMPSON of Mississippi.

H. Con. Res. 148: Ms. FOXX, Mr. MILLER of North Carolina, Mr. BUTTERFIELD, and Mr. PRICE of North Carolina.

H. Con. Res. 154: Mr. TANCREDO and Mrs. KELLY.

H. Con. Res. 160: Ms. ZOE LOFGREN of California and Ms. BORDALLO.

H. Con. Res. 162: Mr. KUHL of New York, Mr. MCHUGH, Mr. LEWIS of Georgia, and Mr. LIPINSKI.

H. Res. 166: Mr. ACKERMAN, Mr. BACA, Mr. BECERRA, Ms. BERKLEY, Mr. BROWN of Ohio, Mr. CAPUANO, Mr. CROWLEY, Ms. ESHOO, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HINCHEY, Mr. KENNEDY of Rhode Island, Mr. LANGEVIN, Mr. NADLER, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. REYES, Mr. ROTHMAN, Ms. LINDA T. SÁNCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SOLIS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Mr. LINCOLN DIAZ-BALART of Florida, Mr. WEINER, Mr. DAVIS of Illinois, Ms. NORTON, Mr. MCNULTY, and Ms. ROS-LEHTINEN.

H. Res. 175: Mr. SANDERS, Mr. ROTHMAN, and Mr. PAYNE.

H. Res. 199: Mr. PAYNE, Ms. SLAUGHTER, Mr. ENGEL, Ms. MCCOLLUM of Minnesota, Mrs. TAUSCHER, Mr. TIERNEY, and Mrs. MALONEY.

H. Res. 214: Mr. BARRETT of South Carolina and Mr. HERGER.

H. Res. 246: Mr. ABERCROMBIE.

H. Res. 259: Mr. RUSH, Mr. HONDA, Mr. WAXMAN, Mr. DREIER, Mr. INGLIS of South Carolina, Mr. GRIJALVA, Mr. KIRK, and Ms. SCHWARTZ of Pennsylvania.

H. Res. 274: Mr. GONZALEZ, Ms. ESHOO, Mr. GUTIERREZ, Mr. CARDOZA, Mr. COSTA, Mr. CUELLAR, Mr. HINOJOSA, Mr. MENENDEZ, Mr. ORTIZ, Mr. PASTOR, Mr. REYES, Mr. SALAZAR, Mr. SERRANO, and Ms. VELÁZQUEZ.

H. Res. 277: Mr. POE and Mr. MURPHY.

H. Res. 279: Mr. CARDIN and Mr. FILNER.

H. Res. 286: Mr. PAYNE, Mr. RANGEL, Ms. WOOLSEY, and Mr. DAVIS of Illinois.

H. Res. 292: Ms. MCCOLLUM of Minnesota, Mr. BROWN of Ohio, Ms. JACKSON-LEE of Texas, Mrs. DAVIS of California, Mr. WILSON of South Carolina, Mrs. MCCARTHY, Ms. SOLIS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ENGEL, Mrs. KELLY, and Mr. SANDERS.

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. 1449: Mr. BUTTERFIELD.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 2. May 24, 2005, by Mr. MARSHALL, on House Resolution 270, was signed by the following Members: Jim Marshall, Emanuel Cleaver, Artur Davis, G. K. Butterfield, Grace F. Napolitano, Carolyn McCarthy, Eddie Bernice Johnson, Dale E. Kildee, Diane E. Watson, Bill Pascrell, Jr., Tim Holden, Doris O. Matsui, Michael H. Michaud, Thomas H. Allen, Bob Filner, Timothy H. Bishop, Ron Kind, Ted Strickland, Patrick J. Kennedy, Wm. Lacy Clay, Stephanie Herseth, Dan Boren, Ed Case, Benjamin L. Cardin, Jim Costa, C. A. Dutch Ruppersberger, John Barrow, Bob Etheridge, Ben Chandler, John F. Tierney, Rush D. Holt, Rick Larsen, Russ Carnahan, Peter A. DeFazio, Joseph Crowley, John W. Olver, Martin T. Meehan, Major R. Owens, Susan A. Davis, Carolyn B. Maloney, Gene Green, Barney Frank, Henry A. Waxman, William J. Jefferson, Nick J. Rahall II, Sherrod Brown, Steve Israel, Ellen O. Tauscher, Earl Blumenauer, David Scott, Mike McIntyre, Daniel Lipinski, Tom Udall, Cynthia McKinney, Darlene Hooley, Brad Miller, Betty McCollum, Lois Capps, David E. Price, Hilda L. Solis, Earl Pomeroy, Henry Cuellar, Sheila Jackson-Lee, Robert Menendez, Lane Evans, Michael R. McNulty, Gregory W. Meeks, Donald M. Payne, Julia Carson, Gwen Moore, James P. Moran, John T. Salazar, Bennie G. Thompson, Gene Taylor, Bernard Sanders, Silvestre Reyes, James P. McGovern, Frank Pallone, Jr., John B. Larson, Jane Harman, Lucille Roybal-Allard, Marion Berry, Jim McDermott, Tammy Baldwin, David Wu, Harold E. Ford, Jr., Nancy Pelosi, Stephen F. Lynch, Joe Baca, Zoe Lofgren, Gary L. Ackerman, Al Green, Charles B. Rangel, Bart Stupak, Marcy Kaptur, Bobby L. Rush, Brad Sherman, Steny H. Hoyer, Bart Gordon, Alcee L. Hastings, Adam B. Schiff, Dennis J. Kucinich, Robert C. Scott, Chris Van Hollen, Linda T. Sánchez, Mike Thompson, Dennis A. Cardoza, Raul M. Grijalva, Mike Ross, Brian Higgins, Jim Davis, Rosa L. DeLauro, Charlie Melancon, Leonard L. Boswell, Jose E. Serrano, James R. Langevin, Elijah E. Cummings, Danny K. Davis, Janice D. Schakowsky, Dennis Moore, Louise McIntosh Slaughter, Lloyd Doggett, Robert A. Brady, Maxine Waters, Jim Cooper, William Delahunt, Sanford Bishop, Albert Russel Wynn, Debbie Wasserman Schultz, Pete Fortney Stark, Steven R. Rothman, Barbara Lee, Michael F. Doyle, Sam Farr, Shelley Berkley, Michael Honda, Diana DeGette, Stephanie Tubbs Jones, Robert E. Andrews, Jim Matheson, John Lewis, Tom Lantos, Kendrick B. Meek, George Miller, John Conyers, Jr., Carolyn C. Kilpatrick, Corrine Brown, David R. Obey, Jerrold Nadler, Jay Inslee, Rahm Emanuel, Collin C. Peterson, Allyson Y. Schwartz, Vic Snyder, Michael E. Capuano, Mark Udall, Tim Ryan, Sander M. Levin, Nydia M. Velázquez, Xavier Becerra, Maurice D. Hinchey, and Allen Boyd.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1 by Ms. HOOLEY on House Resolution 267: Martin Olav Sabo, John Lewis, Jerry F. Costello, Jesse L. Jackson, Jr., Robert E. Andrews, Maxine Waters, Luis V. Gutierrez, Stephanie Tubbs Jones, Cynthia McKinney, Brad Miller, Norman D. Dicks, Ike Skelton, Frank Pallone, Jr., John B. Larson, Jane Harman, Marion Berry, Harold E. Ford, Jr., Bobby L. Rush, Gene Taylor, Alan B. Mollohan, Richard E. Neal, and John M. Spratt, Jr.

The following Member's name was withdrawn from the following discharge petition:

Petition 1 by Ms. HOOLEY on House Resolution 267: Wm. Lacy Clay.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, THURSDAY, MAY 26, 2005 No. 72

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rabbi Gary Zola, Jacob Rader Marcus Center, Cincinnati, OH.

PRAYER

The guest Chaplain offered the following prayer:

Eternal One, Rock of all ages, help us to hear the voices of our forebears that still linger in the silent places of this historic Chamber of debate and decision. Let us draw devotional inspiration this morning from the life of Rabbi Isaac Mayer Wise, founder of the Hebrew Union College, who led this Senate in prayer 135 years ago to this very week. May one brief moment from the life of this famed American clergyman renew in us a commitment to the core of righteous living.

For we have been taught that once, when this rabbi took ill amidst a class and was compelled to descend from his teaching platform, a young, eager student jumped up, grabbed his arm, and said: ''May I help you down, Doctor?''

In response to this question, the rabbi uttered words that remind us anew of what is good and what God does require of us all: ''Never help a person down,'' the rabbi told his student. ''Try always to help people up.''

In this year, marking 350 years of Jewish life in America, we offer up our prayerful and reverential gratitude to the source of life for implanting within our hearts the vision of our noble Republic, ever striving to help people up.

O may all who labor in this House—and in every house—be inspired anew by the prophet Micah's exhortation, a charge that the father of this Nation deeply cherished and repeatedly cited: Do justly, love mercy, and walk humbly with thy God.

Fervently we pray that the vision we hallow will animate all of us to live ''with malice toward none, with charity for all . . . [so we can finish] the work we are in.''

Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU 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, May 26, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. FRIST. Mr. President, today, following the leader time, we will resume debate on the nomination of John Bolton to be ambassador to the Security Council of the United Nations. The debate will be divided until the cloture vote which is scheduled for 6 o'clock tonight. If we are able to invoke cloture at 6, then we would immediately vote up or down on the nomination of John Bolton. We will also receive from the House a short-term extension of the highway bill. We will need to pass that measure before we finish our work for the week as well. We hope to finish our business this evening, and if so, we would not be in session on Friday. That implies a full day today, a lot of discussion and cooperation among our colleagues to accomplish that. We will be making further announcements regarding our schedule when we return at the close of business today.

Finally, I ask unanimous consent that at 5:30, Senator STEVENS be recognized for up to 10 minutes, to be followed by the Democratic leader for 10 minutes, to be followed by the majority leader for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

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

ORDER OF BUSINESS

Mr. REID. Mr. President, so we have an orderly process on our side, I would ask unanimous consent that of the time that has been allotted this side, Senator BOXER be given 45 minutes; Senator DODD, 60 minutes; Senator SARBANES, 15 minutes; Senator VOINOVICH, 30 minutes; Senator KERRY, 30 minutes; Senator FEINGOLD, 20 minutes; Senator NELSON of Florida, 10 minutes; Senator OBAMA, 15 minutes; Senator REID, 15 minutes; and Senator BIDEN to control the remaining time for 15 minutes. I am quite certain that the staff has worked it out so our time

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

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is equal to what Senator LUGAR controls on his side. If there is any difference in the numbers, he and Senator DODD can adjust it accordingly.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

NOMINATION OF JOHN ROBERT BOLTON TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume executive session for the consideration of Calendar No. 103, which the clerk will report.

The legislative clerk read the nomination of John Robert Bolton, of Maryland, to be the Representative of the United States of America to the United Nations.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 6 p.m. will be equally divided between the chairman and ranking member of the Foreign Relations Committee, of which 1 hour will be reserved under the control of the Senator from Ohio, Mr. VOINOVICH, and with the exceptions just noted by consent.

The Senator from Indiana.

Mr. LUGAR. Mr. President, I will yield shortly to distinguished colleagues who have sought an opportunity to speak for the first time on the nomination of John Bolton. I had the privilege of addressing the Senate yesterday for over 50 minutes in which I attempted to outline all of the best reasons for John Bolton's confirmation, which I hope will occur today. I believe he will be an outstanding representative of our country, a very able diplomat to the United Nations.

During the course of my comments—now reflected, because they were delivered yesterday, in the CONGRESSIONAL RECORD today—we attempted to go through each of the case histories of interviews completed by the Senate Foreign Relations Committee in response to the questions or allegations made about the nominee. Affirmatively, I have tried to point out the tens of very able Americans who have endorsed John Bolton, including a large number of former Secretaries of State, Defense, National Security Directors, and, most importantly, people who have worked with him at the United Nations, at USAID.

I ask Members to reference the specifics of my speech yesterday, if there are questions with regard to the work done by the able staff on both sides of the Senate Foreign Relations Committee, to make certain that each of the arguments that has been presented has been met and fairly argued.

During the entirety of the debate yesterday, the arguments that were made were not new ones. They may be important ones, and perhaps they will be reargued today. But I ask Members to think constructively now about the President of the United States, his desire for reform of the United Nations, and his desire to have John Bolton there at the United Nations to work in that capacity for reform of an institution that the United States wishes to see much stronger, more able, and certainly a valuable part of American diplomacy and national security policy.

I yield the floor.

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

Mrs. BOXER. Mr. President, I listen to my distinguished chairman, and I wonder who he is actually talking about when he says there is so much support for John Bolton. There has been an unprecedented outcry of Republicans and Democrats against this nomination.

I ask unanimous consent to print in the RECORD the votes on U.S. ambassadors at the United Nations since 1945.

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

VOTES ON U.S. AMBASSADORS TO THE UN

Edward R. Stettinius, Jr. (1945–1946): Voice Vote

Warren R. Austin (1947–1953): Unanimous Consent

Henry Cabot Lodge, Jr. (1953–1960): Unanimous Consent

James J. Wadsworth (1960–1961): Unanimous Consent

Adlai E. Stevenson (1961–1965): Unanimous Consent

Arthur J. Goldberg (1965–1968): Unanimous Consent

George W. Ball (1968–1968): Unanimous Consent

James Russell Wiggins (1968–1969): Unanimous Consent

Charles W. Yost (1969–1971): Unanimous Consent

George Bush (1971–1973): Unanimous Consent

John A. Scali (1973–1975): Unanimous Consent

Daniel P. Moynihan (1975–1976): Unanimous Consent

William W. Scranton (1976–1977): Unanimous Consent

Andrew J. Young (1977–1979) 89–3 :

Donald F. McHenry (1979–1981) 83–0 :

Jeane J. Kirkpatrick (1981–1985) 81–0 :

Vernon A. Walters (1985–1989): Voice Vote

Thomas R. Pickering (1989–1992) 99–0 :

Edward Joseph Perkins (1992–1993): Unanimous Consent

Madeleine K. Albright (1993–1997): Unanimous Consent

Bill Richardson 100–0 (1997–1998):

Richard Holbrooke (1999–2001) 81–16 :

John D. Negroponte (2001–2004): Voice Vote

John C. Danforth (2004–2005): Voice Vote

Mrs. BOXER. What this will show for the record is that starting in 1945, we have had voice votes and unanimous consent votes on almost all of these nominees. There were few exceptions. Andrew Young got the post 89 to 2; Donald McHenry, 83 to nothing—so they had votes—Jeane Kirkpatrick, 81 to nothing. The largest ''no'' vote was Richard Holbrooke, who had 16 against him. Bill Richardson was 100 to nothing; John Negroponte, voice vote; Danforth, voice vote.

I am putting this in the RECORD because when you listen to my friends who are supporting John Bolton, you would think that this is just a run-of-the-mill type appointment, that it is usual to have this kind of firestorm. Nothing could be further from the truth. This nomination is a diversion from the consensus candidates that we have had in the past. Since my chairman talked about all the support John Bolton has, I ask unanimous consent to print in the RECORD in a letter dated May 9, 2005.

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

Updated May 9, 2005.

Hon. RICHARD G. LUGAR,
Senate Foreign Relations Committee, Dirksen Senate Office Building, Washington, DC.

Hon. JOSEPH R. BIDEN,
Ranking Member, Senate Foreign Relations Committee, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR LUGAR AND SENATOR BIDEN: We have noted with appreciation the moves of President Bush at the beginning of his second term to improve U.S. relations with the countries of the European Union and of the United Nations. Maintaining these ties and the willingness of those countries to cooperate with the United States is essential to U.S. security.

It is for this reason that we write you to express our concern over the nomination of John R. Bolton to be permanent representative of the United States at the United Nations. We urge you to reject that nomination.

By virtue of service in the State Department, USAID and Justice Departments, John Bolton has the professional background needed for this position. But his past activities and statements indicate conclusively that he is the wrong man for this position at a time when the U.N. is entering a critically important phase of modernization, seeking to promote economic development and democratic reforms and searching for ways to cope better with proliferation crises and a spurt of natural disasters and internal conflicts.

John Bolton has an exceptional record of opposition to efforts to enhance U.S. security through arms control. He led a campaign against ratification of the Comprehensive Nuclear Test Ban Treaty. Today, the administration is pressing for development of new types of nuclear weapons. John Bolton blocked more extensive international agreement to limit sales of small arms, the main killer in internal wars. He led the fight to continue U.S. refusal to participate in the Ottawa Landmine Treaty. Today, the U.S. has joined Russia and China in insisting on the right to continue to deploy antipersonnel landmines. John Bolton crafted the U.S. withdrawal from the joint efforts of 40 countries to formulate a verification system for the Biological Weapons Convention and blocked continuation of these efforts in a period of increasing concern over potential terrorist use of these weapons and of terrorist access to the stocks of countries covertly producing these weapons. John Bolton's unsubstantiated claims that Cuba and Syria

are working on biological weapons further discredited the effect of U.S. warnings and U.S. intelligence on weapons of mass destruction.

John Bolton led the successful campaign for U.S. withdrawal from the treaty limiting missile defenses (ABM Treaty). The effects of this action included elimination of the sole treaty barrier to the weaponization of space. In the face of decades of votes in the U.N. General Assembly calling for negotiation of a treaty to block deployment of weapons in space, he has blocked negotiation in the Geneva Conference on Disarmament of a treaty on this subject. The administration has repeatedly proposed programs calling for weapon deployment in space.

As chief negotiator of the 2002 Moscow Treaty on withdrawing U.S. and Russian nuclear weapons from field deployment, John Bolton structured a treaty without its own verification regime, without required progress reports from both sides, without the requirement to destroy warheads withdrawn from deployment, and without provision for negotiating continued reductions. Under his guidance, the State Department repudiated important consensus agreements reached in the year 2000 Review Conference of the Nonproliferation Treaty and has even blocked the formulation of an agenda for the next review conference to be held in May 2005.

Under John Bolton as Under Secretary for Arms Control and International Security, the State Department has continued to fail to resolve the impasse with Russia about the legal liability of U.S. personnel working with Russia on the security of the huge arsenal of nuclear, chemical and biological weapons of the former Soviet Union and has failed to accelerate measures aimed at the safety and security of this huge arsenal from theft, illegal sale and terrorist access.

John Bolton's insistence that the U.N. is valuable only when it directly serves the United States, and that the most effective Security Council would be one where the U.S. is the only permanent member, will not help him to negotiate with representatives of the remaining 96 percent of humanity at a time when the U.N. is actively considering enlargement of the Security Council and steps to deal more effectively with failed states and to enhance the U.N.'s peacekeeping capability.

John Bolton's work as a paid researcher for Taiwan, his idea that the U.S. should treat Taiwan as a sovereign state, and that it is fantasy to believe that China might respond with armed force to the secession of Taiwan do not attest to the balanced judgment of a possible U.S. permanent representative on the Security Council. China is emerging as a major world power and the Taiwan issue is becoming more acute.

At a time when the U.N. is struggling to get an adequate grip on the genocidal killing in Darfur, Sudan, Mr. Bolton's skepticism about U.N. peacekeeping, about paying the U.N. dues that fund peacekeeping, and his leadership of the opposition to the International Criminal Court, originally proposed by the U.S. itself in order to prosecute human rights offenders, will all make it difficult for the U.S. to play an effective leadership role at a time when the U.N. itself and many member states are moving to improve U.N. capacity to deal with international problems.

Given these past actions and statements, John R. Bolton cannot be an effective promoter of the U.S. national interest at the U.N. We urge you to oppose his nomination.

Sincerely,

The Hon. Terrell E. Arnold, Former Deputy Director, Office of Counterterrorism, U.S. Department of State (Reagan), Former U.S. Consul General, Sao Paulo, Brazil (Carter).

Ambassador (ret.) Harry G. Barnes, Jr., Former U.S. ambassador to Romania, Chile, and India (Nixon, Ford, Reagan).

Ambassador (ret.) Robert L. Barry, Former U.S. ambassador to Bulgaria and Indonesia (Reagan, Clinton), Former Deputy Assistant Secretary of State for International Organization Affairs (Carter), Former Deputy Assistant Secretary of State for European Affairs (Carter).

Ambassador Josiah H. Beeman, Former U.S. ambassador to New Zealand and Western Samoa (Clinton).

Ambassador (ret.) Maurice M. Bernbaum, Former U.S. ambassador to Ecuador and Venezuela (Eisenhower, Johnson).

Ambassador (ret.) Jack R. Binns, Former U.S. ambassador to Honduras (Carter, Reagan).

Ambassador (ret.) Richard J. Bloomfield, Former U.S. ambassador to Ecuador and Portugal (Ford, Carter, Reagan).

Ambassador (ret.) Peter Bridges, Former U.S. ambassador to Somalia (Reagan).

Ambassador George Bruno, Former U.S. ambassador to Belize (Clinton).

Ambassador (ret.) Edward Brynn, Former U.S. ambassador to Burkina Faso and Ghana (G.H.W. Bush, Clinton), Former Principal Deputy Assistant Secretary of State, Bureau of African Affairs (Clinton).

Ambassador George Bunn, Former member of U.S. delegation to the Non-Proliferation Treaty (NPT) negotiations (Johhson), Former U.S. ambassador to the Geneva Disarmament Conference (UN) (Johnson).

Ambassador (ret.) A. Peter Burleigh, Former Deputy Assistant Secretary of State for the Near East and South Asia (Reagan), Former Deputy Assistant Secretary of State for Intelligence and Research (G.H.W. Bush), Former Ambassador and Coordinator for Counter-Terrorism, Department of State (G.H.W. Bush), Former Ambassador to Sri Lanka and the Maldives (Clinton), Former Deputy Assistant Secretary of State for Personnel (Clinton), Former U.S. Deputy Permanent Representative to the UN and Acting Permanent Representative to the UN (Clinton).

Ambassador (ret.) Patricia M. Byrne, Former Deputy U.S. Permanent Representative to the UN Security Council (Reagan), Former U.S. ambassador to Mali and Burma (Carter, Reagan).

Ambassador (ret.) James Cheek, Former U.S. ambassador to Sudan and Argentina (G.H.W. Bush, Clinton).

Ambassador (ret.) Paul M. Cleveland, Former U.S. ambassador to New Zealand and Western Samoa and Malaysia (Reagan, G.H.W. Bush), Former U.S. representative to the Korean Energy Development Organization (Clinton).

Ambassador (ret.) Carleton S. Coon, Former U.S. ambassador to Nepal (Reagan).

Ambassador (ret.) Jane Coon, Former U.S. ambassador to Bangladesh (Reagan).

Ambassador (ret.) James F. Creagan, Former U.S. ambassador to Honduras (Clinton), Former U.S. Consul General, Sao Paulo, Brazil (G.H.W. Bush).

Ambassador (ret.) T. Frank Crigler, Former U.S. ambassador to Rwanda and Somalia (Ford, Reagan).

Ambassador (ret.) John H. Crimmins, Former U.S. ambassador to the Dominican Republic and Brazil (Johnson, Nixon, Ford).

Ambassador (ret.) Richard T. Davies (signed before he passed away on March 30, 2005), Former U.S. ambassador to Poland (Nixon, Ford, Carter).

Ambassador (ret.) John Gunther Dean, Former Deputy for CORDS, Military Region 1, Vietnam (Nixon), Former U.S. ambassador to Cambodia, Denmark, Lebanon, Thailand, India (Nixon, Ford, Carter, Reagan).

Ambassador (ret.) Jonathan Dean, Former U.S. representative to the Mutual and Balanced Force Reduction Talks, Vienna (Carter).

Ambassador (ret.) Willard A. DePree, Former U.S. ambassador to Mozambique and Bangladesh (Ford, Reagan, G.H.W. Bush).

Ambassador (ret.) Robert S. Dillon, Former U.S. ambassador to Lebanon (Reagan), Former Deputy Commissioner General of the UN Relief and Works Agency for Palestine Refugees (UNRWA) (Reagan).

Ambassador (ret.) Donald B. Easum, Former U.S. ambassador to Nigeria and Upper Volta (Burkina Faso) (Nixon, Ford, Carter), Former Assistant Secretary of State for African Affairs (Nixon, Ford).

Ambassador (ret.) William B. Edmondson, Former U.S. ambassador to South Africa (Carter).

Ambassador (ret.) Nancy H. Ely-Raphel, Former U.S. ambassador to Slovenia (Clinton).

Ambassador (ret.) James Bruce Engle, Former U.S. ambassador to Dahomey (Nixon, Ford).

Ambassador (ret.) Richard K. Fox, Former U.S. ambassador to Trinidad and Tobago (Carter).

Ambassador (ret.) Lincoln Gordon, Former U.S. ambassador to Brazil (Kennedy, Johnson), Former Assistant Secretary of State for Inter-American Affairs (Johnson).

Ambassador (ret.) Robert Grey, Jr., Former U.S. representative to the Conference on Disarmament, Geneva (Clinton).

Ambassador (ret.) Holsey Gates Handyside, Former U.S. ambassador to Mauritania (Ford, Carter).

Ambassador (ret.) William C. Harrop, Former ambassador to Israel, Kenya, and Zaire (Reagan, G.H.W. Bush, Clinton), Former Inspector General, U.S. Department of State (Nixon).

Ambassador (ret.) Samuel F. Hart, Former U.S. ambassador to Ecuador (Reagan).

Ambassador (ret.) Arthur A. Hartman, Former U.S. ambassador to France and the Soviet Union (Carter, Reagan), Former Assistant Secretary of State for European Affairs (Nixon).

Ambassador Ulric Haynes, Jr., Former U.S. ambassador to Algeria (Carter).

Ambassador Gerald B. Helman, Former U.S. ambassador to the United Nations, Geneva (Carter).

Ambassador (ret.) Robert T. Hennemeyer, Former U.S. ambassador to Gambia (Reagan).

Ambassador (ret.) H. Kenneth Hill, Former U.S. ambassador to Bulgaria (G.H.W. Bush).

Ambassador (ret.) John L. Hirsch, Former U.S. ambassador to Sierra Leone (Clinton).

Ambassador (ret.) Lewis Hoffacker, Former U.S. ambassador to Cameroon and Equatorial Guinea (Nixon).

Ambassador (ret.) H. Allen Holmes, Former U.S. ambassador to Portugal (Reagan), Former Assistant Secretary of State for Political-Military Affairs (Reagan), Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (Clinton).

The Hon. Thomas L. Hughes, Former Director, Bureau of Intelligence and Research (INR), Department of State (Kennedy, Johnson).

Ambassador (ret.) Dennis Jett, Former U.S. ambassador to Mozambique and Peru (Clinton).

Ambassador James A. Joseph, Former U.S. ambassador to South Africa (Clinton).

Ambassador (ret.) Philip M. Kaiser, Former U.S. ambassador to Senegal, Mauritania, Hungary, Austria (Kennedy, Carter).

Ambassador (ret.) Robert V. Keeley, Former U.S. Ambassador to Mauritius, Zimbabwe, and Greece (Ford; Carter, Reagan), Former Deputy Assistant Secretary of State for African Affairs (Carter).

Spurgeon M. Keeny, Jr., Former Deputy Director, U.S. Arms Control and Disarmament Agency (ACDA) (Carter).

Ambassador (ret.) Andrew I. Killgore, Former U.S. ambassador to Qatar (Carter).

Ambassador Henry L. Kimelman, Former U.S. ambassador to Haiti (Carter).

Ambassador (ret.) Roger Kirk, Former U.S. ambassador to Somalia and Romania (Nixon, Ford, Reagan).

Ambassador (ret.) Dennis H. Kux, Former U.S. ambassador to Ivory Coast (Reagan).

Ambassador (ret.) James F. Leonard, Former Deputy U.S. Permanent Representative to the United Nations (Ford, Carter).

Ambassador (ret.) Samuel W. Lewis, Former Assistant Secretary of State for International Organization Affairs (Ford), Former Director of Policy Planning, State Department (Clinton), Former ambassador to Israel (Carter, Reagan).

Ambassador (ret.) Princeton N. Lyman, Former Assistant Secretary of State for International Organization Affairs (Clinton), Director, Bureau of Refugee Programs, U.S. Department of State (G.H.W. Bush), Former U.S. ambassador to South Africa and Nigeria (Reagan, G.H.W. Bush, Clinton).

Ambassador (ret.) David L. Mack, Former U.S. ambassador to the United Arab Emirates (Reagan, G.H.W. Bush).

Ambassador (ret.) Richard Cavins Matheron, Former U.S. ambassador to Swaziland (Carter, Reagan).

Ambassador (ret.) Charles E. Marthinsen, Former U.S. ambassador to Qatar (Carter, Reagan).

Jack Mendelsohn, Deputy Assistant Director of the Strategic Programs Bureau, Arms Control and Disarmament Agency (ACDA) (Reagan), Senior ACDA representative on U.S. START delegation (Reagan).

Ambassador Carol Moseley-Braun, Former U.S. ambassador to New Zealand and Samoa (Clinton).

Ambassador (ret.) Ambler H. Moss Jr., Former U.S. ambassador to Panama (Carter, Reagan), Former Member, U.S.-Panama Consultative Committee (Carter, Reagan, Clinton).

Ambassador (ret.) Leonardo Neher, Former U.S. ambassador to Burkina Faso (Reagan).

Ambassador (ret.) David D. Newsom, Former U.S. ambassador to Libya, Indonesia, the Philippines (Johnson, Nixon, Carter), Former Assistant Secretary of State for African Affairs (Nixon), Former Undersecretary of State for Political Affairs (Carter).

Ambassador (ret.) Donald R. Norland, Former U.S. ambassador to the Netherlands, Botswana, Lesotho and Swaziland, and Chad (Johnson, Ford, Carter).

Ambassador (ret.) David Passage, Former U.S. ambassador to Botswana (G.H.W. Bush).

Ambassador (ret.) Edward L. Peck, Former U.S. ambassador to Iraq and Mauritania (Carter, Reagan).

Ambassador (ret.) Jack R. Perry, Former U.S. ambassador to Bulgaria (Carter).

Ambassador (ret.) Christopher H. Phillips, Former Deputy U.S. Permanent Representative to the U.N. (Nixon), Former U.S. ambassador to Brunei (G.H.W. Bush).

Ambassador (ret.) Sol Polansky, Former U.S. ambassador to Bulgaria (Reagan, G.H.W. Bush).

Ambassador Stanley R. Resor, Former Secretary of the Army (Johnson, Nixon), Former U.S. representative to the Mutual and Balanced Force Reduction Talks, Vienna (Nixon, Ford, Carter).

Ambassador Nicholas A. Rey, Former U.S. ambassador to Poland (Clinton).

John B. Rhinelander, Deputy Legal Adviser, U.S. Department of State (Nixon), Legal adviser to the U.S. Strategic Arms Limitation Delegation (SALT I) (Nixon).

Ambassador (ret.) Stuart W. Rockwell, Former U.S. ambassador to Morocco (Nixon).

Ambassador James R. Sasser, Former U.S. ambassador to the People's Republic of China (Clinton).

Ambassador (ret.) Cynthia P. Schneider, Former U.S. ambassador to The Netherlands (Clinton).

Ambassador (ret.) Talcott W. Seelye, Former U.S. ambassador to Tunisia and Syria (Nixon, Ford, Carter).

The Hon. John Shattuck, Former Assistant Secretary of State for Democracy, Human Rights and Labor (Clinton), Former Chairman, Secretary of State's Advisory Committee on Religious Freedom Abroad (Clinton) Former U.S. ambassador to the Czech Republic (Clinton).

Ambassador (ret.) Thomas W. Simons, Jr., Former Deputy Assistant Secretary of State for European and Canadian Affairs (Reagan), Former U.S. ambassador to Pakistan and Poland (G.H.W. Bush, Clinton).

Ambassador Richard Sklar, Former U.S. ambassador to the United Nations for Management and Reform (Clinton).

Ambassador Robert Solwin Smith, Former U.S. ambassador to Ivory Coast (Nixon, Ford) Former Deputy and Acting Assistant Secretary of State for Africa (Nixon) Former Deputy Permanent Delegate to UNESCO (Truman, Eisenhower).

Ambassador (ret.) Carl Spielvogel, Former U.S. ambassador to the Slovak Republic (Clinton).

Ambassador (ret.) Monteagle Stearns, Former U.S. ambassador to Greece and Ivory Coast (Ford, Carter, Reagan), Former Vice President, National Defense University (Carter).

Ambassador (ret.) Andrew L. Steigman, Former Ambassador to Gabon, Sao Tome and Principe (Ford).

Ambassador (ret.) Michael Sterner Former, U.S. ambassador to the United Arab Emirates (Nixon, Ford), Former Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs (Carter).

Ambassador (ret.) John Todd Stewart Former, U.S. ambassador to Moldova (Clinton).

Ambassador (ret.) Richard W. Teare, Former U.S. ambassador to Papua New Guinea, Solomon Islands and Vanuatu (Clinton).

Ambassador (ret.) Harry E. T. Thayer, Former U.S. ambassador to Singapore (Carter, Reagan).

The Hon. Hans N. Tuch, Career Minister, U.S. Foreign Service, USIA.

Ambassador (ret.) Theresa A. Tull, Former, U.S. ambassador to Guyana and Brunei (Reagan, G.H.W. Bush, Clinton).

Ambassador William J. vanden Heuvel, Former Deputy U.S. Permanent Representative to the United Nations (Carter), Former U.S. representative to the United Nations, Geneva (Carter).

Ambassador (ret.) Christopher van Hollen, Former Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs (Nixon), Former U.S. ambassador to Sri Lanka (Nixon, Ford).

Ambassador (ret.) Richard N. Viets, Former U.S. ambassador to Tanzania and Jordan (Carter, Reagan).

Ambassador (ret.) Frederick Vreeland, Former U.S. ambassador to Morocco (G.H.W. Bush), Former Deputy Assistant Secretary of State for the Near East (G.H.W. Bush).

Ambassador (ret.) Lannon Walker, Former Principal Deputy Assistant Secretary of State for African Affairs (Carter, Reagan), Former U.S. ambassador to Senegal, Nigeria, and Ivory Coast (Reagan, G.H.W Bush, Clinton).

Ambassador (ret.) Alexander F. Watson, Former U.S. ambassador to Peru (Reagan) Former Deputy Permanent Representative to the United Nations (G.H.W. Bush), Former Assistant Secretary of State for Western Hemisphere Affairs (Clinton).

Ambassador (ret.) Melissa F. Wells, Former U.S. ambassador to Guinea Bissau and Cape Verde, Mozambique, Zaire, Estonia (Ford, Reagan, Carter, Clinton), Former U.S. representative to the United Nations Economic and Social Council (ECOSOC) (Carter).

Ambassador (ret.) Thomas G. Weston, Former Special Coordinator for Cyprus (Clinton, G.W. Bush), Former Deputy Assistant Secretary of State for European and Canadian Affairs (Clinton).

Ambassador (ret.) Robert E. White, Former U.S. ambassador to Paraguay and El Salvador (Carter), Former Deputy U.S. Permanent Representative to the Organization of American States (Ford).

Ambassador (ret.) James M. Wilson, Jr., Former Deputy Assistant Secretary of State, East Asia and Pacific Affairs (Nixon), Coordinator for Human Rights and Humanitarian Affairs, Department of State (Ford).

Ambassador (ret.) W. Howard Wriggins, Former U.S. ambassador to Sri Lanka (Carter).

Ambassador (ret.) Kenneth S. Yalowitz, Former U.S. ambassador to Belarus and Georgia (Clinton).

Mr. President, this is a letter going to the Honorable RICHARD LUGAR, the Honorable JOSEPH BIDEN, our chair and ranking member. It is an unprecedented letter:

> We write to express our concern over the nomination of John R. Bolton to be Permanent Representative of the U.S. at the United Nations, and we urge you to reject that nomination.

This is from 102 very distinguished Americans who have served their country under both Republican and Democratic Presidents. I am going to read off some of the names for the record: The Honorable Terrell Arnold, who worked under Ronald Reagan and Jimmy Carter; Ambassador, retired, Harry Barnes, who worked under Nixon, Ford, and Reagan; Ambassador Robert Barry, who served under Reagan, Clinton, and Carter; Ambassador Josiah Beeman, who served under Clinton; Ambassador Maurice Bernbaum, who served under Eisenhower and Johnson; Ambassador Jack Binns, who served Carter and Reagan; Ambassador Richard Bloomfield, who served under Ford, Carter, and Reagan; Ambassador Peter Bridges, who served under Reagan; Ambassador George Bruno, who served under Bill Clinton; Ambassador Edward Brynn, who served under George H.W. Bush and Bill Clinton.

I could go on and on, but I think placing this in the RECORD for my colleagues to see will undermine the comments that are made about how much support this particular nominee has. That is simply glossing over the record. That is what is happening in this debate—glossing over the record by my friends, who are saying: Oh, what is the problem? So he is a bully, so he tries to fire people, so we have all these letters—and it goes on. Their ultimate point is that he is just what we need at the United Nations.

I come out very differently. This is just what we don't need at the United Nations. We have a credibility problem in the world right now, and we need someone to walk in there, such as John Danforth walked in there, with credibility. I don't think we should be considering the nomination today. I made

that clear when I put a hold on the nomination. I lifted that hold because, clearly, colleagues believed they wanted to begin debate and, with due deference, I lifted the hold.

The fact is, we don't have the information we have requested from the State Department and from the administration. You may think, well, maybe there is so much information out there, what more could there be on John Bolton? Well, I answer it this way. I have colleagues on both sides of the aisle coming up to me and saying: Do you have any more? Do you have a smoking gun on John Bolton? What else is out there? We heard what is out there. Do you have a smoking gun? The answer I give them is we not only have found several smoking guns but several bodies who were there to tell what happened to them. We found the victims. They are out there. They were saved only because there were folks who served higher than John Bolton, who said to him: You are wrong, you are bullying people, you are twisting their words, you are exerting politics in what should be clearly an independent intelligence function. And because of that, John Bolton was saved from himself. But we have the smoking guns and the victims, which we will talk about. But our colleagues want more information.

Well, there are three big pieces of information out that we have not received. One is of deepest concern to our ranking member, JOE BIDEN, who has done an excellent job. Frankly, he and his staff and all of our staffs have done an extraordinary job. One piece of information deals with Mr. Bolton's interest in finding out intelligence matters that were revealed on some intercepts. We think it is very important because we don't know who was the target of Mr. Bolton's interest in the 10 times when he requested to see these intercepts.

It is a very important matter because, from what you can tell from the information we have so far, Mr. Bolton had a very clear agenda in his work at the State Department. What that agenda appears to be, from what we know, is hyping up the threat from various countries. We already know what a hyped-up threat can do. We have lost 1,600-plus of our beautiful soldiers in Iraq because of a hyped-up threat. There are more than 12,000 wounded. So when we are discussing John Bolton and his proclivity to try to exaggerate and twist intelligence information, this is not some theoretical dispute about whether he has an ideology, or whatever. That is not the question. The question is: Could his action have resulted in perhaps another conflict, or certainly more tension? The fact is, it could have—if he wasn't stopped by the higher ups. And now we hear that the higher ups are saying to Senators: Don't worry, we will control him at the U.N.

Mr. President, I don't want someone to have to be controlled at the United Nations. John Danforth didn't have to be controlled. Mr. Negroponte didn't have to be controlled. Jean Kirkpatrick didn't have to be controlled. Daniel Patrick Moynihan didn't have to be controlled. Bill Richardson didn't have to be controlled. They knew what the policy of the United States of America was. They respected independent intelligence analysts. They never tried to twist information to fit their preconceived notions of what the world should look like. That is why this information is important.

There are two other areas that we are interested in, also, dealing with a speech that Mr. Bolton prepared on Syria. Somehow we cannot get the draft of that speech. We think that is important. There is another area we have asked for, which is that one of Mr. Bolton's assistants who works with him has private clients, and we have asked to see the list of those private clients. We have not been able to get that either. So out of due respect for the United States Senate and for each of us as Senators, we are not an arm of the executive branch. We are a proud independent branch of Government. It gets you back to the whole issue of checks and balances.

We have every right to see this information. If John Bolton can see these intercepts, why can't JOE BIDEN see them, who is our ranking member on the Foreign Affairs Committee, and someone whom everybody respects around here as being very cautious and careful? And there is not one scintilla of evidence that JOE BIDEN ever did something to undermine any administration's foreign policy. He bends over backward the other way. So that is a reason we should not be having this vote right now. We need to have more time to work on the administration to get this information—these intercepts, the speech, and the conflict of interest of the gentleman who now works for Mr. Bolton, Matthew Friedman. Mr. Friedman's former clients, as best we can tell, included the Government of Nigeria and also Fernando Marcos. We don't know who else is there. We would like to put an end to the speculation that someone is working in a top position for Mr. Bolton who has outside clients, which could pose conflicts of interest.

There was a report in the Washington Post that got our attention on the front page some weeks ago, which said Condi Rice gave a message to the top staff not to cooperate with the Congress. Immediately I wrote to her. I got a letter back from her assistant. I wrote her a letter and she sent me back a letter from her assistant that said: We are cooperating. That report was false. We are going to turn over everything.

I ask Senators on both sides: Don't you have pride in what you do? Don't you feel good about what you do? Don't you believe that being a Senator deserves some respect? Don't you believe you deserve to have information? Well, if you do, you should not vote to proceed with this nomination at this time, just based on the fact that we have not gotten the information.

I think we are continuing to see the arrogance of power from this administration and a disregard for the checks and balances. We don't need a ruler in the White House; we need a government. We don't need someone who will rule us; we need someone who will govern with us. That is what this is about—a lack of respect for members of the committee.

Beyond that, as I said, we do have a lot of smoking guns on this nominee, and we do have the victims of his actions. I will spend some time talking about that. It will be repetitive because each colleague has seen the information. You heard the very emotional testimony of Senator VOINOVICH, who feels so strongly about this, and he has laid it out in his fashion. Senator BIDEN has laid it out, as have others. I will lay it out in my fashion.

Politicizing intelligence. What does that mean? It means that you have a political agenda, you try to use intelligence by cherry-picking it or twisting it to make your point. It is dangerous. It is exceedingly dangerous. There was a report in a British newspaper that had documentation from someone in the military in Britain who said, in fact, that is what happened in Iraq. We don't know that right now because we have not had that particular investigation. We only know that we made big mistakes on the intelligence front. But we didn't look at it saying: Did people in the office cherry-pick? Did they politicize intelligence? We don't know the answer. That is what the British documents say. We don't know that here. We were supposed to look at it, and I hope we will because history deserves an answer and so do the families of our soldiers who are dead.

Politicizing intelligence is dangerous for our country. And now we think about probably one of the first assignments our U.N. ambassador may well have, which is to convince the U.N. Security Council about the threats posed by other nations, such as Iran and North Korea. I don't see Mr. Bolton having credibility, given his record of politicizing intelligence to be able to convince other countries that there is a problem. Maybe Secretary Rice will have to come over there. Maybe the President will have to speak to the U.N. instead. Would it not be good to have someone at the U.N. who had credibility walking in, such as Senator Danforth had? Would that not be important? Mr. Bolton won't have the credibility because he has a record of trying to remove intelligence analysts who disagreed with him, and he also attempted to exaggerate intelligence to fit his views.

So this issue of using political pressure and the power of your position to twist the arms of independent intelligence analysts is, I believe, the most serious issue concerning John Bolton

because we know this could lead to unjustified war, and we should not promote someone who has a history of exaggerating threats, or at least trying to exaggerate threats that are not supported by intelligence.

When you hear me make this comment, you might say: Well, Senator BOXER, you are a strong Democrat. Who else supports this view that politicizing intelligence is what John Bolton did? How about the former Assistant Secretary of State for Intelligence and Research, Carl Ford, who testified that Bolton's berating of analyst Christian Westermann had a ''chilling effect''—his words—a chilling effect within that agency and that analysts in INR—that is the intelligence research arm of the State Department—were very negatively affected by the incident. So we have John Bolton trying to get rid of Christian Westermann, by everyone's account a very honorable, bright intelligence officer doing his work, and it negatively affected, according to Carl Ford—by the way, Carl Ford describes himself as a conservative Republican. What did he say? He said his hero is DICK CHENEY. Here we have a self-described conservative Republican, and his hero is DICK CHENEY. He says John Bolton had a chilling effect within the intelligence agency, and John Bolton negatively affected that whole operation there.

Mr. Ford said further the only reason, at the end of the day, that political pressure did not work on Mr. Westermann was because, thankfully, he said, the analyst was strong enough to say no to Bolton.

I want to say on the floor of the Senate to Mr. Westermann I have never met him, I do not know him, I do not know his politics—I want to say to him: Thank you for the courage that you displayed in the face of a bully in such a high-level position.

By the way, one of the things Senator DODD did, and I thought he did it brilliantly, was to point out that Bolton reached down, way down to Mr. Westermann. That was not someone he worked with, that was a peer. He reached down to this individual who had never, in his whole career, had a negative thing said about him, and tried to twist his arm to get the intelligence he wanted, and when he could not do it, tried to get him fired. That is just the first one. So we have the smoking gun with the testimony of Carl Ford, and then we have the victim, Mr. Westermann.

Mr. Bolton did not stop there. We refer to this gentleman as Mr. Smith because he is in the CIA. He is the national intelligence officer for Latin America. Bolton attempted to have him removed from his position because he disagreed with the views that Bolton expressed about Cuba in a speech saying that the views Mr. Bolton wanted to express in his speech did not reflect the intelligence community's assessment. This incident shows how far Mr. Bolton would go to pressure the intelligence community.

Mr. Bolton worked in the State Department. He reached way down to get Mr. Westermann fired. But then he goes to a completely different agency, over which he does not even have any influence—or should not have—and he tried to ruin the career of an analyst he had never even met.

It is one thing to challenge intelligence analysts to say: You know, my information is thus and so, and you don't seem to reflect it in your thinking. Let's talk about it. That is fine. We do that all the time in debate. I know when I am preparing for a talk such as this on the floor of the Senate, I will have my staff come in and say: I don't see it that way. Why do you see it that way? And you try to figure out what is the right thing to say, the right thing to do, and the thing on which you will not be challenged. But Mr. Bolton threatens retribution when the intelligence does not conform to his views. That is a disaster to promote someone such as that.

Robert Hutchings, former chairman of the National Intelligence Council, describes the risk of politicizing intelligence this way:

> I think every judgment ought to be challenged and questioned. But . . . when it goes beyond that to a search for a pretty clearly defined preformed set of judgments, then it turns into politicization. And . . . even when it is successfully resisted . . . it creates a climate of intimidation and a culture of conformity that is damaging . . .

What does he mean by that? This is a man who is an expert in intelligence. Conformity is dangerous because it means there is no discussion, no debate about what the truth is, where we are going. We need to have diverse voices. But at the end of the day, people have to understand that when they are speaking for the United States of America, they must speak the truth, as we know it at the time, based on the information we know.

First, we have politicizing intelligence, which is a disaster. Then we have a pattern of retribution against lower level employees, which I believe leads to paralysis in the workplace. When you have a circumstance where Colin Powell had to come over to talk to these intelligence analysts and tell them, Don't worry, we are with you, keep doing your job, do not be intimidated, that is an extraordinary circumstance, and that is what happened in the case of Mr. Bolton. He had so harmed the morale of the intelligence agents, as Mr. Ford, a conservative Republican testified, that Colin Powell had to take time out to go over and speak to these analysts.

This is not a question of partisan politics. This nominee has as many Republicans opposed to him as he does Democrats, and maybe even more.

So we have the politicizing of intelligence which is very dangerous for our people, and we have retribution against lower level employees. When Mr. Bolton was asked about this, he brushed it off: Oh, I didn't really, didn't matter—I am paraphrasing—I shrugged it off, just got it off my chest. Yet he sought to remove Christian Westermann for disagreeing with him over intelligence in Cuba. Not once and shrug it off, not twice and shrug it off, but the record shows three times over a 5-month period he went after Mr. Westermann.

This is confirmed by Carl Ford, the former Assistant Secretary for the INR—that is the State Department intelligence division—Thomas Fingar, former Deputy Assistant Secretary for INR; and Fred Fleitz, Chief of Staff to John Bolton; Neil Silver, an INR office manager; and Larry Wilkerson, former Chief of Staff to Colin Powell.

Bolton said to the committee: No, it was nothing, it was no biggie, I got it off my chest, I shrugged it off, I did not do anything. Carl Ford, Thomas Fingar, Fred Fleitz, Neil Silver, and Larry Wilkerson—most of those people from the Bush administration—said: No, he tried to remove Mr. Westermann three times over a 5-month period. And Mr. Bolton sought to remove Mr. Smith over at the CIA, over whom Mr. Bolton had no authority whatsoever. We know that Bolton and his staff discussed the removal of this person over several months, and Bolton personally went out to CIA headquarters to seek Mr. Smith's removal.

Let me say that again. We have retribution against independent intelligence analysts, three times in 5 months against Westermann, and Mr. Bolton went all the way out to the CIA to get rid of Mr. Smith. Who confirms this? John McLaughlin, Deputy Director of the CIA, Stu Cohen, former acting chairman of the National Intelligence Council, and Alan Foley, Director of the CIA Weapons Intelligence Nonproliferation and Arms Control.

We have not only the smoking gun, but the two victims. Now we have another person. Bolton also wrongly accused Rexon Ryu—a highly regarded midlevel State Department officer—of withholding a document from him. Eight months after the incident, Bolton denied Ryu a significant new assignment working on the G8 summit. This is confirmed by John Wolf, former Assistant Secretary of State for Nonproliferation.

Of all the people you want to promote, it would not be somebody who people in his own party say tried to politicize intelligence, tried to dish out retribution on independent intelligence analysts and because someone did not give him a piece of paper, he denied him a very important new assignment.

Then, in 1994, we have a bizarre report of Bolton allegedly chasing a woman through a hotel lobby in Moscow, pounding on her door, falsely telling her colleagues she was under criminal investigation. How do we know that? There is a contemporaneous account provided by a colleague of this woman who said, yes, she called him during that whole time and told him everything that happened.

In addition to these examples, we have learned that Mr. Bolton tried to have a State Department lawyer removed from a case involving sanctions and tried to have two unnamed State Department officers removed over policy differences.

So there is a clear pattern of politicizing intelligence, which is dangerous for this country, and seeking retribution against lower level employees. You know what I find very significant is that the reason John Bolton failed in every one of his efforts, no matter how hard he tried—and we have the records, he tried—is because another official stepped in to stop John Bolton from his abusive behavior. One time it was Assistant Secretary Ford who prevented the retribution from taking place, again, a conservative Republican. In another instance, the Deputy Director of the CIA John McLaughlin, under this President George Bush, had to step in when an analyst's job was threatened. Even Secretary Armitage, who was the Assistant Secretary to Colin Powell, was forced to intervene to prevent Bolton from removing a State Department lawyer from a particular case.

Who is going to prevent Mr. Bolton from handing out this type of retribution when he is in New York managing 150 Americans? Secretary Rice has told Senator VOINOVICH that Mr. Bolton would be closely supervised as U.N. Ambassador. How embarrassing is that? How embarrassing is that, a U.N. Ambassador who has to be closely supervised by the Secretary of State. She is going to make sure he does not step out of line. She has other things to do.

I want to quote Senator VOINOVICH in the Foreign Relations Committee when he said:

> Why in the world would you want to send someone to the U.N. that has to be supervised?

We have a circumstance here, and I want to say to Senator VOINOVICH what courage he has to step out on this and what credibility he has. I have watched Senator VOINOVICH, and I never remember him speaking out against a Presidential appointee ever. This is a momentous and difficult thing to do for Senator VOINOVICH. But this leads me to my third reason to oppose the Bolton nomination—not only politicizing intelligence, not only seeking retribution, but unprecedented opposition from both parties. I put into the RECORD already a list of 102 former ambassadors who oppose this nominee, most of whom worked in the Reagan administration, some in the Ford administration, the Carter administration, the George H.W. Bush administration. But let's hear what some of the Republicans have said about Mr. Bolton. Here are the comments of Carl Ford, self-described conservative Republican, former Assistant Secretary of State for their Intelligence Division within State:

> He is a quintessential kiss up, kick down sort of guy. There are a lot of them around . . . But the fact is he stands out, that he's got a bigger kick and it gets bigger and stronger the further down the bureaucracy he is kicking.

And here is a quote from Lawrence Wilkerson, the former Chief of Staff to Secretary of State Colin Powell, who, as we all know, was the Secretary of State in George Bush's first term. This is really unprecedented, to get these kinds of quotes from people who served under Republican administrations about the Republican nomination.

> My objections to . . . him being our Ambassador at the U.N. stems from two basic things. One, I think he is a lousy leader. And there are 100 to 150 people up there that have to be led . . . Second, I differ from a lot of people in Washington both friend and foe of Under Secretary Bolton as to his quote 'brilliance' unquote. I didn't see it. I saw a man who counted beans . . . and had no willingness—and, in many cases no capacity—to understand the other things that were happening around those beans. And that's a recipe for problems at the United Nations.

This is Elizabeth Jones, former Assistant Secretary for European and Eurasian Foreign Affairs:

> I don't know if he's incapable of negotiation but he's unwilling.

And here we want someone at the U.N. to reform the U.N., to straighten out the U.N., to change it for the better, and you are sending someone who is shown, as she says, as being unwilling to negotiate and maybe even incapable of it.

John Wolf, former Assistant Secretary of State for Nonproliferation, October 2001 to July 2004—so this is very recent—says:

> I believe it would be fair to say that some of the officers within my bureau complained that they felt undue pressure to conform to the views of Under Secretary Bolton versus the views they thought they could support.

John McLaughlin, former Deputy Director of the CIA for a while. He was Acting Director before they put Mr. Goss in place.

> It is perfectly all right for a policy maker to express disagreement with an NIO or an analyst, and it's perfectly all right for them to challenge such an individual vigorously, challenge their work vigorously. But I think it's different to then request because of the disagreement that the person be transferred . . . Therefore [I] had a strong negative reaction to the suggestion about moving him.

And he was talking about Mr. Smith, the intelligence analyst who Mr. Bolton tried to get removed from his portfolio. I have told you about the letters the committee has received. The committee never asked for these letters. A letter with more than 100 former diplomats who oppose the nomination. In the letter that I put in—I didn't read the letter to you. I will just read it now in part. This letter is signed by people who served the Nixon, Ford, Reagan, and George H.W. Bush administrations.

> [John Bolton's] past activities and statements indicate conclusively that he is the wrong man for this position at a time when the U.N. is entering a critically important phase of modernization, seeking to promote economic development and democratic reforms and searching for ways to cope better with proliferation crises and spurt of natural disasters and internal conflicts.

I talked about how unprecedented this opposition is to such a post. Since 1945, the Senate has confirmed 24 nominees to serve as U.N. ambassador. Of these 24, only 2 received any opposition and nothing of the level of opposition we see to John Bolton. The people who received some opposing views were Andrew Young and Richard Holbrooke. That was about pretty much it on the list as I saw it.

Let me see if there is anybody else.

That is it. All the rest, unanimous consent or everybody voted for them.

Unprecedented, polarizing, divisive, and partisan appointment.

Now, there is a fourth reason I oppose this nomination, and I hope my colleagues will consider this. John Bolton holds views on the U.N. and international law that shatter his credibility in the world. You want to send someone over there who doesn't have to be babysat by Condoleezza Rice. You don't want to send someone over there who doesn't tell the truth. You want to send someone over there you do trust and who comes to the job with credibility.

I ask you this, my colleagues: Mr. Bolton in a speech—and I have seen the actual film—said:

> There is no United Nations.

''There is no United Nations.'' We are going to send someone to the United Nations who says there is no United Nations. He also said:

> If the U.N. Secretariate building in New York lost 10 floors, it wouldn't make a bit of difference

Now, what kind of credibility does he have walking onto the floor of the—even if he is babysat by Condi Rice, who says she is going to watch over him—what kind of credibility does this man have? He has this record of politicizing intelligence. He has this record of retribution. He has the most unprecedented opposition of anyone.

I see the Senator from Connecticut has come, and I thank him, Senator DODD, for working so hard on this. It is not easy. Senator DODD rarely steps out like this on a Presidential appointment. It is extraordinary. And when we look at the votes of all the U.N. ambassadors since 1945, only twice did we even have anybody get a few ''no'' votes. It is unprecedented. It is unprecedented. And there are all these reasons for it.

If you really want to reform the U.N., which we all do, we should not be sending John Bolton. He simply does not have the credibility to do it. He doesn't have the credibility to convince wavering countries to be on our side. He has been inaccurately compared to Jeane Kirkpatrick. If you look at some of the U.N. ambassador's, former U.N. Ambassador Jeane Kirkpatrick's comments, she talked about the following. She said:

> U.N. votes matter because they affect widely held views about perceptions of

power, about effectiveness, and about legitimacy.

What did John Bolton say. He said:

Many Republicans in Congress and perhaps the majority not only don't care about losing a General Assembly vote, but they actually see it as a make my day outcome.

How does this bring John Bolton credibility?

I wish to take a moment to just ask my friend from Connecticut if he is prepared to speak at this time because if so, I would wind down.

Mr. DODD. Mr. President, I say to the distinguished Senator from California, I came over to hear my colleague's remarks. I appreciate her courtesy.

Mrs. BOXER. I thank the Senator.

I have how many minutes remaining?

The PRESIDING OFFICER. The Senator from California has 3 minutes remaining.

Mrs. BOXER. I ask unanimous consent to have an additional 5 minutes. I will close down in 3 minutes.

So we have reason after reason after reason here. Senator VOINOVICH laid out the record. He read from the record. I am going to close with something I hope every single Member of this Senate will listen to. John Bolton did not tell the truth to the committee. I am going to repeat that. John Bolton did not tell the truth to the Foreign Relations Committee. He said he shrugged off the issue. He shrugged off the issue with these people he tried to fire. He said he just dropped by the CIA on his way home from work. He said he didn't try to dish out retribution or try to fire anybody at all. He said a lot of things that weren't true to our committee. And that is very serious. He wasn't truthful with us. He didn't give us honest accounts. He didn't tell us the truth about how he tried on many occasions to fire these analysts. And if nothing else I have said matters about the retribution, about the twisting of arms to get intelligence to build up a phony case against other countries, if the fact that he said there was no United Nations doesn't move you, or if that 10 stories were gone it wouldn't matter, if you don't care anything about that, I think you ought to care about telling the truth before a committee of the Senate. And we have had chapter and verse. We have it cold here.

For all those reasons, I hope we will not vote for John Bolton. And if we do not get the information Senators BIDEN and DODD are pushing so hard for, we should delay this until we see that information because it is a matter of right and wrong. It is right for us to get that information. It is wrong for the administration to withhold it. We are a separate but equal branch with the White House.

I thank my colleagues. I know this was a long statement, but this is a very important issue. And it is not just one reason against John Bolton; there are about six. I hope I have laid them out.

I thank you very much, Mr. President. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. I ask would ask the time in the quorum be divided equally between both sides.

The PRESIDING OFFICER. The Chair would note that has been requested. It is so ordered.

Mr. NELSON of Florida. Mr. President, I rise to speak on the nomination of John Bolton. The question for me is, in a position of exceptional importance to the United States and our Government, that of representative to the world body—the United Nations, is John Bolton the kind of person who can best represent the interests of the United States? Is John Bolton the kind of personality who can negotiate and talk and establish personal relationships with the representatives of the other nations of the world as we try to carry forward the agenda of the United States? To those two questions, the answer is clearly no.

There are examples of former representatives to the United Nations, nominated by Republican Presidents—such as Ambassador Negroponte, such as a former Senator and former Ambassador John Danforth—who embody the type of person you would want representing our country before the United Nations.

This position is particularly critical to our country at this time because two of the greatest threats to the interests of the United States are North Korea and Iran, and their pursuit of nuclear weapons.

Clearly we have an interest in preventing both countries from possessing the bomb, even though it looks as though North Korea already does. We ought to be making sure that at the end of the day North Korea does not have weapons of mass destruction that they can proliferate all over the world, particularly into the hands of terrorists.

The same with Iran. There is no evidence that Iran has a bomb now, but clearly the evidence is there that Iran is trying to achieve that. We need a representative in the United Nations who can help us work with other nations, particularly European nations, with regard to Iran. Also, we must focus on the nations in the region of North Korea, so, at the end of the day these two countries do not have nuclear weapons. This is in the clear interests not only of the United States, but it is in the clear interests of the world. Otherwise, you raise the possibility of nuclear weapons or nuclear materials getting into the hands of terrorists. And once that happens, Katie bar the door, we would have a whole new and extreme threat to the interests of the civilized world.

Is John Bolton the person who we think can establish those personal relationships within the United Nations? The relationships that we will need in order to get Europe to help us with Iran, and in order to get help with North Korea. I think that answer is clearly no.

The stakes are high. That is why I speak with passion. That is why I have spoken with passion as a member of the Senate Foreign Relations Committee.

But there is more. The ''more'' is simple. Should John Bolton be promoted based on his performance in his existing job as arms control negotiator? Should he be promoted? I think the answer is clearly no because John Bolton has not done a good job. Look at those two nations I just mentioned, North Korea and Iran. Have we gotten anywhere in our arms control negotiations with regard to those two countries in the last 4 years when he was Under Secretary for Arms Control? The answer to that is no.

Why should we be promoting an individual who has not done his job well into a position of even higher visibility—I will not say of greater importance—of higher visibility as a representative of our country? It is clear to me that we should not.

If we didn't have this deal here about supporting the President's nominations, do you think if Senators on that side of the aisle voted their conscience, they would support this nomination? I think the answer is clearly no. Senator VOINOVICH has had the courage to stand up and call it as he sees it. I do not know Mr. Bolton, but I have observed him and I have observed his demeanor and I have looked at his record. I think his record is one that does not suggest we elevate him to this position of extreme prominence in the representation of the interests of the United States before the United Nations, particularly at this delicate time when we need our best representative at the United Nations. I think at the end of the day it is clear he should not be our representative at the United Nations. Therefore, I am going to vote no on the nomination of John Bolton.

I yield the floor.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the time since Senator NELSON of Florida yielded the floor be charged against Republican-controlled time.

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

Mr. ENSIGN. Mr. President, I rise in support of the nomination of John Bolton to be U.S. ambassador to the United Nations. The President has made an inspired choice.

Mr. Bolton has the necessary experience, the knowledge of the U.N. system and the confidence of the President to be a successful advocate of U.S. policy at the United Nations.

As Undersecretary of State for Arms Control and International Security, Mr. Bolton has taken a tough line

against the tyrants and the despots who wish to harm us.

He has stood up to Iran and North Korea, refusing to appease their nuclear ambitions.

Mr. Bolton is candid about his disdain for rogue regimes. He's not going to be dancing with Kim Jong Il—he called him a tyrannical dictator. That is fine with me. He has also been candid about the weaknesses of the United Nations. That is fine with me too.

The United States has sent forceful, blunt-speaking ambassadors to the United Nations before like Jeane Kirkpatrick and Daniel Patrick Moynihan, and the United States has been better for it.

Senator Moynihan called the U.N. ''a dangerous place'' for American interests.

That is why it is necessary to send Mr. Bolton to the U.N.—to make sure that American interests are advanced.

He is outspoken, but he also is a skilled diplomat, who knows how to work with friends and allies, and has a proven track record of success in building coalitions to support vital objectives.

It was John Bolton who led the effort to create the Proliferation Security Initiative—a multinational coalition of nations, working together in unprecedented ways to stop the transport of dangerous weapons and materials at sea, on land and in the air. Some 60 nations are now supporting this effort.

When he was Assistant Secretary of International Organization Affairs, with the United Nations as part of his portfolio, he was the one responsible for the repeal of the odious 1975 ''Zionism is Racism'' resolution that was passed in the United Nations.

At a time when the United Nations continues to be plagued by scandal and mismanagement, the United States needs a strong presence to reform that body.

Just look at the scandals the UN is facing on oil-for-food, sexual abuse, theft, and sexual harassment:

We now know that Saddam Hussein, corrupt U.N. officials, and corrupt well-connected countries were the real benefactors of the Oil-for-Food Program.

They skimmed their illegal gain from illegal oil shipments, financial transactions, kickbacks, and surcharges and allowed Saddam Hussein to build up his armed forces and live in the lap of luxury while his people starved.

There have been allegations of sexual abuse in peacekeeping operations by U.N. personnel going back at least ten years, most recently in the Congo where 150 allegations of rape, pedophilia, and prostitution are being investigated.

The theft of $3.8 million by an employee of the World Meteorological Organization led to the revelation that Mohammed Hassan apparently cashed an undetermined number of checks for his own enrichment, but his colleagues chose not to speak out.

There was a recent whitewash by the Secretary General of sexual harassment by two senior U.N. officials, the High Commissioner for Refugees and the United Nation's top oversight official.

This list of current scandals does not even begin to touch on broader issues such as the proper role of the United Nations and the need for fiscal responsibility and austerity. There has been a 42 percent increase in the U.N. regular budget over the past 10 years. The United Nations is supposed to have a zero nominal growth budget.

Those funds support programs with questionable value. We are all painfully aware that the United Nations has a Commission on Human Rights which includes notorious human rights abusers such as Sudan, China, Cuba, Saudi Arabia, and Zimbabwe.

The United Nations is imploding under the weight of its own scandals. And these scandals are helping to unveil the cronyism that is corroding the U.N. system. The U.N. is in desperate need of reform—and in desperate need of a reformer like John Bolton. Perhaps most importantly, John Bolton is a strong believer in sovereignty.

The principle of state sovereignty is what undergirds the entire international system.

Yet today we see respect for state sovereignty eroding all around us. We see it in the International Criminal Court's claim of authority to try the citizens of countries that have not consented to ICC jurisdiction. We see it in the U.N. false claim to have sole authority to permit the use of force.

These trends are dangerous, not only because the erosion of sovereignty is a threat to freedom, but because the erosion of respect for state sovereignty absolves states of their sovereign responsibilities to deal with problems within their borders.

It gives states an excuse to punt problems to supra-national bodies, like the UN and the ICC, instead of taking responsibility for problems that originate within their border from poor national governance. In the war on terror, every state needs to meet its sovereign responsibilities. As sovereignty has eroded, terrorists have taken advantage of these trends. John Bolton has the fortitude to stand up for what is right, fight the good fight, and prevail.

Secretary Rice called John Bolton a tough-minded diplomat. That's exactly what the U.S. needs at the U.N.—-and exactly what the U.N. needs from the U.S.

Let me conclude by reinforcing why this body should support John Bolton's nomination. The U.S. does not need a U.N. representative for the world. We need a U.S. representative to the world. We need someone who has the interests of our country first and foremost in his mind as he represents us at the U.N.

There are many anti-U.S. forces at the U.N. Appeasement has never worked in dealing with aggressors. And it will not work for our country at the U.N.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I say to my friend, the junior Senator from Nevada, he is right on target as he always is. The Senator is right: The policy of appeasement is what we have been watching for a long time. I have often said an appeaser is a guy who feeds his friends to the alligators hoping they eat him last.

Hiram Mann said:

No man survives when freedom fails,
The best men rot in filthy jails,
And those who cry appease, appease
Are hanged by those they tried to please.

John Bolton is not that appeaser. I am so much in support of this man. I have been listening to the criticisms, and I cannot figure who they are talking about. My feelings about John Bolton can be summed up by the former Governor of Massachusetts, William Weld. He is not someone I very often quote, very often agree with, but William Weld said:

He's strong medicine, all right, but sometimes strong medicine is needed, such as it is at the United Nations today.

I think he is actually very correct in that. My colleagues know I have many concerns about the United Nations and about Kofi Annan. I have been quite outspoken and a critic of his and the United Nations in general. It seems every day we hear new reasons to express outrage about the performance of the United Nations.

There are clearly abundant problems in the United Nations, particularly related to the Iraqi Oil for Food Program. We are not talking about thousands of dollars; we are talking about millions of dollars. We are talking about dollars with ties to the actual family of Kofi Annan.

Do not get me wrong, the United Nations should be a tremendous force for good in the world by providing a place for countries to cooperate and pursue and achieve the original missions of the U.N. founders: to promote freedom, peace, respect for human rights.

Unfortunately, it has been a disaster. I have grave concerns about the means that have been employed, reportedly, to achieve those ends.

The U.N. peacekeeping missions have been questionable. In addition, these operations rely heavily on the use of U.S. troops and funding in a way that threatens our military readiness and unfairly taxes our resources.

Other serious concerns are questions about the focus of the United Nations on its inefficient structure and massive bureaucracy which wastes American taxpayer dollars. This is significant because the United Nations operates by collection of assessments and dues. Each member of the United Nations is required to pay a certain percentage of the organization's budget based on their size and based on their ability to pay. I never quite understood the formula.

Since January of 2001, the United States was assessed 22 percent of the regular budget of the United Nations even though all nations, regardless of size, get the same vote in the General Assembly. This leads to the situation where the United States is forced to both subsidize the United Nations and go along with many of the decisions that are against our national interests.

As Americans, we should have no problem leading the way on the global stage on issues of peace, human dignity, and liberty, but the U.N.'s action in recent years has made it clear that the organization has lost its moorings. Unless things change for the better, we will want to reevaluate our support.

In addition to financial matters, there are several other areas in which the U.N. has shown itself to be badly in need of reform. I mentioned the oil-for-food scandal. We know about that. That has received a lot of attention—not enough but a lot of attention.

One of the elements of the oil-for-food scandal has not gotten as much attention, and that is what Saddam Hussein's regime was doing with the money they got by skimming from oil contracts negotiated under the program. As we learned from Charles Duelfer's Iraqi Survey Group report:

> The ISG has been investigating Iraq's procurement process, sources of finance, the involvement of foreign firms, and the specific types of goods that were sought, Iraq utilized a complex and well developed procurement system hidden by an effective denial and deception strategy. By the late 1990s, Iraq, in contravention of U.N. sanctions, pursued the procurement of military goods and technical expertise for military capabilities . . .
>
> . . . Money also was obtained from kickback payments made on contracts set up through the U.N.'s Oil for Food Program. Iraq derived several billion dollars between 1999 and 2003 from oil smuggling and kickbacks. One senior regime official estimated Iraq earned $4 billion from illicit oil sales from 1999 to 2002. By levying a surcharge on Oil for Food contracts, Iraq earned billions more during the same period.
>
> . . . this was revenue outside U.N. control and provided resources the regime could spend without restriction . . .
>
> . . . Iraq imported banned military weapons, technology, and dual-use goods through Oil for Food contracts. Companies in several countries were involved in these efforts. Direct roles by government officials are also clearly established.

If this is the kind of program the U.N. runs, I don't know how anyone can get away with saying it does not need serious reform.

Another outrageous abuse of U.N. authority took place in the Democrat Republic of Congo. The U.N.'s own watchdog department, the Office of Internal Oversight Services, investigated alleged abuse by the U.N. peacekeeping forces in the northeastern Congolese town of Bunia and found a pattern of sexual exploitation of women and children which it said was continuing at the time of the report. U.N. peacekeepers working in the Democrat Republic of Congo sexually abused girls as young as 13. I have been to both Congos many time, and I have watched these things going on.

The other day I was in the Congo and I saw a fleet of cars, about 400 cars. I asked what they were. They had the U.N. symbol. They were cars that were going to take the peacekeeping people to remote areas of Africa.

I suggest for the reading of anyone who is interested in that part of the country, ''King Leopold's Ghost.'' It tells what has happened in that country. I cannot help but believe that many of these U.N. peacekeepers are continuing to abuse these people, as we have seen in the past.

I have spoken many times on this floor about the redundant and counterproductive bureaucracy that has been built up, layer upon layer, providing cushy jobs with no accountability and little, if any, transparency. And I have also noted in the past the exorbitant cost of the renovation of the U.N. headquarters, for which American taxpayers are again footing the bill, we think. These issues, and others like them, remain unresolved and will continue to undermine the U.N.'s legitimacy around the world.

There are so many things we hear about over and over again, about the abuse of power of these peacekeepers going in, but I would like to share with you a personal experience. About 3 weeks ago, I was in Uganda, and in northern Uganda, on the southern Sudan border, there is a terrorist group there that has been operating for 30 years, with the same individual. They will go in and raid these camps, take these kids out—I am talking about 12-year-old kids—and arm them with guns, teach them to fight, and then send them back home to murder their parents. And if they don't do it, they cut their hands off.

Now, this is going on today. I saw it. I was there. Where is the United Nations? They are not there. They are not doing anything. I often wonder what they are doing. But something has to happen to change all of that.

That is where this nominee comes in. After reviewing John Bolton's credentials, I cannot tell you how strongly I endorse him. He has served as Under Secretary of State, is extremely qualified to hold the position of ambassador to the United Nations, and has an impressive record as an accomplished lawyer, diplomat, and scholar.

My colleagues have extolled Mr. Bolton's successes as a reformer in this Chamber before. He has a reputation of toughness, reliability, honor, and, yes, tenacity. Because of these very reasons, I believe Mr. Bolton will be extremely effective in this position and will best represent President Bush and the United States at the United Nations.

I have often watched the United Nations and have wondered sometimes, who is on our side? I can assure you, with John Bolton there, you are going to have someone on our side.

We have already spent a great deal of time discussing the Democrats' obstructionism this week, so I will only say a few words about that now. The various political ploys used to hold up Mr. Bolton's nomination were frustrating and ridiculous, and were based on nothing more than personal dislike, attacks on this administration's policy, and a misguided and irresponsible vision for the United Nations.

Now, I have heard criticism that John Bolton should not be confirmed because he has opposed the U.N. activities and he has said negative things about the United Nations. That is all the more reason we should confirm him in this position. I often think how they say: Well, he doesn't like the United Nations. Why should we send him as our representative? That is exactly the kind of person who needs to be there to effect some changes. It is like saying, if you have a prison, that you need to have a convict running the prison. No, you do not. You need to have somebody who is wanting to come up with some reforms. So we need somebody who will reform the mess that is up there.

There are a lot of us who have said for a long period of time that we ought to just get out, just give up, that the United Nations is not looking after our best interests. I think with John Bolton there that will change. He has a proven record of success. He will do a great job. It is broke. He can fix it. We need to confirm his nomination.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I wish to join my colleague from Oklahoma and other colleagues who have risen today to support the nomination of John Bolton to be our U.N. ambassador.

The United Nations is a unique institution, obviously. It is an institution which has gone through its good times and some bad times. Many of us, on our side of the aisle especially, have been critical of the United Nations over the years for different activities, whether they have been policy driven or, in some cases, just the operations aspects of the United Nations. But I think, at least for my part, I agree that it is an extremely important institution, that it represents an attempt by the community of nations across the world to find a forum where they can interact and, hopefully, reach conclusions which are constructive to mankind generally and especially address issues which cannot and should not be addressed by nation states individually, such as issues involving large expansions of disease, issues involving the treatment of children around the world, issues involving the questions of war.

It is important we have a forum where nations can come together and try to work together and, if they disagree, at least have the disagreements be more transparent and, therefore, the ability, hopefully, to reach agreements, and at least have the capacity to temper those disagreements, which is more probable of occurring as a result of transparency.

It is an institution which, by its very nature, is going to have difficulty reaching consensus and moving forward on extremely complex issues and issues which are intensely felt because of the fact that it represents such a diverse collection of the world, almost the entire world, for all intents and purposes, nation states which all have different purposes and interests.

But it is a very important forum, and it is something that we, as a country, clearly were one of the originators of in San Francisco after the war. It actually is the outgrowth of Woodrow Wilson's concepts with the League of Nations. We have helped it evolve and grow, and we have basically underwritten it. The American taxpayers, for better or worse, pay approximately 25 percent of all the costs the U.N. incurs, whether they are operational costs or peacekeeping costs. That number varies between those two accounts, but the number is very significant.

I used to chair the appropriating committee which had jurisdiction over those funds, and it was frustrating at times to send the money because I felt their actions in a number of areas, to be kind, maybe involved a bit of mismanagement, to be kind, and in other areas were just misguided but were part of the whole.

As a participating member state, we have an obligation to support the institution and to try to correct it from within. How do you correct it from within? I think this administration has made a very aggressive effort to try to make the U.N. more accountable, first in the area of operations, in the area of just the basic management of the institution, reducing the amount of patronage, reducing the amount of misallocation of funds. This administration has focused aggressively on that. And secondly, this administration has made a very aggressive effort in the area of initiating policy, policy which may impact how we deal with AIDS in Africa, how we deal with the health care problems across the world, and the pandemics that are coming at us, regrettably, and how we deal, obviously, with peacekeeping initiatives in a variety of different pressure points around the world, especially in the Middle East and in Africa and, of course, in the Balkans to some degree.

So we have, as a Government—and this Government specifically, the Government under President George Bush—aggressively pursued policies to try to focus the U.N. on trying to be a better managed place and being an institution which better, more effectively reflects policies of democracy and liberty. That has been our basic theme in trying to work within the U.N. structure.

John Bolton brings to the table the expertise necessary to continue that initiative. He may be rough around the edges on occasion. There is no question about that. But there is also nothing wrong with that. If being rough around the edges on occasion is a detriment, a personality trait which people should not have, then I guess there are a lot of us here who should not be in the Senate.

The fact is, you have to be aggressive and you have to be willing to assert your view and the views that you are projecting as a representative of this country if you are going to be effective in making a case for this Nation. John Bolton will accomplish that in the U.N., in my opinion. In fact, it is his type of personality in the sense of his willingness to aggressively advocate a position which is consistent with our promotion, as a nation, of liberty, democracy, and honesty within the management of the U.N. ''Honesty'' may be too strong a word, but at least more efficiency within the management of the U.N. That will be the greatest strength that he brings to the table there. People will understand clearly where America is coming from, and it is important they understand that. And the American taxpayer will know that we, within the hallways of the U.N., will have someone who is going to advocate for efficient and effective use of those tax dollars we are sending there. That is our right, I believe, as taxpayers, to ask for that type of leadership within the U.N.

So John Bolton, in my opinion, with his broad expertise in foreign policy and with his commitment to promoting this administration's commitment to the promotion of liberty and the promotion of democracy across the globe, and to fighting terrorism, is the right person for this job. I regret he has been held up. And it appears Members of the other side intend to try to filibuster his appointment.

A President should have, just as a matter of policy, a person in the position at the U.N. who is of his choosing. This is the right of a President, to send a person to the U.N. who the President feels most effectively will advocate the policies of the administration because it is, after all, the President who has the primary responsibility of promoting foreign policy within our Government structure. It is not the responsibility of the Congress, although there are a lot of folks in this body who appear to think they are Secretary of State. The fact is, the Constitution does not provide that portfolio to the Congress, it provides it to the President and the President's appointees to Cabinet-level positions, which the U.N. ambassador position represents.

So it seems highly inappropriate that we should be holding up his nomination unless someone can show definitively that he does not have the personal integrity or the personal honesty to serve in the position. If individuals disagree with his ability or his capacity to carry out the job, that is not really our call, unless that disagreement is a function of honesty, integrity relative to the individual's qualifications, because in this instance it is the President's right to pick the individual he thinks can carry out the job most effectively, and the President has picked John Bolton.

I have not heard anything from anybody that calls into question John Bolton's integrity or honesty. I heard a lot of people who expressed frustration about maybe how he manages individuals, but that clearly is not the criteria for rejecting a nominee to a Cabinet-level position. If it were, there would have been a lot of nominees rejected under every President who has ever nominated individuals because all of us have warts, and many of those people who have been nominated to Cabinet positions clearly had a number of warts.

So I do think it is inappropriate to pursue a filibuster in this instance. To have a policy disagreement with the President as to the way he approaches the U.N., that may be appropriate. That policy disagreement can be debated, but it should not ensue or lead logically to a filibuster of an individual who has a nomination to the position because it is, after all, the President's right to choose individuals to serve at his Cabinet-level positions. Those individuals should be confirmed in a timely manner so that the President has the capacity to pursue foreign policy initiatives and the leadership of this Nation on the issues of foreign policy with a full complement, a full team of individuals to support his initiatives.

I do hope we will move forward to a final vote on Mr. Bolton this afternoon. People who feel he is the wrong choice—and they may have policy differences with the President on how we are pursuing liberty and democracy across the globe—can vote against him on that basis, but at least give him a vote, and give him a vote promptly.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from Connecticut.

Mr. DODD. Mr. President, I rise to speak on the nomination of John Bolton to be the U.S. Representative to the United Nations.

Let me begin, briefly, by stating what this nomination and debate is not about. It is not about reform at the United Nations. There is not a single Member of this body who I know of who does not agree with the notion that we ought to be doing everything we can to make the United Nations a stronger institution, a more meaningful one, in today's world, where more direct actions can be taken where problems exist around the world to make it more efficient, to function better. All of us agree with that, and all of us agree that whoever assumes this position as ambassador from the United States to the U.N. ought to play a critical role in that effort. That is not in question here. That is not a matter of debate.

What is also not a matter of debate is the style of the particular nominee in question. I think all of us in this city certainly respect the fact that some people's style is a little more brusque than others, can be a little more blunt

than others. I do not know of anyone, certainly on this side of the aisle—or that side, for that matter—who disagrees with a nominee because they do not particularly like their style, although they may have been particularly rough on some employees. We may not applaud it. We may not like it. We may think it is unwise and bad management style. But almost nobody in this Chamber on either side has objections to this nominee solely because of the question of reform at the United Nations or whether Mr. Bolton's style is objectionable or not.

My objection to this nomination focuses on one single issue. Members will have to decide for themselves whether they think this issue is of such importance that it would disqualify Mr. Bolton from the position he has now been nominated to or allow him to go forward.

The facts are no longer in debate. It is often said in this Chamber, you are entitled to your own opinion, but you are not entitled to your own facts. The facts are overwhelming in terms of the allegation that Mr. Bolton, whatever his motivations may have been—and I suspect I know what they were—decided that because he disagreed with some intelligence analysts, he wanted them removed from their jobs.

I have never objected, nor would I—in fact, I agree with my colleague from Michigan who spoke so eloquently, that, in fact, there ought to be more debate between policy centers and intelligence analysts. What was missing during the debate on Iraq, as to the issue of weapons of mass destruction, was the absence of debate between policymakers and intelligence analysts. None of us, that I know of, disagree with the notion that there ought to be more debate. Where policy setters disagree with intelligence analysis, they ought to express that objection and tell people they think it is wrong. But if you go beyond just disagreeing, if you go beyond forceful debate, if you reach down and decide you are going to remove or try to remove an intelligence analyst from their position because you don't like what they are saying to you, that then crosses a line.

I don't care whether it is a Democratic administration or a Republican one. If this body, by a vote of confirmation says to a person who seeks the position of ambassador to the United Nations, that even though you have tried to fire intelligence analysts because you disagreed with their analysis, then I think we send a dreadful signal at the very time in the world that our credibility on intelligence is in question.

We all know that to be the case, regrettably. We have been through a dreadful period where intelligence was very wrong in assuming there were weapons of mass destruction in Iraq. So the issue for this Senator is, did Mr. Bolton do this or not? And if he did, why are we even considering this nomination? Because anyone, regardless of the administration, their political persuasion or ideology, who tries to fire people, not debate, not disagree with them, not reprimand some higher official because he disagrees with what they are saying, but to reach down and fire an analyst at the CIA or the Department of State because you don't like what they were telling you, in my view, crosses a line.

This body has an obligation to the American public to stand up and say: We will not tolerate that.

This is far more important than Mr. Bolton. It is far more important even than this President or this Congress.

The issue goes far beyond any individuals. It goes to the heart of whether we are going to have credible intelligence which we, as Members of Congress, can believe, and our allies around the world, and from those we seek to find support on various foreign policies who will understand the purposes for which we are seeking their support. That is what I worry about more than anything else.

Yesterday I spoke on the floor about the availability of information. The reason I had requested, and that we have an expedited version of a cloture motion, doesn't have to do with whether or not Mr. Bolton should have an up or down vote. I want to have an up or down vote on Mr. Bolton. But I also believe this body has a right to information.

When the chairman of the Intelligence Committee and the vice chairman of the Intelligence Committee are deprived the opportunity to read the names on the intelligence intercepts, the names Mr. Bolton could see, that his staff could see, but that the chairman of the Intelligence Committee and the ranking member, the chairman and ranking member of the Foreign Relations Committee are deprived the opportunity to see, then we are not getting the information we ought to have in order to make an intelligent decision.

The only vehicle I have available to me is to say, I am going to insist upon a 60-vote criteria unless you give us the information. It is 11:20. I am still waiting. There is no reason for us to have to have a cloture vote this afternoon. Instead, we can have a simple up-or-down vote on Mr. Bolton at 6 o'clock tonight, if in the next hour or two the administration would release those names to the chairman and ranking member of the Intelligence Committee, and the chairman and ranking member of the Foreign Relations Committee, and the information Senator BIDEN is seeking regarding the matter of the supposed weapons of mass destruction in Syria. There are not a lot of documents. It wouldn't take much time. But if we can't get those documents, if we are not being allowed to see the very things the nominee had a right to see, then I don't think we are being treated as a coequal branch of Government that has a right, through the appropriate means, with the appropriate members. I am not suggesting every member of the committees should see these names, but that the appropriate people we have designated historically have access to that kind of information for a nomination such as the one before us.

I am still hopeful that will happen. I am not so naive as to be unaware of what we have just been through in the debate about filibusters on Federal judges. I would not have brought up this nomination right now in the wake of that. I thought we were going to deal with Federal judges, not the nominee to the United Nations. But the majority, as is its right, sets the agenda. They have asked this Congress, this Senate to debate the issue of Mr. Bolton.

I am put in the position of saying: I guess after all of this you can do what you want and deny us that information. I would hope some of my Republican friends, despite the fact they are going to vote for Mr. Bolton, would vote with us on the cloture motion. I took some interest in the fact that even on the House Republican side, the difficulty that major committees of the Congress, both the House and the Senate, are having in getting information from this administration is growing. If we don't at some point stand up for our rights as a constitutionally designated coequal branch of Government, then this administration will receive the message that we don't care about this and that we can deny this Congress anything we want and they will do nothing about it.

So aside from how you feel about Mr. Bolton, yes or no, it is important for this institution to stand up for its rights and to demand this information as we have a right to.

I am hopeful we can still get the information and not have to go through a cloture vote at 6 o'clock this evening.

Let me get back to the subject matter of Mr. Bolton himself. The reasons for my concern are primarily focused on one issue. That is, of course, whether Mr. Bolton tried to fire people within the CIA and the State Department because he did not like the analysis they were giving him.

What is extraordinary about this nomination, first and foremost, is the number of people on whom we have relied, considering their status, who oppose this nomination. I would like to read the names. I am not suggesting all of these people are opposed to Mr. Bolton, but the basis upon which we have determined that Mr. Bolton tried to fire two intelligence analysts relied primarily on the names on this particular chart. I want to read the names and the positions they hold. It was these individuals, more than anything else, who made a significant difference in our conclusions that Mr. Bolton had, in fact, tried to fire these individuals.

John McLaughlin was the Deputy Director of the Central Intelligence Agency.

These individuals are either presently members of the Bush administration, this President, or were formerly members of the Bush administration.

Larry Wilkerson was chief of staff to Secretary Colin Powell; Robert Hutchings, Chairman of the National Intelligence Council. The dates of their service are here. They are all dates that run roughly 2002, 2003, up to the present time, or just a month or so ago.

Stuart Cohen, Acting Chairman of the National Intelligence Council; Alan Foley, head of the CIA's Office of Weapons, Intelligence, Nonproliferation, and Arms Control; Jamie Miscik, Deputy Director of Intelligence at the CIA; Thomas Hubbard, United States Ambassador to South Korea, a Bush appointee; John Wolf, Assistant Secretary of State for Nonproliferation; Tom Fingar, Assistant Secretary of State for Intelligence and Research; Christian Westermann, analyst for the State Department's Bureau of Intelligence and Research; Neil Silver, Office Director, Bureau of Intelligence and Research; INR supervisor, we don't use his name here, the immediate supervisor of Mr. Westermann; Fred Fleitz, acting chief of staff of John Bolton; Wil Taft, Department of State legal advisor; and a Department of State attorney whose name we are not using as well in the office of legal advisor.

These are 15 individuals either presently serving in the Bush administration or having previously served. It is on them that we relied. It is their damning statements that confirm without any question that Mr. Bolton essentially tried to have these intelligence analysts fired. They also provided other damaging information.

I have been a member of the Senate Foreign Relations Committee for 24 years. Those who have served with me know it is rare, indeed, for this member to get up and object to a Presidential nomination, particularly one that is not a lifetime appointment. In fact, as my colleagues who have served with me for some time know, I have been one of only a handful who have supported nominees of Republican administrations. I was one of two Democrats who supported John Tower when he was nominated to be Secretary of Defense under President Bush's father. I supported John Ashcroft in the first administration of the current President Bush, one of only a handful of Democrats who did that.

I tried to recall an instance when I have taken such a strong objection to another nominee in 24 years. I can't recall one that has gone this far. I have had my objections to others, but they usually didn't reach this particular point. So it is uncomfortable for me to come to the floor to engage, over almost the last 2 months, in this nomination. But when you add the names of 102 former ambassadors, 15 present or former members of the Bush administration, these are not Democrats, these are not some left-wing organizations that are out there objecting to John Bolton. These are serious people who do a serious job, many of them career officials who have served our country with great distinction over the years. These individuals are the ones on whom we relied to draw their conclusion.

I am going to share with my colleagues their statements, not mine, not the names of some Democrats who might have some political motivation but, rather, people who care about our country, care about the United Nations, believe it needs reform, believe we need a strong person there to engage in that kind of reform, but believe John Bolton is not the person who ought to be receiving the nomination.

The committee did an extensive review of all the allegations related to this nominee. Committee staff, on a bipartisan basis, conducted more than 30 interviews of individuals with knowledge of the nominee. There was excellent cooperation on the part of most of those staff we sought to interview. I believe the work of this Senate has been assisted by these individuals who courageously came forward to answer questions and provide information that in many cases they would rather not have done. These individuals did not want to speak ill of another Republican or a former colleague. But they acted as dutiful citizens, patriots, and cooperated with the committee's efforts to fully explore matters related to the nomination of John Bolton. Regardless of how this Senate disposes of this nomination, these individuals have done a service to our country. We should honor them for doing so, for having the courage to come forward and to be honest when asked questions about this nominee.

Mr. Bolton's behavior clearly troubled a number of people who have worked directly with him over the last number of years.

Former Assistant Secretary of State Carl Ford, a self-proclaimed conservative Republican, described Mr. Bolton as ''the quintessential kiss-up, kick-down sort of guy.'' He also labeled Mr. Bolton a ''serial abuser.''

We did not hear from any people disabusing the committee of that view. That he has an abusive management style is problematic, but as I said at the outset, that would not be justification for voting against Mr. Bolton to be the ambassador to the United Nations. This is not about style. It is not about reform of the U.N. It is about whether this individual tried to fire intelligence analysts in his position as Under Secretary of State.

However, when Mr. Bolton harnesses that management style of his, as he has over the last 4 years, to affect intelligence judgments or to stifle the consideration of alternative policy opinions, then I think he has crossed the line over what is acceptable behavior. Why? Because those actions go directly to the heart of the integrity of U.S. intelligence and the firewall that must exist between policy and intelligence to ensure the integrity of that intelligence. Again, I emphasize, this is not about a disagreement. It is not about a policymaker disagreeing with an intelligence analyst.

Intelligence analysts do not speak ex cathedra. They are not sitting there coming to conclusions that we ought not to question. That is legitimate. In fact, we need more questioning. The issue is whether one ought to go beyond questioning and decide to remove someone because you disagree with their conclusions.

When this committee convened last month to consider the matter, we had irrefutable evidence—this is not conjecture—and this body has to decide whether you are going to send this man forward in the face of irrefutable evidence that on 5 different occasions over the past 48 months, Mr. Bolton tried to have 2 intelligence analysts removed from their jobs—one at the State Department and one at the CIA—because these individuals would not clear the language Mr. Bolton wanted to use, which was not supported by available intelligence.

I emphasize another point that needs to be made. When Mr. Bolton speaks as John Bolton, he can say whatever he wants. But when he gets up and says, ''I am speaking on behalf of the United States,'' then there is a different standard. When you speak on behalf of our country, you cannot just say anything you want. You have to rely on the best intelligence we have. You may disagree with that and you can fight over it, but in the final analysis you cannot offer your own opinions when you are expressing them as the U.S. views. You can say John Bolton believes this. If Mr. Bolton wants to speak to the Heritage Foundation and say, ''I believe the following,'' I may think he is profoundly wrong, but I would fight with my life for John Bolton to be able to say it. That is first amendment rights.

It is when Mr. Bolton gets up and says, ''I am speaking on behalf of the United States of America and I want to say the following,'' and then he absolutely contradicts what is being concluded by the intelligence analysts here, at that point, it seems to me he has a higher responsibility than he has shown.

Carl Ford's testimony was a watershed for me. Never in my 24 years as a Senator have I ever witnessed one high-ranking, former administration official testify as vociferously and as strongly as Mr. Ford did against a colleague. That is exactly what he did last month. Carl Ford made it clear why he did so. He believed Mr. Bolton's actions caused a chill among his intelligence analysts—so much so that the Secretary of State, Colin Powell, had to buck up the employees to assure them that they should not succumb to political pressure.

Because we have talked a lot about this, I used this chart in the Foreign

Relations Committee. I realize from a distance it looks like a lot of spaghetti. What it amounts to is the chart of the positions of the State Department, beginning with the Secretary of State, Deputy Secretary of State, Chief of State, Executive Secretary, and the various Under Secretary positions here. The third one is Mr. Bolton, Under Secretary for Arms Control and International Security Affairs. That is his responsibility, this group right here. He was in charge of the people who worked in this particular column.

Where did that intelligence analyst work? He worked down here. You have to go way down to the Assistant Secretary for Intelligence and Research, Carl Ford, who was head of the INR. This intelligence analyst was down here; that is where Mr. Westermann worked. He was not directly in Mr. Bolton's line of command, but in a separate division. He is a GS–14 at this level.

You need to understand what happened here. This was a case where Mr. Bolton doesn't get ahold of Mr. Ford and say: I have a problem with your intelligence analyst because I disagree with what he said. I think he is wrong and I want to argue about it.

Mr. Bolton reaches down out of his line and drags this guy up to his office and begins to berate him for the job he has done. That is objectionable to me, and outrageous. If it ended there, that is dreadful behavior and nobody ought to do that without clearing what you want to say with the people who are responsible for that individual's work. If it ended there, maybe I would just vote against the nominee and I would not make the case on that basis alone. It is what happens afterward. It is not just berating. There is no doubt that there would be chill in the Department if an Under Secretary of State dragged an intelligence analyst to his office and word goes out. As we all know, in institutions the word flies around immediately. One of our fellow workers has been dragged up to the Under Secretary's office and screamed at because he didn't like his conclusions. That is why Colin Powell, the guy at the top, had to go down to these offices—down here on the chart—and explain to them that they did the right thing. You, Mr. Westermann, did the right thing. You are not supposed to succumb to political pressure. You tell people what they think they need to hear, and if they don't like it and disagree with you, that is one thing. But you did the right thing. It was wrong by implication, because why would the Secretary of State go down here and bring these analysts together and remind them that they had done their job if he felt Mr. Westermann being dragged up to Mr. Bolton's office was not wrong? That is why the Secretary of State did that. He went down there to tell those people not to worry about this, do your jobs. I think the Secretary was worried that the word would go out to these analysts that if you don't want to get in trouble, start to agree with Mr. Bolton when he disagrees with you; that is the easy thing to do. If he tells the analyst you ought to say the following, you better say that. If you do, you won't be brought up to his office and bellowed at. That is dangerous and that is one of the reasons we have such concern about this nomination.

As I said, this was the conclusion of Secretary Powell, according to Mr. Wilkerson, his chief of staff. Mr. Wilkerson, who was the chief of staff of Secretary Powell, testified before the staff of the Foreign Relations Committee the following: Secretary Powell ''went down into the bowels of the building and talked to people about not being inhibited by, or in any way fearful of, people on the seventh floor, or leadership in general, questioning their analyses or their statements or whatever.''

Mr. Bolton had a very selective recollection about his interactions and intentions with respect to intelligence analysts at the State Department and the CIA during his appearance before the committee.

Mr. Bolton told the committee:

> I didn't seek to have these people fired. I didn't seek to have discipline imposed on them. I said, ''I've lost trust in them.'' And are there other portfolios they could follow. It wasn't anything to me that I followed at great length. I made my point and moved on.

Committee staff interviews and review of State and CIA documents paint a very different picture indeed. What is that picture?

First, with respect to Mr. Westermann. Six months after this event I have described on the chart with—this run-in occurred, Mr. Bolton was still seeking to have Mr. Westermann removed from his job as the biological weapons expert analyst at the Intelligence and Research Division of the State Department.

Mr. Bolton's recollection about what he did with respect to the CIA analyst was likewise clouded on April 11. As to the so-called ''Mr. Smith,'' as we called him to protect identity, Mr. Bolton said:

> I had one part of one conversation with one person one time on ''Mr. Smith,'' and that was it. I let it go.

We now know that much more than that occurred. Let me lay it out for you.

In addition to a meeting with the Acting Chairman of the National Intelligence Council, we now know from e-mails that Mr. Bolton considered raising the matter directly with the Director of the CIA, George Tenet. We know as well that he continued to conspire with former Assistant Secretary of State Otto Reich and his office for a period of 4 months after he first ''lost confidence'' in ''Mr. Smith'' to have him removed from his job.

Also under consideration by Mr. Reich and Bolton were other punitive measures—we know this now—such as denial of country clearance for Mr. Smith's official travel throughout Latin America, banning him from all meetings held in their bureaus. And the ultimate act of pettiness—consider revoking his State Department building pass.

I am not making this stuff up. He said he had ''one part of one conversation with one person one time, and I let it go.''

Hardly. The facts are overwhelming here regarding what he tried to do both at the State Department and the CIA.

We have also learned that other intelligence analysts were having difficulties with Mr. Bolton's office.

Jami Miscik, Deputy Director for Intelligence, 2002 to 2005, in the Bush administration, told the committee staff that Mr. Bolton had a reputation for being difficult to deal with. She noted that ''interaction between policymakers and the intelligence community usually goes more smoothly than it often did . . . in the cases with Mr. Bolton . . . It is rare that . . . a single policymaker is known for having . . . pretty regularly contentious kinds of issues in this regard.''

We know as well that expert intelligence officials disapproved of and resisted Mr. Bolton's efforts to ''cherry-pick'' intelligence for ideological purposes.

Dean Hutchings, Chairman of the National Intelligence Council, 2003 to 2005, described the ''cherry-picking'' problem in the context of what Mr. Bolton wanted the Intelligence Committee to bless with respect to Syria's weapons of mass destruction capabilities:

> Mr. Bolton took isolated facts and made much more of them to build a case than I thought the intelligence warranted. It was a sort of cherry picking of little factoids and little isolated bits that were drawn out to present the starkest possible case.

We also know that Deputy Secretary Armitage didn't trust Mr. Bolton's judgments when it came to making public speeches. We have heard this from others, such as GEORGE VOINOVICH, as well as CARL LEVIN, as well as BARBARA BOXER and others, who have spoken on this matter.

Mr. Wilkerson, Secretary Powell's chief of staff, told the committee:

> There were problems on a number of occasions with Under Secretary Bolton's proposed remarks. . . . The Deputy, Mr. Armitage, made a decision and communicated that decision to me, that John Bolton would not give any testimony, nor would he give any speech, that wasn't cleared first by Rich Armitage.

With all of the other duties Deputy Secretary Armitage had in managing the Department in Secretary Powell's absence, he also felt he had to babysit Mr. Bolton because the normal clearance procedures established by the Department didn't work with Mr. Bolton. Yet, this body is now being asked to vote to send Mr. Bolton to New York, where he will be unsupervised on a daily basis. Lord only knows the kind of problems that can ensue with Mr. Bolton, given his past performance.

Individuals under Bolton's direct line of authority also took issue with the

rigidity of his views. John Wolf, former Assistant Secretary of State for Nonproliferation and a career diplomat, told committee staff that Mr. Bolton ''tended to hold onto his own views strongly and . . . he tended not to be enthusiastic about alternative views. And he did not encourage us to provide our views to the Secretary.''

Again, I am not arguing about someone's style here. But when you have 125 employees at the U.N. and the only things you want to hear are the things you agree with, that is a management style that is dangerous for a person who is going to work with all of the nations we have to build relationships with in the U.N. We all do this as Senators. We know when a staff member gets up and wants to tell us an alternative view, it is uncomfortable. We would like them to agree with us. We also know how vitally important it is as Senators that people in our offices who have the willingness to stand up and know when they do, they are not going to be threatened with their jobs, or considered for removal because they are telling us something we don't want to hear. We understand the value of that. Mr. Bolton doesn't. That is dangerous.

Mr. Wolf said:

> Some of the officers within the nonproliferation bureau complained that they felt undue pressure to conform to the views of the Under Secretary, versus the views that they thought they could support.

That is a dangerous statement, that we have somebody who is about to take on a position who would make others feel they were unfit or are being pressured to conform their views.

All of these matters I have just mentioned cause me grave concern about this nomination. But what troubled me the most were the devastating comments made by Secretary Powell's chief of staff, Mr. Wilkerson, an individual who on a day-to-day basis was in a position to know what was going on in the Department and what foreign policy challenges the Secretary of State was attempting to manage.

This is what he has to say about Mr. Bolton's single-minded preoccupation with sanctioning every Chinese entity he could find which might have violated nonproliferation standards:

> Are we actually stopping China's proliferation through sanctions that was dangerous to our interests? Or are we doing it, and ignoring problems that cry out for cures, diplomatic? The one time I had a conversation with John about this, I asked him, ''How do you go beyond sanctions, John? War?'' Mr. Bolton replied, ''It is not my business.''

Mr. Wilkerson also explained to our committee staff why he believes Mr. Bolton is ill suited for the U.N. position. I am quoting Mr. Wilkerson, Secretary Powell's chief of staff. This is not some liberal left-leaning Senator or Congressman or columnist talking about Mr. Bolton. This is the former chief of staff of a Republican Secretary of State under George Bush—this President's administration:

> One, I think he's a lousy leader. And there are 100 to 150 people up there at the United Nations that have to be led; they have to be led well, and they have to be led properly. And I think, in that capacity, if he goes up there—

Speaking about Mr. Bolton—

> you'll see the proof of the pudding in a year.
>
> Second, I differ with a lot of people in Washington, as to his brilliance. I didn't see it. I saw a man who counted beans . . . had no willingness—and in many cases no capacity to understand other things that were happening around those beans. And that is just a recipe for problems at the United Nations.

These are very serious conclusions from an individual who was a loyal and trusted member of Secretary Powell's team, and they go to the heart of whether Mr. Bolton has the capacity to carry out his duties at the United Nations. This is not about whether we like the nominee's views on the United Nations, arms control, or Cuba. He is entitled to his personal views about any of those matters, and he should not be disqualified from any office because he has them. But for the interests of the United States to be served at the United Nations, there has to be a balance between ideology and pragmatism.

The individual on the spot in New York will be called upon, from time to time, to strike that balance. He also must have the credibility to make the best case for the United States before that international body. These things are at the heart of effective diplomacy.

Ambassador Negroponte was able to strike that balance between ideology and pragmatism and have the credibility to make the case of the United States before the U. N. Security Council. Senator John Danforth, a former colleague, was able to do so as well.

Based on what we have learned about Mr. Bolton in recent days, I seriously doubt he is willing or able to strike that balance, and I now know, given his penchant for stretching intelligence and pressuring analysts, that his credibility will be challenged by other U.N. members.

Our colleagues brush aside this problem by saying Mr. Bolton will be getting his instructions from Secretary Rice. Mr. President, that is just not realistic at all. Much of the guidance that is developed for our U.N. ambassadors is developed cooperatively between Washington and New York. What gets said at the United Nations by a representative is, in large measure, shaped by our reporting from our mission in New York. I feel Mr. Bolton will be incapable of making the kind of judgments that move the diplomatic process forward.

We all know these are difficult times. Our responsibilities in Iraq and Afghanistan are significant and costly. Other challenges to international peace and stability loom large on the horizon—Iran, North Korea, the Middle East. The humanitarian crises in Africa and Asia cry out for attention. The United States cannot solve these problems all by ourselves. We know that. We need tremendous international assistance and cooperation to address them, and the logical focal point for addressing that international support is the United Nations. It makes sense.

But international support will not be automatically forthcoming and will require, as we all know, U.S. leadership at the U.N. to build the case for such cooperation. That U.S. leadership must necessarily be embodied in the individual who serves as our ambassador to the United Nations is obvious.

Based on what I know today about Mr. Bolton, I believe he is incapable of demonstrating that kind of leadership. The ambassador to the United Nations is a very important position. The individual who assumes that position is necessarily the face of our country before the world.

For all the reasons I have cited—Mr. Bolton's management style, his attack on the intelligence community, his tunnel vision, his lack of diplomatic temperament—I do not believe he is our man to be the face at the United Nations.

But of all those reasons, I come back to the one I made at the outset. It is not about style, it is not about reform at the United Nations, it is not about Mr. Bolton's views on a variety of subject matters. Our colleagues have to make a decision. We now know, categorically, without any question whatsoever, that this nominee tried to fire intelligence analysts at the Central Intelligence Agency and the Department of State. That evidence comes from his own colleagues, from people with whom he has served, not from outside groups or members of this body.

The decision for our colleagues today is whether or not we promote someone who has done that and what message it sends to the analyst community, what message it sends to our allies, and what message it sends to our adversaries, for that matter, around the globe. That this individual who engaged in such reprehensible behavior, in my view, should be given the position of U.N. ambassador to represent the United States at this critical hour, I think is a massive mistake.

Again, I am still hopeful that in the remaining hours of this debate, the administration will see fit to provide the additional information for which we have asked for almost 2 months. I regret deeply having to ask my colleagues to vote on a cloture motion. I have said, if cloture is invoked, we will vote immediately on Mr. Bolton. If it is not invoked, it will layover, and we will continue to try to get the information.

I have no desire to filibuster this nomination. I do have a desire to see the Senate stand up for its rights when it seeks information—information the nominee had access to but the chairmen and ranking members of the Intelligence Committee and Foreign Relations Committee were denied. That is a precedent we need not make with this decision.

My hope is our colleagues will support the opposition on the cloture motion and, if we get a vote on Mr. Bolton today, we reject this nominee. There are many qualified, blunt, forceful people who can assume this job who embrace the President's view on foreign policy and who will do a very good job at the United Nations. John Bolton is not that individual.

Mr. President, I yield the floor.

Mr. SARBANES. Will the Senator yield for a question?

Mr. DODD. I will be happy to yield.

Mr. SARBANES. Mr. President, I commend the very able Senator from Connecticut both for his statement and for the letter that he and the ranking member of the committee, Senator BIDEN, sent to a number of us about the necessity of trying to get these materials which we have sought.

Clearly the Congress needs this information in order to do its job. The position of the Senator from Connecticut on the cloture motion, as I understand it, is that we ought not to invoke cloture and move to a vote on Bolton until the material is provided. If the material is made available and we are in a position to make judgments, then I take it we can move forward in the normal course of the debate toward a final vote on Bolton's nomination; is that correct?

Mr. DODD. Mr. President, in response to my friend and colleague from Maryland, that is exactly the point.

Mr. SARBANES. That strikes me as an eminently reasonable position. It needs to be made clear that there is material the executive branch is refusing to make available to the Senate, and which we need in order to be adequately informed in carrying out our responsibilities of advising and consenting on this nomination.

Mr. DODD. Mr. President, if I may respond to my colleague from Maryland, I was going to recite to him—because I think some of my colleagues may think this Senator from Connecticut has raised this issue in the last 24 hours as a delaying tactic—I want to point out to my colleagues the chronology which begins actually on April 11—approaching 2 months ago. Then there were subsequent requests on April 14, April 22, April 29, May 4, May 18, as well as even as late, as of course, we all know, yesterday.

I want to make it clear that from very early on, we tried to get this information. I emphasize, again, these are names Mr. Bolton has seen, his staff has seen, and we are not asking every Member see, only the ranking members and the chairmen of the Intelligence Committee and the Foreign Relations Committee, to let them know whether or not the names coincide with the names of people we have run across in our examination of Mr. Bolton to be a nominee to the U.N.

The chairman of the Intelligence Committee will tell you they had an interview with General Hayden and he showed them some documents. But in his letter to our colleagues last evening, the chairman of the Intelligence Committee very honestly pointed out that the names of the 19 individuals in the 10 intercepts he sought are redacted. The only pertinent information is those names and the motivation Mr. Bolton had in seeking that information.

The heart of the request—even the Intelligence Committee chairman cannot see it. Yet Mr. Bolton could see it, his staff could see it. But the chairman of the Senate Intelligence Committee is not allowed to see it. Every Senator ought to be outraged about that. If we let them get away with it here, they will get away with it every single day hereafter. Either we stand up for our rights as a Senate, as a coequal branch of Government, or we do not.

Mr. SARBANES. Will the Senator from Connecticut yield?

Mr. DODD. Yes, I yield.

Mr. SARBANES. It is not every single day hereafter for this administration; it becomes a precedent for every administration. And I suggest to all Members of the Senate that they may find themselves, down the road at some point, seeking information they think is relevant and having it denied to them by the executive branch, citing the refusal to provide the information in the Bolton case as a precedent for the action they are taking.

Mr. DODD. Again, the Senator from Maryland is absolutely correct. These issues come back and come around and the word spreads: You can get away with this. It is not just this administration. The Senator is correct. Future administrations will use this as an example of why they do not have to comply with the request because previous Congresses allowed this information to be kept secret when Senate committees were seeking it.

Mr. President, may I inquire how much time I have remaining?

The PRESIDING OFFICER (Mr. GRAHAM). The Senator has 19 minutes.

Mr. DODD. I ask unanimous consent that the remaining time I have be divided between the Senator from Maryland and the Senator from Massachusetts. The Senator from Rhode Island, Mr. REED, also asked for time. I had 60 minutes, and want to give up some time.

Mr. MARTINEZ. If I can make an inquiry.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MARTINEZ. My understanding is the Senator from Arizona was going to be recognized during this timeframe for his remarks.

Mr. DODD. I have a little less than 20 minutes remaining. What I want to do is give the 20 minutes I have left to my colleagues to use. Mr. President, I make that request, that the time remaining be divided between the Senator from Maryland and the Senator from Massachusetts.

The PRESIDING OFFICER. Without objection, it is so ordered. The remaining time is divided between the Senator from Maryland and the Senator from Massachusetts.

Mr. DODD. And Senator REED from Rhode Island also seeks some of that time. Just Senator REED and Senator KENNEDY. The Senator Maryland has time.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Maryland.

Mr. SARBANES. Mr. President, first, I commend the very able Senator from Connecticut not only for his statement on the floor, but the very reasoned and judicious way he has proceeded in considering this nomination.

I join with those who think the refusal to provide the information constitutes a sufficient basis not to invoke cloture while we continue to press the administration to provide the information the Senate needs in order to do its job.

I spoke yesterday with the distinguished Ranking Member of the committee, Senator BIDEN, on the floor about this issue, and I have done so again here today with my friend, the Senator from Connecticut. I strongly urge my colleagues to take that position because it is a very important question of the role the Senate should play, and whether we really are an independent branch of the Government that will act to carry out our responsibilities.

Let me now address the substance of the Bolton nomination. In the 60 years since the founding of the United Nations, a number of extraordinarily distinguished men and women have been chosen to represent us in that body as the U.S. ambassador: Warren Austin, Henry Cabot Lodge, Jr., James Wadsworth, Adlai Stevenson, Arthur Goldberg, George W. Ball, James Russell Wiggins, Charles Yost, George Bush, John Scali, Daniel P. Moynihan, William Scranton, Andrew Young, Donald McHenry, Jeane Kirkpatrick, Vernon Walters, Thomas Pickering, Edward Joseph Perkins, Madeleine Albright, Bill Richardson, Richard Holbrooke, John Negroponte, and John Danforth.

The fact that at least 17 of them, spanning 8 administrations—Republican and Democratic—have been elevated to serve on the President's Cabinet demonstrates the critical importance in which this position historically has been held.

The fact that we proudly remember so many of these names, after the passage of a number of years, underscores both the visibility of the U.N. ambassador and the statesmanship that the position requires. On a daily basis, our ambassador to the U.N. speaks to the entire world on behalf of the United States.

The comments our ambassador makes and the relationships he or she cultivates make the difference between a United States that is respected as a leader in the world, setting an example of American values and principles, and a United States that is ignored and misunderstood.

In today's world, this difference affects the lives of millions at home and abroad. The United Nations is not a tool to be used ''when it suits our interest and when we can get others to go along,'' as Mr. Bolton has suggested but is, rather, an essential and ongoing forum for the advancement of U.S. foreign policy and the protection of U.S. national security interests.

The U.N. makes decisions that affect war and peace. It helps to determine whether the United States will have international support and allies or will be forced to undertake difficult missions on its own in the face of broad opposition across the globe. Skillful work at the U.N. enables us to have burden sharing, both in terms of the commitment of human resources and the commitment of financial sources.

The United Nations offers us an opportunity to make our case to the world, to demonstrate international leadership, and to build multilateral cooperation. As Secretary General Annan commented in a recent speech, the U.N. ''is not just a building in Manhattan, or a piece of international machinery. It embodies a conviction on the part of people everywhere that we live on a small planet, and that our safety, our prosperity, our rights—indeed, our freedoms—are indivisible.'' For this reason, our representatives at the United Nations must be men and women of exceptional wisdom and credibility, who can listen and persuade, whose counsel and leadership other nations will seek and rely upon.

Despite the need for a U.N. ambassador who recognizes and can make the most of the U.N.'s potential and promise, we have before us now a nominee to be our ambassador to the U.N., who over a number of years has demonstrated outright hostility toward the United Nations as an institution and toward the fundamental legitimacy of international law. Mr. Bolton has argued repeatedly that the United States has no legal obligation to pay its dues to the United Nations and that treaties are nothing more than ''political commitments''.

He called the Law of the Sea Treaty, which has been endorsed by our military and submitted by President Bush as an urgent priority for Senate advice and consent, ''an illegitimate method of forcing fundamental policy changes on the United States outside the customary political process.'' He is quoted as saying:

> It is a big mistake for us to grant any validity to international law even when it may seem in our short term interest to do so—because, over the long-term, the goal of those who think that international law really means anything are those who want to constrict the United States.

To send someone as our ambassador to the United Nations who does not demonstrate a basic respect for the institution and its legal foundations is a disservice to our national interests. This has nothing to do with whether reforms are needed at the U.N. or whether we should more closely monitor its activities. Many of us are committed to doing both of those things. It is a very basic question of one's mindset about the United States, about the United Nations and about international law. If other nations believe that the U.S. is not out to reform the United Nations but to undercut it, then they are likely not to be receptive to any of our criticisms or recommendations.

Secondly, it is clear that Mr. Bolton does not have the diplomatic skills or, indeed, the demeanor to represent our country effectively at the U.N. There are certainly moments when the situation may call for bluntness, when abandoning diplomatic niceties can convey the urgency of a particular issue or position. However, Mr. Bolton has shown a propensity for making extreme and provocative statements that have caused unnecessary conflict and confrontation. It is not an occasional outburst that might, on occasion, be justified by the situation but, regrettably, a routine way of doing business.

Does it help us in trying to shape the direction in which the U.N. is to move when Mr. Bolton says that the Security Council should have one permanent member, the United States, ''because that is the real reflection of the distribution of power in the world''?

Does anyone think that Mr. Bolton's assertion that ''if the U.N. Secretariat building in New York lost 10 stories, it wouldn't make a bit of difference'' will help us in persuading other countries to support U.N. reform efforts?

These are not isolated misstatements or slips of the tongue but, rather, his customary and consistent approach to dealing with others who disagree with him. Even given the opportunity to demonstrate a less confrontational approach, he has repeatedly declined to do so. Mr. Bolton, time and again, has shown himself singularly lacking in the willingness to hear, to consider, and to respect opposing points of view.

Contrast that attitude with these comments made by Ambassador Moynihan and Ambassador Kirkpatrick when they were nominated for this position. Ambassador Moynihan, in his confirmation hearing before the committee, said:

> A certain principled statement of views on both sides can be useful: it requires that we respect what others think and try to understand what they think and ask that they do the same in return. . . . Things where we disagree are marginal compared with where we do agree. And yet it is so easy to grow estranged at the first problem, the first question is how to get away from a confrontation system back to the quest for understanding and agreement in a situation where this is wholly possible and entirely necessary.

Similarly, Ambassador Kirkpatrick, in her confirmation hearing before the committee, said:

> I do not think that one should ever seek confrontation. What I have every intention and hope of doing is to operate in a low key, quiet, persuasive and consensus-building way.

This nomination came out of the committee without recommendation. There was a 9-to-9 divided vote. By contrast, all of the previous nominees to be U.N. ambassador were brought to the floor by very strong committee votes and approved on the floor by very strong votes—most of them unanimous, none of them really close.

In addition to Mr. Bolton's extreme policy views and his confrontational demeanor, there is the issue of his professional conduct. There is ample evidence that he has attempted to politicize intelligence in a way that I believe has harmed our Nation's diplomacy.

Mr. Bolton sought the transfer of two intelligence analysts with whom he disagreed on substantive matters. He repeatedly attempted to stretch the facts to back his own ideological predisposition. He created such a climate of intimidation in the State Department that the Secretary of State found it necessary to set up a special meeting with the Intelligence and Research Bureau in order to directly reassure the analysts.

To make matters worse, Mr. Bolton told the committee that he had not tried to have analysts punished or disciplined, and he denied that he sought retribution against them. He said, ''I shrugged my shoulders, and I moved on,'' when his attempts to have them reassigned were rebuffed.

And yet we have learned from extensive interviews with numerous administration officials that he did try to have the analysts removed from their positions, that he did seek to punish people for disagreeing with him, and he did persist in his efforts for many months after, as he says, he shrugged his shoulders and moved on.

That he was ultimately unsuccessful in his efforts does not speak for Mr. Bolton. What it speaks to is the steadiness and determination of those professionals who withstood his demands, who refused to bend to the inordinate pressure he was applying.

Given this conduct, when he goes before the United Nations to make a statement about evidence of nuclear weapons production or a terrorist plot or whatever it may be, what credibility will he have, knowing that he sought repeatedly to punish intelligence analysts who delivered contradictory information; knowing that he is sort of a man who, as Robert Hutchings, the former chairman of the National Intelligence Council, put it, ''took isolated facts and made much of them to build a case than I thought the intelligence warranted. It was a sort of cherry picking of little factoids and little isolated bits were drawn out to present the starkest possible case''?

We need a credible spokesman at the United Nations, and Mr. Bolton's conduct casts serious doubt on his ability to be one.

Moreover, Mr. Bolton's poor administrative and management skills, in my view, raise serious questions as to whether he can exercise a senior leadership role. The testimony of Carl

Ford, Assistant Secretary of State for Intelligence and Research, was especially powerful on this point. Mr. Ford told the committee:

In my experience, throughout my time in the executive branch, I've really never seen someone so abusive to such a subordinate person.

He said he could think of no one else who comes even close to John Bolton in terms of the way that he abuses his power and authority with ''little'' people.

Secretary Powell's Chief of Staff, Larry Wilkerson, described to the committee staff the kinds of problems he had on a daily basis in dealing with Bolton.

Assistant secretaries, principal deputy assistant secretaries, acting assistant secretaries coming into my office and telling me, ''Can I sit down?''

''Sure, sit down. What's the problem?''

''I've got to leave.''

''What's the problem?''

''Bolton.''

When asked if he got similar complaints about other Under Secretaries, he replied:

On one occasion, on one particular individual. The rest were all about Undersecretary Bolton.

In summarizing this experience Wilkerson stated, ''I think he's a lousy leader. And there are 100 to 150 people up there''—meaning at the U.S. mission to the U.N.—''that have to be led. They have to be led well, and they have to be led properly.''

Being ambassador to the United Nations is not just a representational job; it is also a management job. There are 125 full-time, permanent State Department employees working there at our mission alongside numerous detailees from other agencies and departments. The ambassador has supervisory responsibility over all these people. Most are career civil servants, and they are there to represent the policies of the President and to serve the interests of the Nation.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SARBANES. I ask unanimous consent to proceed for 2 minutes to conclude the statement.

The PRESIDING OFFICER. Is there objection?

Mr. SARBANES. What are they going to do up there in New York if John Bolton repeats the kind of abusive behavior that led people in the State Department, under incredible pressure, to seek the support and counsel of their assistant secretaries? There will be no one in New York to shield them from the wrath and vindictiveness of John Bolton.

Mr. President, unfortunately, it seems to have become, for some, a favorite pastime to assault the United Nations. They blame it for failing to resolve many of the problems that have occurred in the world. But I think we have to acknowledge that the U.N. has a role to play in preventing conflict and promoting cooperation. Skillful U.S. leadership at the United Nations can enhance our national interest in a very significant way, and part of that skilled leadership is to send an ambassador who has credibility and the wisdom necessary to carry out his responsibilities.

This nominee falls far short of that standard. Mr. President, 102 retired diplomats have taken the extraordinary step of sending a letter urging the Senate to reject the nomination.

Finally, let me say just this word about the witnesses who came forward to the committee to testify about Mr. Bolton's past conduct. These people, in effect, volunteered themselves to give what they thought would be an accurate view of Mr. Bolton's behavior. It took a lot of courage for people like Mr. Ford, Mr. Wilkerson, Mr. Hutchings, Ambassador Hubbard, and others to come forward. I am very concerned they may pay a price for this brave action, and I very deeply regret if this should turn out to be the case. I think their motive in coming forward was to promote the national interests of our country. In that sense, I think they are true patriots. They have nothing to gain by opposing the nomination.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SARBANES. In fact, they have much to lose.

Mr. President, this nomination ought to be defeated. I urge my colleagues to join me in opposing it. We can do better, and, for the sake of our country, we must do better.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I would like to ask if we could get a unanimous consent request here. The Senator from Arizona, my colleague from Arizona, I believe is next. How long does he wish?

Mr. KYL. I would like to speak for 10 minutes.

Mr. MCCAIN. The Senator from Massachusetts?

Mr. KENNEDY. Nine minutes.

Mr. MCCAIN. I ask unanimous consent that the Senator from Arizona be recognized for 10 minutes, the Senator from Massachusetts for 10 minutes, and me for 10 minutes following that.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. Reserving the right to object, may I ask that Senator OBAMA be recognized subsequent to that?

Mr. MCCAIN. Fine.

The PRESIDING OFFICER. Is there objection?

Mr. MARTINEZ. Mr. President, I would like to be recognized as well in the ensuing sequence. My understanding is it has been going back and forth between the sides. The Senator from Connecticut spoke, and then the Senator from Maryland spoke. That caused us to have a little bit of a scheduling issue, so I would like to continue on that schedule and then allow myself to be recognized.

Mr. MCCAIN. I ask that the Senator from Florida be recognized following Senator OBAMA.

The PRESIDING OFFICER. The request before the Chair is Senator KYL for 10 minutes, Senator KENNEDY for 10 minutes, Senator MCCAIN for 10 minutes, Senator OBAMA for 15 minutes, and the Senator from Florida for 15 minutes.

Is there any objection? Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Florida is recognized.

SURFACE TRANSPORTATION EXTENSION ACT OF 2005

Mr. MARTINEZ. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2566, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2566) to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

Mr. MARTINEZ. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The bill (H.R. 2566) was read the third time and passed.

NOMINATION OF JOHN ROBERT BOLTON TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS—Continued

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

Mr. KYL. Mr. President, I rise in very strong support of John Bolton to be our next ambassador to the United Nations. I have known Mr. Bolton for a long time. He is a great individual, a great representative of the United States, and, most importantly, the person the President wants to represent the United States at the United Nations. It is the responsibility of the Senate to act on his nomination because the President has requested us to do so.

Mr. Bolton has successfully championed a number of multilateral initiatives during the time he has been working for the Bush administration. He is committed to the success of the United Nations and sees it as an important component of our diplomacy and is a strong voice for U.N. reform.

I am concerned that a lot of debate has shifted to matters that have nothing to do with his qualifications and some of which attempt to assassinate his character. There is no question he

is qualified for the job. In fact, Mr. Bolton has been confirmed by this body on four separate occasions previously. Most of the Members objecting to him now have voted for him in the past. They did so based upon his substantive views, not any allegations about his conduct.

A lot of it has to do with the fact that there is opposition to President Bush's policy in different regards, and Mr. Bolton's nomination is a surrogate, in effect, for a debate about that policy. We can have a debate about the President's foreign policy, but we should not hold up the nomination of a man with the qualifications of John Bolton for a position we need to fill in the process of having that debate.

Moreover, I am concerned about some of the charges that have been made about him. One of the allegations—the Senator from Connecticut was speaking about this—has to do with some requests Mr. Bolton made which have been examined by the Intelligence Committee. Mr. Bolton's job at the State Department is to deal with this kind of information, and what the Intelligence Committee did in response to the request of the chairman of the Foreign Relations Committee was to look into the matter. Here is the response, on May 25, just quoting two paragraphs from the letter of the chairman of the Senate Intelligence Committee. He said:

> After completing an examination of these issues I found no evidence that there was anything improper about any aspect of Mr. Bolton's requests for minimized identities of U.S. persons. I further found no violation of procedures, directives, regulations or law by Mr. Bolton. Moreover, I am not aware that anyone involved in handling these requests had any concerns regarding these requests at any point in the process.

The chairman of the Intelligence Committee also said:

> Committee staff interviewed INR analysts and NSA officials responsible for processing requests for the identities of U.S. persons contained in signals intelligence products. None of the individuals interviewed indicated there was anything improper or inappropriate about Mr. Bolton's requests. We also were briefed by General Michael Hayden, former Director of the NSA and the current Principal Deputy Director of National Intelligence. He also stated that Under Secretary Bolton's requests were not only appropriate, but routine. In fact, INR records indicate that since May 2001, INR submitted 489 other requests for minimized identities.

Ten, by the way, had been requested by Mr. Bolton.

So what Mr. Bolton did was routine and proper. There was nothing improper about it. As the chairman of the committee noted, they found absolutely nothing that would suggest anything improper in Mr. Bolton's activities. This is all a smokescreen. There is nothing there.

The last point on this matter had to do with the fact that the Senate, it is alleged, should have access to all of these names. This has nothing to do with Mr. Bolton's qualifications to be the U.S. Representative at the United Nations. But there is some feeling that until Senators have access to these names, we should not act on the Bolton nomination.

Talk about a non sequitur, the Senate routinely does not have access to these names. They are highly classified. They get into the sources and methods of our intelligence. It is appropriate for certain people in the administration to gain access to the names, which is why, as is noted, there were 489 requests for those names by people within the administration—10 of which came from Mr. Bolton. There was nothing wrong with that.

As to whether Senators want access to these names, if that is something we need to take up with the intelligence community, the Intelligence Committee is entirely capable of doing that, but it has nothing to do with Mr. Bolton's qualifications to serve and our need to act on his nomination.

I suggest we cut through all of this smokescreen and get to the question of whether John Bolton is qualified to serve in the position the President would like to have him serve. That is the real question.

Let me note a couple of other things I am aware of that he has done in his position of Under Secretary of State for Arms Control and International Security.

Probably the most significant and, frankly, one of the most significant achievements of the State Department itself in the last 4 years was John Bolton's initiative to develop the President's Proliferation Initiative. Over 60 countries are now participating in that initiative, and it is, frankly, one of the key reasons we disarmed Libya with its nuclear program.

John Bolton has played a key role in the implementation—creation and implementation—of the G–8 Global Partnership Against the Proliferation of WMD and WMD Materials. Under that program, we have doubled the size of the nonproliferation effort in the former Soviet Union by committing our G–8 partners to match our dollars with programs under the so-called Nunn-Lugar CTR effort.

He was instrumental in concluding U.N. Security Council Resolution 1540, which for the first time identifies proliferation of weapons of mass destruction as a threat to international peace and security—a resolution, by the way, that was adopted unanimously.

He has been a big advocate of U.N. reform. For example, while serving as Assistant Secretary of State for International Organizations, he detailed his concept of a ''Unitary U.N.'' that sought to ensure management and budget reforms across the U.N. system, and that is something that is sorely needed. Almost everybody acknowledges that the U.N. needs this kind of reform today.

John Bolton is the guy who has worked tirelessly on this effort, including, by the way, the payment of arrearages in U.N. assessments that were created during the 1980s. In that same capacity, he led the effort to repeal perhaps the most heinous resolution in U.N. history, the resolution equating Zionism with racism. He also served as a member of the Commission on Religious Freedom.

He has been there. He has fought on behalf of the United States. He has been an effective diplomat. Yes, he is a tough guy. People have noted that. Do we want a weak Representative at the United Nations? Especially today? I don't think so. President Bush is the person who has talked to all of these diplomats and Presidents and representatives of countries around the world. He has a good feel of what it takes at the United Nations now. None of us has the President's experience in knowing all these world leaders. The President has thought about this and said, knowing all these people, the way they act, how we use diplomacy at United Nations: I think the best guy to represent the United States at this point in time is my man John Bolton. He is the man I want to send there.

We ought to acknowledge that the President knows a little bit about foreign policy and foreign affairs, having worked with all these people, and probably has a pretty good idea of what it takes to get our country's interests represented well at the United Nations. John Bolton is the man he wants us to confirm in that position.

There are a variety of other things Mr. Bolton has worked on with respect to U.N. reform and efforts to reform the International Atomic Energy Agency and a variety of other items.

I will conclude by noting that we all appreciate the fact that the United Nations needs reform, and John Bolton is a person who can accomplish that reform. He has accomplished a great deal in the matter that is primarily of importance to us these days—the proliferation of weapons of mass destruction and the war on terror. I believe all the charges made against him have been answered, of course—they have been answered in spades—but we ought to move beyond all that smokescreen and get back to the central point, which is John Bolton is the man the President wants at the United Nations, he has been confirmed by this body four times before, there is no question about his qualifications and his desire, and the Senate needs to uphold the great tradition of this body by acting on—debating, certainly, but acting on the President's nominees and confirming John Bolton by 7 o'clock tonight.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, would the Chair remind me when I have 2 minutes left, please.

The PRESIDING OFFICER. Yes.

Mr. KENNEDY. Mr. President, it is premature for this nomination even to be brought up before the Senate until we have the opportunity to see all the obviously relevant information on Mr. Bolton's record.

I want to congratulate our friends and colleagues, Senator BIDEN, Senator DODD, Senator KERRY, Senator SARBANES, and the other members of the committee, for the outstanding job they have done on this nomination.

The obvious conclusion from the administration's stonewalling is that the documents being withheld from the Senate contain nothing to support the nomination and will only make it even clearer that Mr. Bolton is the wrong choice for this extremely important position.

The United Nations is the world's preeminent diplomatic body. We need a representative there who is a strong and effective leader, who believes in diplomacy, and who has a proven record of using diplomacy to advance America's foreign policy and national security objectives.

Now more than ever, America needs to put our best face forward to the international community. We can—and should—do far better than John Bolton.

Jeane Kirkpatrick, who served as the U.S. ambassador to the United Nations under President Reagan, has spoken of the need to approach the job of U.N. ambassador in a ''low key, quiet, persuasive and consensus-building way.'' As she says:

> John Bolton may do diplomatic jobs for the U.S. government, but John is not a diplomat.

In fact, John Bolton is more a bully than a diplomat. His confirmation hearings suggest that on many occasions he twisted the intelligence to fit his views and wrongly pressured analysts to produce intelligence conclusions at odds with the facts. He continually sought to exaggerate the intelligence about Cuba's possible biological weapons activities and support for terrorism. He continually sought to exaggerate Syria's nuclear activities beyond what the intelligence analysts regarded as accurate. Rather than accept the analysis produced by the intelligence community, Mr. Bolton insisted on advancing his own views and retaliated against those who disagreed with him. He should be held accountable for this behavior, not rewarded and promoted.

The lessons of the Iraq war are abundantly clear. We need to make decisions based on facts and sound analysis of intelligence.

We need to encourage intelligence analysts to ''speak truth to power'' when intelligence is in danger of being distorted, manipulated, or misrepresented. We can't demand the results we want and try to fire people who refuse to go along. But that's precisely what Mr. Bolton repeatedly tried to do.

He tried to fire Christian Westermann a State Department intelligence analyst in the Bureau of Intelligence and Research, who disputed the misleading language that Bolton tried to use about Cuba and biological weapons.

In another incident, the National Intelligence Officer for Latin America had said that a speech by Mr. Bolton on Cuba did not accurately reflect the assessment of the intelligence community. So what did John Bolton do? He personally went to the CIA to try to have him fired.

Mr. Bolton's contempt for anyone with opposing views was not limited to intelligence officers who disagreed with him.

When two State Department officers in the nonproliferation Bureau disagreed over policy, he sought their removal.

He accused Rexon Ryu, a career civil servant, of intentionally withholding a cable on the U.N. inspection process in Iraq from his office. Nine months later, John Bolton denied Mr. Ryu a significant new assignment as the point person for the Nonproliferation Bureau for the upcoming G–8 summit.

In the case of a State Department lawyer, Mr. Bolton tried to remove him from a legal case on China sanctions, based on a misunderstanding of a position the lawyer had taken.

These are not isolated incidents of disgruntled employees. They represent a clear and troubling pattern of a bully who repeatedly tried to silence opposition by attempting to intimidate analysts and subordinates into conforming to his views.

Sadly, his view is not one that envisions a great and important role for the United Nations. On the contrary, Mr. Bolton has shown nothing but disdain for the United Nations. He has continued to articulate a vision of a go-it-alone foreign policy.

Speaking to the World Federalist Association in February 2004, he said:

> There is no such thing as the United Nations. . . There is an international community, that occasionally can be led by the only real power left in the world and that is the United States, when it suits our interest and when we can get others to go along.

He said:

> The Secretariat building in New York has 38 stories. If you lost 10 stories today, it wouldn't make a bit of difference.

These are not the views of a person who is supposed to represent America's diplomatic interests in the international community. These are not the views of an individual who, as the Administration argues, is well suited to reform the United Nations.

These views are likely to make Mr. Bolton less effective, not more effective, pursuing our interests at the United Nations. We can't expect the support of other nations on issues that matter to the United States, if we show nothing but contempt for other nations.

In fact, on one highly important issue where diplomacy is desperately needed—North Korea—Mr. Bolton has been consistently wrong.

The nuclear threat from North Korea continues to grow. North Korea is already the greatest proliferator of ballistic missiles. Desperate, and strapped for cash, the threat is very real that North Korea could be a source of nuclear material for Al Qaeda terrorists.

We agreed to the Six-Party Talks, but have not effectively engaged the North Koreans. At Mr. Bolton's urging, our policy's been AWOL so far.

The results may be deadly. When President Bush came to office, North Korea's plutonium program was inactive. Its nuclear rods were under seal.

Then the President called North Korea part of his Axis of Evil. As we prepared for war with Iraq over nuclar weapons that did not exist, we learned that North Korea had begun a secret uranium enrichment program. When we confronted North Korea, but then refused to negotiate with it, North Korea expelled the international inspectors and began producing plutonium for nuclear weapons. On the eve of war with Iraq, North Korea pulled out of the Nuclear Nonproliferation Treaty.

At the beginning of the Bush administration, North Korea was already thought to have two nuclear weapons. They are now believed to have up to eight such weapons—and possible more—and they may well be preparing for a nuclear test.

One of our worst national nightmares is nuclear material or even nuclear weapons in the hands of al Qaeda, with North Korea as their supplier.

The person guiding President Bush's policy on North Korea was John Bolton. His policy's been a failure, yet the administration now wants to promote him to be our Ambassador to the U.N.

Mr. Bolton was not able to advance effective diplomacy as Under Secretary for Arms Control and International Security Affairs, and there is no reason to believe he can advance America's interests at the U.N.

The challenges facing America are serious—terrorism, war, ethnic conflict, ancient and modern rivalries, disease and poverty, human rights—all these are still the pressing daily realities—for peoples throughout the world.

The need for a strong United Nations as an effective international organization and a strong U.S. Ambassador to advance our interests is clear and compelling.

As Franklin Roosevelt said about America in 1945:

> We have learned that we cannot live alone, at peace; that our own well-being is dependent on the well-being of nations far away . . . . We have learned to be citizens of the world, members of the human community. It is not a Republican or Democratic or American community. It is a world community.

In the age of instant global communication, trade zones that span hemispheres, transnational criminal gangs, international terrorism, and the prospect of nuclear devastation—the need of nations to work together is greater than ever. The challenges we face today are too complex, too immense, and too pervasive for the United States or any nation to face alone.

The United Nations is the one and only organization through which the nations of the world can link their

unique strengths in a realistic hope of building a peaceful future for all humanity.

We need a representative at the United Nations who supports that vision and is committed to that future for us all. John Bolton is not the person for that job, and I urge my colleagues to vote against him.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I rise to speak again in support of John Bolton's confirmation as U.S. ambassador to the United Nations. When I spoke in April in favor of Mr. Bolton, I highlighted a number of his qualities, including that he is smart, experienced, hard working, talented, and he knows the United Nations. In view of these and other impressive qualifications, the Senate has confirmed him four times in the past.

It is worth repeating several times: The Senate has done its work and confirmed him four times in the past.

In his current job as Under Secretary of State for Arms Control and International Security, he has compiled a record of accomplishment. For example, next week marks the second anniversary of the Proliferation Security Initiative, a multilateral effort to stop trafficking of weapons of mass destruction and their components. John Bolton spearheaded this program since its inception, and today more than 60 countries support it. This success alone should disprove the argument that Mr. Bolton is somehow an arch unilateralist, bent on subverting collective international action.

The PSI is not his only multilateral success. He has also helped to construct the G–8's global partnership to secure dangerous technologies and materials. He led the negotiations leading to the Treaty of Moscow which dramatically reduced the size of deployed nuclear arsenals in the United States and Russia, and in his previous post as Assistant Secretary for International Organizations he led the successful drive to repeal the U.N. resolution equating Zionism with racism.

A lot has been made in recent weeks about Mr. Bolton's personal disposition in dealing with colleagues. Let's be frank: He is not a career diplomat either by profession or temperament, but then, the role of ambassador to the U.N. has always required something special. A look back at some of the personalities who have held this job—from Adlai Stevenson to Daniel Patrick Moynihan, from Jeane Kirkpatrick to Richard Holbrooke—shows that directness and forcefulness are assets, not hindrances, to effectiveness at the U.N.

We all know Mr. Bolton is perhaps not the world's most beloved manager nor one to keep his temper entirely under wraps. Perhaps I have a certain bias in that direction and an extra special sympathy because I am well known to my colleagues as always calm and never engaged in any controversial issues nor activities.

But seriously, I ask my colleagues, I ask seriously, is this unique to Mr. Bolton? If a temper and an unorthodox management style were disqualifiers from Government service, would that disqualify a lot of people, including maybe one or two in this body?

But the fact is, it is worth wondering not whether Mr. Bolton is a mild, gentle diplomat—we know he is not—but, rather, whether he is a representative we need at the United Nations. We need an ambassador who knows the U.N. We need an ambassador who is willing to shake up an organization that requires serious reform. Is there anyone in this Senate who does not believe the United Nations needs serious reform, an organization that has countries such as Sudan on its Human Rights Commission or whose General Assembly equates Zionism with racism?

We all know about the oil-for-food scandal that is unfolding now. We know there have been several calls for reform. One of my friends, Brent Scowcroft, served on a panel that was named by the Secretary General. And Kofi Annan has presented his own serious plan to implement these recommendations because the United Nations needs reform.

Why do I care so much? I care for a broad variety of reasons, including the fact that my taxpayer dollars support some 20 percent of the United Nations operations. The United Nations needs reform. The United Nations has failed in peacekeeping operations throughout the world. Some of the scandals concerning peacekeeping activities, of rape in the Congo, have got to be changed. The United Nations needs the presence of a tough, hard, dedicated individual who has been already confirmed in various posts four times by this Senate.

Elections have consequences. One consequence of President Bush's reelection is he has a right to appoint officials of his choice. I stress this because the President nominates. It is not my choice, or any other Senator's, but the President's choice. When President Clinton was elected, I didn't share the policy views of some of the officials he nominated, but I voted to confirm them, thinking that the President has a right to put into place the team he believes will serve him best.

The Foreign Relations Committee has spent weeks investigating Mr. Bolton's background. In his recent report on behalf of the committee majority, Senator LUGAR, one of the most respected individuals in this Nation, determined ''the end result of all this is that Secretary Bolton emerged looking better than when it began.'' Chairman LUGAR ultimately concluded that Mr. Bolton is a highly qualified nominee. I agree.

In the last 48 hours or so I have noticed a change in the temperature around this body. I am very pleased about it. We realized it is time to move ahead with the people's business. It is time we started addressing seriously the energy crisis in this country. It is time we got together, along with the President, in coming together to save Social Security. It is time we move forward with the Defense authorization bill and help the men and women who are defending this Nation and sacrificing as we speak.

I strongly urge my friends on the other side of the aisle, we are going to have a cloture vote this evening. After that, let's vote up or down. For my colleagues who disagree and do not want Mr. Bolton there, I respect their views. But let's go ahead and give him an up-or-down vote before we go into recess for a week. Let him go. If the Senate in its wisdom approves of his nomination, let's go ahead and let him get to work rather than wait a week or 10 days or more. We have been at this for weeks. Let's move on to other things.

If we asked our constituents, What would you like us to do, take up the Defense authorization bill? Take up an energy bill? Try to work on this deficit problem that is mortgaging their futures? Sit down and negotiate a bipartisan agreement on Social Security? Those would be their priorities. Let's move ahead tonight, have the cloture vote, have a vote on Mr. Bolton, and move forward and plan for when we come back from the recess, addressing the issues that are important to the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. OBAMA. Mr. President, let me begin my statement today by outlining what I think this debate is not about.

I do not believe this debate is about Mr. Bolton being rude on occasion. This debate is not about Mr. Bolton being blunt. The debate is not about Mr. Bolton occasionally losing his temper.

As the distinguished Senator from Arizona just noted, if this is the criteria, many of us in the U.S. Senate would not be qualified to serve in a position that requires confirmation. Almost all of us lose our cool from time to time and say things we come to regret later. Let me add, I don't think this debate is about whether Mr. Bolton is an intelligent man.

These are not the issues at the heart of the strong bipartisan objections that have been voiced on this nomination.

The crux of the objections is very specific, very credible allegations that Mr. Bolton sought to shade intelligence and sideline career intelligence analysts who did not agree with his policy views. This is the core of the bipartisan objections to this nomination.

Over and over again, we heard from a range of career officials and Bush administration appointees that Mr. Bolton sought to massage intelligence to fit an ideological bias. Let me emphasize, these are objections coming forward from Bush appointees.

In addition, we have 102 former ambassadors and senior diplomats who oppose Bolton—from the Nixon administration, the Ford administration, and

that bastion of fuzzy-headed liberalism, the Reagan administration.

In an environment where reliable intelligence is one of the best tools we have to keep us safe, we must heed the lessons from the Iraq war: Intelligence must never be shaped to fit policy views. Dissent within the intelligence community should not be muzzled or suppressed; it should be respected and encouraged.

The United States Senate should be sending a clear, unequivocal statement to our intelligence officers: We want you to play it straight and call it like you see it—even if it is something we do not want to hear.

I am afraid that by voting to confirm Mr. Bolton, we will fail to send that critical message.

Now, I believe the President is entitled to the benefit of the doubt when appointing senior members of his team. To that end, I have supported a number of the President's choices for top foreign policy positions, including Secretary Rice; Robert Zoellick, to be her deputy; and Nick Burns, to fill the third-ranking position at the State Department.

I think we should provide some deference to the President. The executive branch is primarily responsible for the day-to-day operations of our foreign policy.

At the same time, the Constitution gives the Senate the power to advise and to consent. This is a responsibility I take very seriously.

And so, because of Mr. Bolton's consistent breach of the line between practicing politics and analyzing intelligence—that is pivotal to our national security—I intend to vote ''no'' on the nomination of John Bolton to be our representative to the United Nations.

I agree with much of what my colleagues have said about the problems with Mr. Bolton's qualifications to serve in this position. But I would like to focus on one issue that I believe has not been covered in great detail—Mr. Bolton's performance in his current job.

It has been suggested we should overlook the troubling aspects of Mr. Bolton's record—the fact that he appears to have attempted to manipulate intelligence data; the fact he does not appear to have been entirely forthcoming before the Foreign Relations Committee; and the fact we still cannot get basic information from the State Department on his nomination—for one reason: because Mr. Bolton is so competent for the job. I have heard this argument repeatedly from the other side of the aisle.

I am baffled by this reasoning. I am stupefied by the suggestion that Mr. Bolton is such an excellent choice for the job, so uniquely qualified for this job, that we should just ignore all of these other problems.

When I look at the record of Mr. Bolton during the last 4 years as the top arms control and nonproliferation official at the State Department, I am not impressed. Let's look at his track record.

On North Korea, the approach that has been advocated by both Mr. Bolton and this administration has simply not worked. Under Mr. Bolton's watch, there are no longer international inspectors and cameras at any site in North Korea. The North Koreans have withdrawn from the Non-Proliferation Treaty. We now believe North Korea has developed material for six to eight nuclear weapons.

When North Korea has one or two nuclear weapons, the situation is critical. They can test one weapon, and hold one weapon. When it has six to eight, the situation is terminal. North Korea can now test a weapon, hold a couple, and sell the rest. And we know that North Korea will do virtually anything for the money.

Another area Mr. Bolton was responsible for is the Non-Proliferation Treaty, a critical tool for helping to prevent the spread of nuclear weapons to rogue states, which could ultimately fall into the hands of terrorist organizations.

President Bush recognized the importance of the NPT and pledged to strengthen this treaty in a 2004 speech at the National Defense University. A week later, Mr. Bolton promised to do the same.

What has happened since? Virtually nothing. The administration has made very little progress on this issue, and the Non-Proliferation Treaty review conference currently underway is not going well.

An article from MSNBC reports:

> The United States has been losing control of the conference's agenda this week to Iran and other countries, a potentially serious setback to U.S. efforts to isolate Tehran.

Where has Mr. Bolton been throughout this process?

According to the same article:

> [S]ince last fall Bolton, Mr. Bush's embattled nominee to be America's ambassador to the United Nations, has aggressively lobbied for a senior job in the second Bush administration. During that time Mr. Bolton did almost no diplomatic groundwork for the NPT conference . . . officials say. Everyone knew the conference was coming, and that it would be contentious, says a former senior Bush official, but Bolton stopped all diplomacy on this six months ago.

In other words, Mr. Bolton was more interested in lobbying for the U.N. job than doing the tough groundwork necessary for a successful review conference.

Let's turn to Iran—another issue on which Mr. Bolton should have been working to formulate a coherent, workable administration strategy. Instead, the administration's policy has been all over the map. In a hearing before the Foreign Relations Committee last week, a senior State Department official described the latest iteration of the Administration's policy as a ''patient policy.''

I would say the policy has been less about patience and more about paralysis—a dangerous situation for a nation such as Iran that is developing nuclear weapons, is a state sponsor of terrorism, and is meddling in Iraq.

Perhaps this paralysis and incoherence is best illustrated by the fact that since 2001, the administration has tried—to my knowledge, without success—to formulate a Presidential Directive on Iran. As the top non-proliferation official at the State Department, Mr. Bolton should have been doing more to shape a workable policy instead of letting it drift dangerously along for the last 4 years.

Mr. President, I know my time is running short, so let me conclude with a couple of simple points.

Two examples are frequently cited by Mr. Bolton and his supporters as evidence of his success and competence in his current position: Libya and the Proliferation Security Initiative. During his confirmation hearings, Mr. Bolton touted these successes over and over again.

Now, I agree with Mr. Bolton that we have made important progress on these issues. But reports suggest that the Libya deal was struck in spite of Mr. Bolton, not because of him. In fact, Mr. Bolton was sidelined from the negotiations by the White House. And, the British Government specifically asked that Mr. Bolton not play a role in this process.

I quote from an MSNBC article that specifically addresses this issue:

> Bolton, for instance, often takes and is given credit for the administration's Proliferation Security Initiative, an agreement to interdict suspected WMD shipments on the high seas, and the deal to dismantle Libya's nuclear program, a deal that Bolton, by the way, had sought to block. But [a] former senior Bush official . . . says that, in fact, Bolton's successor, Robert Joseph deserves most of the credit for these achievements. This official adds that it was Joseph who was in charge of counterproliferation at the NSC [and] who had to pitch in when Bolton fumbled preparations for the NPT conference as well.

Now, here is my point: If there was clear evidence that Mr. Bolton is a terrific diplomat, maybe I could understand how some in the Senate could overlook what I consider to be a mountain of evidence concerning his misuse of intelligence and say: You know what, this guy is such a capable administrator and diplomat, we need him to reform the United Nations.

I would still believe that the misuse of intelligence, in and of itself, disqualifies Mr. Bolton from the job, but at least I could understand why some people would draw such a conclusion.

But the record indicates that in his current job he has not had much success, which leads me to ask: Why is it we are so confident this is the person who is going to lead reform in the United Nations?

The distinguished Senator from Arizona is exactly right, we need reform in the United Nations. It is inexcusable some of the things that go on up there.

But as a consequence of Mr. Bolton's diminished credibility and stature, I

think he is exactly the opposite of what we need at the United Nations. Countries such as Zimbabwe and Burma, and others that do not want to see reform take place at the UN, are going to be able to dismiss our efforts at reform by saying: Mr. Bolton is a U.N. basher, someone who is ideologically opposed to the existence of the U.N.—thereby using Mr. Bolton's own words and lack of credibility as a shield to prevent the very reforms that need to take place.

Moreover, I have yet to hear a comprehensive plan from Mr. Bolton or the administration for U.N. reform.

So let me close by saying this: When the Foreign Relations Committee considered Mr. Bolton's nomination, I invoked the memory of Adlai Stevenson, a great citizen of the State of Illinois. Stevenson had the credibility, the temperament, and the diplomatic skill to guide the United States through some of the worst, most difficult times at the United Nations—especially the Cuban missile crisis.

During this crisis, we were able to isolate the Soviets because of the stature and integrity of our permanent representative to the United Nations.

Given the issues that have surfaced surrounding Mr. Bolton's nomination, I simply ask my colleagues this: If a crisis were to occur with North Korea or Iran, are we sure the integrity and credibility of Mr. Bolton would command the respect of the rest of the world? Would Mr. Bolton, like Adlai Stevenson, be able to convince the world that our intelligence and our policies are right and true? Would Mr. Bolton be able to isolate our enemies and build a coalition that would ultimately make our troops safer and our mission easier?

I believe the answer is no. There are some wonderful, capable, tough, conservative, reform-minded Republican diplomats who are well qualified for this task and would easily be confirmed by the Senate. Mr. Bolton is not one of them.

I would urge that the other side of the aisle seriously consider their position on this nomination. I hope we can muster the votes to send this nomination back to the President. Let's start afresh. I know we can do better.

Thank you, Mr. President.

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

Mr. MARTINEZ. Mr. President, I rise to strongly support the nomination of John Bolton to be the United States next permanent representative to the United Nations. I do so because I believe this is a man of great integrity who has dedicated himself to serve this Nation in various different posts over the course of his life.

I want to try hard not to repeat a lot of what has been said already because it is, I know, at times repetitious. But I do believe it is important we recognize and know this gentleman has been previously confirmed by the Senate in four prior Presidential appointments, and three of those in the area of diplomacy.

I am intrigued by the comments of the Senator from Illinois about Mr. Bolton's diminished stature. It appears that now we are going to find him unqualified by what has transpired over the last 60 days to this good man, as his record has been trashed repeatedly, oftentimes with scant or little evidence.

So let me say I believe this is a good man who has earned the right and has been chosen by the President of the United States to represent our Nation at this very important post.

The Senator from Arizona spoke about elections having consequences. The fact is, President Bush not only has made this choice but has made a choice of someone who he believes is the right person to lead our efforts at this time at the United Nations.

Mr. Bolton is someone who has sometimes been called blunt speaking. At the same time, our President at times has irked people because of the directness of his language, because of the fact that sometimes he calls a spade a spade. I do recall, as a member of his Cabinet, sitting in a joint session of the Congress when a great deal of talk was generated about him speaking about an ''axis of evil.'' The President has chosen this direct man to be at the United Nations, and at a time when we need direct talk. There is a great tradition at the United Nations of people who have been plain spoken.

I have had the pleasure and honor of knowing Ambassador Jeane Kirkpatrick. No one has ever suggested that Ambassador Kirkpatrick was shy, retiring or unclear about her views. I also had the honor of knowing someone who was ambassador to the United Nations, Vernon Walters. I know Vernon Walters embarked on many diplomatic missions, usually to set the record straight with some foreign leader, usually to tell him bluntly what needed to be done or said. If there is any doubt about that, there is a wonderful book he wrote about his life called ''Silent Missions'' that provides good evidence.

We hold up Adlai Stevenson as someone who should be emulated. The fact is, Ambassador Stevenson, who was a wonderful public servant as well, at times used rather blunt language. I can remember as a child being glued to the TV set during the missile crisis with Cuba and the Soviet Union, and Adlai Stevenson demanding: Don't wait for the translation. He was prepared to use blunt language. It is in our national interest, at times, to have direct, blunt-speaking people, particularly at a place like the United Nations.

We have heard, in the course of the debate, that Mr. Bolton should not be qualified for this job because he spoke of the fact that out of the 38 stories at the U.N. building, perhaps 10 could be done away with. Who here does not, in a serious way, believe that the United Nations bureaucracy could use some streamlining? More interesting than that, Mr. Bolton has been speaking about this for over a decade. He wrote some very interesting articles, which I took the time to read, about United Nations reform, about streamlining that bureaucracy, about better budgetary management. Sadly, although his writings are 8 or 10 years old, even longer, little has been done to move the ball forward, to change that stymied bureaucracy that continues not to use taxpayer dollars appropriately and who has engaged in some condemnable practices in recent days.

One of the charges I find most unfair—and its repetition does not add to its credibility—is the charge that Mr. Bolton has politicized intelligence, has massaged intelligence, has not used intelligence adequately. There is no evidence, for those of us who sat in the Foreign Relations Committee meetings and heard the evidence of those who spoke, that Mr. Bolton ever massaged intelligence. There is evidence that Mr. Bolton acted swiftly to try to explain to those who worked for him how they should approach the clearance of his speeches. And he did react strongly to those who tried to go around him and attempted to impact or influence that which would be clear for him to say.

It is, in fact, at times difficult to study intelligence and analyze it in a way that gives it clear and complete clarity. So what do we do? We have intelligence analysts. We have human beings who are, similar to historians and journalists and all of us in life, given to the proclivities of their own bias, their own life experience, their own political views. Through that filter, comes the intelligence which comes not in a clear package but as a mosaic, something that comes in bits and pieces and dribs and drabs. Out of that, we have to make a whole cloth. We have to create a judgment. That is where judgment comes in.

Those who are in politically appointed positions have the responsibility to challenge the professionals in the intelligence community as they seek to put together the ultimate judgments about what the pieces of information tell them concerning the truth of that intelligence.

In that instance, at times, maybe Mr. Bolton has had differences, but in every single instance that could be overturned—and believe me, his record has been combed carefully—there was never a time when Mr. Bolton went outside that which was approved and that which was cleared.

It is important to me that the record be clear about Mr. Bolton's statements on the issue of bioweapons capabilities by Cuba. In his speech at the Heritage Foundation, which has caused so much controversy and interest, he used the very same language that 3 months earlier one of his accusers, Carl Ford, had used before a Senatorial committee. That language, which stands to this day, reads:

The United States believes that Cuba has at least a limited developmental offensive biological warfare research and development

effort. Cuba has provided dual use bio-technology to rogue states. We're concerned that such technology could support [bioweapons] programs in those states. We call on Cuba to cease all [bioweapons] applicable cooperation with rogue states and to fully comply with all its obligations under the Biological Weapons Convention.

I believe those are responsible remarks. I believe those are timely remarks. I believe those are remarks that are intended to make the world safer and to make America safer from terrorism by bioweapons. Sharing bioweapons technology with rogue states is not a good thing. The fact that Mr. Bolton would dare to call their hand on it is not a bad thing. We should be grateful to Mr. Bolton for his directness, for his bluntness, for his willingness to take on this issue and speak about it clearly.

It has also been said that Mr. Bolton may not have done a good job at his last assignment. I repeat, again, that this is the fourth time the Senate, after a Presidential appointment, has sought to confirm Mr. Bolton, most recently as Under Secretary of State for Arms Control and International Security.

A number of states around the world pose great danger and concern. We spoke about Cuba. It is one of those. But there is also Iran. As to Iran, on Under Secretary Bolton's watch, Iran's formerly covert nuclear program has been exposed and has been described in detail in seven public reports by the IAEA director general. The IAEA board of directors has adopted six resolutions calling on Iran to suspend its nuclear fuels cycle activities and fully cooperate with IAEA inspections.

The EU—particularly UK, France, and Germany—the United States, and Russia are working closely to suspend and reverse Iran's nuclear program and to develop a complete absence of any further nuclear testing by them. Today we had some encouraging news. We hope we can build on that. That is a success that, in no small measure, is due to Mr. Bolton's work.

In addition, we have talked about North Korea. I find it terribly interesting that the irrational behavior of the North Korean Government, which we all know to be irrational and unconventional, would be laid at the feet of this nominee. North Korea has had nuclear aspirations for decades. And it began an active effort to acquire nuclear weapons years before the Bush administration came into office, years before Mr. Bolton was in the position he holds. The 1994 agreed framework was doomed to fail and was only a short-term Band-Aid to the resolution of this problem. It was akin to looking down a soda straw and at a plutonium facility and ignoring the fact that North Korea began cheating, almost as the ink was drying, by embarking on a covert uranium enrichment program. The Bush administration changed tracks. The Bush administration took a different policy approach.

I understand there may be some on the other side of the aisle who disagree with that policy approach, and much has been said about that. In fact, in the Presidential debate, there was discussion of this very issue. Again, elections have consequences. President Bush's approach to proceeding with the six-party approach to negotiations with North Korea is what is continuing today.

We cannot blame Mr. Bolton for those instances where foreign policy issues have not gone as we wished and then refuse to give him credit for those that have been successful. That is the height of unfairness and the height of hypocrisy.

In Libya, our policies have met with success. Negotiations on Libya's weapons of mass destruction dismantling effort were conducted at a senior level by the CIA and White House negotiators. Mr. Bolton was not a part of that process, as often is the case for diplomats. I can recall a distinguished ambassador to the United Nations, Adlai Stevenson, when President Kennedy received information, with photographs by our reconnaissance airplanes, that there were offensive missiles hidden in Cuba, Adlai Stevenson did not have that information. We know now, from the books that have been written about that, he was highly offended that he was not included in or given that information until later when it had been made public. The fact is, sometimes diplomacy has to be conducted in serious and closed circles. Mr. Bolton successfully oversaw WMD dismantling and removal from Libya.

In addition, I believe there have been a number of other unfair accusations about Mr. Bolton's conduct in terms of his relationship with subordinates.

The fact is, some of these allegations have been found to be completely devoid of any merit. In fact, the majority report on the Melody Townsel case—one of those that was so sensational, that caused the Foreign Relations Committee to defer consideration of his nomination until 3 weeks later—the investigation on page 315 of the report says:

The investigation was not able to establish conclusively that the alleged events even occurred.

The fact is that, along with many of these other allegations that have really nothing to do with the qualifications and competence of Mr. Bolton, has been found to be either without merit or with very little merit.

Mr. President, in conclusion, it is time that we move forward with this good man's nomination. I find it, as a fairly new Member of the Senate, a little disturbing and disappointing how easily and with little hard evidence a person's reputation can be tarnished. The fact is, there have been bits and pieces that were either exaggerated or simply not found to have merit that have been now utilized to try to derail this good man's nomination.

I look forward to Mr. Bolton's service at the U.N. I think he will be a good and effective reformer in an institution that is in desperate need of reform and an institution where he has taken the time, over the history of his work, to talk about those issues of reform—management reform and budgetary reform.

Our Nation contributes a very sizable percentage of the U.N. budget. It is our taxpayer dollars that are being wasted at the U.N. and that are oftentimes not only not serving our national interests but are, in fact, harming our national interests.

We have a person with Mr. Bolton's experience, and it has been suggested that he is someone who is simply not going to be effective at the U.N., and he is not going to be effective because it keeps being repeated that he will not be effective there.

Mr. Bolton has a strong record of accomplishment. I point to the repeal of the Zionism as racism resolution, on which Mr. Bolton led the effort that was so important in establishing a dynamic paradigm so the Middle Eastern peace process could move forward, so that fundamental fairness toward Israel could also prevail at the U.N., a place that has been so incredibly harsh on Israel and its right to exist.

I am delighted and it is with great pleasure that I support the nomination of John Bolton to be the next Permanent Representative at the U.N.

I yield the floor.

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

Mr. REED. Mr. President, I rise to speak in opposition to the nomination of John Bolton to be ambassador to the United Nations.

There are two issues at stake. First is an issue of whether this Senate will receive critical information so that we can deliberate carefully and thoroughly about Mr. Bolton's nomination. So far, the State Department, as my colleagues, Senators DODD and BIDEN, pointed out, failed to provide information under the theory that they get to decide what we should know when we are casting a vote as important as ambassador to the United Nations. It is a novel theory, but it holds no water. If we allow this to go on, it will make the Senate irrelevant when it comes to major decisions about nominations and major decisions about the future policy of the country.

The second issue is the qualifications of Mr. Bolton to be ambassador to the United Nations. For me, this is not a particularly hard vote. I opposed Mr. Bolton's nomination to be Assistant Secretary for Arms Control. That was based upon my review of his record, his statements, and his commitment to arms control and counterproliferation. Frankly, I think over the last several years—the record is mixed, but in large part it suggests that his duties there certainly don't warrant a promotion to be ambassador to the U.N.

He was instrumental in establishing the Proliferation Security Initiative, which is a potentially useful framework, but as CRS pointed out:

Without greater resources, legal authority or technical tools for interdiction, the success of PSI may rest on a political commitment of like-minded states to follow through.

In a sense, after all of the initial hype, there does not appear to be the followthrough necessary to make this work. That was on Mr. Bolton's watch.

He also negotiated the 2002 Moscow Treaty, but this is an interesting arms control treaty. It has no verification regime. There is no requirement for either side to make adjustments in the status of nuclear weapons until the last day of the treaty, which is years from now. It has no provisions for continuing negotiations. Again, more style than substance, more press release than real progress.

Secretary Rice has indicated that Mr. Bolton was involved in negotiations which led to a significant breakthrough—the renunciation of nuclear weapons by the Government of Libya. However, if you listen to British officials participating in the negotiations, they requested that the White House take Mr. Bolton off the negotiating team because he was undermining their potential for success.

While Mr. Bolton was an Under Secretary for State for Arms Control, the United States withdrew from the ABM Treaty, becoming the first nation since World War II to withdraw from a major international security agreement.

Mr. Bolton also blocked efforts to add a verification clause to the Bioweapons Convention, blocked negotiations in the Geneva Conference on Disarmament with respect to the weaponization of space, and worked to weaken a treaty on small arms trafficking.

That is not the record of somebody who is an Arms Control Under Secretary committed to ending proliferation. If you look at North Korea, when he took over, they had, at most, two nuclear weapons. Now, North Korea may have as many as eight—four times the peril and danger. That is not a record that compels a promotion.

I think this is a situation in which other factors have come into play—assertions and allegations that he has pushed the envelope with respect to intelligence, about threats from Syria and other countries. Again, this is not a record that deserves promotion, a record of someone who is in a challenging world and is able to make a major, positive difference with respect to arms control, and it reflects the administration's disdain for the process of arms control and counterproliferation.

Now Mr. Bolton has been nominated to be ambassador to the U.N. And once again, Mr. Bolton is reflecting the administration—this time their disdain for the U.N. I believe that is wrong.

We should have recognized, after our experience in Iraq, that we cannot go it alone. As unpleasant as international organizations can be sometimes, as inefficient and unworkable as they are at times, in the long run we are better when we ally with other nations than striking out alone. Mr. Bolton has a different view of the U.N.

In 1994, he stated:

There is no such thing as the United Nations. . . .If the U.N. Secretariat Building in New York lost 10 stories, it wouldn't make a bit of difference.

That is a narrowed-minded view and not historical. The U.N. has made a difference.

Repeatedly, Mr. Bolton talked about his disdain for the U.N. In 1998, he was responding to the ramifications of not paying U.N. dues. In his words:

Not only do I not care about losing the General Assembly vote, but actually see it as a ''make my day'' outcome.

That is not the kind of cavalier attitude that will bode him well as ambassador to the United Nations, where he becomes one of the chief diplomats in our diplomatic arsenal, if you will.

In an article in the New York Times, Elizabeth Jones stated:

I don't know if he's incapable of negotiation, but he's unwilling.

Ms. Jones believed that:

''The fundamental problem,'' if Mr. Bolton were to become U.N. ambassador, would be a reluctance on his part to make the kinds of minor, symbolic concessions necessary to build consensus among other governments and maintain the American position.

In another view by Jeane Kirkpatrick, former U.S. ambassador to the U.N. and referred to by my colleague from Florida, she stated:

John Bolton may do diplomatic jobs in the U.S. Government, but John is not a diplomat.

Frankly, the role of ambassador requires a diplomat, not someone who is an intellectual bully, not someone who is there to make a point and not to make progress, not someone there to send a message, to deride the work of his colleagues at the U.N.

So I think we have a responsibility on two fronts: First, to assert rather strongly that we are relevant to this process, that we need information, and that executive agencies do not decide what information we need. And second, Mr. Bolton's record to date, his statements to date, his attitude to date suggest he will not be an effective ambassador to the United Nations. As a result, I urge that his nomination be opposed.

Mr. President, I yield back my time. 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. ALLEN. 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. ALLEN. Mr. President, I rise to offer to my colleagues my strong and unequivocal support for John Bolton and his nomination to be our United States representative to the United Nations.

John Bolton was picked by the President. A President ought to be able to bring people into his administration, men and women, who share the values, the aspirations, the goals, of that administration. This President also represents the views of most Americans who believe the United Nations needs reforming. We need to bring someone into that position to get those reforms done.

I believe very strongly John Bolton is exceptionally well-qualified for this task. This is a time of change, a time of improvement that is necessary for the United Nations.

During the protracted committee process, we saw all sorts of sensationalized charges and outright fabrications against John Bolton. His nomination nonetheless, has finally reached the Senate where I am sure my colleagues will see the wisdom in confirming John Bolton. This debate provides an opportunity to have a full discussion on John Bolton and his qualifications to serve as Ambassador to the United Nations.

What has been lost in this entire debate from the very beginning as they are off on tangents, detours, and all sorts of allegations. What is being missed—and what I hope my colleagues and the American people will focus on—is the dire need for change in the United Nations. The need for accountability, the need for scrutiny, the need for reform.

In testimony before the Foreign Relations Committee and in interviews conducted by the committee staff, there is almost no mention, or discussion, of what needs to be done to reform the United Nations. John Bolton is a man with the skill, wisdom, principles, and the right person to unflinchingly lead those changes as our representative.

Much of the debate during the committee consideration and some of the things that have been said in the Senate has been focused on the sensibilities of some who are apparently easily offended. There is a fascination with speech crafting. For example, there is concern over what Mr. Bolton said at a speech to the Heritage Foundation concerning Cuba's biological weapons program and how that might be shared with rogue nations.

The reality is, and I will quote this for the record so if anyone wants to see what was actually said that created this controversy. What was actually said is the following by John Bolton at the Heritage Foundation in the speech ''Beyond the Axis of Evil,'' May 6, 2002:

Here is what we now know. The United States believes that Cuba has at least a limited offensive biological warfare research and development effort. Cuba has provided dual-use biotechnology to other rogue states. We are concerned that such technology could support biological weapons programs in those states. We call on Cuba to cease all biological weapons applicable cooperation with rogue states and to fully comply with all of its obligations under the Biological Weapons Convention.

Well, one of the people, a very cheerful fellow, Carl Ford, complained about the sensibilities of some staff person. Here is what he said in testimony to the Foreign Relations Committee. He said:

> The United States believes that Cuba has at least a limited developmental offensive biological warfare research and development effort. Cuba has provided dual use bio-technology to rogue states. We are concerned that such technology could support biological weapons programs in those states. We call on Cuba to cease all biological weapons applicable cooperation with rogue states and to fully comply with all its obligations under the Biological Weapons Convention.

Mr. President, I see you are squinting and trying to probably figure out: Well, what is the difference? There is no difference. It is the same in the speech as was the testimony from Mr. FORD in the Foreign Relations Committee. Then, we hear from folks talking about: Oh, people were upset because of all of this concern on how this speech was constructed. Well, here is the reality. The whole process was one in which the person who was clearing this language did some things that were inappropriate. An e-mail from Thomas Fingar to Thomas Bolton stated the following:

> I looked at what my guy sent to the IC and that won't happen again . . . Choice of the phrase ''does not concur'' was entirely inappropriate . . . we have no role whatsoever in determining how you or any policymaker says what you want to say beyond suggesting alternatives that we think might be cleared more readily than what has been drafted if time was of the essence and the drafter asked for such advice.

The bottom line, he ends it:

> We screwed it up, but for base reasons. It won't happen again.

So John Bolton had a reason to be concerned about how some things went around through the loops and so forth. The reality is, as many individuals, our colleagues, fellow Senators, particularly on the Foreign Relations Committee—in recent months, once John Bolton had been nominated for this position—were talking about how he was rude maybe, or irascible with some staff, or concerned about this, that, or the other. Things that have supposedly come up in recent years, of course, each and every one of these allegations have been refuted and the truth has come forth.

The reality is that when John Bolton was proposed and nominated to be Under Secretary of State, back in 2001, Senators BIDEN, BOXER, KERRY, DODD, and SARBANES—all of them—voted against John Bolton. That was even before they knew about these tangential issues.

Now, I would prefer, when looking at the United Nations, we would be, as a country, united in making sure we pursue the abuse and anti-Americanism that pervades the United Nations. Rather than get off on these tangential and unfounded charges, I am much more concerned about the United Nations being used as a front for dictatorships and terrorists, as well as being a waste of the taxpayers' money.

Over the last year, we have witnessed scandal after scandal in the United Nations. Unfortunately, these are not issues that can be addressed by a few marginal changes. These are issues that have shaken the credibility of the United Nations and caused many citizens in the United States, and people around the world, to really wonder whether the U.N. has any relevance in the future or has a redeeming role in world affairs.

Now, the United Nations was founded on:

> faith in fundamental human rights, in the dignity and worth of the human person.

While the United Nations performs a number of admirable endeavors, it is also beholden to tyrants, dictators, and repressive regimes in certain circumstances. Not considering the scandals, this is an organization that has allowed some of the world's worst violators of human rights to chair its Commission on Human Rights. Just when the United States has made a commitment to the spread of freedom and justice throughout the world, it is difficult for Americans—I know in Virginia, in North Carolina, and elsewhere around this country—to see the United Nations as anything other than wasting their tax dollars. When a country such as Libya is chairing the Human Rights Commission. Sudan is on the Human Rights Commission, and within the last several weeks, Zimbabwe has been made a member of the Commission. This is certainly not an indication that the Secretary General's call for reform of the Commission on Human Rights is at all being heeded.

Now, as public servants and stewards of the American taxpayers' dollars, we need to make sure the revenues we allocate are being put to good use. The United States and the people of this country, the taxpayers, every single year, are providing $2 billion to the United Nations. We will provide over 22 percent of the U.N.'s regular budget in 2005.

I believe all Americans want reforms enacted that would prevent future abuses in programs like the Oil-for-Food Program, where Saddam Hussein and his thugs skimmed off $20 billion. I think we also, as Americans, want to hold accountable U.N. peacekeepers who commit crimes against children. We have an obligation to work with like-minded reformers in the U.N. to make sure policies are implemented to prevent similar abuses in the future.

Now, reform is absolutely necessary in the United Nations. The United Nations is in a crisis, and the United States has a strong interest in seeing it emerge as a credible and relevant institution once again. The U.N. Security Council and International Atomic Energy Agency, otherwise known as IAEA, are needed forums for discussing the proliferation of nuclear weapons and the actions that need to be taken, not just by the United States but with our European and other allies around the world, to make sure that rogue nations do not acquire those nuclear weapons.

We have seen in recent years that the United Nations can provide an important role in helping the spread of democracy. They can be helpful in rebuilding societies that are emerging from decades of tyranny and repression.

The United Nations has a role to play in the future of global affairs and security, but it can only do so if it takes serious steps to reform the extraordinary corruption and ineptitude that has plagued it in recent years.

Now, John Bolton comes to this nomination with a broad and deep knowledge of international affairs. From his early days as General Counsel at the U.S. Agency for International Development during the Ronald Reagan administration, to his most recent post as Under Secretary of State for Arms Control and International Affairs, Mr. Bolton has spent a great deal of time working on advancing the interests of the United States and our foreign policy.

Some have wrongly criticized John Bolton as a rigid unilateralist who is incapable of building consensus with allies. However, his years of service prove otherwise.

On counterproliferation, Mr. Bolton's efforts gave life and actual meaning to President Bush's Proliferation Security Initiative. Under John Bolton's leadership, a dangerous gap in counterproliferation enforcement on the seas has been filled by international cooperation and information sharing. Sixty countries were brought together. That is not working alone. He understands, if we are going to interdict weapons of mass destruction, biological weapons, nuclear or otherwise, we do need the support of other countries.

In addition, Mr. Bolton helped create the Global Partnership at the G–8 summit in Alberta, Canada, in 2002. This partnership doubled the size of the nonproliferation effort in the former Soviet Union by committing our G–8 partners to match the United States' $1 billion per year Cooperative Threat Reduction or Nunn-Lugar program.

He also played a central role in negotiating the Treaty of Moscow, which will reduce operationally deployed nuclear weapons by two-thirds.

Elimination of North Korea's nuclear threat still requires much hard work, but it is clear that the half century stalemate that has allowed the North Koreans to steal or develop nuclear arms technology is over. Growing pressure is on that dictatorship, and John Bolton's role at the State Department in creating it are being confirmed by the torrent of personal invective directed at him from the North Korean Government.

While our Ambassador there might have had his sensibilities offended by John Bolton calling the North Korean regime a ''repressive dictatorship,''

which seems to be accurate, as well as saying it is a ''hellish nightmare'' for people to have to live in. North Korea, which I might not have used the first word, but it is certainly a nightmare, it seems to me to be very accurate description.

Of course, some have criticized John Bolton for doing that. And gosh, the North Koreans called him ''human scum.'' I am going to stand with John Bolton in his characterization of North Korea. In fact, they say of John Bolton: Oh, this was not helpful for him to be calling North Korea or characterizing it as it is.

He helped break a long international silence, while there are some who think, when you are dealing with a repressive dictatorship, the best thing to do is just be quiet, calm them down, try to coordinate them into a corner, pet them, don't get them agitated, and maybe they will just change on their own. Maybe there are those who think you can have editorials in newspapers and that is going to matter to tyrants and dictatorships. They don't care about public opinion. They don't care about human rights. All they care about is power and staying in power.

So John Bolton, in my view, performed a valuable service in breaking this long international silence about the suffering of the people in North Korea. For too long, savage conditions, condemned by food aid workers, and glimpsed by visitors to the North, received very little, very scant world attention. By magnifying the human dimension of the North Korean problem, his work may hasten the day when these abhorrent human rights violations in North Korea will end. The reality for North Korea is that we need the Chinese. The South Koreans, the Japanese, and the Russians are all very important but as a practical matter the ones who really prop up that regime is the Government of the People's Republic of China.

When people are allowed to escape from North Korea, what happens? They get to some embassy in China and they get sent back to North Korea. Guess what happens? They get tortured and in some cases they get killed. We need to make sure that if somebody can get out of that regime—just as if someone could have gotten out of East Germany or Czechoslovakia or Hungary or Poland; if they somehow could get out of those countries and escape to Austria, to West Germany, to the Netherlands, to Denmark, we certainly would not say: Go on back in there and let the East German police take care of you or let the Soviet puppets in the Eastern Bloc take care of you.

So, I think John Bolton has done a great job in pointing out the human rights violations in North Korea. Some may also not agree with his forthright critique of the United Nations and its failings. I think Mr. Bolton has clearly placed a great deal of thought into his views, and he can work with the United Nations' bureaucracy. But he is not going to be a lapdog. He is not going to get seduced by niceties. He is going to say: This is what needs to be done.

As Assistant Secretary of State for International Organizations—and this is, indeed, working with the United Nations—John Bolton—and you can read what Secretary of State Lawrence Eagleburger wrote—led the effort to have the United Nations change its odious resolution that equated Zionism with racism. Now, to get the United Nations to say that they ever did something wrong and to repeal it—similar to anything that even happens here, to say we did something wrong and to repeal some law—takes some negotiation. John Bolton was able to get the United Nations to repeal that odious resolution.

It is a clear, a very clear—example of his ability to stand by principle, stand for what is right, and also to work cooperatively with other countries in the United Nations.

So in my view, John Bolton has the knowledge and experience to effectively represent the United States at the United Nations and to negotiate the changes that need to be made to ensure its relevancy and its credibility in the future. All of us want a United Nations that is with us, working to advance free and just societies and human rights around the world. We do not want them squandering, wasting money, propping up repressive regimes, being a front for terrorist regimes. We need the United Nations to remember what its charter is.

Now, unfortunately, the committee was forced to spend a majority of its nomination hearing and subsequent meetings on tangents, exploring wild claims, and not addressing the issues that face the United States at the United Nations. Nor has the debate been much about John Bolton's qualifications to serve as our representative.

Most of those who have complained and made charges against John Bolton never had any intention of considering the merits of his nomination in the first place. When considered, as I said earlier, for his current position, all of these—Senators BIDEN, SARBANES, DODD, BOXER, and KERRY—voted against him. We have had many unsubstantiated claims and rumors and exaggerated innuendo. I do see the Senator from Wisconsin, who did vote for him the other time, so it does not apply to Senator FEINGOLD. I hope the Senator recognizes I did not list his name. I think, as people look at these overly hyped charges, they have been refuted. They do not have any bearing on John Bolton's ability to serve as our ambassador to the United Nations.

A President should have the prerogative to select the men and women—unless there is some extraordinary, proven infirmity or criminal violation—he determines to advance and lead his initiatives and also to keep the promises he made to the American people. President Bush has nominated John Bolton to advance our foreign policy and goals at the United Nations.

Let me conclude with these final thoughts. In 1945, when it reported the U.N. Charter to the Senate for ratification, the Senate Foreign Relations Committee wrote that:

> . . . neither this Charter nor any other document or formula that might be devised can prevent war. . . . The establishment of the United Nations will at best be a beginning toward the creation of those conditions of stability throughout the world which will foster peace and security.

As we know, the United Nations has fallen short of these expectations. But a better, more accountable United Nations may better serve our interests much more reliably.

Thus, the Bolton nomination offers the Senate an opportunity to again play a historic role in bringing sensible reform to the United Nations. It is worth the effort. John Bolton is the right person to advocate our principles, and he will not be easily seduced by empty, meaningless, courteous pontifications of international bureaucracies.

John Bolton will bring much needed reform and accountability to the United Nations, that is in dire need of such to regain its credibility. He will be a watchdog, and that is what I think the taxpayers of this country want. He is going to be a strong diplomat, a man of vision, and an integral part of an administration team that has proven its readiness to foster positive change throughout the world.

The Senate, at 6 o'clock this evening, I hope, will take action—take action, and very positive action. There will be some differences, but let's recognize that this is a historic time, a time for change in the United Nations, a time for reform. And these reforms will be positive. Our taxpayers will support these changes.

I think freedom-loving countries and people who are not yet tasting that sweet nectar of liberty will also appreciate these changes. The billions of dollars going to the United Nations will be used for positive, constructive change in implementing and fostering the construction of those pillars that are so essential for a just and free society: The freedom of religion, freedom of expression, private ownership of property, and the rule of law. Those are the principles we need to address, and we are, as a country, in advancing the United Nations, consistent with its Charter, which ought to be a strong ally, not an impediment, in those efforts.

I hope we will work with John Bolton and the United Nations to bring forth this reform, improve the credibility and, in fact, the effectiveness of the United States and the United Nations, to advance freedom and justice for people throughout the world.

I thank you for your attention, Mr. President, and I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I rise to oppose the confirmation of John

Bolton to be the next U.S. ambassador to the United Nations. I do not take this decision lightly. As the Senator from Virginia just pointed out, when Mr. Bolton's nomination was first announced, my vote was by no means a foregone conclusion. In fact, in 2001, when the Senate Foreign Relations Committee considered the nomination of Mr. Bolton to be the Under Secretary of State for Arms Control and International Security, I parted company from my Democratic colleagues on the committee to vote in favor of his nomination both in committee and on the floor.

I did so because I generally believed, as the Senator from Virginia said, that the President has the right to choose executive branch nominees who share his overall world view, even when I do not share that world view. Barring serious ethical lapses or a clear lack of appropriate qualifications for a given job, I tend to give the President a great deal of latitude in making these appointments.

But after examining the record, I have concluded that Mr. Bolton is fundamentally unsuited for the job to which he has been nominated. His blatant hostility toward the institution at which he would serve and his history of pursuing his personal policy agenda while holding public office lead me to question whether Mr. Bolton's appointment as our ambassador to the United Nations would serve the interests of the United States.

I share the views of many who are insisting on reform at the U.N. The U.N. must become more effective and more accountable and, as stewards of the American taxpayers' dollars, we must insist on this point. But Mr. Bolton's record suggests that his personal animosity toward the United Nations is so great that he cannot effectively lead the charge for reforms that can make this vital, but deeply flawed, institution stronger and more effective.

He seems to view the U.N. as an instrument to be used when it suits only our immediate interests but one best ignored or even undermined the rest of the time. His failure to grasp the give and take required for effective multilateralism makes him a real obstacle to any hope of pursuing vital long-term U.S. interests and increasing burden sharing and marshaling a global force strong enough to defeat the terrorist networks that seek to do us harm.

Mr. Bolton's record also reveals many instances of intemperance and rash decisionmaking. At least two senior intelligence officials told committee staff that Bolton's draft testimony prepared for a House hearing on Syria in 2003 went well beyond what the intelligence community would clear or could clear. This wasn't a case in which State Department intelligence analysts alone had concerns about Bolton's proposed language. The CIA, the Department of Energy, and the Defense Intelligence Agency all objected. According to interviews conducted by the committee staff, Bolton's office pushed back, resisting the intelligence community's efforts to alter problematic provisions. Bolton was determined to be such a loose cannon that the Deputy Secretary of State instituted an extraordinary policy to address the problem, requiring all of Mr. Bolton's public presentations to be cleared by Larry Wilkerson, Secretary Powell's Chief of Staff, or Deputy Secretary Armitage himself.

Regrettably, I do not have confidence that his personal agenda would always, as it must be, subordinated to that of the Secretary of State who, in testimony before this committee in her first days in office, has placed such a premium on restoring frayed diplomatic ties.

In addition, information that came to light during the Senate Foreign Relation Committee's consideration of this nomination indicates that John Bolton has sought to punish intelligence analysts whose assessments did not support what Mr. Bolton wanted to say or wished to say. After all that has happened to our country's reputation and credibility in recent years, we cannot afford to tolerate, let alone promote, a policymaker who seeks to silence dissent from the intelligence community. What the committee found was not that Mr. Bolton made careless remarks in the heat of a tough bureaucratic dispute; the evidence shows that over a period of many months, Mr. Bolton repeatedly sought the removal of a respected intelligence analyst at the State Department who had raised concerns about language Mr. Bolton wished to use publicly, in the course of the standard clearance process, a process that is there to protect against misleading or inaccurate public characterizations of important security issues. And Mr. Bolton repeatedly sought the removal of the National Intelligence Officer for Latin America, again pursuing this vendetta for months, not heated minutes, and going so far as to consider blocking country clearance for Mr. Smith to travel abroad. In both cases, the offense that so incensed Mr. Bolton appears to be that the analysts did their jobs—they presented the facts as they saw them, and declined to keep silent when the facts did not support what Mr. Bolton wished to say. And in both cases, senior officials with decades of experience in government who were involved in these episodes told committee staff that Bolton's actions—his attempts to retaliate against these analysts—were absolutely extraordinary.

In addition to these disturbing incidents, other interviews conducted by committee staff revealed a broader pattern of attempting to simply cut those who disagreed with his policy views, or those who he believed disagreed with his policy views, out of the policy-making process entirely. John Wolf, the former Assistant Secretary of State for Non-Proliferation, told committee staff that Bolton attempted to retaliate against at least two public servants in the non-proliferation bureau because of differences in their policy views. Mr. Bolton tried to remove a State Department attorney from a case relating to a sanctions issue because of perceived policy disagreements—the record suggests that Mr. Bolton actually misunderstood where the lawyer in question stood—and went so far as to suggest that he would not work with the State Department's entire legal bureau on the matter from that point on—a declaration quickly negated by Deputy Secretary Armitage, who felt compelled to remind Bolton that as a State Department official, he would indeed be working with the State Department's lawyers. This kind of tunnel-vision, everyone-else-out-of-the-room approach was summed up by Secretary of State Powell's Chief of Staff Larry Wilkerson, who told the committee staff, ''when people ignore diplomacy that is aimed at dealing with [North Korea's nuclear weapons development] in order to push their pet rocks in other areas, it bothers me, as a diplomat, and as a citizen of this country.'' When asked specifically if he thought that Mr. Bolton had done that, Wilkerson said, ''Absolutely.'' Mr. Wilkerson ended his interview with the committee with the following:

> I would like to make just one statement. I don't have a large problem with Under Secretary Bolton serving our country. My objections to what we've been talking about here—that is, him being our ambassador at the United Nations—stem from two basic things. One, I think he's a lousy leader. And there are 100 to 150 people up there that have to be led; they have to be led well, and they have to be led properly. And I think, in that capacity, if he goes up there, you'll see the proof of the pudding in a year. Second, I differ from a lot of people in Washington, both friend and foe of Under Secretary Bolton, as to his, ''brilliance''. I didn't see it. I saw a man who counted beans, who said, ''98 today, 99 tomorrow, 100 the next day,'' and had no willingness—and, in many cases, no capacity—to understand the other things that were happening around those beans. And that is just a recipe for problems at the United Nations. And that's the only reason that I said anything.

Some have suggested that, because Mr. Bolton did not succeed in his attempts to end the careers of analysts whose dissenting views angered him, and because he did not succeed in his attempts to manipulate the government's processes to shut out voices of disagreement, caution, or dissent, there is no problem here. I cannot believe that any of my colleagues actually believes that is true—not after all that we have learned about the vital importance of dissent in the intelligence community from the 9/11 Commission, the Silberman-Robb Commission, and numerous other investigations into the major intelligence failures that have gravely harmed our credibility and our security over the past years. Why would we choose to promote to a position of prominence and trust an individual who has repeatedly tried to suppress inconvenient

analysis? As the former Chairman of the National Intelligence Council told the committee staff, politicization ''even when it's successfully resisted, it doesn't mean that there hasn't been an effect, because it creates a climate of intimidation and a culture of conformity that is damaging.'' Carl Ford told this committee about his concerns of a ''chilling effect'' that Bolton's actions with regard to Mr. Westermann could have on all of the analysts in the department's intelligence analysis bureau. And Mr. Westermann told the committee staff that in the wake of his run in with Mr. Bolton, ''I was concerned that I had to spend time thinking about how I was approaching issues so that I didn't step on a landmine.'' Attempting to undermine important clearance processes, attempting to run roughshod over the safeguards in place to protect U.S. credibility, is an awfully big problem, whether or not the attempt was successful. It is, in my view, a disqualifying problem.

Finally, Mr. President, I urge my colleagues to examine the record of the Foreign Relations Committee's consideration of this nomination. It raises very serious concerns regarding Mr. Bolton's understanding of his obligations to be forthcoming with this committee. Several of Mr. Bolton's answers to Senators' questions were misleading at best, and several were quite blatantly non-responsive. A number of these instances relate to Mr. Bolton's efforts to retaliate against intelligence analysts, and these are detailed in the minority report on this nominee. But others relate to more general foreign policy issues. The Bush administration's first Ambassador to South Korea, Tom Hubbard, was so troubled by Mr. Bolton's misleading characterization of Mr. Hubbard's role in approving a controversial speech that Mr. Bolton gave in Seoul that he felt obligated to contact the committee to correct the record.

In light of the evidence this committee has seen in recent weeks, most of us can probably agree that if Mr. Bolton does end up being our next Ambassador to the UN, extremely careful oversight will be required. But our oversight responsibilities depend, in many instances, on the executive branch officials who come before us understanding that they have a constitutional obligation to be forthcoming with Congress. The record that he has amassed during this confirmation process gives me no confidence that Mr. Bolton intends to adhere to this obligation.

Mr. Bolton's nomination raises fundamental questions regarding both credibility and accountability. The credibility of our representation at the UN, the credibility of intelligence, the credibility of the oversight process are at stake. And the question of whether or not this committee will hold officials who seek to suppress dissent accountable for their actions is before us today as well.

I deeply appreciate the extraordinary courage of the many people who came forward to share with the Foreign Relations Committee their own concerns about Mr. Bolton's fitness for the UN post or to correct inaccuracies in the record—in some cases at real risk to their own careers. I am grateful for their efforts, and deeply appreciate their honesty. I hope that my colleagues will consider their words carefully. Their statements came at a price to them, and they should not be ignored.

In contrast to these admirable public servants—many of whom, by the way, I would likely disagree with on any number of important policy issues—the administration has failed to be forthcoming in this process. Mr. President, I share the concerns that have been expressed by some of my colleagues on the Committee regarding the administration's failure to respond satisfactorily to requests for documents and information relating to this confirmation. The administration declined to produce requested documents and information, apparently because they do not believe the requested information is relevant. Quite frankly, that is not for the administration to determine. Not only does the administration's rationale fail to respect the Congress as a co-equal branch of Government, it also speaks of bad faith and contempt for the role of Congress in the confirmation process.

Finally, Mr. President, during the committee's consideration of this nomination, Senator SARBANES reminded all of us of the history of the position of the United States Ambassador to the United Nations. He listed the names of all 24 public servants who have held the office. Twenty-two of those twenty four were confirmed by unanimous consent, or with unanimous votes, or with voice votes. One was confirmed by a vote of 89 to 3. The most controversial Ambassador in our history was confirmed by a vote of 81–16. We have been represented by some very direct, opinionated, colorful characters at the United Nations. But we have never sent a figure so polarizing, or one with credibility so tattered, as the nominee before us today. John Bolton does not have the support of a single Democrat on the Senate Foreign Relations Committee. He does not have the support of a majority of that committee. I do not understand why the administration is insisting upon thrusting such a troubled nominee into such a sensitive and important post. From achieving real reform of the UN to rebuilding US credibility to creating a solid global coalition to combat terrorism, the stakes at the UN are as high as they have ever been. If the President had chosen a public servant of impeccable judgment, the committee and the Senate would have rallied around that selection, eager to work in partnership with a nominee capable of, and committed to, mending frayed relationships, encouraging real burden-sharing, and nurturing a strong international coalition to fight terrorism and the proliferation of weapons of mass destruction. John Bolton is not that nominee. I urge my colleagues to reject this nomination, and let us work together to quickly confirm a different nominee—one who represents the President's views but also has the skills, the record, and the confidence of the Senate required to be an effective ambassador. We can do, and we should do, much better than John Bolton.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ALEXANDER. Mr. President, I would like to say a few words about the nomination of John Bolton. The Presiding Officer is a member of the Foreign Relations Committee, and we spent a good deal of time listening to testimony on the President's nomination of Mr. Bolton to be Permanent Representative at the United Nations.

On the face of it, he is as well qualified for this position as any person who has ever been nominated for the position. He has a distinguished background, confirmed by this body, I believe, four times, 4 years ago as Under Secretary of State for Arms Control and International Security. He was Assistant Secretary for International Organizations under the first President Bush, for whom I served. He was assistant to Attorney General of the Department of Justice in the late 1980s. That would be during the Reagan administration. That is a big job. I believe he was the Assistant Attorney General for the Civil Division of the U.S. Department of Justice. He was Assistant Administrator for Program Policy Coordination for USAID in 1982 and 1983. He was general counsel for the U.S. Agency for International Development.

He has the kind of academic record all of us would like to have: summa cum laude from Yale, a JDL from Yale Law School.

He comes from an enormously distinguished background. As has often been pointed out on this floor and in committee hearings, he has some solid accomplishments, including leading the American efforts to repeal the resolution at the United Nations which equated Zionism with racism and his work with the liberation of Kuwait in 1991 through the U.N. Security Council. When former U.S. Secretary of State Jim Baker was asked to help the United Nations in its work in western Sahara, Secretary Baker, who is known for choosing exceptionally talented people to work with him, asked John

Bolton to work with him in the western Sahara in the 1990s pro bono. He designed the current administration's proliferation security initiative under which more than 60 nations now share intelligence and take action to stop the transfer of dangerous weapons.

So I was not one bit surprised when Mr. Bolton made an impressive appearance before the Foreign Relations Committee on the first day of our testimony. He demonstrated command of the issues facing the United Nations. He got a lot of intense questioning, as he should from Senators, for such an important position. The questioning lasted for more than 7 hours. He was calm and collected. He answered the questions with great skill and accuracy, I thought, and he focused on the need for reform of the United Nations.

He brought with him for that testimony strong support of former Secretaries of State Jim Baker, Larry Eagleberger, Al Hague, Henry Kissinger, George Shultz, and endorsements from more than 50 former ambassadors. I was with one of those ambassadors a few weeks ago, a man very well known in this body, a former Senator and majority leader, Howard Baker. Howard Baker has just returned from 4 years as Ambassador to Japan. He did a tremendous job there, as everyone expected him to, but he remarked to me privately and said I was free to say it publicly—in fact, he volunteered the information—about how he had dealt with Secretary Bolton during those 4 years in Tokyo, these last 4 years, from time to time, and how impressed he was with him and how much he enjoyed working with him. He liked him. He said he spoke frankly, and Senator Baker said he thought John Bolton would make a good ambassador to the United Nations.

The second day of hearings that the Presiding Officer and I were privileged to be a part of was a little different. I was, frankly, disappointed by what I heard. One of the witnesses was called forward, the former Assistant Secretary for Intelligence and Research, and he presented evidence about how John Bolton had, in his words, chewed out intelligence analysts in the State Department.

Mr. Ford was mad about that. He didn't like the fact that Mr. Bolton had chewed out people on down the line and he came to us and told us so. He was a convincing witness. He was believable because he didn't overstate his case and the information he gave us was information I would rather not have known about the next ambassador to the United Nations. I am sure Mr. Bolton was disappointed, perhaps even embarrassed to hear it.

But Mr. Ford did not say, in the case that we were talking about, that Mr. Bolton was misusing or compromising intelligence. In fact, Mr. Ford himself said, ''In this particular case''—the one Mr. Ford was led to complain about, ''there wasn't politicization of the intelligence.'' Mr. Ford was very clear on that point in his testimony to the committee.

In other interviews conducted by our Foreign Relations Committee staff since that time, another issue was raised about a disagreement about intelligence. One of Mr. Bolton's subordinates who was on detail from the CIA sent a report to the Deputy Secretary of State for review and was unhappy that another bureau had put a memo on top of that report that said the report was incorrect. That certainly sounds like a lot of inside baseball to people outside of Washington, and it sounds like a simple disagreement to me, a disagreement over intelligence that is quite common, from what even Mr. Ford said. In this case, there is no evidence Mr. Bolton was even aware of the dispute. So, again, no evidence of politicization of intelligence. Rather, it appeared that different staff members were arguing for their own point of view, which should not surprise anyone around here.

There have been a variety of other charges and suggestions. Mr. Bolton has had the pleasure that many Presidential nominees had. I was once a Presidential nominee and went through a confirmation process when the Senate was in the hands of the Democrats. So they made sure that everything about me was pretty well known and explained. They took time to do it. I was as polite and happy as I could be. No one enjoys all of that, but it serves its purpose, and it served its purpose with Mr. Bolton as well.

In the end, it is my judgment, after attending the hearings, reading the testimony, conferring with others who have known Mr. Bolton over time, that only one charge against John Bolton appears to have any substance. John Bolton has been rude to staff members who are below him in the bureaucracy. As I said, I imagine he is embarrassed by that. I didn't like to hear it. Perhaps he deserves to be embarrassed by those charges and perhaps he has even learned a lesson. But what I heard hasn't changed my vote, even though it might change Mr. Bolton's ways of dealing with people with whom he works.

How significant is such a charge, that he was rude to people in the bureaucracy? As has been mentioned by many others in this body, if that were the standard for remaining in the Senate we would all have a hard time getting a quorum. There are regularly occasions when busy Senators eager to make their own point are brusque—with staff members, even shout at colleagues. In fact, the shouting was so loud in one business meeting of our Foreign Relations Committee by some of the Senators I could barely hear the charges against Mr. Bolton.

That is not attractive. I do not endorse it. It has even caused me to think back about times that I may have become angry or brusque or impatient or startled in dealing with a staff member or another person, and I have always regretted it when I have and it has made me redouble my efforts to make sure I swallow my pride more quickly and think about what I say and not do that anymore. It is not good conduct. It is not good business. But just how significant is this?

Here is what former Secretary of State Larry Eagleburger had to say about it a couple of weeks ago in the Washington Post. This deserves special attention.

Larry Eagleburger was Secretary of State for the first President Bush. But, in a way, he was more than that. Larry Eagleburger had 27 years in the Foreign Service. We hear a lot of times that a football player is a football player's player, or a man is a man's man, or a woman is a woman's woman. Larry Eagleburger is a Foreign Service Officer's Secretary of State. He had and has enormous respect from those men and women who put their lives on the line daily around the world and in the United States in support of our diplomacy, our foreign policy, and our country.

Here is what Larry Eagleburger had to say about John Bolton in an op-ed in the Washington Post:

> ''As to the charge that Bolton has been tough on superordinates,'' Secretary Eagleburger said, ''I can say that only in more than a decade of association with him in the State Department I never saw or heard anything to support such a charge, nor do I see anything wrong with challenging intelligence analysts on their findings. They can, as recent history demonstrates, make mistakes. And they must be prepared to defend their findings under intense questioning. If John pushed too hard or dressed down subordinates, he deserves criticism but it hardly merits a vote against confirmation when balanced against his many accomplishments.''

That is Larry Eagleburger, the Foreign Service officer's Secretary of State.

Where Larry Eagleburger comes down is where I come down. I believe the benefit of hearing Mr. Ford's testimony may prove to be a little bit of a lesson to Mr. Bolton, and a reminder to the rest of us, us Senators, of how unattractive it is to shout at an associate or unnecessarily dress down a staff member.

I agree with Secretary Eagleburger. John Bolton has a distinguished background and record. He has dedicated himself to improving our country's foreign policy. His action toward subordinates might have been inappropriate. Perhaps he has learned a lesson. But it doesn't cause me to change my vote. I am glad to support him.

This is a critical time for the United Nations. Even the Secretary General acknowledges it is in need of reform. Billions of dollars filtered from the U.N. coffers to Saddam Hussein's pockets in the oil-for-food scandal. Top human rights abusers such as Sudan and Zimbabwe sit on the Human Rights Commission. United Nations peacekeepers in Africa have been found to rape and pillage.

The United Nations has many important roles in the world. I am glad we have them. I want it to work. The President is right in his thinking that we need to take action to help the United Nations reform itself and that a frank-talking, experienced diplomat named John Bolton is an excellent candidate for that commission.

I am pleased to support this nomination. I hope my colleagues will do the same.

Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

NATURAL GAS PRICES

Mr. ALEXANDER. Mr. President, I take a few minutes to speak about natural gas prices, the prices at the pump, blue-collar workers, farmers, and homeowners.

The reason I do that is because the Senate Energy Committee earlier today did a good piece of work that I hope the American people understand.

By a virtually unanimous vote, 21 to 1, the committee, after 5 months of work, reported to this body what I hope will be called the Clean Energy Act of 2005.

I suppose people outside of the Senate get tired of hearing Senators compliment one another, but I do that today because this would not have happened had it not been for the leadership of Chairman PETE DOMENICI, the Republican chairman of the Senate Energy and Natural Resources Committee, and the ranking Democrat, JEFF BINGAMAN.

We tried to do this in the last session of Congress in the Energy and Natural Resources Committee. We were not able to pass an energy bill to give this country a comprehensive energy policy. Senator DOMENICI deliberately set out to do things different in this session of Congress. He sat down with Senator BINGAMAN and the Democratic staff and pledged to work with them, to share everything with them. Senator DOMENICI visited every member of the committee, Republican and Democrat. We worked together on a variety of major hearings and roundtables. The coal roundtable lasted 3 or 4 hours; one on natural gas lasted 3 or 4 hours. He encouraged a variety of committee members to become involved.

On the Subcommittee on Energy, which I chair, he encouraged me to go ahead and, working with Senator TIM JOHNSON of South Dakota from across the aisle, we came up with a Natural Gas Price Reduction Act of 2005 into which we put ideas to bring down the $7 natural gas price we have today, which is the highest natural gas price in the world. Senator DOMENICI and Senator BINGAMAN did their best to come up with aggressive ideas.

Sometimes when Members set out to compromise and work together, we end up with nothing because the easiest way to compromise is to do nothing. We can all agree on doing nothing and then we will not have a bold bill. But we are almost fortunate this did not pass last year because this is a more urgent time. The natural gas prices are $7, the highest in the industrial world. We have gone from the lowest in the industrial world to the highest in the industrial world. Prices at the pump are high. We have a million blue-collar manufacturing jobs in the chemical industry alone that will go overseas if we do not find some way to deal with this.

September 11 was a big surprise to our country. Our next big surprise is going to be to our pocketbooks if we do not figure out how to deal with the price of energy. We must figure out how to have a low-cost, adequate, reliable supply of clean energy that is increasingly produced in the United States of America and not overseas. That is our goal.

What is exceptional about this bill, in my view, is that it attacks the problem in a much more comprehensive way than other versions of the bill have. It begins with aggressive conservation. For example, the appliance efficiency standards, which are in this year's bill, are about double the effectiveness of those that were in last year's bill. What does that mean? It simply means that by some estimates these standards could save at peak demand the equivalent of 45 500-megawatt powerplants. If we save building 45 gas powerplants, we decrease the building of natural gas and we tend to lower the price.

There are a good many other examples of aggressive conservation. The second thing the bill does is to begin to change the way we produce electricity. This country produces about 25 percent of all the energy in the world. We use it here. We have 5 to 6 percent of the American people and we produce 25 percent of the energy. Where does that electricity come from? It comes primarily from what we call nonrenewables. It comes from, first, coal; natural gas, second; and nuclear, third. That is 91 percent of it. Now, another 7 percent comes from dams from hydropower and about 2 percent comes from renewable power, which is windmills, solar, biomass, and geothermal.

If we are in competition with China and India for jobs, and an important part of every farm, every manufacturing plant, every home, is the provision of reliable, low-cost, adequate supply of energy, as a practical matter for the next 20 years, most of that will have to come from nuclear power, from coal, and from gas and conservation. That is where it has to come.

Of course, we want to do more with other kinds of energy. For example, I hope the tax committee, when it reports its part of this bill, does something about solar power. We have a renewable tax credit in the law today that does not do much for solar. It encourages powerplants that produce electricity from sun. We almost don't have any of those. What we use solar for is, we put shingles on roofs. We need to give incentives to individual owners to do more of that. That's why I proposed an investment tax credit so individual owners can take advantage of it.

We can do more research and development in biomass and more research and development in geothermal. Even if we do all that we can do for the so-called renewable energies, in the next 20 years—and there is some disagreement about this—in my view, we will still be producing about 95 percent of our power—certainly not less than 90 percent of our power—from nuclear power, from coal, from gas, and hydro.

Now, how many more dams are going to be built in the United States? It is limited. In fact, this bill addresses relicensing of hydro dams. There are a good number of those in Oregon where the Presiding Officer comes from. By the year 2018, according to the National Hydropower Association, there will be 30,000 MW of hydropower plants that need to be relicensed. That's half of the hydropower in the United States. This landmark, bipartisan agreement on hydro relicensing is both urgent and meaningful.

So if one puts all of that aside, if we want to compete for our jobs with people from around the world and if the price of energy is a big part of it, what do we have to do? Nuclear, coal and gas.

Over the last 10 years, almost all of the new powerplants in America that make electricity have been built from natural gas. Now, how wise is that? Here we are with $7 a unit natural gas, the highest price in the industrialized world, our chemical companies, our blue-collar companies using this, some of them as a raw material—Dow Chemical estimates that 40 percent of the cost of its production is energy. Now, if in other parts of the world natural gas is significantly lower, we will have a problem. We will have jobs moving from here to there.

We do not want to make all of our power from natural gas. We do it because we know how to do it and because it is clean. That leaves us with two sources of what we call base load energy, the two things that we must find a way to use and use in a clean way if we want to have a low-cost supply of American-produced energy. One of those is nuclear, and one of those is coal.

Nuclear power is a technology that we invented in the United States, the peaceful uses of the atom. We figured out how to do that in the 1950s. One of the remarkable technological stories in the United States is our Navy and its nuclear-powered vessels. I suppose it is a classified matter exactly how many we have, but we have dozens of them. Some of them have small reactors. Some of them have a couple of big reactors on them.

Since the 1950s, there has never been one single nuclear reactor accident in the U.S. Navy, not one. They are underwater. When they are above water,

they dock at ports all around the United States, and we use them. In our country today, 20 percent of all of our electricity and 70 percent of our carbon-free electricity is produced by nuclear energy. Yet we have not built a nuclear powerplant in the United States since the 1970s, not one new one. How wise is that?

Other countries in the world are. Eighty percent of France's electricity is now produced by nuclear power. Japan, ravaged by nuclear weapons in World War II, relies on nuclear power. They build one or two new plants a year.

We are in competition to keep jobs here. We want clean power. We increasingly want carbon-free power. If 70 percent of our carbon-free electricity is nuclear, then what is keeping us from going ahead? This bill will help us move ahead because it makes it easier for investors to build nuclear powerplants that are safe.

Senator DOMENICI has come up with an imaginative loan guarantee program that would help launch an entire new generation of nuclear powerplants. Senator CRAIG, Senator DOMENICI, and Senator BINGAMAN have come up with a program that will be based in Idaho for advanced research on how we build lower cost, more effective nuclear powerplants for our country. There is a growing consensus, especially as the Kyoto Treaty and the need to be concerned about global warming persuades more and more people of the importance of capturing carbon, that nuclear power for the next 15 or 20 years is the only logical first step to having a low-cost, adequate, reliable supply of American-produced clean energy. Britain recently has been coming to the same conclusion that nuclear is a necessity for a carbon-free emissions future.

What is the other step? The other step is coal. We instinctively think coal is dirty and it is a source of a lot of problems because of the pollution it causes.

I live 2 miles away from the Great Smoky Mountains National Park. It is the most polluted national park in America. The Knoxville area where I live is one of the most polluted parts of our country. Why is that? There is too much sulphur, too much nitrogen, and too much mercury in the air. Much of that comes from coal-fired powerplants, not just from the Tennessee Valley Authority, which has a number of them in the area, but from all over America. The wind blows the air in, and it backs up against the Great Smoky Mountains, which are the highest mountains in the East, and we breathe the dirty air. So any energy bill has to be a clean energy bill so we can solve our air pollution problems.

There is an even larger issue with coal-fired powerplants. India and China, with their huge economies, a couple of billion more people, are going to be building hundreds of powerplants in the next few years. The conventional coal plant is what many of those plants will be. If India, China, Malaysia, Brazil, and the rest of the world build only conventional coal plants, it will not matter very much what our clean air policies are in the United States because they will produce so many pollutants around the world that when the wind blows them around the world and over the air in the United States, we will suffer from that. So if we solve the problem of how to burn coal in a clean way, then the rest of the world is likely to pick up our innovation and solve their problem because they do not want to have polluted air, either.

So how do we do that? Well, there seems to be a way to do it. We call it coal gasification. There are several technologies. I like to call it clean coal gas because that makes it a little easier to talk about.

The New York Times business section had an excellent article on this on Sunday that Senator DOMENICI gave to all of us. It talked about this idea of taking coal, turning it into gas, and then burning the gas. That solves a great amount of the pollution. It solves the sulphur, the nitrogen, and the mercury part of the pollution, but it does not solve the carbon part.

Then what we need to try to do is to advance the technology of capturing and sequestering the carbon—in other words, getting rid of the carbon. If we are ever able to do that, we could burn coal as cleanly as we can burn gas, capture the carbon and put it in the ground, and we would never have to worry about the Kyoto Treaty. We would never have to worry about the McCain-Lieberman bill or the Carper-Chafee-Gregg-Alexander bill or caps on carbon because we would not be producing carbon. We would be producing it and recapturing it. Nuclear power is free of it, and clean coal gasification with carbon sequestration captures it and gets rid of it.

The other thing is that we are the Saudi Arabia of coal. We have a 500-year supply of it. So if we can move ahead with nuclear and clean coal gas, we can lower the price of natural gas, and we can have more American-produced energy.

So this legislation begins with aggressive conservation. As I said, the appliance efficiency standards alone would save the building of forty-five 500-megawatt gas plants, but then it begins to change the way we make electricity by research and development in advanced nuclear technology, by the loan guarantee support which could be for nuclear plants of that kind. It also has loan guarantees that I hope would help launch a half dozen coal gasification powerplants and a half dozen coal gasification plants at industrial sites. It also has research and development support for carbon sequestration and for other technologies that hold promise.

We still have some issues to work on. We began with what we could agree on, worked 5 months on it under the leadership of Senators DOMENICI and BINGAMAN, and reserved a few issues to the floor. Senator DOMENICI announced that we will be coming to the Senate floor shortly after the recess, in a completely different spirit than last year, with all of us hoping to get a result. We will then put that bill with the House bill and present to this country a clean energy act of 2005 that will lower natural gas prices, begin to produce more American energy at home, include more aggressive conservation, change the way we make electricity, and focus especially on advanced technologies for nuclear, coal gasification, and the supply of gas.

In the short term, we are going to have to bring more gas in from around the world in liquefied natural gas. I'm pleased that the committee adopted the ideas I and Senator JOHNSON had on LNG siting in the energy bill.

There is one other area I want to mention without dwelling on it too much. One of the things I hope happens as we debate this bill is that it doesn't change from a national energy policy into a national windmill policy. I say that because one of the issues we have pushed out to be debated on the floor is something called a renewable portfolio standard, renewable energy. That all sounds very good. The proposal was, let's make 10 percent of all of our electricity by the year 2025 from renewable energies. That sounds good, too.

The problem is, I don't think it will work because all we are talking about is geothermal—that is hot water from the ground—solar, which our incentives today don't help much, and biomass, which is burning wood chips and other such technologies. According to a Department of Energy analysis, even if we had such a requirement of all our electric companies that they produce 10 percent of their energy from renewable fuels, they couldn't do it. They could only get to 5 percent due to the way the Bingaman price caps are structured. So what utilities would do realistically is buy credits in a complicated scheme which would then raise the price of our electricity. We should be in the business of lowering energy prices, not raising them for nothing.

The other concern I have is that a renewable portfolio standard is really a wind standard because geothermal and solar and biomass will only increase it a tiny bit. This information I have is from an analysis that the Energy Information Agency did on Bingman's bill shows clearly that the impact of a Bingaman RPS is growing windpower. The only way to go forward is with windmills. So the effect of continuing the current policy is to take this country from about 6,700 windmills to 40, 60, 80,000, depending on estimates that you believe. My point is not to make a big discussion about the windmills themselves. I don't like to see them. I think most people don't. The Governor of Kansas has put a moratorium on some windmills, as has the Governor of New Jersey, and so have communities in

many parts of America, such as Vermont and Wisconsin. I asked the Tennessee Valley Authority to put a 2-year moratorium on new wind power on Tennessee until we could assess the damage it might cause to our tourism industry and to our electric rates and to our view of the mountains.

People think of windmills and think those are nice. Grandma had one on her farm. It was by the well. My grandparents did. But these aren't your grandmother's windmills.

We have the second largest football stadium in the United States in Knoxville, TN. We call it Neyland Stadium. One hundred seven thousand people can sit there, and it has sky boxes that go up as high as you can see. Just one of these windmills would fit into Neyland Stadium. The rotor blades would extend from the 10-yard line to the 10-yard line. The top of the windmill would go twice as high as the sky boxes or more. And on a clear night you could see the red lights 25 miles away. There are significant problems with this power. It only works 25 to 40 percent of the time. You don't get rid of any nuclear or coal plants when you have the windmills because you still need the power. You can't store the energy for your lights or your computer and all the things you use electricity for going all the time. So there are many problems.

But here is the biggest problem, the one I want to mention today. I will just leave it for the members of the Finance Committee upon which the Presiding Officer serves and others. This Energy bill will have three parts to it. It will have some things from the Energy Committee which we have finished today. It will have a contribution from the Finance Committee, which will come in June, and it will have a contribution from the Environment and Public Works Committee, which will also come in June. We will put all those parts together.

We are told that this whole bill, when it is put together, can't cost, our Budget Committee says, more than $11 billion. The President hopes we won't spend more than $8 billion. But the production tax credit in the current policy provides $3.9 billion over 5 years, almost all of which will go to windmills unless we change the policy.

In other words, if we have $11 billion to spend and we spend $3 billion on ethanol or renewable fuel, we will only have $8 billion left to spend on everything else, and nearly 3.5 to 4 of it will go for windmills. That is what I mean by a national windmill policy.

My hope is that my colleagues will take a fresh look at our tax credit for renewable fuels and make sure that we use it wisely because that is a lot of money to create the largest amount of carbon-free clean energy.

Here are some of the suggestions for better use: For example, $1.5 billion for consumer incentives for 300,000 hybrid and advanced diesel vehicles. That would give 300,000 Americans a $2,000 deduction to purchase a hybrid car or an advanced diesel vehicle. Those operate about 40 percent more efficiently than conventional cars. That saves a lot of energy. For $750 million, we could give manufacturing incentives for building those hybrid cars and advanced vehicles in the United States. Unfortunately, as it stands now, we aren't doing that. They would all be built overseas because most of the good hybrid technology has been invented overseas and is being rented to the United States. That would be 39,000 jobs in the United States.

I have with me a copy of the National Commission on Energy Policy which recommends both of these ideas, the $2,000 tax deduction and the incentive for manufacturing of hybrid cars. That would be a wise way to spend money for clean carbon-free energy.

There are many more good ideas: $2 billion in tax incentives for energy-efficient appliances and buildings, suggested by Senators SNOWE and FEINSTEIN. Senator JOHNSON and I had suggested $2 billion for tax incentives to commercialize coal gasification for powerplants and $300 million to make more effective support of another renewable energy, solar energy, which has basically no support the way our laws are written today.

The National Commission on Energy Policy has several other recommendations: Build in tax incentives to commercialize carbon capture and geologic sequestration in a wide array of industries. As soon as we figure out how to capture carbon, we can use coal gasification in a big way to reduce dependence on foreign energy and to lower the cost of natural gas.

They also recommend $2 billion in tax incentives for nuclear deployment, $1.5 billion for biodiesel and nonpetroleum low-carbon fuels. I have suggested those in the order in which I like them.

I am not a member of the Finance Committee so I won't have a chance to be a part of that discussion in that committee. My point is simply that if we have $8 billion to spend or $11 billion to spend, we may have already spent a couple of billion in what we are doing with renewable fuel, then we have a lot more good ways to spend money in support of carbon-free energy than we have money for. I respectfully suggest that if we are spending most of $3.7 billion over the next 5 years as a national windmill policy and not a national energy policy, that ought to be reasonably adjusted.

Let me not emphasize the disputes that we have yet to come. I am here today to say, particularly, after a time in the Senate when people who watch us must wonder if we are speaking to each other, the answer is, yes, we are. We have been meeting for 5 months on this Energy bill. We have been working together, as Senator BINGAMAN said today. I don't remember a party-line vote in the 5 months. We had some close votes, but it wasn't Republican versus Democrat. It was just different ones of us with different opinions. And there must have been half the committee there today when Senators DOMENICI and BINGAMAN announced the results at a press conference.

So I honor them for their leadership. I think the American people are proud of DOMENICI and BINGAMAN as Senators. New Mexico ought to be proud. It has both of them from the same State. Even though we have CAFE standards still to debate, MTBE still to debate, we have some final work to do on how do we site terminals for liquefied natural gas, further increasing the supply of natural gas, and we will be debating the so-called renewable portfolio standard for how many windmills we should have—all that will be sometime in June. That is what we are supposed to do as Senators.

That is why we are here, to take both sides of this issue and see if we can come to a good result. So far, I think we have.

Mr. President, I ask unanimous consent to have printed in the RECORD following my speech the article on coal gasification from the New York Times business section on Sunday; a letter I wrote to the directors of the Tennessee Valley Authority, asking them to put a 2-year moratorium on wind power until we had an opportunity—we in Congress and local officials—to consider the effect of these large wind farms on our tourism industry, on our view of the mountains, on our gas prices; and finally, an article from the Guardian Unlimited, which is an interesting discussion of what is going on in Great Britain, as they consider how to meet the Kyoto standard for carbon-free electricity production, and how many of the people who formerly had favored large windmills are concluding they don't want them destroying the rural areas of Britain, and they are looking at nuclear power in a fresh way which, as I mentioned, is the way we in the United States today produce 70 percent of our carbon-free electricity.

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

[From the New York Times, May 22, 2005]

DIRTY SECRET: COAL PLANTS COULD BE MUCH CLEANER

(By Kenneth J. Stier)

Almost a decade ago, Tampa Electric opened an innovative power plant that turned coal, the most abundant but the dirtiest fossil fuel, into a relatively clean gas, which it burns to generate electricity. Not only did the plant emit significantly less pollution than a conventional coal-fired power plant, but it was also 10 percent more efficient.

Hazel R. O'Leary, the secretary of energy at the time, went to the plant, situated between Tampa and Orlando, and praised it for ushering in a ''new era for clean energy from coal.'' Federal officials still refer to the plant's ''integrated gasification combined cycle'' process as a ''core technology'' for the future, especially because of its ability—eventually—to all but eliminate the greenhouse gases linked to global warming.

Since that plant opened, however, not a single similar plant bas been built in the

United States. Abundant supplies of natural gas—a bit cleaner and, until recently, a lot cheaper—stood in the way.

But even now, with gas prices following oil prices into the stratosphere and power companies turning back to coal, most new plants—about nine out of 10 on the drawing board—will not use integrated gasification combined-cycle technology.

The reason is fairly simple. A plant with the low-pollution, high-efficiency technology demonstrated at the Tampa Electric plant is about 20 percent more expensive to build than a conventional plant that burns pulverized coal. This complicates financing, especially in deregulated markets, while elsewhere utilities must persuade regulators to set aside their customary standard of requiring utilities to use their lowest-cost alternatives. (A federal grant of $143 million covered about a fourth of the construction cost of the Tampa Electric plant, which was originally a demonstration project.)

The technology's main long-term advantage—the ability to control greenhouse gas emissions—is not winning over many utilities because the country does not yet regulate those gases.

That could be a problem for future national policy, critics say, because the plants being planned today will have a lifetime of a half-century or more. ''It's a very frightening specter that we are going to essentially lock down our carbon emissions for the next 50 years before we have another chance to think about it again,'' said Jason S. Grumet, the executive director of the National Commission on Energy Policy.

The commission, an independent, bipartisan advisory body, has recommended that the federal government spend an additional $4 billion over 10 years to speed the power industry's acceptance of the technology. In a recent report, the commission concluded that ''the future of coal and the success of greenhouse gas mitigation policies may well hinge to a large extent on whether this technology can be successfully commercialized and deployed over the next 20 years.''

Mr. Grumet was more succinct. Integrated gasification combined cycle technology, combined with the sequestration of carbon stripped out in the process, ''is as close to a silver bullet as you're ever going to see,'' he said.

Until Congress regulates carbon emissions—a move that many in the industry consider inevitable, but unlikely soon—gasification technology will catch on only as its costs gradually come down. Edward Lowe, general manager of gasification for GE Energy, a division of General Electric that works with Bechtel to build integrated gasification combined-cycle plants, said that would happen as more plants were built. The premium should disappear entirely after the first dozen or so are completed, he added.

Even now, Mr. Lowe said, the technology offers operational cost savings that offset some of the higher constructIon costs. And if Congress eventually does limit carbon emissions, as many utility executives say they expect it to do, the technology's operational advantages could make it a bargain.

James E. Rogers, the chief executive of Cinergy, a heavily coal-dependent Midwestern utility, is one of the technology's biggest industry supporters. ''I'm making a bet on gasification,'' he said, because he assumes a carbon-constrained world is inevitable. ''I don't see any other way forward,'' he said.

The operating savings of such plants start with more efficient combustion: they make use of at least 15 percent more of the energy released by burning coal than conventional plants do, so less fuel is needed. The plants also need about 40 percent less water than conventional coal plants, a significant consideration in arid Western states.

But for some people, including Mr. Rogers and other utility leaders who anticipate stricter pollution limits, the primary virtue of integrated gasification combined-cycle plants is their ability to chemically strip pollutants from gasified coal more efficiently and cost-effectively, before it is burned, rather than trying to filter it out of exhaust.

Proponents say that half of coal's pollutants—including sulfur dioxide and nitrogen oxides, which contribute to acid rain and smog—can be chemically stripped out before combustion. So can about 95 percent of the mercury in coal, at about a tenth the cost of trying to scrub it from exhaust gases racing up a smokestack.

The biggest long-term draw for gasification technology is its ability to capture carbon before combustion. If greenhouse-gas limits are enacted, that job will be much harder and more expensive to do with conventional coal-fired plants. Mr. Lowe, the G.E. executive, estimated that capturing carbon would add about 25 percent to the cost of electricity from a combined-cycle plant burning gasified coal, but that it would add 70 percent to the price of power from conventional plants.

Gasification technology, although new to the power sector, has been widely used in the chemical industry for decades, and the general manager of the gasification plant run by Tampa Electric, Mark Hornick, said it was not difficult to train his employees to run the plant. Tampa Electric is the principal subsidiary of TECO Energy of Tampa.

Disposing of the carbon dioxide gas stripped out in the process, however, is another matter. Government laboratories have experimented with dissolving the gas in saline aquifers or pumping it into geologic formations under the sea. The petroleum industry has long injected carbon dioxide into oil fields to help push more crude to the surface.

Refining and commercializing these techniques is a significant part of a $35 billion package of clean energy incentives that the National Commission on Energy Policy is recommending. The Senate considered some of those ideas in a big energy policy bill last week, but it is doubtful whether Congress will approve the funds to enact them because they are tied to regulating big carbon emissions for the first time, something that many industry leaders and sympathetic lawmakers oppose.

Still, the energy bill may have some incentives for industry to adopt gasification technology, and the Department of Energy will continue related efforts. These include FutureGen, a $950 million project to demonstrate gasification's full potential—not just for power plants but as a source of low-carbon liquid fuels for cars and trucks as well, and, further out, as a source of hydrogen fuel.

Regardless of the politics of carbon caps, the Energy Department has made it clear that it intends to push the development of integrated gasification combined-cycle technology. Last month, for example, Mark Maddox, a deputy assistant secretary, said at an industry gathering that the technology ''is needed in the mix—needed now.''

Some industry leaders are skeptical, to say the least. ''We would not want to put all of our eggs in one basket as far as a single technology is concerned,'' said William Fang, deputy counsel for the Edison Electric Institute, a trade association whose members, shareholder-owned utilities, account for three-quarters of the country's generating capacity.

Besides, he added, many of his members think that mandatory carbon controls, in place in much of the world since the Kyoto Protocol came into force in February, can be kept at bay in the United States—possibly indefinitely.

It's a risky strategy—for industry and for the climate. ''Coal-fired plants are big targets,'' said Judi Greenwald of the Pew Center on Global Climate Change, ''and if we do get serious about climate change, they are going to be on the list of things to do quite early.''

U.S. SENATE,
Washington, DC, May 23, 2005.

Hon. SKILA HARRIS,
Tennessee Valley Authority, Knoxville, TN.
Hon. BILL BAXTER,
Tennessee Valley Authority, Knoxville, TN.

DEAR SKILA AND BILL: Recently Sen. John Warner of Virginia and I introduced the ''Environmentally Responsible Windpower Act'' which would:

1. Stop federal subsidies for giant windmills near highly scenic areas, such as the Great Smokies and Grand Canyon, and

2. Give communities a 120-day opportunity to have some say in whether and where these huge machines will be located in their communities and neighborhoods.

Today I am writing to ask that TVA place a two-year moratorium on construction of new wind farms—either by TVA or on TVA-controlled land—until the new TVA board, Congress and local officials can evaluate the impact of these massive structures on our electric rates, our view of the mountains and our tourism industry. The governors of Kansas and New Jersey have recently imposed similar moratoria. Local moratoria have been adopted in parts of Vermont and Wisconsin.

The idea of windmills conjures up pleasant images—of Holland and tulips, of rural America with windmill blades slowly turning, pumping water at the farm well. My grandparents had such a windmill at their well pump.

But these are not your grandmother's windmills.

Most new windmills are about 300 feet high—as tall as a football field is long or as tall as the Statue of Liberty. Their rotor blades are wider than the wingspan of a 747 jumbo jet and turn at up to 100 miles per hour. Each tower costs more than $1 million to erect, and, once constructed, the towers will be around for a long time. For example, TVA's new 18-windmill farm on Buffalo Mountain is a 20-year contract.

Only one of these giant windmills could fit into UT's Neyland stadium. It would rise more than twice as high as the highest skybox, its rotor blades would stretch almost from 10-yard line to 10-yard line, and on a clear night its flashing red lights could be seen for 20 miles—the distance from Knoxville to Maryville. Usually these windmills are grouped in windfarms of 20 or more.

Our country needs a national clean energy policy, not a national windmill policy. TVA is a national leader in producing clean energy through nuclear and hydroelectric power. A moratorium on windmills would give Tennesseans two years to stop and think about the wisdom and cost of building hundreds of 100-yard tall structures across our most scenic ridges.

Here are some of the facts I have gathered so far:

There are 6,700 windmills in the United States today; by 2025, that number could grow to somewhere between 40,000 and 100,000, according to varying estimates.

Even if only a few hundred of those windmills are built in Tennessee, most will be built on top of mountain ridges according to Senate testimony by Kerry W. Bowers, Technology Manager of Southern Company. That could damage our tourism industry.

These giant windmills are being built primarily because of a huge federal taxpayer subsidy, about $3 billion over the next five years if present policies continue. Without these federal tax breaks, American Wind Energy Association statistics suggest that three out of four windmills would not be built across the country because they aren't cost-effective producers of power.

Once those tax credits expire, TVA ratepayers would likely have to pick up most of the tab for the higher cost of the power.

These windmills may be huge, but they don't produce much power. It would take at least 1,300 windmills—covering the land mass of almost one and one half times the city of Knoxville—to produce as much power as TVA's new Brown's Ferry nuclear plant.

Because they only work when the wind blows the right speed (20 to 40 percent of the time), and customers need their electricity almost all the time, building more windmills does not mean building fewer coal or nuclear power plants.

Since windy ridgetops are not usually where the largest number of people live, windmills are likely to be built away from population centers and therefore require the building of miles of new transmission lines through neighborhoods and communities.

So, these oversized windmills produce a puny amount of unreliable power in a way that costs more than coal or nuclear power, requires new transmission lines, must be subsidized by massive federal tax breaks, and, in my view, destroys the landscape.

Chattanooga has just spent 20 years improving its waterfront, saving the Tennessee River Gorge and renaming itself the Scenic City. The Great Smoky Mountains attract 10 million visitors a year. Do we really now want to string hundreds of towers with flashing red lights as tall as football fields on Signal and Lookout Mountains, the foothills of the Smokies and Roan Mountain? It's hard to imagine that 10 million visitors would come to the foothills of the Smokies each year to see windmills.

As chairman of the Senate Energy Subcommittee, I intend to examine whether it is wise to provide $3 billion in subsidies over the next five years for the building of tens of thousands of giant windmills across America, when the same amount of money might, for example, give $1,000 incentives to more than 300,000 purchasers of hybrid or advanced diesel vehicles. As chairman of the Tennessee Valley Authority Congressional Caucus, I intend to do my best to make local officials aware of their options to decide for themselves whether these structures belong in their communities.

Our country needs lower prices for energy and an adequate supply of low-cost, reliable American-produced clean energy. Wind doesn't fit the bill: it is a high-cost, unreliable supply of energy. While we are considering what the appropriate policies should be, I hope that TVA will help by placing a two-year moratorium on any new wind farms.

Sincerely,

LAMAR ALEXANDER,
United States Senator.

[From The Observer, May 22, 2005]

TILTING AT WINDMILLS: NATION SPLIT OVER ENERGY EYESORES

(By Mark Townsend)

Hundreds of turbines will be switched on this year, and the volume of protest is rising. Mark Townsend reports on the issue that will overtake hunting as a cause of rural unrest.

The clue lies in the grass, pummelled and then flattened by a force the area is famous for. Whinash is all about wind, and it is a resource which has put the Lakeland beauty spot at the heart of Britain's debate about the country's insatiable need for energy.

The site—amid the classic Cumbrian vista of rolling fells criss-crossed with dry stone walls and the shuffling specks of sheep—is to be home to England's largest wind farm. If the plans ever get the go-ahead.

This week, the public inquiry to site 27 turbines, each almost the height of St. Paul's Cathedral, on the ridge of Whinash enters its most potentially explosive phase. Two of Cumbria's favourite sons, the broadcaster Melvyn Bragg and the mountaineer Sir Chris Bonington, are scheduled to give evidence in the squat Garden Room of the remote Shap Wells Hotel. There can be no place for 21st-century windmills in a Wilderness largely-unaltered for centuries, they will argue.

Almost 200 miles north in Aberdeen, Malcolm Wicks will mark his entrance as the new energy minister by stressing the crucial role of wind power in the crusade against climate change. Only weeks into his new brief, Wicks appreciates that wind farms are already eclipsing farming and foxhunting as the most likely source of rural unrest during Labour's third term.

Ministers, aware that the government's target of cutting carbon dioxide emissions is in jeopardy, have identified Whinash as the acid test of whether they can expect that renewable energy will provide 10 percent of power in five years' time.

But the significance of Whinash runs even deeper. Among the windblown crags that lie between the national parks of the Lake District and the Yorkshire Dales, the schism that is tearing Britain's environmental movement from top to bottom is most pronounced.

The self-appointed custodian for future generations, Britain's green lobby has found itself caught between the need to protect the landscape from global warming and defending Britain's countryside from the creation of a 'pseudo-industrial' skyline. This month, one of the movement's most influential figures James Lovelock, the man who developed the Gaia theory of the forces governing nature, will launch his most candid critique yet of Britain's energy conundrum by accusing groups such as Greenpeace and Friends of the Earth of betraying the planet through their unswerving promotion of wind energy.

Nuclear energy, Lovelock will claim, offers the only solution to the twin challenges of providing Britain with a reliable energy supply and global warming.

Britain currently stands poised at the start of the 'wind rush'. Hundreds more turbines in 18 new wind farms will be switched on by the end of the year. Already the UK is poised to become the world's biggest producer of power from offshore wind farms, a reminder of the 17th century, when Britain boasted 90,000 windmills.

Around one per cent of the UK's energy is currently provided by wind although the Industry claims there are enough applications moving through the planning process to suggest seven per cent of the nation's electricity needs will be met by wind by 2010.

Next month the 300ft turbines at Cefn Croes, scene of the bitterest wrangle before Whinash, will start turning in mid-Wales. Yet pressure is mounting on the fledgling industry. If Britain's climate change targets are not met, experts warn that the generous subsidies which have helped establish wind farms could be withdrawn by an exasperated government.

Already a new era for nuclear power appears to be dawning and seems certain to feature prominently in the government's forthcoming energy review. Vastly more expensive than predicted and plagued by persistent safety concerns, nuclear's strength remains its proven reliability. And even those who have lived in the shadow of Sellafield, 30 miles west across central Lakeland from Whinash, are beginning to believe nuclear is the saviour.

Sir Christopher Audland shook his head as he tramped along the pummelled cotton grass tufts of the Whinash site last Tuesday afternoon. A former director-general of energy for the European Commission, Audland was in charge when reactor number four exploded in the Ukraine almost 20 years ago, its radioactive contents drifting from Chernobyl to the fells of Cumbria where his family has lived for 500 years. For a man who saw first-hand the inherent risk of nuclear power, Audland is dismissive of the safer alternative proposed for the hills north of Kendal. 'It cannot be allowed to happen here,' he said.

Bragg, who has relatives who happily work at Sellafield, is among the growing Lakeland fraternity who believes nuclear is the sale viable option for tackling climate change.

'We seem to be running away from the safest, most efficient industry. Nuclear energy seems to be the only sensible option and it is a safe option,' said the presenter of The South Bank Show. It is a consensus corroborated by Lovelock, who in 1991 opened Britain's first windfarm at Delabole, Cornwall. Since then, Lovelock has reviewed his initial enthusiasm.

'To phase out nuclear energy just when we need it most to combat global warming is madness,' he said. 'The anti-nuclear agenda is pushed by groups such as Greenpeace and Friends of the Earth and by Green Party politicians. They are pursuing goals in which neither environmental good sense nor science plays a part—a strange way to defend the earth,' he writes in Reader's Digest.

Even the spectre of Chernobyl is dismissed by Lovelock, who claims that the fallout from the radioactive cloud that swept over the Cumbrian peaks 'was really nothing. A few times higher than the natural background levels or at worst a couple of chest X-rays'.

It is 13 years since the arrival of the anti-wind lobby surfaced with the Country Guardian, a group that vehemently denies links to the nuclear sector although its chairman, Sir Bernard Ingham, has been a paid lobbyist for British Nuclear Fuels. Since then, complaints advanced to discredit wind energy have multiplied: falling property prices, the whirring noise that makes people sick a mile away, horses that suddenly bolt and the grisly deaths of kites and golden eagles, even if their numbers are a fraction of those of birds that are killed on the roads.

The most persistent criticism, however, concerns the efficiency of wind power. Critics claim windmills would struggle to cope with the half-time power surge during yesterday's FA Cup final because they only generate electricity for a part of the time. Such issues would be irrelevant if electricity could be stored, but there is no battery for the national grid.

A recent study in Germany, which has the largest number of wind farms in the world, found the energy was an expensive and inefficient way of generating sustainable energy, costing up to £53 to avoid emitting a ton of carbon dioxide. Professor David Bellamy, a vociferous windfarm critic seen recently at the Shap Wells Hotel, is among those worried whether wind could guarantee his half-time cuppa: 'How are people going to be able to boil their kettles?'

Sir Martin Holdgate, a former chief scientist to the Department of Environment who has served on a number of government committees on renewable energy, was also present in the Garden Room last week. Holdgate, too, has run out of patience with

wind farms in sensitive areas. 'We shouldn't sacrifice our landscape on our crowded island. Wind doesn't make sense.'

Others, the so-called 'blade lovers', welcome them as an aesthetic asset, claiming that their beauty lies in the environmental message they communicate to a throwaway society. Designer Wayne Hemingway says: 'I love them. They are a massive visual sign that we are doing something that is not damaging the Earth.'

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

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

The legislative clerk proceeded to call the roll.

Mr. KERRY. 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. KERRY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The minority controls 50 minutes of the time remaining.

Mr. KERRY. Fifty?

The PRESIDING OFFICER. I am told 50.

Mr. KERRY. How much does the majority have remaining?

The PRESIDING OFFICER. The majority controls 52 minutes.

Mr. KERRY. I thank the Chair.

Mr. President, I yield myself such time as I will use at this moment. Obviously, I will not use all of it.

The PRESIDING OFFICER. The Senator controls 30 minutes of the time allocated.

Mr. KERRY. Mr. President, I am not sure how much of that time I will use.

I have made a significant amount of argument, as others have, in the Foreign Relations Committee during the time leading up to this debate on the floor. I listened to Senator BIDEN's comments and I listened to Senator BIDEN's colloquy with Senator SARBANES. They raised critical points, as have others, such as Senator DODD and Senator VOINOVICH, and others on the floor. I am not sure it serves any great purpose to rehash all of those arguments, but I will say in summary that what brings a lot of us to this point of questioning the nomination of John Bolton is not personal and it is not political in the sense that it is sort of an automatic reflex reaction to a nomination of the President, or to divisions between the parties.

I think people can sense from the bipartisan concerns that have been expressed, as well as the record that has been set forward, that these are really deeply felt and very legitimate concerns about a position that is one of the most important foreign policy positions for our country.

Obviously, the President has the right to make a choice. We all understand that. Subsequent to the President making that choice, an enormous amount of information has come forward, not from traditional sources, not from people who might have been disposed to oppose this nomination, but from people who have worked with Mr. Bolton, from people who are ideologically in the same place as he is, who are members of the same administration.

The picture they have painted is clearly one that ought to raise concern for any Member of the Senate about a position that requires special credibility, special stature, and special ability to be able to carry the message of our country in one of the most important fora in the world, in a very complicated world.

On several occasions, a number of Senators have talked about this issue of credibility, and it cannot be overlooked. One cannot gloss by it. We are in the midst of delicate, critical negotiations with Iran. Nobody knows where that will go in these next months. The potential for critical intelligence analysis to be put before the United Nations in order to persuade the world of potentially dangerous steps requires a voice that has no questions attached to it, where people will not have to ask whether that person speaks for the administration or for themselves.

The history of Secretary Colin Powell, whom we all admire but who was sent to the United Nations with information that was inaccurate and made a speech which he now personally wishes were otherwise, raises even further the question of credibility. In addition, we will have to deal with Syria itself where important issues have been raised with respect to Mr. Bolton's attitude toward Syria, his willingness to stretch information with respect to Syria. Obviously, North Korea looms huge on the diplomatic and security horizon.

All of this fits within a context of information that the Foreign Relations Committee has requested a number of times. Two weeks ago, the Foreign Relations Committee, in a historical moment, voted to send John Bolton's nomination without recommendation. I voted no at that time for the reasons that I stated, and I believe we have yet to complete the task of building the complete record to be able to have the full Senate make a judgment on this nomination.

Over the last 24 years, the Foreign Relations Committee has sent hundreds of nominations to the floor with favorable recommendations. Only twice did the committee report a nomination unfavorably, and only once did it report a nomination without recommendation. So obviously we come with serious reservations within the committee, and the Senate ought to want a full record to be put in front of it before it votes on this nomination.

The power of advice and consent has been talked about a lot in the last weeks. Obviously, we have a constitutional responsibility not just to advise but also to consent, and nowhere is it suggested in the Constitution that we ought to consent automatically.

So over the last week, both Democrats and Republicans on the committee have worked hard together to jointly interview more than 30 individuals with information relevant to this nomination. We also requested numerous documents from the State Department, USAID, and the CIA. This in-depth level of investigation was necessary because concerns were raised by individuals in Government and in the private sector about the nomination. Again, I repeat, we did not seek out these people. They came to us. Most of those who came to us have worked with Mr. Bolton and continue to work in Government. They came to us at great risk to themselves. That risk has to be measured by our colleagues in the Senate.

Everybody knows how this place works. We know the difficulty of a person coming out of the same place of business in politics and saying something that is critical of somebody they worked with. The fact is that we owe those people who took those risks a serious and complete effort in the consideration of this nomination, not a perfunctory effort, not one that seeks to find a way around a legitimate request for information.

The fact is that this administration's cooperation in the Foreign Relation Committee's effort to do due diligence on the Bolton nomination has been sporadic at best and far from complete. In the 22 years I have served on the committee, I have seen efforts on both sides of the aisle that have been far more extensive and far lengthier for less important positions or for the similar position.

Initially, the administration's response was to refuse access to documents or individuals to be interviewed until just a few days before the committee's first business meeting to consider the Bolton nomination on April 19. Chairman LUGAR had to personally intervene in order to persuade the administration to comply with earlier requests that were made repeatedly by Senator BIDEN on behalf of all of the Democrats on the committee.

The State Department finally responded but, again, not fully. It did not provide all of the documents requested, and those that were provided were suddenly deemed to be classified, even though many were unclassified e-mails.

After the committee decided on April 19 to further investigate allegations and concerns about this nomination, the administration continued to drag its feet on the Democratic request for information. On April 29, Senator BIDEN sent a letter specifying nine different categories of documents relating to the issues of concern that needed to be investigated thoroughly. Some of these requests involved additional information related to specific cases the committee had been reviewing. Four of them were requests for drafts of speeches or testimony. These four requests were designed to ascertain whether Mr. Bolton sought to stretch the intelligence to support his policy views. A lot has been spoken on the

Senate floor about that effort to stretch, and I would associate myself with the concerns that have been expressed by other Senators about that effort. There is nothing more serious at this moment in time.

The State Department refused to respond fully to Senator BIDEN's request. Instead, it responded to a letter by Chairman LUGAR on May 4 suggesting that it needed to provide documents in only five of the nine categories. Well, it is not up to the administration to decide which categories are appropriate for the proper advice and consent of a Senate committee or of the Senate itself.

So in an effort to move the process along and get further cooperation from the administration, Senator BIDEN narrowed the Democratic request down to two areas: Information related to the clearance of Mr. Bolton's September 2003 testimony on Syria before the House International Relations Committee and information related to National Security Agency intercepts and the identity of U.S. persons on those intercepts.

Over a period of 4 years, Mr. Bolton requested the identity of U.S. persons on intercepts 10 times.

Senator DODD originally asked for these intercepts in a question for the record on April 11. The Department responded by saying that the committee needed to get these from the National Security Agency. So Chairman LUGAR supported the Democratic request for the NSA intercepts but asked the Intelligence Committee to request them and find a means of sharing them with the Foreign Relations Committee.

The Intelligence Committee finally did get the intercepts, but the chairman and ranking member of that committee were not allowed to see the key information; that is, the names of the U.S. persons, which is an essential part of the evaluation of the committee. No one—no one on the Foreign Relations Committee, not Chairman LUGAR or Senator BIDEN—has been given access to these intercepts.

In response to letters from Senator BIDEN regarding the intercepts, the Director of National Intelligence, Ambassador Negroponte, referred Senator BIDEN back to the Intelligence Committee.

What the Senate has to decide is whether it is going to stand up for the rights of a committee, for the rights of an appropriate set of inquiries to be answered so we can fulfill our constitutional responsibilities. Senators can be for Mr. Bolton, Senators can have already made up their minds, Senators can have decided that they know how they are going to vote and they do not need more information, but they ought to respect the fact that both the chairman and the ranking member made a request and that request has not yet been fulfilled.

The information we are seeking relating to the Syria testimony will shed further light on whether Mr. Bolton tried to press the envelope on intelligence and whether he told the committee the truth when he said he was not personally involved in the preparation of the Syria testimony. The question of whether Mr. Bolton told the committee the truth is important because there are already several other instances where it is in doubt, where in fact there is clear evidence that he didn't tell the truth, specifically with respect to the efforts to fire the two analysts of intelligence.

Stretching intelligence and credibility are two of the key areas of concern with respect to the Bolton nomination, two of the key areas of inquiry that the committee is seeking. This is a proper and a critical request. Having access to the NSA intercepts will tell us whether Mr. Bolton did anything improper after receiving the identities of U.S. persons involved. The fact they do not want anybody to see it seems to suggest the exact opposite.

Senator ROBERTS, the chairman of the Intelligence Committee, indicated in his letter to Senators LUGAR and BIDEN that on at least one occasion Mr. Bolton shared the identity information of a U.S. person with another individual in the State Department without authorization from NSA.

Did he do this more than once? Why did he request these intercepts? What was he trying to find out? What was he going to do, or did he do with the information? We can only speculate without proper access to those intercepts and without knowing the identities of the persons on them.

The State Department has told the committee that the request for information about the Syria testimony is not ''specifically tied to the issues being deliberated by the committee.'' But for the executive branch of Government, which has already been slow-walking this provision of information, to tell a Senate committee how to exercise the advice and consent power of the Senate is not only unacceptable, it is unconstitutional. The Foreign Relations Committee has the prerogative to determine, and has laid out for our colleagues to judge, the legitimacy of the basis of this request. I think it passes muster.

For the chairman and ranking member of the Foreign Relations Committee to be denied access to NSA intercepts and information which Mr. Bolton was able to see is unacceptable on its face. An Assistant Secretary of State and staff are permitted to see this, but the chairman and ranking member of the Foreign Relations Committee are not? Is the Senate prepared to ratify that as a standard by which we will have our inquiries pursued with respect to any nomination on either side at any time?

The Foreign Relations Committee has spent an enormous amount of time and energy related to this nomination. Grudgingly, cherry-picking document requests, we have proceeded along with the administration actually denying other requests entirely.

The information we continue to seek is relevant to this nomination and to the critical concerns that many of us have about the nominee and his use of intelligence. We should have access. Since the administration has refused to provide it, the only choice we have is to deny the vote on this nomination until there is full compliance. That is not a filibuster. That is not an effort to not have a vote. Give us the information. We are prepared to have a vote immediately and let the chips fall where they may. But it is vital that the rights of the committee and the rights of the Senate, the rights of the advice and consent process, be upheld.

Let me just say again this should not be anything except a measurement on the merits. During her confirmation hearing in 1981, to be U.S. ambassador to the U.N., Jeane Kirkpatrick described her vision of the job. She said:

> I do not think that one should ever seek confrontation. What I have every intention and hope of doing is to operate in a low key, quiet, persuasive, and consensus-building way. I think a principal objective should be to try to communicate effectively with the representatives of as many nations as possible to broaden a bit the areas of mutual understanding. We should try to extend a bit the frontiers of reason and cooperation, and I think we should work to that end, and we should work to establish the patterns of consultation and trust.

No one would ever accuse Jeane Kirkpatrick of being soft or shying away from her views. She is a staunch conservative who speaks her mind. But she understood and respected the value of diplomacy and negotiation; of listening to and respecting others' views; of working the system; of seeing the big picture and, most importantly, of establishing credibility and trust. She herself has said of this nominee that he is ''no diplomat.''

We should make the judgment in the end of whether this is the right person. I have heard colleagues argue how important it is to have a straight-talking, tough person at the U.N. This is not about the U.N. per se, obviously. It is about our interests and how we are going to best advance those interests. But those of us who spent a long time trying to reform the U.N. and working with it, and have had some success in some measure with respect to that effort, in a bipartisan effort going back to the time we worked with Nancy Kassebaum and Larry Pressler and Jesse Helms, all of us understood you need to establish those patterns of consultation and trust and speak with credibility.

I regret that this process has proven that this nominee does not meet the Jeane Kirkpatrick standard or test, and therefore all of us ought to raise serious questions about the nomination.

I think my time is about up, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. KERRY. Mr. President, what is the current time on both sides?

The PRESIDING OFFICER. The minority has 28 minutes and the majority has exactly 1 hour.

Mr. KERRY. Mr. President, will the quorum be tallied to both sides?

The PRESIDING OFFICER. Under a previous order, that is correct.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAHAM. 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. GRAHAM. Mr. President, I appreciate Senator VOINOVICH allowing me to speak a moment or two on the John Bolton nomination.

No. 1, when it comes to how and why Members vote, every Senator has to make a decision they feel comfortable with, that is good for the Nation, good for the Senate, good for the White House, good for the American people.

One thing I am confident of: Senator VOINOVICH, of all the people I know in the Senate, is right at the top of the list of those who make decisions based on conscience and principle. Whatever problems he has with this nominee have come from soul searching, thinking, and looking. He will articulate why he feels the way he does and vote his conscience. That is exactly what he should do. I am all for that because that is what makes the Senate great. That is what makes America great.

In terms of myself, I would like a moment or two to express why I have come to the conclusion that I think John Bolton will make an outstanding ambassador to the United Nations. We have heard a lot about his disposition, about his temper, about his working relations. Everyone will make a judgment about where they come down on that. I made a judgment that, obviously, some of the things about his working relationships can be troubling. The idea that he has been confirmed four times, has served his country for well over 20 years in a variety of posts and done an outstanding job, is what I will base my vote on—not a conversation here or there but 20-plus years of serving the United States at the highest level of Government, with a great academic background.

But why him and why now? Are there other people who can be United States ambassador to the United Nations? There are a lot of good people out there. What drove the President to pick him now? The honest truth is, I haven't talked to the President about why he picked John Bolton, but I have a pretty good idea what was on his mind. The President sees very clearly the need for the United Nations. This world is in tremendous conflict. We are splitting along religious lines. We are having all kinds of problems getting along with each other and trying to find out how to fight the war on terrorism. The United Nations provides a hope for the world, a place where we can come together and have good people stand up to bad people. Sometimes it is hard to determine who is good and who is bad, but many times it is not, and it should be a place where people of good will can deal with problems for bad people such as Saddam Hussein and others, the Osama bin Ladens of the world, a place where they can be controlled and checked.

The President sees from the American conservative perspective that the United Nations has lost its way. From a conservative point of view, being a conservative Republican, I hear continuously of problems with the United Nations from people I represent and people I know. The worst thing we can do is to allow the good will of the American people to slip away from the United Nations and reject that body.

What will it take to repair the damage done from the Oil-for-Food Program, the corruption at the United Nations, the, at the least, inconsistent approach to regulating dictators such as Saddam Hussein? How can we get the United States and the United Nations back together where we can work as one team? It will take a person Americans have faith in. And that is a big problem with the United Nations right now.

American conservatives need to feel better. John Bolton will provide that assurance from a conservative point of view that the United Nations would be pushed to reform itself. From a moderate and liberal point of view, I can assure members that the policies John Bolton will fight for will be those policies directed by President Bush, who won the last election. And some may not agree with the policies, but that is where he will get his marching orders.

He sees the United Nations as a value-added product to the world. He sees clearly where it has gone astray. He has the credibility with the American public, particularly among conservatives, to be a force for change.

The worst thing that could happen is for the United Nations to slip away, in the eyes of Americans, as an effective body. It surely has gone that route.

The best thing that can happen from this nomination is that John Bolton goes to the U.N. with an attitude of: I will work with you, but you have to be better—and to effectively articulate President Bush's policies. I think that can happen. I think it must happen. Not only am I enthusiastic about his nomination, he clearly—given the dynamic our country has with the United Nations—is the right person at the right time and can do things no other person could do; namely, repair the image of the U.N. with a large percentage of the American people, who believe it has lost its way. That is why I will support this nominee with enthusiasm.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, first, I thank the Senator from South Carolina for his kind remarks about this Senator early today and this afternoon.

What we are doing here today is what the Senate should be doing; that is, to have a robust debate about a nominee by the President of the United States to the United Nations.

I have deep concerns about the nomination of John Bolton. We face an important decision today. We are at a crossroads in foreign policy, at a time when there has been a drastic shift in the attitude of our friends and allies. If we do have a vote today, I urge my colleagues in the Senate to let their consciences and their commitment to our Nation's best interests guide them.

I would plead with them to consider the decision and its consequences carefully, to read the pertinent information, and to ask themselves several important questions:

Is John Bolton the best person to serve as the lead diplomat to the United Nations?

Will he be able to pursue the needed reforms at the U.N. despite his damaged credibility?

Will he share information with the right individuals, and will he solicit information from the right individuals, including his subordinates, so he can make the most informed decisions?

Is he capable of advancing the President's and the Secretary of State's efforts to advance our public diplomacy?

Does he have the character, leadership, interpersonal skills, self-discipline, common decency, and understanding of the chain of command to lead a team to victory?

Will he recognize and seize opportunities to repair and strengthen relationships, promote peace, and uphold democracy with our fellow nations?

I also came to the floor today to respond to some of the statements that have been made regarding the nomination of Mr. Bolton.

It has been argued by my colleagues that Mr. Bolton is the right man for the job because he has ''sharp elbows,'' can give a dose of needed ''strong medicine,'' and because he will not be an ''appeaser'' to the horrors that have been committed by the U.N. peacekeepers.

The question is not whether we want to achieve U.N. reforms. We will support U.N. reforms. And I particularly want U.N. reforms. We need to pursue its transformation aggressively, sending a strong message that corruption will not be tolerated. The corruption that occurred under the Oil-for-Food Program made it possible for Saddam's

Iraq to discredit the U.N. and undermine the goal of all of its members. This must never happen again. This is an ideal time for reform of the United Nations. Those reforms are needed to strengthen the organization or there will not be an organization.

And, yes, I believe it will be necessary to take a firm position so it can succeed. But it is going to take a special individual to succeed in this endeavor, and I have great concerns with the current nominee and his ability to get the job done. How successful will he be on reform if the message is lost because of baggage surrounding the messenger? I worry that Mr. Bolton will become the issue and the message will be lost.

I understand the arguments just made by my colleague from South Carolina in regard to the conservative movement here in the United States that is very concerned about the U.N. and feels comfortable that if John Bolton goes to the U.N., with his ''sharp elbows,'' something is going to happen.

I would like to point out that Mr. Bolton will be going to the U.N. to do more than just push forward U.N. reforms with his ''sharp elbows.'' He is there to be the U.S. representative to the world.

Do we want the supreme quality for our next U.S. representative to the world to be ''sharp elbows''? Don't we need a man who has superior interpersonal skills, who can bring people together, form coalitions, and inspire other countries to agree with his point of view?

To the conservatives who are concerned about reform of the United Nations, do we want the messenger to become the issue so we never get to the message? And the message is: reform.

I agree the next Ambassador needs to be a strong presence, firm in his beliefs, persistent in his drive, and determined in the face of a monolithic bureaucracy and many obstructionist countries. It is not going to be easy. But even more than this, he will need the interpersonal and diplomatic skills required to inspire and lead.

If you think about John Danforth, our last ambassador to the United Nations—or let's talk about John Negroponte. Let's put John Negroponte and John Bolton in the same room together, colleagues. Put them in the same room together. John Negroponte went to the U.N. and did an outstanding job. John Negroponte was taken from the U.N. The President needed somebody in Iraq, so he sent John Negroponte to Iraq. Then he needed to call on someone to be the Director of the National Intelligence area. Now, John Negroponte—that is the quality of the individual who we need to be sending to the United Nations today.

One of my colleagues stated earlier today that we should not reject Mr. Bolton because of his management techniques because ''management is not a criterion for rejecting a nominee and if it were, a lot of nominees would have been rejected.''

In the case of Mr. Bolton, his poor management techniques intimidated intelligence officers and have called U.S. credibility into question, at a time when we cannot afford any further damage to our credibility. That is one of the problems we have today—the WMD and Iraq, some of the recent stories about the WMD. There are a lot of people who are questioning this Nation's credibility.

Further, his management and interpersonal failures reflect on his diplomatic skills, which are an undeniable requirement for the ambassador to the United Nations.

Colin Powell's chief of staff, COL Lawrence Wilkerson, testified before the committee that Mr. Bolton would make ''an abysmal ambassador'' because of his management flaws.

I would like to read from Mr. Wilkerson's testimony.

Mr. Wilkinson:

> I would like to make just one statement. I don't have a large problem with Under Secretary Bolton serving our country. My objections to what we've been talking about here—that is, him being our ambassador at the United Nations—stem from two basic things. One, I think he's a lousy leader. And there are 100 to 150 people up there that have to be led; they have to be led well, and they have to be led properly. And I think, in that capacity, if he goes up there, you'll see the proof of the pudding in a year.

It has been argued during our floor debate that many of the people who oppose Mr. Bolton's nomination originally supported Mr. Bolton and voted for him several times before they heard about these new allegations against him.

The statement seems to argue that many allegations about John Bolton are not relevant to our decision on whether he is the right man for the job and should be confirmed as the next ambassador to the United Nations.

The allegations about Mr. Bolton are very relevant to our decision. The allegations speak to Mr. Bolton's character, his temperament, his credibility, his management style, his skills, and his performance over the last 4 years.

The testimony of our witnesses has certainly had an impact on my opinion.

I expect that the allegations have had an incredible impact on the world's opinion of Mr. Bolton. I believe that the allegations have caused great damage to Mr. Bolton's credibility and that the allegations will impair our influence with the United Nations. If Mr. Bolton is confirmed for the position, he goes to the U.N. with a tremendous amount of baggage that he is going to have to overcome. Again, I want to repeat to the people who feel he is just the right ticket to get the job done, I am very concerned that he will become the issue and the reform of the United Nations that we all would like to see is not going to happen.

It has also been stated today that none of the incidents involving intelligence resulted in misuse. This is all of the testimony about speeches that Mr. Bolton gave. I guess my colleagues believe that the misuse of intelligence would have only occurred if Mr. Bolton would have been successful in clearing the language that he originally insisted upon. In other words, he would have these ideas about the world and about intelligence and said: This is what I want to say. And the intelligence folks came back and said: No, you can't say that because that doesn't reflect the reality. And everyone says that is not a problem because ultimately he didn't say what he wanted to say because he got the better information from the intelligence officers.

The misuse of intelligence occurs as a process. It begins with intimidation and pressure on analysts, and it ends with analysts producing reports that meet the political needs of top leadership. Mr. Bolton contributed to this process with his actions. He created an atmosphere of intimidation within the ranks of the Bureau of Intelligence and Research and at the CIA. The people in these agencies were made to understand that if they disagreed with him, there would be consequences. His actions sent the message that if you don't seek to meet his particular request for specific language, they may be sidelined from future opportunities to provide him intelligence, and they may even be pulled off of the account and moved to another bureau.

The Presiding Officer was there for some of the hearings. There was no question that the message was, if you disagree with him, you might get moved to some other place. Some have argued that you would be fired. But it wasn't in this language; it was like ''moved to somewhere else.'' It is the same signal, same message: Don't fool with John because, if you do, he is going to put pressure on to move you to some other place.

His behavior put pressure on the intelligence officers, and it begins the very dangerous path to misusing intelligence and damaging U.S. credibility. The point Senator KERRY made earlier this afternoon is well taken. We all know there is a real problem with Iran. We know that the International Atomic Energy Agency is very concerned about what is going on in Iran today. We are hopeful that the EU–3 will be able to work out the problem and deal with the proliferation problem in Iran. But they may not be successful. If they are not, you know where they are going. They are going to the U.N. Security Council. Can you imagine if the spokesman for the United States at the U.N. Security Council about intelligence and the impact of whether Iran has this or that, if the spokesman is going to be John Bolton? Can you imagine how much influence he is going to have with his past record? It is a serious issue, one we hope doesn't happen, but it could very well happen. And there will be other instances that come before the United Nations where

the credibility of the individual representing us is going to make an enormous amount of difference if we are to be successful.

I agree with Mr. Bolton's policies. I believe in U.N. reform. I believe in nonproliferation. I believe in working to secure Article 98 agreements to protect U.S. forces against trial by the International Criminal Court, although I do not agree with his decision to hold up important military education in order to achieve that goal. I believe in removing the anti-Israel prejudices in the United Nations. I believe in reforming the anticorruption and enforcement mechanisms of the United Nations. I believe in preventing abuses and crimes by U.N. peacekeepers. I believe in making the United Nations a strong institution that fulfills its mission to preserve and protect human rights and democracy. I know that I agree with Mr. Bolton's policy because I sat down with him to discuss his policies. I still just believe we can do much better than Mr. Bolton at the United Nations.

Many people have come today to defend Mr. Bolton. In some cases, they argue that the allegations are false. In some cases, they argue that even though Mr. Bolton behaved badly, his rough edges are what the United States needs to be successful at the U.N., so we should overlook his record of behavior. But nobody has disputed the argument that I made yesterday before the Senate that Mr. Bolton will contradict our efforts to improve public diplomacy at this critical time.

Public diplomacy has been the No. 1 priority of Secretary Rice since becoming Secretary of State. She is running all over the world putting her best foot forward, saying: We are the team. We all have to work together. It is a clear priority of the President, who has done everything in his power to improve the image and understanding of the United States, including getting the First Lady to get out there and start doing public diplomacy and then naming Karen Hughes, his confidant for so many years, to lead public diplomacy at the Department of State.

In the spirit of the President's objectives, we cannot ignore the damage that John Bolton could have on U.S. public diplomacy. We also cannot ignore the warning signs of so many loyal servants of our Government who testified before our committee. These witnesses who came before the Foreign Relations Committee came voluntarily. We didn't go out and solicit them to come. They came in voluntarily. Most of them are Republicans. Most of them are proud they are conservatives.

I ask my colleagues to consider these questions: When was the last time so many individuals have come out in opposition to a nomination? Think about it. When was the last time that 102 diplomats have opposed the appointment of a new ambassador? I should check the CONGRESSIONAL RECORD. It hasn't happened since I have been here, and I am in my seventh year. When was the last time so many witnesses have emerged from an administration to send warning signals to the Congress about an individual? When was the last time a Secretary of State did not sign the letter of recommendation for a nominee? It would have been a lay-up shot for Secretary Powell to join that letter recommending Mr. Bolton to be our ambassador to the United Nations, but his name was absent from the letter. And who best to understand whether he is the kind of individual we should send to the U.N. to be our ambassador?

It is rare, and it should serve as a warning to all of us. We owe it to the United States, our children and grandchildren, to heed this warning and to ask our President: Mr. President, please, find a better candidate to send to the United Nations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, again, I commend my friend and colleague. I don't want to do this too frequently. I am afraid I may hurt his reputation in certain quarters. I want to tell him how much I admire what he has done over the last number of weeks and did so so that the people of Ohio and America understand this. This was not a decision that my colleague from Ohio reached quickly. In fact, I recall vividly the day in room 116 where we made our case. It was one of those rare moments that we don't see often enough around here these days, where the Senator from Ohio said: I am troubled by this. I want to know more.

I was tempted a couple of times during the period between that hearing on April 18 or 19 and when we reconvened again in early May as part of the Foreign Relations Committee to consider this nomination. I decided the best thing I could do was to leave the Senator from Ohio alone and let him go through the process himself of deciding on the concerns that had been raised. As he so appropriately pointed out—I tried to make the point this morning myself—these allegations are not coming from some outside groups who have a vested political interest in the outcome.

Many of these people were people who were presently there or have just left the present administration or they have had the experience of working with the nominee. They were the ones who raised the concerns. In fact, at lunch today, we were talking about North Korea with several former career diplomats who have worked with the nominee, including in this administration. I asked them for any observations. They confirmed what the Senator has said.

They had complimentary things to say about Mr. Bolton, as well. I am not saying there are not qualities about this nominee that are good. He is certainly a well-educated individual, and he has an incredibly attractive life story of where he has come from. But they all made the same point the Senator from Ohio made, and it deserves being made again. I raised the issue about the intelligence analyst. But the Senator is absolutely correct. In this day and age, what we have been through over the last several years, having people who can help us take unwilling nations that may be cautious about joining us in certain things, for all the reasons we are familiar with, and to be able to build those coalitions around issues critical to us and to peace and stability in the world, is going to be absolutely essential. The U.N. is a forum particularly for smaller nations.

Large nations have big delegations here in Washington, and we go back and forth to major European allies and the major countries in the Pacific rim. For an awful lot of countries, the best forum for them is the U.N. The person who interfaces with those people on a daily basis can do a tremendous amount of good for our country with that notion—the face of public diplomacy that the Senator from Ohio talked about.

I wanted to, once again, thank my colleague for his willingness to share his feelings with his colleagues about this, and we are going to have a vote this afternoon, only because I felt it was important for us to be able to have information that should be forthcoming. It is a matter of right here on a cloture motion and, if that succeeds, we will go right to a vote on Mr. Bolton. If not, it will lay over and when we get back, if we don't invoke cloture, we will deal with it fairly quickly when we return and we will move on.

I hope Members will have listened, particularly on the majority side. I suspect that when you hear some of us, you may say that is a bunch of Democrats talking. I regret that that is the feeling, but if you are not impressed with what some of us who have worked on the issues for many years feel about it, listen to GEORGE VOINOVICH from Ohio. This is a good person who cares about the status of the United States and about this matter before us. I thank the Senator.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. 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. HATCH. Mr. President, I am pleased that, after much too long a delay, the Senate will meet its constitutional responsibility to vote on an important nomination for the President's national security team.

I am referring to the nomination of Mr. John Bolton to be our next ambassador to the United Nations.

This position must be filled if the administration is to advance its foreign policy, which includes both the use of the United Nations to support our country's goals, as well as our goals to advance reform in a very difficult international organization that, to be frank, has earned the skepticism of a good many Americans, including many in my home State of Utah.

It would be a mistake, however, to suggest that this administration is anti-U.N. After all, during his first term, President Bush addressed the United Nations more times than any of his predecessors ever had in the same period, throughout the entire history of the United Nations.

That the President has regularly consulted with, and sought the support of, the United Nations gives lie to accusations that he is a unilateralist.

That he has never hinged our foreign policy needs and goals on the support of the United Nations demonstrates that our President has a proper understanding of our sovereign rights, as well as a realistic understanding of what the U.N. can contribute. The vast majority of the citizens of my State agree with President Bush that the U.N. can be sought as a useful tool to advance our national security, but that the pursuit of our foreign policy goals should never, never be conditioned on U.N. approval.

John Bolton, whose career in foreign policy has included numerous positions where he was worked with international organizations, including much experience with the U.N., understands this. Certainly it is not for lack of experience that Mr. Bolton's nomination has become so controversial. Nobody can credibly make that argument.

It is because of his philosophical convictions about the limits of international organizations—convictions shared by the President who nominated him—that Mr. Bolton's nomination has been delayed. I have found this entire spectacle to be dismaying.

Early objections were quite plain in this approach: John Bolton was charged with an unnecessarily skeptical view of multilateralism.

In my opinion, the reason George Bush won a decisive victory in a close re-election campaign is because the American public recognizes that national security issues are of dire importance, and that the President has a better grasp of how the real world works.

The vast majority of the Utahns I represent object to any suggestion of checking American power with multilateral institutions.

They do not believe in ''aggressive multilateralism'' an expression used during past administrations.

They do not believe that the reluctance of European powers to join us in all our causes is a failure of our diplomacy, because nations will pursue their national interest no matter what the rhetoric may be. To measure diplomacy by the decisions of nations is to misunderstand both diplomacy and the dynamics of how nations pursue their national interest. President Bush understands this, as does John Bolton.

The nomination process grew quite tawdry, in my opinion, when it turned to innuendo and, in some cases, attacks on the nominee's character.

I know John Bolton. He is a decent, honorable man of inestimable intelligence who has done a tremendous job in every public position he has held.

Opponents of Mr. Bolton declared, insinuated, and denounced the nominee based on a handful of alleged reports of his cantankerousness. Imagine that. A cantankerous personality in a high-powered job. In Washington, no less. Give me a break.

Mr. President, the list of those who have stood up for Mr. Bolton is one of the most impressive I have ever seen in my years in the Senate, And I will leave it to my colleagues to attempt to include it all in the RECORD. I must note, however, the following statement included in a letter to the Senate Foreign Relations Committee:

> We, the undersigned, have been appalled at the charges that have been leveled at John Bolton during the course of his nomination hearing to be this country's ambassador to the United Nations. Each of us has worked with Mr. Bolton. We know him to be a man of personal and intellectual integrity, deeply devoted to the service of this country and the promotion of our foreign policy interests as established by this President and the Congress. Not one of us has ever witnessed conduct on his part that resembles that which has been alleged. We feel our collective knowledge of him and what he stands for, combined with our own experiences in government and in the private sector, more than counterbalances the credibility of those who have tried to destroy the distinguished achievements of a lifetime.

This is a letter signed by former Attorney General Ed Meese, former Attorney General and Governor of Pennsylvania Dick Thornburgh, former Associate Attorney General and Governor of Oklahoma, Frank Keating, former Assistant Attorney General and Governor of Massachusetts, William Weld, and more than 30 of Mr. Bolton's former colleagues in the Department of Justice.

Following the ideological criticisms, following the attacks on his character, the opponents of Mr. Bolton tried the intelligence angle. Apparently, Mr. Bolton has disagreed with a few intelligence reports and analysts. His opponents appear to believe that by waving a specious charge of ''misrepresenting intelligence,'' they can hit the theme of imperfect intelligence that serious policymakers have been wrestling with during the last few years of this administration. And we all know, and certainly we members of the Senate Select Committee on Intelligence know, that intelligence has been seriously flawed in recent years. We all know that.

But to take a serious problem, which our committee has now spent years exposing and correcting, with the support of the administration—and to turn it into an opportunistic attack on a nomination for the U.N. ambassador is specious at best. At no point in our investigations of intelligence regarding Iraq, have we found convincing evidence that intelligence analysts were pressured to change their views based as a result of political pressure. And none of our conclusions have indicated that the intelligence process would be made better if dissenting views would be suppressed. If anything, we need more dissent to qualify and verify our intelligence products.

If there is anything we have learned in our review of faulty intelligence, it is that there is not enough scrutiny, not enough skepticism and, frankly, not enough expressing contrasting views. Apparently, our friends on the other side, the Democrats, do not seem to understand this. I am relieved now that after all the delay, the President will get his vote on his nomination of this very fine man for this very important position.

I commend the chairman of the Senate Foreign Relations Committee for his commitment and patience in bringing this nomination to the floor. I know how tough it is to sit through meeting after meeting where the nominee is being attacked with what really amount to almost flippant attacks. Both of Senator LUGAR's virtues—his commitment and patience—have been, I suspect, severely tested.

John Bolton served as a senior diplomat for this country in various capacities for over 20 years. He has served with great distinction and has many accomplishments to his credit. He has my personal admiration for these accomplishments. Whether they have been standing up to the United Nations and our country's rejection of that organization's intellectual disease, known as declaring Zionism as racism, or in his post-9/11 efforts to advance multilateral cooperation in his proliferation security initiative, Mr. Bolton's efforts have advanced U.S. interests and U.S. values. I am grateful for his work on behalf of our Nation, and I am grateful that he chooses to continue to serve.

In closing, I note a section of a letter sent to the Foreign Relations Committee by former Secretaries of State Baker, Eagleburger, Haig, Kissinger, and Shultz, and former Secretaries of Defense Carlucci and Schlesinger, former U.N. Ambassador Kirkpatrick, and other distinguished former national security officials:

> Secretary Bolton, like the administration, has his critics, of course. Anyone as energetic and effective as John is bound to encounter those who disagree with some or even all of the administration's policies. But the policies for which he is sometimes criticized are those of the President and the Department of State which he has served with loyalty, honor, and distinction.

President Bush has the right to his nominee for the United Nations. All Senators have the right to refuse consent if they so choose. If our friends on the other side, or even friends on this

side, disagree with Mr. Bolton and want to vote ''no,'' they have every right to do so. But he certainly deserves a vote up or down for this very important position, and he does not deserve to have his nomination filibustered.

All Senators, as I say, have a right to refuse consent. In a time of war—and we remain in a complicated global war—a President's right to assemble his national security team should not be hindered, and it certainly should not be hindered by people on the floor of the Senate. It is time, well past due, to have this vote.

Mr. Bolton is a good man. I have known him for most of those 20 years. I know him personally. I know he is a man of integrity. I know he is a man of great intelligence. I know he is a tough person, exactly what we Americans would like to have at the U.N., sometimes called a dysfunctional U.N. This is a man who can bring some credibility. This is a man who can straighten some of the mess out. This is a man who can make a difference. He has been confirmed so many times in the Senate, one would think we would be ashamed to make some of the arguments that have been made against this very fine man.

I will vote for Mr. Bolton, and if he is confirmed, I will offer him my continuing support as he undertakes yet another demanding mission, and it is demanding. I urge all my colleagues to be fair. That is what is involved here. It is a question of fairness. I hope they will be fair and vote for this very fine man and give our side a chance to have somebody there who is strong, tough, knowledgeable, loyal, and capable. He is all of those things. I can personally testify to that extent, knowing this man as I do. I hope everybody will vote for cloture today and then hopefully afterwards vote Mr. Bolton up so he can start serving and the President can have his foreign policy team in place.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. BYRD. 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. BYRD. Mr. President, I thank the Republican side for yielding me 10 minutes. So I yield myself 10 minutes.

(The remarks of Mr. BYRD are printed in today's RECORD under ''Morning Business.''

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Delaware.

Mr. BIDEN. Mr. President, I rise to speak about the vote we will be casting at 6 o'clock today, the cloture vote. I had some opportunity to speak on the merits and demerits of the Bolton nomination yesterday and had an opportunity to discuss this issue with my colleague, Senator LUGAR, and others who were on the Senate floor at the time.

Today, I rise to focus on what the vote that may take place at 6 o'clock today is about. We are about to vote on a genuine constitutional option. The vote we are about to cast on cloture, if it takes place, is about whether we are going to stand up for this coequal branch of Government's rights to review relevant information in the exercise of our constitutional responsibility and our constitutional power to advise and consent to nominations put forward by the President or whether we are going to let the executive branch define for us what information is necessary in the exercise of our constitutional responsibility.

The President has his constitutional responsibilities, defined in article II. We have our constitutional responsibilities, defined in article I. Our responsibility is to advise and consent as it relates to any nomination for an appointive office, above a certain level, that the President of the United States makes. It is the President's obligation to propose; it is our obligation to dispose of the nominee.

The State Department has denied the request completely, stating that to fulfill it would chill the deliberative process and that it ''does not believe the requests to be specifically tied to issues being deliberated by the Committee.''

The department's assertion about deliberative process is not trivial. That concern did not stop the Department and the CIA, however, from already turning over numerous materials to the committee that involve the very same type of deliberative process—preparation of speeches and testimony. And the department has made no effort to justify why it is drawing the line here.

The Department's second assertion—that the Syria material is not relevant to the committee's inquiry—is nothing less than an outrageous attempt by the executive branch to tell the Senate how it may exercise its constitutional power.

For several weeks, the Committee on Foreign Relations has been requesting two types of information which have been denied to it.

The first relates to preparation for testimony on Syria and weapons of mass destruction that Mr. Bolton was to give in 2003. The State Department has denied the request completely, stating that to fulfill it would chill the deliberative process and that it ''does not believe the requests to be specifically tied to issues being deliberated by the Committee.''

The Constitution says that the Senate shall advise and consent to nominations. The appointments clause does not limit the Senate's power to review nominations to those matters the executive branch deems relevant.

Our Founding Fathers designed a system of checks and balances, not a system of blank checks.

We must defend the Senate's constitutional powers, however, or we shall surely lose them.

The second type of information the committee has not received relates to Mr. Bolton's requests to obtain the identity of U.S. persons cited in NSA intercept reports. We are told that Mr. Bolton did this on 10 occasions, involving 19 U.S. person identities.

The chairman and vice chairman of the Intelligence Committee have been shown these intercepts, but Senator LUGAR and I have not.

Even Senators ROBERTS and ROCKEFELLER were not told the identities of the U.S. persons, moreover, information that was readily shared with Mr. Bolton and even with his staff.

No one in the executive branch has explained why an Under Secretary of State—and a staff member not holding any Senate-confirmed position—may see this information, but the chairman and ranking members of the relevant Senate oversight committees may not.

Senator ROBERTS tells us that after reviewing the contents of each report, it is apparent that it is:

> not necessary to know the actual names [of the U.S. persons] to determine whether the requests were proper.

With all respect, I believe my friend has it wrong. Learning the actual names is the key to the inquiry—and it is impossible to make any judgment about the propriety of Mr. Bolton's requests without knowing the names.

I am inclined to think there is nothing improper in Mr. Bolton's requests for this NSA information.

But the longer the executive branch withholds this material, the more I start to wonder. If Mr. Bolton did nothing wrong, then why won't the administration let us confirm that?

Senator ROCKEFELLER reported to our committee yesterday that Mr. Bolton, upon learning from NSA the identity of a U.S. official who had delivered a message just the way that Bolton wanted it to be delivered, sought out that U.S. official and congratulated him. That action may have violated the restrictions that NSA imposes on further dissemination of its information.

More importantly, if Mr. Bolton used U.S. person identities in an NSA intercept to congratulate officials who did what he wanted, might he also have used such U.S. person identities to attack officials with whom he did not agree? That has been suggested in the press, and while I doubt that Mr. Bolton would do that, Senator ROCKEFELLER's report urges the Foreign Relations Committee to seek:

> . . . a more complete understanding of the extent to which he may have shared with others the nineteen U.S. person identities he requested and received from the NSA.

All Members of the Senate should understand: both the integrity of the nomination process, and the Senate's constitutional role, are being challenged today.

The failure of the administration to cooperate with the committee, and one

of the rationales offered for this failure—that the:

Department does not believe these requests to be specifically tied to the issues being deliberated by the Committee

—has no constitutional justification.

The administration has asserted neither executive privilege nor any other constitutionally-based rationale for not cooperating with this committee.

It has no right under past practice or under constitutional theory to deny us information on a nomination based on its own belief that the request is not specifically tied to the issues being deliberated by the Committee.

Under the doctrine of separation of powers, the Senate is a co-equal branch of Government. It is within our power—and ours alone—to decide what we think is relevant to our deliberations in the exercise of the advice and consent power.

To acquiesce in the administration's remarkable assertion would undermine the Senate's power. If we vote on this nomination without getting all the facts first, that it is a step that we will all come to regret.

The request for this cloture vote is not a filibuster. If there were a filibuster, we would have demanded the use of 30 hours of debate time post-cloture.

This vote is a vote about the Senate's constitutional power. It is a vote to tell the executive branch it must turn over information the Senate has requested.

I urge my colleagues to reject cloture.

The Constitution, to paraphrase Hamilton in Federalist 76, is designed to make sure that nobody becomes an appointed official at the executive level, the Cabinet level, whom the President does not want. That is a guarantee. But it does not guarantee the President gets the first person he asks for, or the second person. It guarantees that the Senate will use due diligence in determining whether the person the President of the United States nominates to fill a position—in this case, ambassador to the United Nations—whether that appointment is in the interest of the United States of America.

That is our job. We are not filibustering. This is not about whether we will vote on Mr. Bolton's nomination. The Senator from Connecticut and I and others have said, we are ready to vote on Mr. Bolton's nomination, if you give us information that we have requested and are entitled to in assessing whether Mr. Bolton should go to the U.N. representing the United States of America.

The President has an option under the Constitution. He can say, Senate, what you are asking for is a violation of the separation of powers doctrine; you are not entitled to the information you seek because it falls into the purview of what we call executive privilege. In order for me as President—or for any President—to be able to conduct my job I must be able to have conversations with my key people that are wide ranging and open with the sure knowledge they will never get beyond this Oval Office; otherwise, the President couldn't do his job. That is what executive privilege is all about. As the Executive, I have the privilege to have confidential discussions with my subordinates. Or, the information you are seeking infringes upon the power of the executive in such a way that you are usurping article II powers, or attempting to yield them, like Estrada, to the third branch of Government in article III.

They do not assert any of that. They just say the information we have asked for, in their opinion, is not relevant to our legitimate inquiry. That is a new one for all the years I have been here.

I thank the majority leader of the Senate, Senator FRIST, for trying what I believe has been his level best to get the information. He and I had a call today. He has talked about this. I am sure I am not revealing anything I shouldn't. He contacted the National Security Agency. He said, Why can't we see the so-called intercepts we are talking about? Give me, the majority leader, the same information you gave to Mr. Bolton and his staff.

The majority leader was surprised when he was told by a general running the National Security Agency, No, I won't give you that. I will give you the same thing I gave to the Intelligence Committee which is a redacted document. That is a fancy phrase for saying, the document without the names.

I said, Mr. Leader, I think that is not good enough. I think he knows it is not good enough. This is strong-arming. They are making no argument as to why we are not entitled to it.

I remind Members, the information we are seeking is information Mr. Bolton's staff got. Mr. Bolton, as important as an under secretary is, is not the majority leader of the Senate; he is not the Senator from Connecticut. Mr. Bolton's staff got this information.

I asked the leader why they wouldn't release the information, and he said because it is highly secret. Translate that. Got that? They are not going to give information to the leader of the Senate because it is secret. In the neighborhood I come from, that means, you don't trust me. The nerve of this outfit to say they are not going to give the information.

With regard to Syria—and my time is about up—we have asked for information relating to whether Mr. Bolton was lying to us and whether Mr. Bolton was trying to get us into war with Syria in the summer of 2003 when a lot of people wanted to go to war.

Remember the argument? The argument was that all the weapons of mass destruction—that turned out never to have existed—were smuggled to Syria. Syria has them, plus a nuclear program, and we better do something about it. And what the intelligence community said to Mr. Bolton was, you cannot say that—or whatever it was that he proposed to say. The facts do not sustain it. He pushed and pushed and pushed. But he told the Foreign Relations Committee he had nothing to do with that draft testimony, he was not pushing.

All we want to see is the draft texts of the speech and the material on the clearance process. I hope the Senate will stand up for itself today at 6 o'clock.

Mr. ISAKSON. I ask unanimous consent to address the Senate as if in morning business.

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

Mr. ISAKSON. Mr. President, before I make the remarks, let me reaffirm my commitment and my support for John Bolton as ambassador to the United Nations.

Like every Member of this Senate, I recognize the importance of that appointment. I recognize the concerns many of my constituents in Georgia have had with the United Nations. John Bolton is the right man at the right time for this country to be our ambassador to the United Nations.

(The remarks of Mr. ISAKSON are printed in today's RECORD under "Morning Business.")

Mr. KOHL. Mr. President, once again, I come to the floor to voice my concerns regarding the appointment of John Bolton to an important office in this administration. This time he is being promoted to a Government position with high international profile, the U.S. ambassador to the United Nations. I believe his appointment to this post will harm our interests at the UN and hamstring our international cooperation efforts.

Mr. Bolton, whom I opposed when he was nominated to be the Under Secretary for Arms Control, did not distinguish himself in his last job. His comments about the North Korean regime during sensitive negotiations almost derailed our efforts there. This is not just my opinion. After his remarks, Mr. Bolton's superiors recalled him to the United States and sent a replacement. This blunder is not the only black mark on Mr. Bolton's record. He also failed in another highly critical negotiation—our unsuccessful attempts to convince Iran to curtail its nuclear activities.

Mr. Bolton also has publicly and often expressed his disdain for the United Nations—the very institution the President has chosen to send him presumably to represent us and pursue our interests. How can he do that when his public criticism of the U.N. has been, not constructive or thoughtful, but heavy handed and destructive? He has advocated not paying our U.N. dues and, in a moment of high arrogance, said he thought there should only be one permanent member of the Security Council—the United States—to reflect today's international power structure. Statements like these make our allies believe that we do not value their cooperation and effort—and perhaps Mr.

Bolton does not. His remarks create ill will and make it harder for us to lead in the international community—and perhaps Mr. Bolton believes the United States needs to play no role in that community. He has a right to those views. But we in the Senate have a right not to consent to the appointment to the ambassador to the U.N. of a man whose views would, in my opinion, keep him from being able to do his job.

There is an old saying that ''you gather more flies with honey, than with vinegar''. I am afraid that we are sending a big bottle of vinegar to the U.N., and it will attract us no friends. Diplomacy requires tact. It requires being able to use both the carrot and the stick, rewards and sanctions. Mr. Bolton seems to be focused entirely on the stick, believing that by wielding our power and the threat of force like a cudgel, we can bring the international community into line. I do not agree.

Senator VOINOVICH was right when he said the United States can do better than John Bolton. There are so many bright, gifted people in the administration that would do a better job and be a better fit. I regret the President did not send one of those people to us for this high profile job. Mr. Bolton's presence at the U.N. will do little to build our prestige around the world, and may well hamstring our efforts in the war on terror. I urge my colleagues to vote against this nominee.

Ms. MIKULSKI. Mr. President, I rise today to speak on the nomination of John Bolton to be the United States Representative to the United Nations.

I have three criteria I use to evaluate all executive branch nominees: competence, integrity, and commitment to the core mission of the department.

Mr. Bolton has had wide-ranging experience and is competent.

I do not agree with many of Mr. Bolton's past statements about the U.N. However, his statements during the confirmation process indicate he is now committed to the mission of the U.N. I will give him the benefit of the doubt on this one.

But I cannot be so flexible when it comes to the very serious questions about Mr. Bolton's integrity.

I rise today as the Senator from Maryland and as a long-time member of the Senate Intelligence Committee. I have been working on reforming our intelligence community since I first became a member of the Intelligence Committee before the tragedy of September 11. I served on the 2002 joint inquiry about what happened on that terrible day. I served on the Intelligence Committee's 2003 review of Iraq intelligence.

I worked on the 2004 reform legislation that built on the work of the 9/11 Commission and that we passed last year. We looked for ways to prevent what happened on September 11 from ever happening again. We looked for ways to make sure that what happened with Iraq—where we thought there were weapons that weren't there—will never happen again. We looked for ways to get the right information to policy makers.

Throughout all that work over the years, I have kept the many talented, hard working, dedicated, and patriotic Americans working throughout the world for our intelligence agencies foremost in my mind. One of my central concerns has been to try to ensure that they have the right and ability to do their jobs: to get the facts and speak truth to power.

Speaking truth to power means telling the boss what he or she should hear rather than just what they want to hear. This is absolutely critical to the security of our Nation. That is why I am opposing John Bolton's nomination to be America's Representative to the United Nations. It is clear to me that he does not respect the truth or the hard working experts that labor day in and day out to provide policy makers with the best information and their best judgments.

I have carefully reviewed the report prepared by the Foreign Relations Committee. It is evident to me, from reading the minority views of the committee's report, that Mr. Bolton is a bully, but not just any bully. He is a bully with a purpose: to browbeat intelligence professionals to disregard the facts, and to send a message to all the other intelligence professionals that they speak the truth at their peril. His purpose seems clear: to intimidate. His actions seem clear: to retaliate.

Mr. Bolton retaliated against those who disagreed with him. He claims not to have sought to have anyone fired. He said he merely ''lost confidence'' in them. But, that's just a polite way to say a person is unqualified and should be fired. It's a distinction without a difference. When a senior policy maker has lost confidence in you, I think we can all agree that your career is effectively over.

Playing with words cannot obscure the fact that Mr. Bolton went after intelligence professionals for doing their jobs, for telling the truth, for speaking truth to power. He was the power, the boss, the senior official and he had no use for truth.

According to the investigation by the Foreign Relations Committee, Mr. Bolton tried to fire an analyst with the State Department's Bureau of Intelligence and Research. The intelligence professional disagreed about language regarding biological weapons that Mr. Bolton wanted to include in a speech. Mr. Bolton also asked that the National Intelligence Officer for Latin America be reassigned, because he told Mr. Bolton that the language on biological weapons did not reflect the intelligence community's assessment.

Mr. Bolton also appears to have abused his access to intelligence. The Senate Intelligence Committee recently investigated charges that Mr. Bolton shared classified information that he received from the NSA. The minority view of that investigation concluded that Mr. Bolton did share classified information, after being specifically instructed by NSA not to do so. Even more troubling, it appears that the reason Mr. Bolton gave the NSA to justify his ''need to know'' was not the real reason he sought out the information.

This is yet another example of John Bolton using and misusing intelligence to suit his own purposes. It is also clear that Mr. Bolton bullied a number of others who dared to disagree with him, including others in the intelligence community. My colleagues—Senator BIDEN, Senator VOINOVICH and others—have detailed these charges well, and I will not repeat that here.

Mr. Bolton's intolerant attitude and conduct must not be rewarded. It inevitably results in chilling truth and facts. It is an attitude hostile to the very concept of speaking truth to power.

We need the world to understand that the United States getting Iraq wrong was an aberration, a one-time, never-to-be-repeated mistake. The world must believe, and it must be true, that facts and truth are what inform our policies and actions at home and abroad.

They must also believe our leaders and policy makers when they speak. When we speak about intelligence, people cannot be wondering, is that American lying to me, misleading me, telling me half the truth.

The stakes are too high: war and peace; life and death; weapons of mass destruction; Iran; North Korea; terrorism. These are the stakes we are talking about.

America cannot afford to send someone to the U.N. that many people already believe does not respect the truth. We already have a huge credibility gap at the U.N. and in the world.

The U.N. was where our respected Secretary of State laid out our case for going to war with Iraq. We disclosed extensive intelligence information to demonstrate that Iraq had WMD, that it was a threat to the region, our country and the world. We now know, through no fault of our Secretary of State, that much of that information was wrong.

Many of us have worked tirelessly to make sure that something like that never happens again. Building on the work of the 9/11 Commission, we worked for much of last year to pass dramatic and broad based reform of our intelligence community. We fought hard to make sure that a single person would be in charge of the entire intelligence community, to mandate alternative or red team analysis to always make sure that we policymakers have the best information available.

We are now working to make that reform a reality. Just last month, I voted with 97 of my colleagues to confirm the

country's first Director of National Intelligence and his deputy. We have done much, but there is much to do.

We are building a new foundation for our entire intelligence community. It is a work in progress. Every step is important.

But one of the most important steps is ensuring that our intelligence professionals understand and believe that their work is valued. That truth and facts are important. That they can and must speak truth to power. That we are on their side. That the Senate of the United States takes these matters seriously.

That is why at the confirmation hearing of our nation's first nominee for Director of National Intelligence, I asked Mr. Negroponte if he agreed that the professionals in the intelligence community must be free to ''speak truth to power.'' He said, ''Truth to power is crucial. And we've got to assure the objectivity and integrity of our intelligence analysts.''

I also asked him if he will create a tone where there will be no retaliation for people who attempt to speak the truth. Mr. Negroponte said, ''Yes. I think the short answer to you is a categorical yes.''

I asked those questions of the nominee, who was under oath and at an open hearing, for two very important reasons.

First, I wanted the world to hear what he had to say.

Second, I wanted all of our intelligence professionals throughout the World to hear what he had to say.

I wanted our intelligence professionals to know that they were authorized, indeed, obligated to seek the truth and speak the truth. And, I wanted them to know that our most senior intelligence professional, the Director of National Intelligence, would not tolerate retaliation for speaking truth to power. Mr. Negroponte's statements stand on their own.

I believe it would be wrong to confirm Mr. Bolton as the United States representative to the United Nations. He has disregarded the truth. He has sought to punish intelligence professionals for speaking the truth. He has tried to intimidate intelligence professionals into agreeing with him regardless of the facts.

To confirm Mr. Bolton would send a terrible message to our intelligence professionals. It would be a terrible signal for our intelligence reform efforts. It would undermine our efforts to restore our credibility in the world and to do the hard work of reforming the United Nations.

Mr. LEAHY. Mr. President, I have been privileged to have served under both President Clinton and President George W. Bush as one of the two Senate delegates to the United Nations, and there is no doubt that the United States Permanent Representative to the U.N. is one of the most important diplomatic posts in the U.S. government.

The Permanent Representative is the public face, voice, and vote of the United States at the world's only body charged with maintaining international peace and security. Therefore, it is essential that this individual be someone with indisputable integrity and extraordinary diplomatic abilities. After listening to John Bolton's confirmation hearings before the Senate Foreign Relations Committee, I feel confident in saying that John Bolton is not that person.

Most troubling to me are allegations from senior U.S. intelligence officials—including a senior Bush administration appointee—of Mr. Bolton trying to intimidate and even remove intelligence analysts simply because they did not share his political views. Mr. Bolton even went so far as to get in his car and go out to the CIA to seek the removal of one intelligence officer. At any time, but especially in the wake of the massive intelligence failures associated with the decision to invade Iraq, efforts by administration officials to shape intelligence to conform to a particular preconceived view is unacceptable. It is essential that dissent be tolerated and even encouraged in the intelligence community and not distorted to fit a particular ideology or political agenda.

Second, I have strong concerns that Mr. Bolton's pattern of inflammatory statements about the U.N. will make it difficult for him to effectively advance U.S. security interests in New York and to build support for much-needed reforms at the U.N. The last thing we want is for countries to make Mr. Bolton an excuse for resisting reform. Taking a tougher approach to the U.N. through constructive criticism is one thing; disregarding its value and belittling its very existence is another. We need someone in New York who is unafraid to shake things up and challenge the status quo, but that person must also have the credibility, temperament, and diplomatic skills to work with other nations, form coalitions, and advance U.S. interests. The only tool in Mr. Bolton's toolbox appears to be a hammer.

Third, I am disturbed by some of the contradictions in Mr. Bolton's recent testimony. For example, Mr. Bolton pledged to the Foreign Relations Committee that he has not and will not make statements that are not approved by the administration. Yet his own testimony about Iran appeared to do just that—using language rejected by the administration more than a year ago. There are other instances of this behavior during the hearings, where our Ambassador to South Korea has disputed what Mr. Bolton said

Finally, there is a tone and temperament issue with Mr. Bolton's nomination. According to respected officials who have worked with him, Mr. Bolton bullies, belittles and undermines those who do not agree with him. We all lose our cool from time to time. Disagreements are part of human discourse. But, there is a pattern with Mr. Bolton that goes beyond appropriate behavior—a disturbing trait for someone seeking to become our chief diplomat at a place where people come together to resolve disagreements.

When Mr. Bolton was nominated to be Under Secretary of State in 2001, I strongly opposed and voted against his nomination. At that time, I had serious reservations about his experience, diplomatic temperament, and his poor track record on non-proliferation and arms control. Over the last four years, Mr. Bolton has proved me right. As the top proliferation official at the State Department, Mr. Bolton has been ineffective in his current responsibilities and the world has become more dangerous under his watch. The Bush administration's record on proliferation, from Pakistan to Iran to North Korea, has been poor, at best.

After much debate, the Foreign Relations Committee was not able to support Mr. Bolton's nomination and, rather, reported it out without recommendation. Secretary Powell's Chief of Staff has said that Mr. Bolton would be an ''abysmal'' ambassador to the U.N. I might not put it as strongly as that, but I will be opposing the nomination of Mr. Bolton.

Mrs. FEINSTEIN. Mr. President, I rise today to express my opposition to the nomination of John Bolton to be the next United States Ambassador to the United Nations.

Simply put, he is the wrong man at the wrong time for what is an important and critical position.

At a time when the reputation of the United States is at an all time low in many parts of the world and our military is stretched thin, we need a representative at the United Nations who can engage and work with our friends and allies to forge multilateral solutions on: the war on terror, the proliferation of weapons of mass destruction, global poverty, the HIV/AIDS pandemic, and global warming, just to name a few.

Yet throughout his career, John Bolton has demonstrated an unrestrained contempt for diplomacy and international treaties.

In a letter to Senator RICHARD LUGAR, chairman of the Foreign Relations Committee, 102 former American diplomats representing both Democratic and Republican administrations urged the committee to reject Mr. Bolton's nomination because of his ''exceptional record of opposition to efforts to enhance U.S. security through arms control. The letter notes that Mr. Bolton led the effort against ratification of the Comprehensive Test Ban Treaty; blocked a more robust international agreement to curb the proliferation of small arms; led the effort to block the Ottawa Landmine Treaty; led the effort to have the United States withdraw from negotiations to formulate a verification system for the Biological Weapons Convention; and led the campaign to have the U.S. withdraw from the ABM Treaty.

What sort of message do we send to our friends and allies by nominating an ideologue and not a consensus builder for this leading post at the United Nations?

I, for one, am unaware of another nominee to an international body who has garnered so much opposition from individuals who have served on the front lines of American diplomacy.

The fact is, these 102 U.S. diplomats who have written in strenuous opposition to Mr. Bolton recognize that dialogue, cooperation, and, yes, compromise are essential if we are to build alliances and enlist the support of other states in tackling the common problems we all face.

By opposing virtually every meaningful arms control treaty over the past few years, John Bolton has placed his faith in a unilateral, go-it-alone foreign policy that has stretched our military thin and dramatically weakened respect for America in the world.

I had hoped that President Bush would make the rebuilding of our friendships and alliances a priority for the next four years. The nomination of Mr. Bolton sends precisely a different signal that the U.N. will continue to be our rhetorical whipping boy.

We all know that we cannot afford to go it alone in taking on the great challenges in front of us. It is faulty to assume that once he arrives at the United Nations headquarters in New York, John Bolton will suddenly discover a new faith in diplomacy and international agreements.

It is also a stretch to assume that John Bolton will likewise discover a newfound faith in the United Nations and its mission. Many of Mr. Bolton's comments about the United Nations have been raised before but they are worth repeating. Such as:

> There is no such thing as the United Nations. There is an international community that occasionally can be led by the only real power left in the world and that is the United States when it suits our interest and we can get others to go along.
>
> The secretariat building in New York has 38 stories. If you lost ten stories today it wouldn't make a bit of difference.
>
> If I were redoing the Security Council today, I'd have one permanent member because that's the real reflection of the distribution of power in the world . . . the United States.

As my friend and colleague Senator BIDEN has stated, when you listen to quotes such as these, you wonder why Mr. Bolton would even want the job of Ambassador to the United Nations.

Indeed, given his disdain for the institution and the other members of the Security Council, Mr. Bolton is unlikely to find a receptive audience for his ideas and initiatives, much less be able to forge alliances to protect American interests and increase global security.

How successful is Mr. Bolton likely to be in enlisting United Nations support for promoting political stability and economic development in Iraq and Afghanistan; stopping the genocide in Darfur; convincing North Korea and Iran to forgo their respective nuclear weapons programs; combating the global HIV/AIDS pandemic; stopping the proliferation of weapons of mass destruction; and fighting the war on terror?

To say the least, I have little confidence in Mr. Bolton's chances for success if he is confirmed and his inability to be an effective and constructive ambassador will produce disastrous consequences for American foreign policy.

In response to the mounting criticism of the President's nomination, the administration has attempted to shift the debate from Mr. Bolton's qualifications to the need for reform of the United Nations.

A vote for Mr. Bolton is a vote for reform at the U.N., they argue. A vote against Mr. Bolton is a vote for the status quo. A blunt, no-nonsense approach is needed to get the job done.

Nothing could be further from the truth. Mr. Bolton has made it clear that he does not have faith in multilateral diplomacy or the mission of the United Nations. Why should we expect him to be committed to a more effective United Nations? How effective is a blunt manner if the individual is unprepared to listen or compromise?

United Nations Secretary General Kofi Annan has produced a report on recommendations for reforming the U.N. so that it can better tackle the challenges of the new century. The United States should play a meaningful and constructive role in that debate.

But his inflexible views and harsh temperament suggest to me that Mr. Bolton will himself be the issue at the U.N.—not the steps that need to be taken to improve the workings of the institution.

Let me turn now to several allegations have been made about Mr. Bolton's past conduct as Under Secretary of State for Arms Control and International Security that raise serious questions about his fitness to serve as United States ambassador to the United Nations.

As detailed in the minority report of the Senate Foreign Relations Committee on his nomination, Mr. Bolton sought to replace two intelligence analysts, Christian Westermann, a State Department analyst in the Bureau of Intelligence and Research, and the National Intelligence Officer, NIO, for Latin America at the Central Intelligence Agency, who refused to back his assertion that Cuba was developing a biological weapons program; exaggerated intelligence on Cuba's biological weapons program and Syria's nuclear activities to fit his own personal views; and pushed for the dismissal of a State Department official he wrongly accused of purposefully withholding a document.

Supporters of Mr. Bolton's nomination argue that these charges should fall by the waistside because no one lost their job and his statements largely reflected the views of the intelligence community.

Even if you assume that this is true, Mr. Bolton's efforts to trash intelligence analysts and pattern intelligence to fit his views, had a chilling effect on the intelligence community and its ability to provide sound, credible intelligence.

Robert Hutchings, the former Chairman of the National Intelligence Council, told the Foreign Relations Committee:

> [W]hen policy officials come back repeatedly to push the same kinds of judgments, and push the Intelligence Community to confirm a particular set of judgments, it does have the effect of politicizing intelligence, because the so called 'correct answer' becomes all too clear . . . it creates a climate of intimidation and a culture of conformity that is damaging.

Given the failure of pre-war intelligence on Iraq and the profound negative impact that failure had on the credibility of the United States in the international community, we should not send a representative to the United Nations who has sought to conform intelligence to his stated views and punish those who disagreed with him.

Indeed, the next United States Ambassador to the United Nations may very well be charged with gathering international support to convince Iran and North Korea to abandon their nuclear weapons programs. A person of Mr. Bolton's credibility on intelligence matters is unlikely to garner much support and, indeed will likely face stiffer opposition.

Surely the President can find another nominee who is committed to multilateral diplomacy and appreciates, rather than denigrates, the goals and mission of the United Nations.

Despite what the administration may assert about Mr. Bolton's ''blunt'' manner, such an individual will be far more effective at representing United States interests, shaping alliances to confront problems that transcend borders, and encouraging U.N. reform.

Mr. Bolton has made a career out of shunning diplomacy, blasting the United Nations, ignoring the advice of others, and moving ahead with a foreign policy that emphasizes arrogance over leadership.

In these difficult times, he is a risk, not an asset, in advancing our national security interests abroad and on that basis does not deserve the Senate's support in confirming his nomination.

Mr. CORZINE. Mr. President, today I will be voting against the nomination of John Bolton to be Ambassador to the United Nations.

When the President first nominated Mr. Bolton for this position, I expressed deep disappointment and concern. First, because of his repeated expression of disdain for the organization. But, more importantly, because Mr. Bolton is as responsible as any member of the administration for the needless confrontations with the rest of the world and for the international isolation that plagued President Bush's first term and for the shaky credibility

we carry today. At a time when we need to be strengthening our alliances and making full use of international institutions to achieve our foreign policy goals, sending Mr. Bolton to the United Nations sends the exact wrong message. I don't accept his view that the U.N. is a vehicle to be used by the U.S. ''when it suits our interests and we can get others to go along.'' Diplomacy in most people's minds requires attention to more than just coalitions of the willing.

Over the past month, the Senate Foreign Relations Committee has uncovered a pattern of behavior on the part of Mr. Bolton that has only confirmed my concerns. Most disturbing to me is the evidence of Mr. Bolton's troubled and confrontational relationship with our intelligence community.

In speeches and testimony, he has appeared to stretch the available intelligence to fit his preconceived views. On three separate occasions, he tried to inflate language characterizing our intelligence assessments regarding Syria's nuclear activities. He sought to exaggerate the intelligence community's views about Cuba's possible biological weapons activities. His track record, on these and other matters, was so bad that the Deputy Secretary of State made an extraordinary order—that Mr. Bolton could not give any testimony or speech that was not personally cleared by the Deputy Secretary or the Secretary's Chief of Staff.

He also dampened critical debates among professionals on important policy issues by retaliating against analysts who presented a different point of view than his own. For example, on three occasions over a six month period, he sought to remove a mid-level analyst who disputed the language he tried to use about Cuba.

The proliferation of weapons of mass destruction is a serious matter. I would not criticize Mr. Bolton for asking intelligence analysts hard questions about proliferation issues, nor should policy makers refrain from challenging the assumptions of those analysts. But Mr. Bolton was doing something far different. He made it clear that he expected intelligence analyses that conformed with his preconceived policy views. Rather than welcome contrary intelligence analyses as essential to an informed debate, he retaliated against those who offered contrary views.

Mr. Bolton's approach to those around him has been harshly criticized by those who have worked with him. Larry Wilkerson, the Chief of Staff for Secretary Powell, called him a ''lousy leader.'' Carl Ford, former head of the State Department's Bureau of Intelligence and Research, referred to Mr. Bolton as a ''quintessential kiss-up, kick-down sort of guy.''

This is not the person we need at the United Nations. Good diplomacy, like good business, relies on a great team and a good leader. Good leaders listen. They listen to their troops, they make reasoned decisions, they take responsibility, and they build the respect and loyalty of their staff. Management by fear is a recipe, in both public service and the private sector, for getting only the information that you want to hear. Shoot the messenger and other messengers will not volunteer to deliver the bad news. And I submit to you that Mr. Bolton has developed a reputation for shooting the messenger.

We must begin to learn the lessons of Iraq. It should be more than clear by now that our national interests are damaged when policy makers bend intelligence. And we should all understand by now that accurate, objective intelligence requires analysts who are free to offer differing views. We face serious threats, from international terrorism to the proliferation of weapons of mass destruction. We have serious foreign policy concerns to address, from genocide to global climate change. Protecting our national security interests demands policy makers who seek objective intelligence on these and other challenges. Given his track record, John Bolton is clearly not that policy maker.

Another lesson of Iraq is the critical importance of American credibility. The inaccurate presentations made by our Government to the international community have done serious damage to our interests. If we are to gain the active support of other nations in confronting common threats such as terrorism and weapons of mass destruction, we will need to convince those nations of our views. To do so, we will need their trust. This challenge is especially complicated at the United Nations, where Secretary of State Colin Powell gave what turned out to be an almost entirely inaccurate presentation on Iraq, and where the administration dismissed all alternative views, including those of U.N. inspectors. Mr. Bolton is not the person to repair this damage. And his record makes it extremely unlikely that he could rebuild our credibility in the international community in its most visible forum—the U.N.

The nomination of John Bolton is a lost opportunity for this administration to regain American leadership at the United Nations. It is also dangerous. Failure to gain support in the U.N. for our policies puts us at unnecessary risk. Simply put, we cannot afford an ineffective Ambassador at the United Nations.

Mr. LAUTENBERG. Mr. President, before the people of New Jersey elected me to the Senate 23 years ago, I worked in the corporate world.

I helped start a company from scratch, and when I left, we had about 20 thousand employees.

I learned a few things about hiring people.

I learned that a person might be an intelligent human being. They might be proficient at many things. They might have a lot of interesting ideas.

But if they don't fit the description for the position you need to fill, they are not the right person for the job.

If you need a carpenter, you don't hire someone who can't use a hammer, even if they know a lot about houses.

If you need help with your taxes, you hire an accountant, not a music teacher.

And if you need someone to represent the United States to the other countries of the world, you hire a diplomat, not an ideologue.

We are talking about the U.S. Ambassador to the United Nations.

This is not an entry level position. This job calls for an experienced diplomat.

What does that entail? Webster's Dictionary defines ''diplomacy'' as: the art and practice of conducting negotiations between nations for the attainment of mutually satisfactory terms; the procedures, methods and forms employed in conducting such negotiations; the skillful or successful settlement of differences between peoples; and, adroitness or artfulness in securing advantages without arousing hostility.

That definition does not sound like the Mr. Bolton we have heard about.

If we send Mr. Bolton to the United Nations, we would be sending a go-it-alone ideologue with open disdain for the U.N., exactly what our country does not need.

Around the world today, polls show that even citizens of our strongest allies have a generally unfavorable view of the United States.

I realize that many Americans say, ''why should we care what other nations think?''

And the answer is, the attitudes of other nations affect our national security.

We recently celebrated VE Day. It was a day I will never forget, because I was serving in the Army in Europe. I celebrated the end of the war with my Army buddies, as well as British soldiers who were our allies.

As much as we might like to think that we don't need anything from any other country, it certainly was good to have allies in World War II.

And wouldn't it be good today if more nations would send troops to Iraq, so some of our soldiers could come home, and so American taxpayers wouldn't have to bear most of the cost of that war?

Whether we like it or not, world opinion matters.

The fact is, none of the major challenges our Nation faces today can be conquered by us alone.

In order to win the war on terror, curb global warming or succeed in the international economy, we need our allies and international institutions.

Failing to engage these indispensable partners will make U.S. efforts less effective, and jeopardize the stability, security, prosperity, and health of Americans.

John Bolton is the wrong man to forge the alliances we need to address these vital challenges.

Instead of reaching out to the rest of the world, his nomination would push

other nations away and isolate America.

Yesterday my friend from Indiana complained that we were putting Mr. Bolton's career ''under a microscope.''

Well, when I was in the private sector and my company was evaluating a potential new hire for a key position, that's exactly what we did—and I don't think there's anything wrong with it.

Mr. Bolton's track record at the State Department does not withstand close scrutiny.

As Undersecretary at State, he did nothing to resolve the potentially explosive situations in North Korea and Iran. Instead, he inflamed them.

He has blocked international arrangements including treaties limiting nuclear weapons testing, landmines, child soldiers, missile defense, and small arms trade.

He dismantled the Anti-Ballistic Missile Treaty, and blocked a verification clause to the bio-weapons treaty.

And he was a leading opponent against the ratification of the Comprehensive Test Ban Treaty.

Mr. Bolton does not have the credibility or the diplomatic skill to represent U.S. interests globally.

A smart businessman not only considers the work experience of a potential employee—you also look at his character and ability to get along with other people.

In this regard, Mr. Bolton also falls short.

For example, in 2002, he sought to exaggerate assessments of Syria's nuclear weapons capability and Cuba's biological weapons activities and support for terrorism beyond what U.S. intelligence believed to be true.

Dr. Robert Hutchings, former chair of the National Intelligence Council, described Mr. Bolton's efforts as ''cherry-picking of little factoids and little isolated bits that were drawn out to present the starkest possible case.''

Mr. Bolton bullied and tried to remove analysts whose work did not reflect his own biases.

As if all this were not enough, it appears now that Mr. Bolton was not truthful in his testimony before our Foreign Relations Committee on April 11.

Among John Bolton's misstatements:

He said he did not try to get a State Department employee fired. He said he did not threaten any employees because of their views. He said he did not act against those officials because of differing views. He said the U.S. Ambassador to South Korea approved of his July 2003 speech, when we now in fact know that Ambassador Hubbard got in touch with the Foreign Relations Committee to ''correct the record.''

Just this month, 102 retired diplomats signed a letter to Senators LUGAR and BIDEN urging the Senate to reject the nomination of John Bolton to be our Nation's Ambassador to the United Nations.

These former diplomats have served in both Democratic and Republican administrations. They all agree that John Bolton is the wrong man for the job.

I have heard Mr. Bolton compared to one of our former colleagues, my good friend and neighbor, Senator Pat Moynihan.

That is nonsense. Mr. Moynihan was not afraid to criticize the status quo, but as his daughter pointed out in a recent newspaper column, he appreciated the importance of the United Nations.

Pat Moynihan would never say, as John Bolton said, that, ''if the United Nations lost 10 stories it wouldn't make a bit of difference.''

This is an important position. We owe it to our country to fill it with the best person available. As my friend the Senator from Ohio said yesterday, ''The United States can do better than John Bolton.''

Mr. President, not only can we do better, for the good of the country, we must.

Mr. BUNNING. Mr. President, I speak today on the nomination of John Bolton to be the U.S. Ambassador to the United Nations. I want to express my full support for his confirmation.

Despite the criticisms of some of my colleagues across the aisle, John Bolton is without a doubt one the most qualified people to fill this position. I believe his no-nonsense diplomacy will be a welcome change at the U.N., and one that will prove to be effective in the future.

Now more than ever, the United Nations is in need of drastic reform. As the world's only super power and one of the original founders of the organization, it is the United States' responsibility to play leading role in this reform. Mr. Bolton's nomination is a reflection of this commitment. His pursuit for the truth will serve him well in holding the United Nations accountable for its past mistakes.

Although he is not a career diplomat, Mr. Bolton has a strong record of success within the international community. He has played pivotal roles in the signing of the treaty of Moscow, the repeal of the U.N. General Assembly's 1975 resolution that equated Zionism with racism, and the negotiations in the G–8 Partnership Against the Proliferation of WMD to name a few.

Mr. Bolton not only possesses the tenacity to deal with the U.N. but also has experience dealing with the organization on a first-hand basis. He voluntarily, I repeat voluntarily, worked for the U.N. between 1997 and 2000 with former Secretary of State James Baker on resolving the conflict in the Western Sahara. Not only did he play an integral role in creating a viable ''peace plan'' for the area, but did so on his own time.

Mr. President, this flies directly in the face of my colleagues across the isle, who repeatedly accuse Mr. Bolton of hating the U.N. and wanting to dismantle the organization permanently. Rather than being committed to the organization's demise, I believe he is more committed to making it stronger and more effective.

I find myself deeply saddened by the efforts of a minority of Senators to delay Mr. Bolton's confirmation. He is an extremely qualified candidate, who has been confirmed by the Senate four times in the past. Why the change of heart now?

Rather than questioning Mr. Bolton's qualifications for the position and the need for U.N. reform, a minority of Senators are engaging themselves in what boils down to character assassination. I challenge my colleagues to look at Mr. Bolton's real character. He is a man of integrity and honesty, whose candid personality will serve him well at the United Nations.

I am confident the Senate will confirm Mr. Bolton. I wish him well in his new position and with the daunting task of reforming the United Nations. It is not an easy one. Despite this challenge, I believe he will be a welcome addition to the organization and an agent of change in the international community.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I have time reserved at 5:30, but I will make a comment before that time.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I have had the pleasure to work with my good friend, John Bolton, on several issues. Each time I have worked with him, he has proven to be helpful and driven to obtain the results that will best serve the interests of the United States. He is a straight shooter, a no-nonsense type of guy who knows how to get results.

As most of my colleagues know, I take a special interest in issues regarding Asia. Alaska's past, present, and future have always looked westward to Russia, China, Japan, and the Korean Peninsula. It is for that reason that I have decided to support John Bolton.

North Korea has had nuclear aspirations many years and has taken aggressive steps to acquire nuclear weapons years before the Bush administration came into office.

John Bolton's straight-forward talk on North Korea should be applauded. He was telling the truth.

The United States made the good-faith effort with the 1994 Agreed Framework by providing food and support for building of the reactor. But this agreement was destined to fail because of North Korea's treacherous actions in the region. This is not a country we can trust. We now know that North Korea began cheating on it almost as the ink was drying by embarking on a covert uranium enrichment program.

The Bush administration has accomplished the core prerequisite for a lasting solution. It has galvanized the international community to work together on a lasting, multinational solution to the problem. The White House

has stated that the next venue for this discussion will be the United Nations.

John Bolton will be that voice, a compelling one, to ensure we are able to have an agreement that will stick. John Bolton is the strong voice that is required to ensure that America's vision on a nuclear weapon free North Korea is heard at the United Nations.

John Bolton believes in frank and honest diplomacy. John Bolton has not shied away from naming rogue states that violate international commitments such as the Biological Weapons Convention, the Chemical Weapons Convention, and the Nuclear Non-Proliferation Treaty.

He has had an effective working relationship with foreign governments, international institutions, nongovernmental organizations, and the private sector for over three decades.

There is no question that John Bolton is qualified for the position of U.S. Ambassador to the U.N., and here are just a few reasons why:

As the Under Secretary for Arms Control and International Security, John Bolton led the efforts to implement the President's strong nonproliferation agenda, including reform of the International Atomic Energy Agency.

He has actively promoted effective multilateral solutions to real-world problems such as the proposal to create a Special Committee of the International Atomic Energy Agency Board to focus on safeguards and verification of nuclear programs.

John Bolton helped to bring about new leadership to improve the Organization for the Prohibition of Chemical Weapons.

He was the President's point person in designing the Proliferation Security Initiative. Over 60 nations are now working together to share intelligence and are taking action to stop the transfer of dangerous weapons. The Proliferation Security Initiative was instrumental in getting Libya to make the strategic decision to abandon its WMD programs.

The U.N. is in need of reform. John Bolton supports reform at the United Nations so it is accountable, transparent, and effective. While serving as the Assistant Secretary for International Organizations, he detailed his concept of a ''Unitary U.N.'' that sought to ensure management and budget reforms across the U.N. system. John Bolton will work with member states and the Congress to reform the U.N.

Allegations that Bolton manipulated intelligence are unfounded. As a policymaker, he asserted his view on intelligence. That was his job. Policymakers should question information extensively before accepting it as fact. These were internal policy debates, which occur in all Departments and agencies.

He may have disagreed with intelligence findings at times, but John Bolton always accepted the final judgments of the intelligence community.

Mr. DURBIN. Mr. President, I rise today in opposition to the nomination of Undersecretary of State John Bolton as United States Ambassador to the United Nations, an institution which he has openly and repeatedly disdained.

A number of factors have led me to this decision, but they fall into several broad categories: Mr. Bolton's apparent abuse of the intelligence process and of his subordinates; his opposition to peacekeeping and other fundamental functions of the United Nations; his disdain for the institution itself; his opposition to important nonproliferation efforts; and the poor judgment he has displayed on key foreign policy questions.

Furthermore, there is the nomination process itself as it has been carried out in this case. Despite repeated requests from the Foreign Relations Committee, the executive branch did not provide key documents concerning Mr. Bolton's requests to learn the identities of 10 U.S. officials who were cited in intelligence intercepts.

The administration's failure to provide requested and relevant documents distorts the nomination process.

Although handicapped by a lack of information and candor, the Senate Foreign Relations Committee examined the charges that Undersecretary of State Bolton abused the intelligence process by seeking to have those who dared to dissent removed.

The evidence demonstrated a clear pattern of conduct that led 9 out of 18 members of that committee to vote against confirmation.

The minority views of the committee report on the Bolton nomination reached four firm conclusions on this matter:

One, Mr. Bolton repeatedly sought the removal of intelligence analysts who disagreed with him.

Two, in preparing speeches and testimony, Mr. Bolton repeatedly tried to stretch intelligence to fit his views.

Three, in his relations with colleagues and subordinates, Mr. Bolton repeatedly exhibited abusive behavior and intolerance for different views.

Four, Mr. Bolton repeatedly made misleading, disingenuous, or nonresponsive statements to the committee.

We have to examine these conclusions in terms of the position for which Mr. Bolton is now being considered as the United States voice at the United Nations.

In his approach to intelligence, Mr. Bolton clearly sought to stretch the analysis to meet his world view rather than stretching his world view to accommodate other possibilities.

This is an extremely dangerous way to look at the world, as the 9/11 Commission and others have shown us.

Even more damaging, Mr. Bolton apparently used his position to attempt to intimidate subordinates and even to have analysts fired who dared to disagree, on such critical issues as the alleged development of weapons of mass destruction in Cuba and elsewhere.

Crying wolf about weapons of mass destruction is an extremely dangerous habit. The United States will be living with the consequences of poor intelligence and unfounded allegations regarding Iraqi weapons of mass destruction for years to come.

The United Nations was at the center of the WMD debate over Iraq and it will be at the center as we seek to address North Korea and Iran as well.

We cannot afford to be wrong about weapons of mass destruction again, and we cannot afford to have at the helm a man who has deliberately exaggerated intelligence regarding these devastating weapons.

There is also the question of pressuring colleagues and subordinates, even attempting to get people fired.

In response to Mr. Bolton's tactics as Undersecretary for Arms Control and International Security, Secretary of State Colin Powell reportedly came down to ask the analysts to continue to ''speak truth to power.'' I applaud Secretary Powell for this step, but he should have never had to take it.

The Senate Intelligence Committee briefly addressed this issue of pressuring and seeking to remove analysts last year. However, we addressed this question only superficially, as I pointed out then in the committee's additional views on ''The U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq.''

Even worse, our committee fell into the same trap of discouraging dissent. As I wrote then, ''the conclusion section in the [committee] report rebukes the analyst for the temerity of raising a policy question with a State Department Undersecretary.''

That analyst did the right thing. Policy questions should be raised. In fact, they should be welcomed.

If more questions had been asked, we might not have had a distinguished Secretary of State testifying at the U.N. with apparent certainty about weapons in Iraq that did not, in fact, exist.

The recent Silberman-Robb report from ''The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction'' concluded that ''the Intelligence Community was dead wrong in almost all of its prewar judgments about Iraq's weapons of mass destruction.''

One of the key recommendations of the commission was to ''preserve diversity of analysis'' and to encourage debate among analysts.

These are the very impulses that Mr. Bolton apparently tried to stifle. These are the very impulses that we need most.

Mr. Bolton has been nominated to be our representative to the United Nations. In that seat, he will effectively become our representative to the world.

It is not a position that he has highly valued in the past. He famously remarked that ''The secretariat building

in New York has 38 stories. If you lost ten stories today it wouldn't make a bit of difference.''

Mr. Bolton has since explained that he was merely using a metaphor. I think most of us realized that. The point is that the metaphor that he chose indicates his low regard for the institution.

Mr. Bolton has stated that ''there is no such thing as the United Nations,'' he has flatly rejected the idea at least once that the U.S. should pay its U.N. dues, and he has expressed his desire to see the Security Council reduced to one member, namely the United States.

Mr. Bolton is correct when he argues that the United Nations cannot be effective unless the United States plays a leading role. The League of Nations showed us that. Where he is mistaken is his fundamental confusion of leadership with domination.

A security council of one would leave us with no allies, no friends, and no supporters.

As we have seen with tragic clarity in Iraq, we are stronger when we have allies, and we are more effective multilaterally than unilaterally.

In its domestic policies, the Bush Administration has posited an ownership philosophy that implicitly tells us, ''We are all alone in this.'' Mr. Bolton represents the international wing of that school of thought.

We see this very clearly with the issue of peacekeeping. This nominee has stated that he opposes the use of peacekeepers in civil conflicts because he does not regard civil conflicts as ''threats to international security.''

Mr. Bolton testified against United Nations involvement in the Congo, where at least 3 million people have died, and he opposed the U.N. civil administration missions in East Timor and Kosovo.

Humanitarian issues aside, civil conflicts have a tendency to spill over borders, just as the conflicts in Sudan, Rwanda, Uganda, and the Democratic Republic of Congo have all become intertwined.

Moreover, civil conflicts can lead to failed states and failed states are very much a threat to national security.

We cannot have a representative to the U.N. who opposes one of its most basic and important functions.

Mr. Bolton has also dismissed the role of international law. In the late 1990s, he stated:

> It is a big mistake for us to grant any validity to international law even when it may seem in our short-term interest to do so—because, over the long term, the goal of those who think that international law really means anything are those who want to constrict the United States.

I believe that international law means something.

I believe that international law is very much in our national interest, and I believe that this perspective from our potential ambassador to the United Nations is as damaging as a White House legal counsel or Attorney General who dismisses the Geneva Convention as quaint and obsolete.

Most disturbing of all, Mr. Bolton has criticized any '''right of humanitarian intervention' to justify military operations to prevent ethnic cleansing or potential genocide.''

That tells us Mr. Bolton has learned nothing from the bloodstained lessons of history, including the unforgivable failures of both the United States and the U.N. in Rwanda in 1994.

President Bush has rightly called the crimes in Sudan genocide. Secretary Rice recently echoed that judgment. The Administration has said that it has been blocked by other members of the Security Council in its attempts to do more to stop the killing in Darfur.

Is the United States going to appoint as our ambassador a man who not only belittles the U.N. but denies that it can or should intervene to prevent genocide? What possible message does that send on Darfur?

Another absolutely central United Nations function is the fight against the proliferation of nuclear weapons and other weapons of mass destruction. Mr. Bolton has undermined non-proliferation efforts, not strengthened them.

Recently, 102 former ambassadors and high ranking diplomats wrote Senator LUGAR to express their deep concern over the Bolton nomination. They declared ''John Bolton has an exceptional record of opposition to efforts to enhance U.S. security through arms control.''

We are witnessing the results of the Bolton approach right now at the Non-Proliferation Treaty conference in New York. By all reports this conference is making little progress toward creating a stronger, safer non-proliferation regime.

A former senior Bush administration official told reporters, ''Everyone knew the conference was coming and that it would be contentious. But Bolton stopped all diplomacy on it six months ago.''

We cannot have our representative at the U.N. stopping diplomacy. He should be shaping it.

Finally, there is the question of judgment, a key quality in a diplomat.

Mr. Bolton was effectively banished from negotiations with North Korea after he launched into public attacks on their government and its leader on the eve of discussions. The State Department was forced to call Mr. Bolton back and send a replacement to the talks.

I cite this example not because North Korea does not merit criticism: By virtually any measure, it is one of the worst governments in the world.

But during Mr. Bolton's tenure, North Korea's nuclear weapons program has expanded, negotiations have deteriorated, and the situation has grown substantially more dangerous.

Ultimately, we return to Mr. Bolton's vision of the world and of the role of the U.N.

Let me conclude by turning to Samantha Power, one of our nation's foremost scholars of genocide and an astute observer of international relations.

Dr. Power has written:

> It is unclear what the Bush Administration has in mind by shipping Bolton to New York. The appointment has been spun as ''Nixon goes to China.'' Nixon, however, actually went to China: the visit was compatible with his world view. Bolton, by contrast, seems averse to compromise, and is apparently committed to the belief that the U.N. and international law undermine U.S. interests.

The United Nations is in need of reform. The same could be said of many of our own government institutions, as we are attempting to do with the intelligence community, for example.

The United States should be a positive influence in transforming the U.N. to meet the needs of the 21st century. But John Bolton is not the person for the job.

I cannot help but contrast John Bolton to John Danforth, a true statesman, a true soldier in the campaign to end the killing in Sudan, and a gracious and skilled United States representative to the United Nations.

John Danforth was unanimously approved for that position. Mr. Bolton is mired in a controversy of his own making over his suspect qualifications.

I cannot vote for a representative to the United Nations who demeans the institution, who works against non-proliferation, who abuses the intelligence process and its analysts, who dangerously inflates assessments of weapons of mass destruction, who rejects the value of peacekeepers and their role in civil conflicts, and who undervalues the principle of international law itself.

Mr. REID. Mr. President, let me say at the outset, that I do not intend to vote for cloture on John Bolton, nor do I intend to support him for the position of United States Ambassador to the United Nations.

As I have said repeatedly since he was nominated, this is the wrong man for the job not because of his abrasive personality, although I am deeply troubled by his serial mistreatment of coworkers and subordinates.

My objections to this nominee go much deeper than his inability to work well with others. I am opposed to this nominee because of his poor performance, his flawed views, and his repeated misstatements and mischaracterizations of his record.

Let me commend Senator BIDEN and the Democratic staff on the Foreign Relations Committee and Senator ROCKEFELLER and his Intelligence Committee staff. As a result of their leadership and diligence, the Senate and the American people have a much more complete understanding of John Bolton and his entire troubling record.

And there is no doubt that we have learned a lot about Mr. Bolton. We have learned about his failures in the proliferation area, his repeated efforts

to manipulate intelligence, his numerous misstatements of fact, and his serial mistreatment of career civil servants.

But, in spite of the best efforts of Senator BIDEN and the other Democratic members of the Foreign Relations Committee, the record on this nominee is still incomplete.

Despite numerous requests, the administration has failed to turn over important information about this nominee. This is astounding to me. The administration's stonewalling has not only had the effect of slowing down the confirmation process, it has also put a further cloud over this individual and has—perhaps unnecessarily—raised the impression that the nominee and the White House have something to hide. The end result is further questions about this nominee, further disruption to the Senate's consideration of this nominee, and further demonstration of the administration's willingness to keep information from the Congress and the American people.

This is information that the Senate is entitled to under the advise and consent clause of the Constitution, information that is central to this man's qualifications, information that, had it been provided, could have possibly spared this man further questions about his already damaged reputation.

But as has so often been the case with this administration, they have sought to ignore the public's right to know and prevent Congress from making a fully informed decision. They want to be the judge and the jury. They have decided the information is not relevant to our consideration of Mr. Bolton.

Let me see if I understand their argument. The administration asserts that information that bears directly on Mr. Bolton's role in assessing the threat posed by Syria and in his seeking intercepted conversations of foreigners and U.S. citizens is not relevant to his qualifications to represent this Nation at the United Nations, and therefore should not be provided to the Senate.

After all the damage caused when this administration stretched the truth at the United Nations as it made the case for war in Iraq, does the White House really believe it is not relevant for us to be absolutely certain their nominee was not trying to stretch the intelligence yet again?

So we are in this largely avoidable position of having to vote against cloture and extending debate until the information is turned over to the Foreign Relations and Intelligence Committees. I hope the administration will do the right thing and provide the information to the Senate.

In the meantime, the information the Foreign Relations Committee has managed to obtain is deeply troubling. This is a record which caused one of the most respected and storied committees in the entire Congress to not recommend him favorably to the full Senate. Based on that fact alone, the President should have withdrawn the nomination. Unfortunately, since he didn't, I think the Senate should follow the committee's lead and not recommend him for this job either.

I know Mr. Bolton has tried to distance himself from certain parts of his record, like his past statements about the United Nations and its role in international affairs. However, there can be no denying that the man harbors a deep animosity towards the institution. At a time when we need diplomacy more than ever, and we need help in Iraq and in the global war on terrorism, this is exactly the wrong man to send to the U.N., and it sends exactly the wrong message to our friends and allies.

Mr. Bolton's supporters have advanced only one reason to ignore the weight of all the evidence that he is unqualified: Mr. Bolton believes the United Nations needs to be reformed. The U.N. does need to be reformed. The U.N. can improve its performance. It can reduce inefficiency in its bloated bureaucracy. It can become more effective and more relevant. And we ought to have a U.N. ambassador who is willing to take on that mission of reform. But the President should be able to find someone capable of reforming the U.N. without Mr. Bolton's baggage.

So let's be clear, I do not oppose sending someone to the United Nations who is willing to engage in some tough-minded reform. I do oppose sending someone who has misused intelligence and bullied intelligence analysts in a way that undermined our diplomatic corps and produced wrong-headed national security policies.

The facts show that Mr. Bolton repeatedly sought the removal of intelligence analysts who disagreed with him. In speeches and testimony, Mr. Bolton repeatedly sought to stretch intelligence to fit his views. In dealing with other professionals, Mr. Bolton repeatedly exhibited abusive behavior and intolerance that had a chilling effect on analysts' ability to provide different views.

The second highest ranking official at the State Department, Secretary Powell's Deputy Rich Armitage, was so concerned about Bolton speeches that he decreed that he must personally review and clear all of Mr. Bolton's public statements. And Robert Hutchings, chairman of the National Intelligence Council, said that Bolton took ''isolated facts and made much more of them to build a case than I thought the intelligence warranted.'' He said the impact of Bolton's actions on the intelligence community, ''creates a climate of intimidation and a culture of conformity that is damaging.''

But this is not merely a concern for historians. At the same time that Mr. Bolton was agitating and undermining intelligence professionals on issues such as Cuba and Syria's WMD programs, the administration was putting together a dramatically hyped case for war in Iraq to deal with a threat from weapons of mass destruction that turned out not to exist. Mr. Bolton's modus operandi of hyping intelligence and berating analysts has been so discredited by the results of the Iraq WMD fiasco that it will be difficult for him to operate in the future. Imagine Mr. Bolton arguing to the United Nations Security Council about the threat posed by Iran or North Korea's nuclear weapons programs. Why would anyone take him or the administration that sent him seriously?

I support the President's message of reform of the U.N. I am open to someone who can speak bluntly on these issues, who can deliver tough messages.

But we need a different messenger than Mr. Bolton.

Mr. MCCONNELL. Mr. President, I voice my support for John Bolton to be U.S. Ambassador to the United Nations. Undersecretary Bolton will bring to the table exactly what the U.N. needs now more than ever: a sure hand to guide much-needed reform.

The United Nations holds much promise today. But too often, it falls far short in its attempts to defend freedom, security, and human dignity. Undersecretary Bolton wants the U.N. to succeed, and believes it can be a great force for good.

Over the past 3 months we have all heard many scurrilous, slanderous personal attacks made against Undersecretary Bolton. However, as is often the case in Washington, the outrage is largely much ado over very little.

I believe that the opposition to him really stems from concern that he has so effectively implemented the President's foreign policy. Opponents do not want to take on the President, so they try to bully John Bolton.

The problem is, the U.N. is rife with corruption, scandal, and incompetence. Take the Oil-for-Food Program. What started as a humanitarian attempt to help Saddam Hussein's suffering victims degenerated into a jackpot for the tyrant's friends.

Evidence now shows that Saddam Hussein illegally profited from the program, and used the funds to build weapons for use against American troops. Millions of dollars in oil-soaked bribes may have gone to high-ranking officials in France, Russia, and within the U.N. itself. And most sickening of all, there is now evidence that Oil-for-Food money may be funding the insurgents that attack our soldiers in Iraq.

I commend my good friend Senator NORM COLEMAN from Minnesota for leading the committee that has uncovered these abuses. He is proving how much work lies ahead for Undersecretary Bolton when he arrives at the U.N.

As Undersecretary of State, John Bolton took the lead to realize the President's Proliferation Security Initiative, which strives to halt the spread of dangerous weapons. Thanks to his leadership, the once-dangerous regime in Libya has begun to be tamed,

as Libya has consented to the Initiative and begun the verifiable elimination of its weapons of mass destruction.

Undersecretary Bolton also led negotiations for the creation of the G–8 Global Partnership Against the Proliferation of WMD. Thanks to his diplomatic work, other nations contributed $10 billion towards those efforts. And he led negotiations for the Treaty of Moscow, which reduced by two-thirds the number of operationally deployed strategic nuclear warheads.

As Undersecretary, Mr. Bolton secured 100 bilateral agreements ensuring that other countries will never drag American troops before the International Criminal Court on trumped-up, political charges and deprive them of American justice. It is remarkable that he has negotiated so many of these pacts—known as Article 98 agreements, for a section of the ICC treaty—in just 4 short years.

Undersecretary Bolton was a leader of American efforts to persuade the Security Council to pass Resolution 1540, which imposes standards for arms control, disarmament, and WMD proliferation prevention on every Member State.

So far, over 80 countries have outlined their plans to stop WMD proliferation. This is a tremendous step forward in the War on Terror, and much of the credit goes to Mr. Bolton. Thanks to his careful, patient work of diplomacy, Resolution 1540 not only passed the U.N. Security Council, it passed unanimously.

Let me close, Mr. President, with a reminder for my colleagues of how committed Undersecretary Bolton is to working with and reforming the U.N. to make it the sentinel of liberty that it can, and should, be. I will read two statements. One was made by Undersecretary Bolton, the other by the revered Democrat and New Dealer Dean Acheson, Secretary of State to President Harry S Truman. Let's see if you can guess who said what.

Here's the first one:

> The United States is committed to the success of the United Nations, and we view the U.N. as an important component of our diplomacy . . . Walking away from the United Nations is not an option.

Now here's the second statement:

> I never thought the U.N. as worth a damn. To a lot of people it was a Holy Grail, and those who set store by it had the misfortune to believe their own bunk.

One of these statements was made by the nominee, a man caricatured by his detractors as dead-set against the U.N. and the need for America to work with multilateral institutions. The other was made by the multilateralist who helped create the World Bank and the North Atlantic Treaty Organization.

Well, surprise, surprise. The first statement was made by Undersecretary Bolton, and the second by Secretary Acheson. This just goes to show, Mr. President, that much of the criticism about Mr. Bolton is useless when it comes to determining his commitment to the U.N., and his fitness to be the Ambassador.

I urge my fellow Senators to focus on the dire need for U.N. reform, and Undersecretary Bolton's record as a diplomat who can get results. In times like these the U.N. needs a little straight talk. And Undersecretary Bolton can give it to them.

He has a remarkable record of bringing about change through multinational institutions. I say, let him work his magic at the U.N. The U.N. can do better than what it is giving us, it must do better. John Bolton is the right man at the right time for this critical assignment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FRIST. 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. FRIST. Mr. President, in 15 minutes or so, we will vote on the nomination of Under Secretary of State John Bolton to be ambassador to the United Nations.

I applaud President Bush for his selection. The President describes the Under Secretary as ''a blunt guy'' who ''can get the job done'' and ''isn't afraid to speak his mind''—not even to the President himself.

We need a smart, principled, and straightforward representative to articulate the President's policies on the world's stage.

We need a person with Under Secretary Bolton's proven track record of determination and success to cut through the thick and tangled bureaucracy that has mired the U.N. in scandal and inefficiency.

A vote for John Bolton is a vote for U.N. reform. A vote for John Bolton is a vote for progress on the international challenges of our day. A vote for John Bolton is a vote for the United States.

It is no accident that polling shows most Americans have a poor view of the United Nations. In recent months, we have seen a deluge of negative reports. We now know that Saddam Hussein stole an estimated $10 billion through the Oil-for-Food Program. The U.N. official who ran the operation stands accused of taking kickbacks, along with many other officials.

Just this week, the head of the Iraq Survey Group told the Council on Foreign Relations that as a result of the oil-for-food corruption, Saddam came to believe he could divide the U.N. Security Council and bring an end to sanctions. I commend Senator COLEMAN for his determined efforts to get to the bottom of this global scandal.

We know the U.N. failed to stop the genocide in Rwanda in the 1990s. The U.N. is on the brink of repeating that mistake in Darfur.

In the Congo, it is alleged that U.N. peacekeepers have committed sexual abuse against the innocent female civil war victims they were sent to protect.

Meanwhile, the U.N.'s Human Rights Commission, which is charged with protecting our human rights, includes such human rights abusers as Libya, Cuba, Zimbabwe, and Sudan.

These failures are very real and very discouraging. They can be measured in lives lost and billions of dollars stolen. And they can be measured in the sinking regard for an organization that should be held in high esteem.

America sends the U.N. $2 billion per year. Our contribution makes up 22 percent of that budget. We provide an even larger percentage for peacekeeping and other U.N. activities.

It is no surprise that Americans are calling out for reform. John Bolton is the President's choice to lead that effort. He possesses deep and extensive knowledge of the U.N. and has, for many years, been committed to its reform.

Back in 1991, Under Secretary Bolton successfully lobbied to repeal the U.N.'s shameful resolution 3379, which equated Zionism with racism. Many in the diplomatic community told him it could not be done. But after waging an aggressive campaign, he moved the U.N. General Assembly to repeal the resolution by a vote of 111 to 25.

As Under Secretary of State for Arms Control and International Security, John Bolton helped build a coalition of 60 countries to combat the spread of weapons of mass destruction through the President's Proliferation Security Initiative.

He was pivotal in our successful efforts to persuade Libya to give up its pursuit of weapons of mass destruction.

He was also the chief negotiator of the Treaty of Moscow, which calls upon the U.S. and Russia to reduce their nuclear warheads by nearly two-thirds.

Under Secretary Bolton has the confidence of the President and the Secretary of State, and it is to them he will report directly.

He has been confirmed by this body four times, and I believe if we are given the chance, he will be confirmed for a fifth time today.

The vetting of his current nomination has been exhaustive. The Foreign Relations Committee interviewed 29 witnesses and reviewed more than 830 pages of documents from the State Department, from USAID, and the CIA. Under Secretary Bolton fielded nearly 100 questions for the record and underwent multiple hearings.

As Senator LUGAR has pointed out, Under Secretary Bolton has served 4 years in a key position that technically outranks the post for which he is now being considered.

This is a critical time for the United States and for the world. Because of the President's vision and commitment, democracy is on the march around the globe.

In January, Iraq held its first truly free elections. Revolution has swept the Ukraine, Georgia, and Lebanon. We

are seeing political reforms in Egypt. Kuwait now allows a woman the right to vote. Saudi Arabia is slowly opening the door to democracy. The Middle East peace process is at its most hopeful moment ever.

The U.N. can and should be vital in advancing these developments. The U.N. charter states that the purpose of that organization is ''to promote social progress and better standards of life in larger freedom.''

I believe in the U.N.'s potential, if it is reformed and more rightly focused. It has been an important instrument of peace and dialog. I believe, as does the President, that an effective U.N. is in America's interest.

Ambassador Rudy Boschwitz, who has just returned from the 61st session of the U.N. Commission on Human Rights, puts it well when he says that:

> Not only the United States, but the United Nations itself, needs and will profit from a no-nonsense representative like Mr. Bolton.

U.N. Secretary Kofi Annan, too, supports the Under Secretary's selection.

I thank my colleague Senator LUGAR for his strong leadership. And I also thank my colleagues Senators ALLEN, COLEMAN, SUNUNU, and ALEXANDER for their clear-eyed and unwavering support for this capable and fine nominee.

I will close with a story about John Bolton. When he was an intern in the Nixon White House, John Ehrlichman had gathered the interns together to tell them they had to work for Nixon's reelection. A young John Bolton piped up, ''Work for him? I don't even know if I'm going to vote for him.''

He has always been a straight-shooter and a man of integrity—exactly what we need at the United Nations, and exactly what the United Nations needs from us.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

CLOTURE MOTION

Under the previous order, the clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 103:

William Frist, Richard Lugar, Richard Burr, Pat Roberts, Mitch McConnell, Jeff Sessions, Wayne Allard, Jon Kyl, Jim DeMint, David Vitter, Richard Shelby, Lindsey Graham, John Ensign, Pete Domenici, Robert Bennett, Mel Martinez, George Allen.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on Executive Calendar No. 103, the nomination of John Robert Bolton to be the Representative of the United States of America to the United Nations, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senators were necessarily absent: the Senator from Pennsylvania (Mr. SPECTER).

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUYE), is necessarily absent.

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

The yeas and nays resulted—yeas 56, nays 42, as follows:

[Rollcall Vote No. 129 Ex.]

YEAS—56

Alexander	DeWine	McConnell
Allard	Dole	Murkowski
Allen	Domenici	Nelson (NE)
Bennett	Ensign	Pryor
Bond	Enzi	Roberts
Brownback	Graham	Santorum
Bunning	Grassley	Sessions
Burns	Gregg	Shelby
Burr	Hagel	Smith
Chafee	Hatch	Snowe
Chambliss	Hutchison	Stevens
Coburn	Inhofe	Sununu
Cochran	Isakson	Talent
Coleman	Kyl	Thomas
Collins	Landrieu	Thune
Cornyn	Lott	Vitter
Craig	Lugar	Voinovich
Crapo	Martinez	Warner
DeMint	McCain	

NAYS—42

Akaka	Dorgan	Lieberman
Baucus	Durbin	Lincoln
Bayh	Feingold	Mikulski
Biden	Feinstein	Murray
Bingaman	Frist	Nelson (FL)
Boxer	Harkin	Obama
Byrd	Jeffords	Reed
Cantwell	Johnson	Reid
Carper	Kennedy	Rockefeller
Clinton	Kerry	Salazar
Conrad	Kohl	Sarbanes
Corzine	Lautenberg	Schumer
Dayton	Leahy	Stabenow
Dodd	Levin	Wyden

NOT VOTING—2

Inouye	Specter

The PRESIDING OFFICER. The yeas are 56, the nays are 42. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. FRIST. Madam President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

Mr. FRIST. Madam President, I entered a motion to reconsider this vote to allow us to revisit this issue when we return. We will be doing that. We will be closing shortly this evening, but before we close, I will file cloture motions on the Brown nomination and the Pryor nomination. Our next vote will be Tuesday, June 7, and that vote will occur prior to the policy luncheons, probably at noon on June 7.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Madam President, while we have Senators in the Chamber, I wish to express, through the Chair, the appreciation of especially Senator BIDEN and Senator DODD for the ends to which the majority leader went to try to resolve this issue. He spent an inordinate amount of time trying to get the information requested and was unable to do so. He did get information but not all that was necessary. I am disappointed that tonight we were unable to have a vote on Mr. Bolton, but it is not the fault of the Democratic caucus. We are not here to filibuster Mr. Bolton's nomination. We are here to get information regarding Mr. Bolton, information to which we are entitled. The people who voted against cloture—there were many—many of them will vote against Mr. Bolton if, in fact, he gets before the Senate. But most of the people here tonight are concerned about this being an issue dealing with the administration not giving us the information we want. That is all. It hurts their nominees. The administration has to be more forthcoming.

I hope that during the next 8 or 9 days the administration will take a fresh look at this and give the information to Senator DODD and Senator BIDEN—most of what they want. They are the only ones who will see it. It will not be given to the entire Senate. They are not asking for information that may affect our country's national interest.

I hope we can go forward with the people's business. The distinguished majority leader told me yesterday that he was going to file cloture on these two judges. This is fine. We will work out a timely manner to complete the work on these judges and other judges. The Energy bill was reported out of committee today. The asbestos bill was reported out of committee today. There is a lot we have to do here, and we do not want this to be a divergence—the work we have to do is a divergence, but it is not the fault of the Democratic Senators that it is a diversion.

Mr. BIDEN. Madam President, will the Senator yield for a question?

Mr. REID. I will be happy to yield to the ranking member of the Foreign Relations Committee.

Mr. BIDEN. Madam President, I wish to make it clear to all my colleagues, speaking for myself, that I have absolutely no intention to prevent an up-or-down vote on Mr. Bolton. The issue here is about whether the executive branch will provide information which the majority leader tried yesterday and today to get, and which I think almost every Senator here would acknowledge the institution is entitled to get. We are prepared to not even ask that the ranking member and the chairman of the Foreign Relations Committee see the information we have sought. I implore the administration to provide the information, and—speaking for myself, and I can speak for no one else, but I

believe my colleagues on my side would agree with me—we are willing to vote 10 minutes after we come back into session if, in fact, they provide the information—information to which Mr. Bolton's staff had access but which they will not give to the majority leader of the Senate. There is no reason offered.

I want to make it clear, we are ready to vote the day we get back, the moment we get back. We are ready to vote immediately if they would come forward, meeting us halfway on providing the information. That is all.

I thank the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Madam President, needless to say, I am very disappointed with where we sit today. We have had an interesting week, a very challenging week, starting the week on one clear direction and then sidetracked a little bit to what I thought was not an unreasonable feeling in this body that we were going to be working together and that we were going to address the important issues to America.

John Bolton, the very first issue to which we turned, we got what to me looks like a filibuster. It certainly sounds like a filibuster, looking at the vote today, it quacks like a filibuster, and I am afraid, shortly after we thought we had things working together in this body again, we have another filibuster, this time on another nomination—not a judicial nomination but another nomination—the nomination of John Bolton.

It does disappoint me. We had an opportunity to finish and complete this week with a very good spirit. We are going to come back to this issue. As has been said by Senator BIDEN, as I have said, we are going to revisit it, but I think what America has just seen is an engagement of another period of obstruction by the other side of the aisle, and it looks like we have, once again, another filibuster.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Madam President, everyone here should understand that it is now the 26th day of May. This is the first filibuster that has been conducted in this Congress, if, in fact, we want to call this a filibuster—No. 1, first one. We have not been doing filibusters. We worked through some very difficult issues we talked about here before—bankruptcy, class action, and a number of other issues.

So it is not as if we are looking for things to have extended debate on. We need to work together, and I think this week has established that. We are going to work together. But how can we work together when information is not supplied?

So I hope we will all slow down the rhetoric during the break. This is something that happened. This is part of the Senate. I repeat, keep in mind, this is the first filibuster of the year and maybe the last. I hope so.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I ask unanimous consent to speak as in morning business for up to 10 minutes and that Senator SUNUNU speak after me for up to 10 minutes as well to discuss bipartisan legislation the two of us have introduced today.

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

(The remarks of Mr. WYDEN and Mr. SUNUNU pertaining to the introduction of S. 1128 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. WYDEN. Madam President, I ask unanimous consent that after Senator SUNUNU's remarks, Senator REED be recognized for 15 minutes.

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

Mr. REED. Madam President, I ask unanimous consent to be allowed to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. That order has already been entered.

Mr. REED. I also ask unanimous consent that upon the conclusion of my remarks, Senator SALAZAR of Colorado and then after that Senator PRYOR of Arkansas be recognized.

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

RETIREMENT OF BRIGADIER GENERAL DANIEL J. KAUFMAN, UNITED STATES ARMY

Mr. REED. Mr. President, I rise today to recognize the accomplishments of Brigadier General Daniel J. Kaufman, United States Army, Dean of the Academic Board at the United States Military Academy at West Point. General Kaufman is retiring on the 6th of June, 2005 after 37 years of active military service in war and peace. His military career exemplifies the finest traditions of the United States Army and demonstrates the rare combination of a combat-tested soldier and a first-rate scholar.

I have had the privilege of knowing Dan Kaufman since 1967 when I entered West Point and was assigned to Company C, Second Regiment, United States Corps of Cadets. Dan was a senior, or as we say at West Point, a "Firstie," shorthand for first classman. He distinguished himself to me as a serious and conscientious Cadet with a wry sense of humor. He ranked academically in the top 5 percent of his class. But, like all of his classmates, Dan's attention was focused on Vietnam as much as academics.

Upon graduation in 1968, General Kaufman was commissioned as an second lieutenant in the Armored Cavalry and assigned to F Troop, 2d Squadron, 6th Armored Cavalry Regiment, Ft. Meade, MD as a platoon leader. After 6 months at Fort Meade, General Kaufman deployed to Vietnam and served as platoon leader in L Troop, 3d Squadron, 11th Armored Cavalry Regiment. Later in the tour he served as the Troop's executive officer. For his service in Vietnam, General Kaufman was awarded the Bronze Star with V-device for Valor and two Purple Hearts.

Upon completion of his tour in Vietnam, General Kaufman served from 1970–1971 as the Commander of E Troop, 2d Squadron, 6th Armored Cavalry Regiment, Ft. Meade, MD. General Kaufman left Fort Meade in 1971 to attend the Armor Officer Advanced Course at Fort Knox, KY. After a tour of duty as an instructor at the armor school, General Kaufman attended the John F. Kennedy School of Government at Harvard University. Here, we again renewed our friendship as we were both students at the Kennedy School of Government at Harvard. By that time, Dan had married his beloved wife Kathryn and their daughter, Emily, was born in Mount Auburn Hospital in Cambridge, MA. General Kaufman then served as an instructor and assistant professor in the Department of Social Sciences from 1974 to 1978. I joined Dan as an instructor in the Department of Social Sciences for the academic year 1977–1978.

After departing West Point, General Kaufman served as Special Assistant to the Director, Planning Analysis, Office of the Deputy Under Secretary of Defense (Policy) in Washington, DC prior to reporting into Ft. Bragg, North Carolina. Once at Fort Bragg, General Kaufman assumed the duties of Assistant Chief of Staff, G–3, Force Development, 82nd Airborne Division until 1979. From 1979 until 1981, General Kaufman was the S–3 (Operations), 4th Battalion (Airborne), 68th Armor, 82nd Airborne Division.

Following his assignment at Fort Bragg, General Kaufman completed the Armed Forces Staff College in route to Cambridge, MA to study for his Ph.D. in political science at Massachusetts Institute of Technology. After earning his Ph.D., General Kaufman rejoined the faculty at West Point as a permanent associate processor in the Department of Social Sciences.

In 1990, he was appointed Professor and deputy head of the Department of Social Sciences. During this time, he served as chair for Accreditation Review Committee, Scholarship Committee, and Faculty Development Committee. From 1991 through 1995, General Kaufman served as a key member of several Department of the Army committees, including Chief of Staff of the Army transition teams for both General Sullivan and General Dennis J. Reimer, President-Elect Clinton's DOD Transition Team, as well as a special assistant to the Chief of Staff, U.S. Army (1991–1992).

In 1996, General Kaufman was appointed Professor and Head of the Department of Social Sciences. There he continued the proud tradition of soldiers and scholars, first begun by GEN "Abe" Lincoln right after World War II, carried on by GEN Don Olvey, by GEN Amos Jordan, and General Golden, and now GEN Dan Kaufman.

In June 2000, General Kaufman was selected as the eleventh dean of the academic board. As dean of the Academic board, General Kaufman envisioned an academic program relevant to the needs of the Army that contributes to the intellectual and professional development of cadets, supported by 700 first-class staff and faculty, $500 million in facilities, and a budget of $62.7 million. His visionary leadership led to the publication of Educating Future Army Officers for a Changing World, the operational concept for the Academic Program that links cadet education directly to the Cadet Leader Development System and the Army.

General Kaufman oversaw several significant revisions to the academic curriculum to better prepare graduates for the challenges of a transforming Army in the post-Cold War world. The new curriculum places greater emphasis on global and cultural awareness, information technology, and curricular integration; it also offers cadets more choice in the selection of academic majors. He encouraged continued development of the academic assessment system, placing increased emphasis on performance assessments of the academic program goals. The extraordinarily positive assessment results from graduates and commanders in the field attest to the success of General Kaufman's vision. Under his stewardship, the Military Academy continued to lead the Nation and the Army in the use of information technology for education. He oversaw the installation of a secure wireless infrastructure in all academic buildings and encouraged the use of web-based course management tools.

Perhaps the crowning achievement of his tenure was the design of Thomas Jefferson Hall, the Military Academy's new library/learning center. General Kaufman led the effort to secure Army support and Congressional funding for the facility and oversaw all features of the design. In support of the Global War on Terrorism, General Kaufman expanded outreach and support activities to the Army, including faculty support to combat operations in Afghanistan and Iraq. He personally led a team of senior faculty members to help reopen Baghdad University after decades of repression and isolation. During General Kaufman's tenure, USMA cadets won 43 international scholarships; the Military Academy was named an Institution of Excellence, and the Center for Advancement of Leader Development and Organizational Learning was established to provide professional forums for company-grade officers throughout the Army.

BG Kaufman's awards include the Distinguished Service Medal, Legion of Merit, Bronze Star Medal for Valor, Purple Heart, 2 awards, Meritorious Service Medal, 2 awards, Army Commendation Medal, 2 awards, Vietnam Service Medal, 4 campaigns and other service awards.

The Academic Program at the United States Military Academy has never been stronger and more connected to the Army. General Kaufman has set the course for officer education into the first half of the 21st century. His dedication to excellence and his unsurpassed devotion to duty, honor, and country have marked his distinguished service over the past 37 years. For the past 5 years, he has profoundly shaped the intellectual future of the officer corps. And he has not done this alone. By his side at every step in his career has been his wife Kathryn. They have a wonderful family, including their daughter, Emily, and their son, David. Emily is a proud wife of Steve Thomas. They have brought to the Kaufman family the youngest Kaufman, baby Emma. Dan is a great soldier, a brave scholar, a devoted husband and father, and a steadfast friend.

Dan has used his intellect and wit and devotion to the Army and the country to nurture a generation of cadets who will emerge as the leaders of our Army and our Nation. Because of Dan they will be ready for the daunting challenges that lie ahead. His legacy will be felt in 1,000 places around the world for decades to come.

Whenever a leader of our Army uses his intellectual and ethical power of his or her education at West Point to defend the Nation, protect our soldiers, and advance our ideals, his legacy will be felt in a thousand places. West Point has never had a more faithful son or a better dean. And I have never had a better friend.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

REMEMBERING OUR FALLEN HEROES ON MEMORIAL DAY

Mr. SALAZAR. Madam President, this Monday is Memorial Day. It is a day that is important to countless families across this nation, including my own. It is a time of remembrance for those heroes who have fallen serving our country and thanking those who were blessed to return home to their families and loved ones.

That we as a Nation take the time to thank our veterans is important. It is a simple, gracious act that we all too often fail to do.

Our cities and towns, across Colorado and this Nation, have given up their young men and women without protest, men and women humbly accepting a calling greater than themselves.

In many ways, this is what makes our nation so great. We are a nation of individuals that can put ourselves aside for the common good. We can come together and deliberate and differ, as we do here in the Senate. But we are appreciative of the gift of freedom we all share, and the price that our veterans and fallen heroes have paid on our behalf for our freedom.

Earlier this week, I was fortunate to work with a pair of bona fide war heroes as we sought to preserve 200 years of Senate tradition. In my 5 short months here, I have come to admire Senator JOHN MCCAIN and Senator DANIEL INOUYE, two men I am honored to call my friends. They served bravely and with distinction, and have set an example for all of us to follow each day. I thank them for their sacrifice, their leadership and their continuing commitment to this Nation.

We owe them, and all of our veterans and members of the Armed Services, a debt which can never be truly repaid. In 1865 in his second inaugural address, President Lincoln elaborated on the respect we have for those who served and the sacrifices made by the few for the many:

> With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just, and a lasting peace, among ourselves, and with all nations.

We are fortunate that they, and so many of our veterans, are still here—husbands and wives, fathers and sons, mothers and daughters, brothers, sisters and cousins. Too many of them, however, have been taken from us all too soon.

One of those no longer with us is my father, Henry. My father served with honor and distinction in World War II and always took great pride in his service. When he passed away in 2001 after a long battle with Alzheimer's, his final request to my brother John was that he be buried in his uniform.

We proudly honored this request, and afterwards I was struck by the importance of it to him. My father had been many things—a thoughtful son, a loving husband, an attentive father. But most important to him was his service to his Nation which he called home and which had given him so much.

In 1962, GEN Douglas MacArthur gave the commencement address at West Point. He reflected on his time in the Army and on the nature of the ultimate action of any soldier—sacrificing his or her life for our Nation. MacArthur said:

> The soldier, above all other men, is required to practice the greatest act of religious training—sacrifice. In battle and in the face of danger and death, he discloses those divine attributes which his Maker gave when He created man in His own image. No physical courage and no brute instinct can take the place of the Divine help which alone can sustain him. However horrible the incidents of war may be, the soldier who is called upon to offer and to give his life for his country is the noblest development of mankind.

In many ways, it saddens us to know this fact. Each and every American looks forward to the day when none are called upon to make such a sacrifice.

Over the past year, hundreds of Americans made that sacrifice for us while in service to our Nation, including 14 with Colorado roots: Shawn Atkins, of Parker; Dana Wilson, of Fountain; Douglas Bascom, of Colorado

Springs; Theodore Holder, of Littleton; Michael Shackleford, of Grand Junction; Gregory Rund, of Littleton; George Geer, of Cortez; Lizbeth Robles, of Colorado Springs; Steven Bayow, of Colorado Springs; Derrick Lutters, of Burlington; Travis Anderson, of Hooper, in my native San Luis Valley in southern Colorado; and Charles Wilkerson, of Colorado Springs; along with Paul Christopher Alaniz and Landon Giles, whose families live in Colorado today.

Each of them served with honor and distinction and we are all forever grateful for the sacrifice each of them made on behalf of all of us. Their names will not be forgotten, and our prayers will remain with their loved ones.

One of our greatest Supreme Court Justices and a Civil War veteran, Oliver Wendell Holmes, Jr., used to spend his Memorial Days just a few miles from where we stand now, in Arlington National Cemetery. He would walk among the gravesites, reflecting on the sacrifices of so many, including the countless, nameless souls who laid beneath.

Justice Holmes once observed:

> At the grave of a hero we end, not with sorrow at the inevitable loss, but with the contagion of his courage. . . .

Heroism is not in the deed itself, but in the courage to act. We have heroes because they chose to act, to step forward in the call to action. In this Senate, we are blessed with a history of service to our Nation. Outside of this building, however, is where true heroes of our military reside: men and women in uniform, our veterans who have stood watch before them, and those who have laid down their lives so that we can have freedom.

I encourage everyone over this weekend to take time out from the parades and barbecues and family gatherings to thank our veterans and service members. They stand ready to defend the freedoms we take for granted, without seeking thanks or praise. This heroic act deserves our thanks, for it is by grace that they keep us safe.

In the Book of Matthew we are taught: ''Blessed are the peacemakers: for they shall be called the children of God.''

Through their service and sacrifice, they have earned that distinction.

May God bless our service members and our veterans.

May the families of those who have given their lives for our freedom know the depth of our appreciation. And may we never forget the importance of their sacrifice to our work here in the U.S. Senate.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

A HISTORIC COMPROMISE

Mr. PRYOR. Madam President, I rise today to discuss something that happened this week in the Senate, something I was involved in, and something that received quite a bit of notice outside this Chamber, and that is a compromise that was reached. I think it was a historic compromise. I think it is a very good thing for the Nation. In fact, I would say it was a win for Democrats, a win for the Republicans, and, most importantly, it was a win for the American people.

Some in my party, some in the other party, may disagree with what I just said, but I think when you look back through American history—and you can look at all the major legislative accomplishments that have occurred—most of those have occurred in this body.

This body is known for its ability to compromise. I look at these chairs and these desks in this body, and I can see the faces of my colleagues and of those who have departed this Chamber. This is a body that has a very special role in American history and in American Government.

I have heard some say they do not like compromise. In fact, I must say I was disappointed—I was listening to talk radio yesterday, and someone said some of us Senators who compromised are in the middle, and no one supports the middle. I cannot disagree more. I think people all over this country are looking for Senators to show leadership, to find common ground. I think that is one result that has been sorely missing in the Congress. When you talk to people outside of the Beltway, that is one result they are hoping for, that we will find that common ground and we will have leadership in Washington that understands you do not have to sacrifice your principles in order to find common ground.

In fact, in the very famous book written by John Kennedy, ''Profiles in Courage,'' he says:

> We should not be too hasty in condemning all compromise as bad morals. For politics and legislation are not matters for inflexible principles or unattainable ideals.

This is politics. This is a human institution. This is Government. I feel those 14 Senators who reached this agreement—13 of my great colleagues who reached this agreement—took one of the most contentious issues in recent years off the table. Hopefully, they took it off for the remainder of this Congress. I feel as though we took it off for the remainder of the Congress because I sat in those rooms, I talked to my colleagues, and I know the high level of trust we have with one another.

This entire agreement is based on trust. It is an example that amazing things can happen when Senators talk to each other—just talk to each other. I feel that is why the people of Arkansas sent me to Washington, to try to be a bridge builder, to try to be a peacemaker, to try to find common ground on a wide variety of issues that are best for Arkansas and best for the Nation and, in some cases, best for the world.

Senators here in Washington, unfortunately, in the last few years have gotten into the habit of talking about each other and not talking to each other. I hope one of the results that comes from this agreement is a new spirit of bipartisanship, a new commitment that we can reach across party lines, reach across the aisle, to try to work together to solve the challenges that are facing America.

There are many sensible voices in the Senate. Many, many, many—in fact, all—have reasonable minds. And one thing I found a little bit humorous, some of the press coverage about this agreement was that they said these were moderates who reached this agreement. Let me tell you, some were moderates, but many in this group were not moderates, and they would be offended if we called them moderates. In fact, I heard a number of them say ''I don't ever want to be considered a moderate,'' for one reason or another. But they demonstrated a spirit of bipartisanship that I think should be applauded.

Sometimes when you make a compromise, you are taking the easy way out. But this was a compromise that required courage. This compromise required a lot of courage on behalf of all my colleagues, especially—especially, might I underline—the seven Republicans who entered into this agreement. It was very hard for Democrats and Republicans to do. But I will tell you, I know my seven Republican colleagues who did this, who demonstrated their trust, not just of each of us but of this institution, demonstrated a lot of courage. I take my hat off to them in appreciation.

Two more points I would like to make on this issue.

First, I need to thank three people; that is, my wife Jill, my son Adam, and my daughter Porter. For all I know, they may be watching right now. It is getting pretty close to bedtime around our house. But they made the sacrifice, too, so I could be part of this Senate and be up here away from home. But also, Dad was not home a lot in the last few days because I was here trying to work through this agreement as best I could and trying to get this done. So I thank them.

But in a broader sense, I did this agreement for them because I was very concerned that when you looked at the nuclear option, if that trigger was pulled, you had a nuclear winter that would follow. I was very concerned that the Congress, particularly the Senate, would not get very much done this session.

I thought that would be a huge disservice to the American people. I thought it was time for reasonable minds to come together to try to work something out. In fact, in the Book of Isaiah, it says: ''Come now, let us reason together.'' And maybe that should be something we should take to heart. The people of our States, every State in the Union, only get to send two Senators to Washington.

I think they expect us to exercise good judgment and exercise our discretion and also, from time to time, exercise courage to try to do the right thing.

So I commend my 13 colleagues who entered into this agreement. They took a lot of time and made a lot of sacrifice, and it took a lot of courage. Many of them have taken a lot of criticism for doing this. I want to say publicly that I thank them and I appreciate them and I am proud of them for what they did.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Madam President, before our friend from Arkansas leaves the floor, let me also say, if his children are watching, they should be very proud of their father. I have had the privilege of serving with the Senator's father. In fact, we sat next to each other as I arrived here as a freshman Senator. The Pryor and Dodd families go back for some time.

I want you to know that what you and your 13 colleagues did last week—and nobody can say for certain where this is going to lead, but you have given this institution an opportunity to continue its tradition of providing the one place in Government where all voices can be heard. That is not true in anyplace in the executive branch, necessarily, or the judicial branch. And even in the legislative branch, in the other body, the majority rules.

The Senate is the one place where all voices must be listened to. Because of what you and our 13 other colleagues—6 other Democrats and 7 Republicans—were willing to sit down and try to fashion, we have been given a chance to live up to the longstanding, historic traditions of this place in which we have been privileged to have been elected to serve. There have been 1,884 of us in 218 years who were chosen by our States to represent their interests and the Nation in the Senate. I can just say to my friend from Arkansas, you will be involved in a lot of issues during what I hope is a long career for you here in the years ahead. You will look back, and there will only be a handful of moments that will stand out, and I am willing to predict that what you, Senators MCCAIN, NELSON, LIEBERMAN, COLLINS, BYRD, WARNER, GRAHAM, SNOWE, DEWINE, LANDRIEU, SALAZAR, CHAFEE, and INOUYE have done will remain one of the important memories. You will look back and think of the things you have been involved in and, hopefully, the list will be long.

As one Senator who was not involved in the negotiations you went through but was watching them carefully—and again, we cannot say with certainty where it is going to lead—I commend you and history will commend you for what you are doing. I love the idea that you did it for your family and your children. They will look back with pride on the service of their father.

Mr. President, we went through a little bit of a turmoil here. Obviously, coming in the wake of this negotiation, I suppose some people's eyebrows may be raised, wondering how can we do that compromise and then end up with an awkward situation on the Bolton nomination, which became contentious for a few minutes. I will add my voice to that.

My fervent hope is that people will not misunderstand the intentions of 24 Senators, and others, when we raised the question going back to April 11 about certain information. All of my colleagues are not familiar with all of the details of the case, although the Presiding Officer was very much a part of the discussion we have had over the last couple of months. Whether we are for or against the nomination, the point I was trying to make is that an institution—the Senate—has a right to certain information when it involves a pertinent matter before it.

It has been a historic struggle between the executive and legislative branches. There is always that tension between these two branches of Government over access to information. Regardless of one's political affiliation, whether you are in the majority or the minority, no matter what administration is in the White House, my experience over 2½ decades, serving under every imaginable configuration, is that it is always healthy to insist on information that the institution thinks is important for its consideration of a matter—be it substantive or the executive branch calendar.

I want to say to my colleagues, those who have gone through this process of negotiations that avoided the constitutional crisis regarding extended debate, what happened here in the last few hours is not in any way disruptive of what occurred during those negotiations. It is my strong hope and desire that the information we seek will be forthcoming in the next few days, that the committees can analyze it all, and when we return to this body after the break, the matter of John Bolton can come before this body and we will have an up-or-down vote on the nomination, as it should be. It is my strong desire that that be the outcome.

This was not intended, in any way, to engage in a filibuster but strictly to determine whether this institution would say to the executive branch, respectfully: This is information we believe we need. We are asking you to provide it in an orderly way to those Members who are entitled to this information—the chair of the Intelligence Committee, the ranking Democrat, the chair of the Foreign Relations and ranking Democrat—for them to determine whether there is relevancy to this information as it pertains to this nomination.

Again, I thank the majority leader. It probably doesn't help his cause to hear this, but BILL FRIST made a serious effort over the last couple of days, not that he necessarily even supported the request, but he certainly conveyed the request in a serious way to leaders within the executive branch. I thank him for that. He didn't have to do that, and he did. I regret that the administration didn't reply in an orderly way, which could have avoided all of this in the last 48 hours. I hope they will take this seriously. I say to my friends on the majority side, having been in your shoes in other administrations, it can happen.

There is always this tension between these two branches of Government about information. We need to be clear about it. We have a constitutional responsibility, where appropriate, to seek information that is important for our consideration.

So it is my fervent hope that we go away for a few days and recognize, as so eloquently Senator SALAZAR said, speaking about his father, a World War II veteran, insisting upon being buried in his uniform, that we recognize those who have given a lot more to provide the freedoms we enjoy as Americans, that we are very much living up to what they fought and died for over this Memorial Day break as we recognize their contributions. They fought and died for exactly what we are doing here.

This doesn't happen miraculously. A democracy is won by each and every generation in this country. There is no guarantee that it exists in perpetuity. Each generation of Americans will confront, one way or another, a challenge to our democratic values and principles. Certainly, the generation that fought and died for this country over the years has proven that categorically.

We are going to be challenged as well from time to time. So I fervently hope—and Members who have served with me know I am the least comfortable with getting involved in opposing a nominee. The only trouble I have gotten into in nominations is when I have been for nominees to the disappointment of colleagues on this side. I was told I had no business to be for John Ashcroft and John Tower. I am not comfortable not being for somebody. I took the position I did, and I hope we can resolve this matter over the next few days and get back to the business of voting up or down and move on to other business that is important to our constituents.

I was heartened to hear that Democrats and Republicans were able to work out differences on an energy bill. That is going to be exciting to deal with; it is an issue in which our constituents are interested. I would be remiss in not recognizing the Presiding Officer in the tremendous work he has done, along with Senator JEFFORDS and Senator REID and Senator BAUCUS. There is a lot of work in front of you. Those are the issues we need to work together on here. So while there may be some bruised feelings right away over a vote we just took, I hope we can put those behind us and resolve the

matter and get about doing the business the people sent us here to do.

To my colleagues, I wish them a healthy, happy, and safe Memorial Day, and I look forward to seeing them on our return here and moving forward with the business at hand.

I yield the floor.

The PRESIDING OFFICER (Mr. INHOFE). The Senator from Alaska is recognized.

Ms. MURKOWSKI. Mr. President, I am sorry that our colleague from Arkansas has left the floor because I was sitting there listening to his comments and his recognition and acknowledgements of the 14 Senators who worked on the compromise this past week and all the efforts they had made.

I commend him and all the others of that group and all those who encouraged us as a body, as Senators—not as Republicans, not as Democrats but as Senators—to move forward so that we could get through what I certainly believe was a great impasse in this body, to work through the issues, to get us to the point where we cannot only move through the President's judicial nominees, but that we can do the rest of the work with which the Senate is tasked.

The good Senator from Connecticut has just mentioned the Energy bill and the Transportation bill—these issues the country is waiting for, the country is asking for, and the work that is incumbent upon us as a body to get to.

So I am pleased that we are at the point where we are, not spending hours on the floor today to discuss nuclear options or constitutional options, but that we are talking about the work before us as we look forward to these upcoming months. I do see a sense of compromise that will be necessary if we have any plans at all to accomplish that which I think this country expects us to do.

I am pleased that we have gotten through to this point. I do recognize the bump in the road we just had this afternoon, but I believe that with the same amount of determination that got us to a resolve on the judicial nominees, we will be able to do the work of the country.

BRAC

Ms. MURKOWSKI. Mr. President, I rise this evening for just a few minutes to talk about the upcoming BRAC and the impact we are seeing in my State of Alaska, up in the interior, in the communities of Fairbanks and North Pole. They call this the golden heart of the State of Alaska.

The people of Alaska are strong and very consistent supporters of a strong national defense. They are even stronger supporters of the men and women who serve in our military and their families. In a State where support for our servicemen and servicewomen and their missions is both given and constant, the golden heart of Alaska probably beats strongest in the areas of Fairbanks and North Pole.

So on the morning of May 13—Friday the 13th, oddly enough—the people of the interior of Alaska awoke to the news that the Department of Defense had proposed to realign Eielson Air Force Base. Under the terms of this realignment, all of the Air Force active-duty operations would be transferred elsewhere. The realignment would cause the relocation of about 2,800 Air Force personnel and 3,300 dependents. It would cause the loss of 4,700 jobs, both military and civilian jobs, within the Fairbanks area. It would mean the full transfer of A–10 and F–16 aircraft to bases in the lower 48. It would wreak havoc on the local economy and force major changes upon the Fairbanks North Star Borough School District.

To the people of interior Alaska, they do not look at this as a realignment. It sounds to them, to us, exactly like a closing.

Two weeks after the fact, the people of interior Alaska are still scratching their heads and wondering why, what is going on here, what has happened up here? General Billy Mitchell prophesied back in 1935. He said:

> In the future, he who holds Alaska holds the world.

General Mitchell characterized Alaska as the most important strategic place in the world, and this is as true today as it was in 1935.

Alaska is closer to the European and Pacific theaters by air than perhaps any other place in North America. Our armed services can deploy forces from Alaska to Asia much more quickly than units on the west coast of the United States. And if future developments limit overseas basing, Alaska will be even more critical in America's ability to respond to a crisis within a specific area of responsibility.

Yet 2 weeks after we learn of this news, the Air Force cannot—or will not—tell the people of Fairbanks why. Immediately after the BRAC list was released, my staff contacted appropriate staff members in the Office of Legislative Liaison for the Secretary of the Air Force. We asked for a copy of the entire administrative record which supports their recommendation to realign Eielson.

For the better part of 2 weeks, there was no response to that request. Then suddenly this week, we get an e-mail from an Air Force legislative liaison saying the material could not yet be provided because it is undergoing what they call security review. The Air Force legislative liaison could not hazard a guess on when the material would be released.

They are still in no position to explain to me or to the people of interior Alaska why a base that we thought was of such strategic importance to our Nation's defense would become little more than a refueling station for fighter aircraft based somewhere else.

The people of interior Alaska deserve to know why, and I certainly deserve to know why. The answers to these questions are more than just academic interest. On June 15, the Base Realignment and Closure Commission will conduct a hearing on the recommendations pertaining to Eielson Air Force Base. The community has enlisted the president of the University of Alaska, retired Army MG Mark Hamilton to take the lead in presenting its case. The community is working very hard at this moment to put together a very thoughtful and well-researched presentation.

At this point, we are less than 30 days, a couple of weeks from the date upon which that presentation, that do-or-die presentation, must be delivered to the BRAC Commission. And yet still the Air Force cannot release the detailed analysis which supported their recommendations.

This is unfair to the community that has offered nothing but unconditional love and support for the military. It goes beyond conscionable.

So I have joined with Senator SNOWE from Maine, as well as other colleagues, to tell the Defense Department that their lack of candor with the community that will suffer under the BRAC process has worn thin. I am proud to join with Senator SNOWE and other colleagues to sponsor legislation that requires the Department of Defense to turn over the records supporting its BRAC recommendations and particularly the information supporting its conclusions as to the military value of the bases on the list.

We expect through this legislation that this information will be provided to the Congress within 7 days of the passage of the legislation. If the Defense Department cannot do this, then the legislation requires that the BRAC process should stop.

Also this evening, I signed onto a letter to Secretary Rumsfeld, cosigned by a number of my colleagues who are expressing the same concern, seeking full justification for base closures in their areas. I would like to read one paragraph of this letter:

> The failure of the Department of Defense to provide all of the justification data used to recommend closing or realigning installations in a timely fashion is anything but ''fair, open or equitable.'' The Department of Defense has had over two years to review and collect this data and people associated with the installations selected foreclosure should have at a minimum two weeks to review prior to any BRAC hearings or site visits. Sufficient time to review this data is necessary to ensure they can make an appeal based on the criteria established by the Department of Defense.

Again, yet one more effort from Senators, from those who are concerned about the effect that BRAC closures will have on our respective communities, a request for information, a request for the data that is supposed to be provided to us. We have to sign on to letters, we have to sign on to introduce legislation saying you must do this within this time period or the close BRAC process stops. We should not have to be going to these measures to get the information.

The BRAC commission process was never intended to be a rubberstamp of

the Department of Defense recommendations. The Congress intended that it be an open process, a thoughtful process, but most importantly an intellectually rigorous process.

While the economies of many of our communities are at stake, this is not the most important reason that we have a BRAC process. This process is intended to assure the Congress and the people that our national security objectives are not compromised in the quest to save money. We know the BRAC process is well underway. It is high time that the Defense Department shed some sunlight on the reasons for their recommendations. The good people of interior Alaska should not be left in the position of defending the future of Eielson Air Force Base on June 15 with both hands tied behind their back, and they should not have to be burning the midnight oil in the hours leading up to that hearing studying material that should have been provided weeks earlier. They do not deserve it, we do not deserve it, and our Nation's security certainly deserves better than this.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

The majority leader is recognized.

DEMOCRACY IN LEBANON

Mr. FRIST. Mr. President, this Sunday the people of Lebanon will go to the polls to vote in their first truly free election in three decades. Since 1990, Lebanon has been occupied by Syrian forces, but this spring the people of Lebanon made history. On March 8, hundreds of thousands of people descended upon Martyrs Square in Beirut, Lebanon's capital, and inaugurated what has become known around the world by people who viewed it as the Cedar Revolution.

For 2 weeks the word spread from city to city and to the countryside. It was clear that freedom was on the march. On March 18, 10 days later, a crowd of 1.5 million people, nearly half of the Lebanese population, gathered in that very square, Martyrs Square, to demand, to insist upon, the withdrawal of Syrian troops and its intelligence apparatus from Lebanon.

These brave and proud citizens of all ages, religions, and ethnicities stood shoulder to shoulder waving their nation's flag in solidarity. Together, with the support of freedom-loving democracies everywhere, they brought an end to Syrian occupation. In less than 2 months, 20,000 Syrian troops pulled out of the country. It was an astonishing wave of events broadcast on television sets and computer screens around the globe.

Lebanon now joins the list of fledgling democracies taking their first bold steps into the future. All of this could not have happened without tremendous courage on the part of the Lebanese people. The determination and vision of one man, President Bush, made it possible. His commitment to democracy and unwavering belief in the fundamental equality of all human beings has wrought remarkable change indirectly, such as in Lebanon, and more directly around the world. Democracy is taking root in even the most inhospitable of lands.

By America's words and our deeds, we are emboldening those who seek freedom and peace. It is an unprecedented moment in the history of the Middle East.

I realized that yesterday as the President of the Palestinian Authority, Mahmoud Abbas, was in our office in this Nation's Capitol. We discussed the future and the hope and the opportunity. As noted scholar and Middle East expert Fouad Ajami says:

> The entrenched systems of control in the Arab world are beginning to give way.

Indeed, it is the autumn of the dictators.

I mention Lebanon in part because it has been on my mind the last 4 weeks. It was about 4 weeks ago that I and a delegation had the opportunity, the privilege, of traveling to Lebanon during our April recess. While in Beirut, I had the opportunity to walk through that square, Martyrs Square. I met with leaders of the Cedar Revolution. They represented a diversity of parties and religious sects—Christian, Druze, and Muslim. These leaders were well versed in the requirements for a successfully functioning democracy. In particular, they discussed the needs to restore transparency and accountability, the rule of law, to secure an independent judiciary and to build, to construct, to reconstruct their economy so that the Lebanese people maintain a stake in the future. Their commitment to freedom, to the rule of law, and democratic governance was truly inspiring.

There are many challenges ahead. We share the concern that Syrian intelligence officials have not fully withdrawn from Lebanon. We also know that this election will not, in any shape or form, be perfect. Few elections in times of transition are. But seeing firsthand the determination of the Lebanese people was truly inspiring. I came away optimistic that this moment will lead to a new age of freedom and democracy for the Lebanese people.

In the words of Vaclav Havel, I urge the people of the region:

> to never forget these days full of solidarity, hope and common quest for freedom and truth.

To the Lebanese people:

> It may be a long and difficult road, but please have faith that the destination is well worth the journey.

SENATOR AND ERMA BYRD's 68TH WEDDING ANNIVERSARY

Mr. FRIST. Mr. President, on another issue, an issue that was discussed by several of my colleagues, most notably Senator STEVENS, our distinguished colleague from Alaska, the President pro tempore, I rise to honor now a very special day in the life of one of our most respected and venerable colleagues.

On Sunday, the distinguished senior Senator, ROBERT BYRD, celebrates his 68th wedding anniversary with his beloved wife and high school sweetheart Erma Ora James.

The courtship is well known to our colleagues. It is hard to do it full justice, but I will give it a try. The two met in Raleigh County over 7 decades ago, where Erma's father had been transferred from Virginia to work in the coal mines. Senator BYRD had a friend who brought pocketfuls of gum and candy to school, and each day the young ROBERT BYRD would wait at the schoolhouse door and ask his friend for a few pieces of candy. He put them in his pocket and at the first opportunity he would present the candies to Erma as a love offering.

Senator BYRD has said he wasn't really sure if his Erma knew that she was his sweetheart, but she must have found out because the couple ultimately was married in 1937. The day after their wedding, Senator BYRD gave his new bride his wallet which contained several hundred dollars that, over the days and weeks and months, he had saved. He told her that she would be the head of their family finances forever. To this day, Senator BYRD doesn't carry a wallet.

He has said that Erma has been his anchor all these years. They are truly blessed to have one another, their family, and a lifetime of shared memories.

The Bible says:

> A man will leave his father and mother, and be united to his wife, and they will become one flesh.

For nearly 7 decades, Senator BYRD and his lovely wife Erma have lived up to the ideal of marriage. I commend them. I admire them. And I wish them both a very happy 68th anniversary.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

STEM CELL RESEARCH

Mr. REID. Mr. President, I have had a number of conversations the last couple of days with the distinguished majority leader about this issue of stem cell research. Dr. FRIST—and I say Dr. FRIST because it relates to this matter—indicated he was going to study

this during the break. I think that is very important.

We have the opportunity to work together on legislation—I don't mean he and I, I mean Democrats and Republicans in the Senate. Earlier this week, the House voted to expand the President's stem cell research policy. Passage of the Stem Cell Research Enhancement Act was a victory for millions of Americans who suffer from deadly diseases and for their families. It was also a victory for bipartisanship. This bill shares the same level of bipartisanship and support here in the Senate that it did in the House.

Senators HARKIN and SPECTER, who are champions of medical research, have worked hard on this issue. Senators FEINSTEIN, HATCH, KENNEDY, and SMITH have also been leaders on this bill.

I hope when we return from recess, the distinguished majority leader will have had an opportunity to look at this and we can take some time to do this. What I do not want on this bill is to have it offered to Defense authorization or something such as that. I think it would be better if we had free-standing legislation on this. It can be done in a relatively short period of time. I certainly hope so. When we come back, we have a 4-week work period and we can work it in during that period of time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

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

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

SENATOR AND MRS. BYRD'S 68TH WEDDING ANNIVERSARY

Mr. STEVENS. Mr. President, it is not often we get the time to just come to the floor to talk about friendships and about what it means to be friends in the Senate. I wish to take some time today to talk about my friend, the former majority leader, former chairman of the Appropriations Committee, and longtime friend, Senator BYRD.

It just so happens that we have spent a lot of time together. I remember so well one great trip to London when we went there for the British-American Parliamentary Conference where we had a great deal of time to talk about the past and our own personal lives.

But I have come to the floor today to ask the Senate to join me in offering congratulations to my good friend and colleague, Senator ROBERT BYRD, and his wife Erma, who, on Sunday, will celebrate 68 years of marriage. This is an anniversary few of us will ever see, and as far as I can tell—I have checked with the Historian—no Senator has ever had the opportunity to celebrate 68 years of marriage. As a matter of fact, my oldest son Walter and his wife Debbie will celebrate 23 years of marriage on the same day, this Sunday.

Those of us in the Senate have relied greatly upon Senator BYRD's knowledge and love of history. With just a few short days remaining before their anniversary and because we will probably not be in session tomorrow, I think it is appropriate to return the favor and ask the Senate to reflect a moment on ROBERT and Erma's history together as husband and wife.

ROBERT BYRD and Erma James grew up together on the schoolyard of Mark Twain High School in West Virginia. They were high school sweethearts, although Senator BYRD has said himself he is ''not sure if [Erma] knew she was my sweetheart.'' They were. And they were married on May 29, 1937.

Over the years, their family has grown, as Senator BYRD likes to say, ''into a brood of fine people.'' Today, they are proud parents of two daughters and have known the joy of six grandchildren and six great-grandchildren.

For 68 years, Senator and Mrs. Byrd have shown us what it means to ''love, comfort, honor, and keep for better or worse, richer or poorer, in sickness and in health.'' Their story has been called ''one of the great American romances.''

Every year, in May, Senator BYRD comes to the floor to reflect on the meaning of Mother's Day and honor the Nation's mothers. His great speeches often mention Erma, the wonderful home she has made for him and their children, and the joy he takes in his family.

Two years ago, when Erma was sick, Senator BYRD stood up during an appropriations debate and told us he was going home. And I quote what he said at that time:

There are only two duties that will exceed my duties in the Senate, one is my duty to God and the second is to my family. I think my duty is to my wife.

Now, these moments are a great reminder to those of us who are married. We have married in this life, and we must do our best to keep the promises we made long ago.

I have had the honor to be married twice myself. One of the reasons I am here today is I remember the great comfort Senator BYRD gave to me when I lost my first wife. He has assisted me and my family in many ways. I also remember when he came to the floor and spoke of my first child in my second marriage and really extolled the concept of marriage at that time.

After 68 years, Erma and ROBERT still have the deep and abiding friendship that began in Beckley, WV; the love of their children, grandchildren, and great-grandchildren; and the respect of all of us in the Senate. I know of no other Senator who has celebrated over 50 years of service in Congress, and as I said before, there is no other Senator who could say he celebrated 68 years of marriage. It is an overwhelming accomplishment and really a credit to both ROBERT and Erma.

Earlier this month, in his annual Mother's Day address, Senator BYRD reflected on the early days of his marriage to Erma. He said:

> Nearly seven decades ago, we were the rankest of amateurs at marriage and parenthood.

This Sunday, our good friend and his wife will have proven they are now experts in both categories. My wife Catherine and I wish them the best.

Senator BYRD has often marked significant events by submitting works of poetry for the RECORD. I wish I had his capability for remembering poems and works of great art. But today, I offer a poem by the great Alaskan poet, Robert Service, and I offer it in honor of Senator and Mrs. Byrd's 68 years together. Robert Service's poem is entitled ''Home and Love,'' and it goes like this:

Just home and love! The words are small
Four little letters unto each;
And yet you will not find in all
The wide and gracious range of speech
Two more so tenderly complete:
When angels talk in heaven above,
I'm sure they have no words more sweet
Than home and love.

Just home and love! It's hard to guess
Which of the two were best to gain;
Home without love is bitterness:
Love without home is often pain.
No! Each alone will seldom do;
Somehow they travel hand and glove:
If you win one you must have two,
Both home and love.

And if you've both, well then I'm sure
You ought to sing the whole day long:
It doesn't matter if you're poor
With these to make divine your song.
And so I praisefully repeat,
When angels talk in heaven above,
There are no words more simply sweet
Than home and love.

I ask the Senate to remember to congratulate my good friend on 68 years of marriage.

Mr. REID. Mr. President, I rise toady to congratulate a member of our Senate family who is nearing an amazing milestone in life—68 years of marriage.

On My 29, 1937, the Valedictorian of Mark Twain High School married his sweetheat—a coal miner's daughter—in West Virginia. That valedictorian was Senator ROBERT BYRD. The coal miner's daughter was Erma Ora James. On Sunday, they will mark 68 years together.

It is an incredible achievement and a testament to their love and commitment.

Look how far they've come. They have seen their lives move from the hills of West Virginia to the highest levels of government. Senator BYRD has gone from gas station attendant to

meat cutter to welder to United States Senator.

But—it's important to note—Senator BYRD has never hidden the secret of his success. If you talk to him, he will give credit to whom credit is due.

He said it right here on the Senate floor in May of 2000 days before his 63rd anniversary. He said: ''I have to frankly say that what little I have amounted, if it is anything much, I owe for the most part to [Erma].''

Well Erma, the people of West Virginia and the United States owe you a debt of gratitude for all you've done for your husband and for giving us his time for so many years.

I've said before, Senator BYRD is a mentor of mine.

I have had the good fortunate of serving with him in the Senate since 1986. In these 19 years, I've gotten to know Senator BYRD and Erma well. They are a wonderful couple, delightful individuals, and I am honored to call them both friends.

Senator BYRD and Erma have no doubt seen many changes over their 68 years of marriage—none bigger than the size of their family. They have two daughters—Mona and Marjorie—and over a dozen grandchildren and great grandchildren.

Of course, no one can talk about Mr. and Mrs. ROBERT BYRD without recalling how they came to be together. He used sweets to get to her heart.

In school, a young ROBERT BYRD used to take sweets from a fellow classmate but he wouldn't eat them. He would store them up and give them to Erma when he met her in the hall. Years later he would say: ''That's the way you court a girl—with another boy's bubble gum.''

I have said many times that the Members of this Chamber are a family. And what an amazing example of family we have in Senator BYRD and Erma.

For 68 years of marriage, they have set a high standard for us all. It is a tribute to their love for each other, and for the rich, productive life they have enjoyed.

I congratulate them once again and pray for many more years of happiness together.

MEMORIAL DAY

Mr. BYRD. Mr. President, this coming Monday, Americans across the Nation will hang flags at their doors and place small flags and flowers on the gravesites of loved ones and soldiers in a tradition that stretches deep into history, perhaps back to the advent of warfare.

The selection of the last Monday in May is unique to the United States, but remembering and honoring those fallen in battle is deeply ingrained in the human heart. On this day, these sons and fathers, uncles and brothers and, more recently, daughters and mothers, aunts and nieces are family members to us all. Lost to us too early, their images remain frozen in time, young faces trying to look stern in crisp uniforms. Their sacrifices on battlefields from the Argonne to Tripoli, Pearl Harbor to Iwo Jima, Porkchop Hill to Hamburger Hill, Kabul to Baghdad have kept the Nation safe and carried the American ideals of liberty and democracy across the surface of the globe.

This week, as the Senate struggled and ultimately overcame an arcane but fundamental challenge to our constitutional system of checks and balances, we have, I believe, honored the memory of all of those soldiers, sailors, airmen and Marines. They defended the Nation and the Constitution from without; a bipartisan group of Senators this week defended it from within, thank God.

I rejoice that 14 Senators could rise above partisan politics to understand and preserve the carefully crafted balance of powers inscribed in our Constitution. Without the Constitution, the millions of lives and billions of dollars spent over the years on our Nation's defense, the flower of our youth and our hard-earned treasure, would have gone for naught. Our form of Government, acknowledging the might of the majority but protecting the rights of the minority, balancing populous States against States with smaller populations, preserving the voice and will of the people as the ultimate check against the rise of a tyrant king, that is our greatest treasure. It is the preservation of our form of Government that merits committing our young to the bloody horrors of battle.

It is perhaps appropriate, in this context, that the Senate's battle is concluded just before Memorial Day, which originated after our Nation's most divisive and bloody war ever fought on our home soil. The Civil War pit over 2.2 million Union soldiers against just over 1 million Confederate soldiers, resulting in almost 600,000 deaths, a third in battle and the rest from war's accompanying furies of disease and privation. It is a tribute to the heart's powers of healing that soon after the war, individuals and communities could put aside their differences in the graveyard and simply mourn their losses together.

Over 42 million American patriots have risked their lives for our Nation since the Revolutionary War. Over 17 million war veterans, of among over 25 million veterans of military service, live among us still. I salute them all, and thank them and their families for their bravery and their patriotism.

Of the 42 million Americans who saw battle during their military service, over 650,000 died in battle. That is 650,000 families who received the terrible news that their loved one had been killed. In World War II, the tragic news often came by telegram, and Americans learned to dread the sight of those envelopes.

As of May 23, 2005, in connection with Operation Iraqi Freedom, 1,623 families have answered the door to the solemn faces of two officers whose hard duty it is to report the tragic news that another life has been lost. Another 186 families have gotten the same sad news coming from Operation Enduring Freedom in Afghanistan. My prayers go out to these families. There are no words that can console the grieving heart at times like these. The widow's flag, folded with care after a military ceremony, offers little comfort. But these brave men and women, and the families they leave behind, are part of a long chain of sacrifice and grief that firm the resolve of the Nation. Never should we forget their service to the Nation and the Constitution. Never should we squander their sacrifice on momentary partisan advantages that erode the integrity of the Constitution and, in turn, the continued health and vitality of our form of government.

On this Memorial Day, and on every Memorial Day, I urge Americans to put out their flags and to honor the fallen. I further urge them, in the spirit of those first Memorial Days, to put aside partisanship in favor of true patriotism, and to love and preserve our Nation and our Constitution in a lasting tribute to those who have given their lives in its defense.

As is my custom on these occasions, I would like to close with a poem. This piece is by Edgar Guest, and is called, ''Memorial Day.''

MEMORIAL DAY

The finest tribute we can pay
Unto our hero dead today,
Is not a rose wreath, white and red,
In memory of the blood they shed;
It is to stand beside each mound,
Each couch of consecrated ground,
And pledge ourselves as warriors true
Unto the work they died to do.

Into God's valleys where they lie
At rest, beneath the open sky,
Triumphant now o'er every foe,
As living tributes let us go.
No wreath of rose or immortelles
Or spoken word or tolling bells
Will do today, unless we give
Our pledge that liberty shall live.

Our hearts must be the roses red
We place above our hero dead;
Today beside their graves we must
Renew allegiance to their trust;
Must bare our heads and humbly say
We hold the Flag as dear as they,
And stand, as once they stood, to die
To keep the Stars and Stripes on high.

The finest tribute we can pay
Unto our hero dead today
Is not of speech or roses red,
But living, throbbing hearts instead,
That shall renew the pledge they sealed
With death upon the battlefield;
That freedom's flag shall bear no stain
And free men wear no tyrant's chain.

''No Tyrant's Chain.''

I yield the floor.

CONGRATULATIONS TO BETTY SIEGEL

Mr. ISAKSON. Mr. President, I rise to memorialize in the RECORD of the Senate the name of a great educator in the State of Georgia. Two weeks ago at the commencement exercises of Kennesaw State University in Kennesaw,

GA, a lady by the name of Dr. Betty Siegel announced at the end of that commencement her retirement as president of Kennesaw State University after 25 years of service.

One might think in listening to that, well, that is a nice accomplishment, but is that so significant? I will talk for a minute about how significant this woman's life and her contributions have been.

Twenty-five years ago there were not many women presidents of any colleges or universities in the United States of America. In fact, Betty Siegel became the first president of a public university in the history of the university system of Georgia. She took the leadership of a small, urban campus, nonresidential, known as Kennesaw State College, with students numbering 4,000, handing out a handful of degrees, most all to computer learners.

As Dr. Siegel announced her retirement 2 weeks ago, she leaves a university with 18,000 students, third only to the University of Georgia and Georgia State University in population in our State, granting multiple degrees and a forerunner in our State in nursing, in education, in family business, in leadership, and in ethics.

Betty Siegel graduated from Wake Forest with an undergraduate degree and went to the University of North Carolina for her master's and doctorate from Florida State. She taught, she became a dean, throughout the southeastern United States. But when she was tapped, it was not only the right person for the time, it was the best decision possible. She broke the glass ceiling for women presidents at universities and colleges in Georgia because now we have many. She was the forerunner.

She built an urban university that was nonresidential and commuter into a combination commuter and residential university of renown and respect all over the United States.

While she did it, she did just a few other things. She got appointed to five corporate boards because of her contribution, her intellect, her knowledge, and her breadth and depth. She became president of a Chamber of Commerce. How many times have you heard of a college president or university president going on to be the president of a local community Chamber of Commerce? This happens to be the second largest Chamber of Commerce in the State of Georgia. But that is how remarkable Betty Siegel is.

I also mentioned in my remarks earlier that Kennesaw was the leader in leadership and ethics. They are because Betty Siegel found a way, through corporate and private donations, to endow a chair and build a school committed to leadership in ethics, in business, and in public life.

Through her commitment to understand the strength of small business and the fact that it is the heart of American employment, she founded, in our State, at her university, a division of family business, second to none, that today is the resource for families who try to make those transitions from one generation to the next, to make the transition from small business to medium-sized business to large business, or to seek the guidance that is so unique for small family businesses. And Kennesaw State University is that institution.

But I want to tell you something about Dr. Betty Siegel.

Retirement is not quite the appropriate announcement because she has never retired from her commitment in her life to young people and to their education, and she will not now. Because when asked, after her announcement—within minutes—well, what are you going to do? She said: I am going to teach. I am going to work with young people. I am going to try to make their lives better.

After making that announcement, she spent the next week overnight in a dorm with students, asking how she could advise the next president to make the services of Kennesaw State University even better for the students who will enter in the fall of 2005 and go on to 2006.

It gives me a great deal of pleasure and it is a privilege to recognize on the Senate floor the contributions of Dr. Betty Siegel to the children of Georgia, her contributions to higher education, the ceiling she broke for women in academics in our State, and, most importantly, all of her continuing capacity to helping and teaching our young people.

HONORING OUR ARMED FORCES

SPECIALIST TRAVIS ANDERSON

Mr. SALAZAR. Mr. President, I rise today to take a moment to remember one of our fallen heroes, a young man from my home State and my native San Luis Valley, SPC Travis Anderson.

Specialist Anderson was killed in Iraq on May 13, 2005. He was 28 years old and a native of Hooper, CO, a small town of 123 not much different from where I grew up in the San Luis Valley.

A terrorist car bomb struck his HumVee, killing him and wounding several fellow soldiers in the vehicle with him. All of us were fortunate to be blessed by his life and we are all saddened by his loss. He exemplified courage, discipline and patriotism, some of the finest qualities that we prize in Colorado and across this Nation.

Specialist Anderson—''Loopie'' to his family and friends and ''Cowboy'' to his fellow soldiers in Bravo Company, 3rd Infantry Division—was the kind of man that makes all of Colorado proud.

His family and friends remember that Travis was a rambunctious youngster. He went on to work as a farmer and ranch hand in Montana and Nevada. He worked hard to earn his high school diploma and even defeated the hantavirus, which at one point reduced him to a mere 100 pounds.

But after those horrible hours on 9/11, Specialist Anderson heard a higher calling, one above his own self interest, and he enlisted in the Army at 26. In the Army, he flourished into a man of discipline and initiative.

He had the admiration and respect of his fellow soldiers and superiors. ''Sometimes I wish we had a whole platoon of him,'' said SSG Jeremy Schultz, who served with Specialist Anderson in Iraq. Don't we all; don't we all.

Specialist Anderson of the Army's 2nd Battalion, 7th Infantry Regiment, 1st Brigade, 3rd Infantry Division was training with the Special Forces when he was killed earlier this month. He was awarded the Bronze Star posthumously. He came from humble beginnings and aspired to quiet greatness with an even greater heart.

President John F. Kennedy once said, ''Every area of trouble gives out a ray of hope, and the one unchangeable certainty is that nothing is certain or unchangeable.'' SPC Travis Anderson exemplified this in his mission of service to his nation. He will be missed by all those around him and he and his family will remain in our prayers. And to his family and friends, I say, on behalf of a grateful nation: thank you for sharing Travis with us.

MEMORIAL DAY 2005

Mr. AKAKA. Mr. President, I rise to recognize the significance of Memorial Day and to remember the Americans it commemorates. In just a few days, we will come together as a Nation to pay tribute to the courageous men and women who fought and died for our country. Too often we take for granted the freedoms we, as Americans, enjoy, too often we forget those who gave their lives to secure this liberty.

America has honored its fallen soldiers with a Memorial Day, sometimes called Decoration Day, since the Civil War. Though we are grateful to these heroes each and every day, it was recognized that we should set aside 1 day in particular, the last Monday in May, to be especially mindful of the brave soldiers, sailors, airmen, and marines who paid the ultimate price for their fellow citizens.

During a time when we continue to lose more of our friends, family and neighbors in combat overseas, I am especially mindful of the sacrifices made by our men and women in the military. I served in World War II, and I have seen firsthand the bravery and selflessness that is a common thread in our military personnel. Though I was lucky enough to return home, not a day passes when I do not think of my comrades who were not as fortunate, and I am eternally grateful to them.

On this earnest occasion, I would like to draw attention to what we can do for those veteran soldiers still with us so that we do not disrespect the sacrifices made by those we have lost. We must provide full funding for veterans' health care. Every year the President sends forward his budget proposal to

Congress, and every year we go through the same struggle to get VA health care the money it needs to adequately serve its veteran patients. We must change the way funds are allocated so that all of our veterans are guaranteed the care they so clearly deserve.

I want the 115,000 veterans who choose to make Hawaii their home to be assured that they will receive the services they have earned. The nearly 18,000 veterans who avail themselves of VA health care on Oahu, the Big Island, Kauai, and Maui should not have to worry if resources for doctors and nurses will materialize next year. The reservists and guardsmen who are deployed for the current wars in Iraq and Afghanistan also must receive the care they need upon their return. And the fact that a whole population of veterans is denied care because VA does not have adequate funding is shameful.

Memorial Day is a day of both sorrow and joy. We mourn those we have lost in battle, and we celebrate the freedoms we currently enjoy thanks to those brave individuals. As we gather together over the long weekend to celebrate this important holiday, let us make sure to take a moment to remember and thank those who lost their lives in order to secure our futures. Then, for the rest of our tenure in Congress, let us not waiver from the commitments made to these brave men and women in terms of programs, services and benefits.

MEMORIAL DAY

Mr. KERRY. Mr. President, Memorial Day is a day of mixed emotions: sorrow for the families whose sons and daughters have given their lives for our country, coupled with universal pride in the great Americans who for generations and particularly today teach us the full meaning of service and sacrifice. The courage and bravery of our young men and women fighting overseas continues to inspire all of us, and indeed inspire the free world and those yearning for freedom.

America's fallen soldiers shouldered a responsibility greater than any of us will ever know. Their families, their units, and their nation depended on them, and they answered the call of duty with selflessness and devotion. Our soldiers did not shirk from this responsibility, and all the uncertainty, danger and honor that came with it. Their families remember them as special sons and daughters, brothers and sisters, husbands and wives, and cherished friends. Their Nation remembers them as special citizens. Grown men will touch their names etched on granite walls and will today weep for fallen comrades who gave their lives so that others can live.

In this time of war, and in memory of our fallen heroes, we must be mindful to do everything in our power to keep our troops safe as they keep us safe. We must do better to take care of their families, who sacrifice in ways too many to count.

While we can never repay our Nation's debt to families who have made the ultimate sacrifice, we must always remember the legacy of their fallen sons and daughters: a safer and freer world. On this Memorial Day, I believe it appropriate to take a small step in that direction by recognizing in the record those exceptional individuals from Massachusetts who this year gave their lives, and earned the eternal gratitude of the American people:

Arredondo, Alexander S., Lance Corporal, USMC, 25-Aug-2004—Randolph, MA; Connolly, David, S., Major, USA, 6-Apr-2005—Boston, MA; Cunningham, Darren J., Staff Sergeant, USA, 30-Sep-2004—Groton, MA; Depew, Cory R., Private, USA, 04-Jan-2005—Haverhill, MA; Desiato, Travis R., Lance Corporal, USMC, 15-Nov-2004—Bedford, MA; Farrar Jr., Andrew K., Sergeant, USMC, 28-Jan-2005—Weymouth, MA; Fontecchio, Elia P., Gunnery Sergeant, USMC, 04-Aug-2004—Milford, MA; Fuller, Travis J., 1st Lieutenant, USMC, 26-Jan-2005—Granville, MA; Gavriel, Dimitrios, Lance Corporal, USMC, 18-Nov-2004—Haverhill, MA; Johnson, Markus J., Private, USA, 1st Class, 01-Jun-2004—Springfield, MA; Lusk, Joe F. II, Captain, USA, 21-Jan-2005—Framingham, MA; Moore, James M., Colonel, USA, 29-November-2004—Peabody, MA; Oliveira, Brian, Corporal, USMC, 25-Oct-2004—Raynham, MA; Ouellette, Brian J., Petty Officer, 1st Class, USN, 29-May-2004—Needham, MA; Palacios, Gabriel T., Specialist, USA, 21-Jan-2004—Lynn, MA; Schamberg, Kurt D., Sergeant, USA, 20-May-2005—Melrose, MA; Sullivan, Christopher J., Captain, USA, 18-Jan-2005—Princeton, MA; Vangyzen IV, John J., Lance Corporal, USMC, 05-Jul-2004—Bristol, MA; and Zabierek, Andrew J., Lance Corporal, USMC, 21-May-2004—Chelmsford, MA.

THE PASSING OF A GREAT AMERICAN SOLDIER—ARMY COLONEL DAVID H. HACKWORTH

Mr. GRASSLEY. Mr. President, I was very sad to learn that Colonel Hackworth had died on May 4, 2005, in Tijuana, Mexico.

Tijuana is the place where Colonel Hackworth chose to make his last stand. He went there to fight one last battle. He had a particularly deadly form of cancer that spread. He went to Mexico, hoping for a miracle with an experimental drug treatment program.

Just before leaving his home in Connecticut for the last time in January 2005, he sent me one final message:

> Give Senator Grassley my best. Have run out of conventional options re my cancer. Got until March to find a solution. Off to Mexico to see if we can't out Gee this monster. I am not sweating my final orders from Headquarters. It has been a fun ride. Plan on being planted in Arlington.

''Out-Geeing the G'' was one of Colonel Hackworth's favorite expressions.

He invented the term while leading troops in combat during the Vietnam war. He told his troops that they could beat the Viet Cong by using the guerrillas' own mobile, hit-and-run tactics. ''We are going to do what they do but just do it better,'' he said. '' We out-gee the G.''

''Out-geeing the G'' was the heart and soul of Colonel Hackworth's brand of soldiering.

Sadly, Colonel Hackworth was not able to ''out-Gee'' the enemy this time.

Colonel Hackworth began his military career just up the coast from Tijuana—in Santa Monica, CA.

At the age of 10, after Japan's attack on Pearl Harbor, he worked as a shoeshine boy at a military post there where a group of soldiers adopted him as a mascot. They had a special uniform made for him to wear. Both his parents died before his first birthday.

At this point in his life, Colonel Hackworth said: ''I knew my destiny. Nothing would be better than to be a soldier.''

You can't utter the name David Hackworth without also saying the word soldier in the same breath. He was a ''soldier's'' soldier.

He was a soldier from the day he put on that special uniform in Santa Monica to the moment he died. He may have taken off his uniform after publicly denouncing the Vietnam war on national TV in 1971, but he continued to soldier until the very end of his life.

I know that Colonel Hackworth was a highly respected combat veteran. I know he distinguished himself as a leader of troops in the field in Korea and Vietnam. I know he was awarded a large number of combat decorations for valor.

Colonel Hackworth was a true American hero.

But I do not want to leave my colleagues with a false impression.

I did not know Colonel Hackworth when he was fighting wars and winning medals for valor. I have only read about that part of his life. I did not meet him until much later—after he had started a new career.

I came to know Colonel Hackworth after he became a reporter and began covering the Pentagon.

He was still a soldier all right—but a different kind of soldier.

Colonel Hackworth had become what I would call a brave-hearted soldier for the truth.

When I met him, he had taken off his uniform. He was fighting a different kind of war. He was a soldier in civilian clothes. But he still had a mission. He wanted to bring truth, justice, and accountability to military headquarters—the Pentagon. He wanted to shed some light on what he perceived as gross incompetence and corruption on the part of some senior officers.

He was a contributing editor and reporter for Newsweek Magazine and syndicated columnist.

Colonel Hackworth and I shared a small piece of common ground—watchdogging the Pentagon.

From the moment when I was first elected to the Senate, I have worked

very hard to ferret out fraud, waste, and abuse at the Pentagon and stop it. I do it because I don't want to see a single tax dollar wasted.

Colonel Hackworth attacked the very same problem but from a different angle.

As in everything he did, he always looked at a problem from a common soldier's perspective.

As I said, his main concern was incompetence and corruption among some senior officers in the Pentagon. He called them ''perfumed princes.'' These were some of the same officers he saw come and go in Vietnam. They came to Vietnam to get their ''tickets punched.'' They got their ''tickets punched'' by commanding a battalion or brigade for a shortened tour of duty before rotating home to the Pentagon for promotion.

To the hardcore soldier like Colonel Hackworth, ''ticket punching'' in Vietnam translated into unnecessary casualties on the battlefield. The wasting of one soldier's life produced real fury inside this man. He could not—and would not—tolerate it.

One illustrative incident, which occurred in Vietman, is described in his book ''About Face.''

During a very intense combat operation, a ''perfumed prince'' riding in a helicopter overhead issued an order to a unit under Colonel Hackworth's command—without Colonel Hackworth's knowledge or approval. That order resulted in a significant loss of life in one of Colonel Hackworth's units.

Colonel Hackworth believed that those casualties were avoidable and unnecessary.

When he returned to home base, he sought out that officer, put a 45 caliber weapon to his head, and threatened to kill him if he ever did anything like that again.

That is Colonel Hackworth's own account of what happened on that day so long ago.

Colonel Hackworth loved his troops above all else and would go to any length to protect them from harm and abuse.

His lifelong commitment to the common soldier was the driving force behind the stories he produced as a reporter with Newsweek and other publications.

In Colonel Hackworth's mind, the terrible loss of life in Vietnam had its origins in a disease that he set out to cure—the gross incompetence and corruption—that he perceived at the highest echelons in the Pentagon.

Colonel Hackworth was determined to wipe it out and right a wrong.

Over the years, we collaborated on a number of investigations. The one I remember best is the one involving Air Force General Joseph Ashy in 1994–95.

Colonel Hackworth conducted his own investigation. He gathered the facts and the documents. I, in turn, referred Colonel Hackworth's allegations to the inspector general, IG, for review.

This is what Colonel Hackworth reported in the press:

> General Ashy flew himself, his aide and family cat from Italy to Colorado aboard a 200-seat Air Force plane; he flew his wife round-trip on an Air Force VIP aircraft from Colorado to Washington; and he made palatial renovations at his headquarters.

The IG concluded that General Ashy's ''wasteful escapades'' cost the taxpayers $424,602.00.

Colonel Hackworth found out about General Ashy's ''escapades'' from one of his beloved soldiers who was denied a seat—and free ride home—on Ashy's airplane.

Colonel Hackworth's comments were as follows:

> The taxpayers got ripped-off for almost a half a million bucks by a member of our military elite and virtually nothing is being done about it. . . . The Air Force spinmeisters lied through their teeth about what General Ashy did. . . . Besides being a blatant waste of money, this incident is about deception and the art of diffusing responsibility. . . . Ashy was fined a mere $5,020.00 and continues to have four stars and his finger on the nuclear button.

General Ashy wrote out a check for the fine and sent it to Air Force Headquarters on June 26, 1995. However, instead of depositing his check at the bank, the check was stashed in a safe in Air Force Secretary Sheila Widnall's office—for what I suspect was permanent safekeeping. At my request, the IG began making new inquiries and the check finally went to the bank on September 15, 1995.

This great American soldier told us—in ''plain old English''—what he expected from the top brass at the Pentagon. He expected them to lead by example. If they failed his leadership and integrity test at headquarters, he believed they would fail on the battlefield.

His pronouncements were blunt, for sure. They were almost always harsh and sometimes coarse. But they always conveyed an important lesson tempered by battlefield experiences. So I listened and learned. His opinions on the Pentagon brass had credibility in my book. He had put them to the ultimate test on so many distant battlefields. That was good enough for me.

The lessons taught by this great American soldier are lessons that will stand the test of time. Setting the example has been the most powerful element of leadership since the beginning of time. Colonel Hackworth kept going back to those enduring principles. As a Nation, we must do the same. We must rely on those ideas. They are too important to be forgotten. They must be followed.

Colonel Hackworth was a constant and forceful reminder of just how important those principles really are.

The memory of Colonel Hackworth and all that he stood for lives on in our hearts and minds.

Colonel Hackworth has left us. His remains will be laid to rest in Arlington National Cemetery on May 31. But he will not be forgotten. He will never fade away.

COLONELONEL DAVID H. HACKWORTH

Mr. LIEBERMAN. Mr. President, I rise to pay tribute to a true American hero, COL. David H. Hackworth, who spent his last years in Connecticut. Colonel Hackworth was one the most legendary and highly decorated soldiers of the U.S. Army. As Memorial Day approaches, there is no better time to remember the sacrifices, courage and tactical genius of this legendary soldier who spent more than half a century fighting on the world's most dangerous battlefields. As World War II was coming to a close, a 14-year-old David Hackworth lied about his age to join the Merchant Marine and a year later joined the U.S. Army—spending the next 26 years fighting our nation's battles. A true leader, ''Hack'' as he was known, received a battlefield commission in Korea to become the Army's youngest captain and was promoted in Vietnam to the Army's youngest full colonel. Three times he was nominated for the Medal of Honor. His decorations are numerous and include the Army Medal of Valor, the Distinguished Service Cross, ten Silver Stars, eight Bronze Stars and the United Nations Peace Medal. But the awards of which he was proudest are his eight purple hearts and the Combat Infantryman's Badge. Mr. President, As you know, there is only one way to get this badge: serve 90 days in a front-line infantry unit under fire and survive.

In just one example of his bravery, Colonel Hackworth got out on the strut of a helicopter to drag to safety his men who were pinned down and facing certain death. It is no wonder, Colonel Hackworth has so many supporters.

But these statistics do not capture the Colonel Hackworth, the iconoclastic straight talker, who lead from the front and spoke from his heart. One of the most telling stories about Colonel Hackworth's leadership was his transformation of the 4/39 Infantry Battalion from a demoralized outfit into an effective counter-insurgency fighting force that routed enemy units in the jungles of Vietnam. Colonel Hackworth's training methods and tactics were so successful, he wrote them down in a book ''The Vietnam Primer'' that is still read by commanders today.

GEN. Hal Moore, the coauthor of ''*We Were Soldiers Once and Young,*'' called him ''the Patton of Vietnam,'' while General Creighton Abrams, the last American commander in that disastrous war, described him as ''the best battalion commander I ever saw in the United States Army.''

Gruff and full of purple prose, Colonel Hackworth ran afoul of the Army's top leadership and retired following a confrontation in which he said in 1971 that the Vietnam War was hopeless. Often called the champion of the common soldier, ''Hack'' spoke truth to power. After leaving the service, Colonel Hackworth launched himself into new careers as a journalist, businessman, restaurateur and best-selling author as

he cast his sharp and experienced eye on the military-industrial complex. He always cast a glaring spotlight on concerns when the ''grunts'' were not getting the equipment they needed to do their jobs.

I extend my deepest condolences to Colonel Hackworth's wife, Eilhys England, and his many children, step-children, grandchildren and step-grandchildren. But of all the tributes I know will come Colonel Hackworth's way, I think the tribute he would appreciate most will be from the average soldier whose loyalty he earned in combat and whose welfare became his life's cause in his retirement, for he knew they are the men and women who are out on point securing our Nation's freedom.

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.

A 35-year-old gay man was walking to his Boston home when three young men approached him, knocked him to the ground, and repeatedly kicked him in the face. Although he was yelling for help and near several homes, no one came to his aid. The perpetrators fled and left the victim with multiple contusions and internal bleeding in his face. Neither possessions nor money was stolen.

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.

REPEALING D.C.'S LOCAL GUN SAFETY LAWS

Mr. LEVIN. Mr. President, legislation has been introduced that would repeal nearly every gun safety law in the District of Colombia. Sadly, the bill was introduced during the celebration of National Police Week and just days after 153 law enforcement officers who died in the line of duty in 2004 were honored at the National Law Enforcement Officers Memorial.

The misnamed ''District of Colombia Personal Protection Act'' would repeal local laws in Washington, DC that ban the sale and possession of unregistered firearms, require firearm registration, impose commonsense safe storage requirements, and ban semiautomatic weapons in the District. Should this bill become law, those who live and work in our Nation's capital as well as tourists and other visitors would face a greater threat of gun violence.

In a statement last week, DC Mayor Anthony Williams said, ''I am incensed by any congressional proposal that uses District residents as pawns. I am incensed by any proposal that assaults Home Rule. And I am incensed by any proposal that is an insult to the memory of the people who have died in this city due to gun violence—in particular the three children who have died from gun violence this year.''

Instead of interfering in local affairs in Washington, DC, the Senate should focus its energies on legislation on improving the safety of the families and communities across the Nation. The Senate has yet to consider several common sense gun safety measures during this Congress. Among these are proposals that would reauthorize the 1994 assault weapons ban, prohibit the sale of the Five-Seven armor-piercing handgun, and help investigators working to prevent attacks by terrorists using high powered weapons. I urge the Senate to take up and pass these bills to make our Nation safer.

CONGRATULATIONS TO ROBERT FOUST

Mr. CONRAD. Mr. President, today I want to pay tribute to an exceptional member of my staff who is retiring at the end of this month after 33 years of service to the Senate.

Bob has worked in the Senate for a period of 40 years, starting as an intern in the 1960s, and then working full time for Senator Claiborne Pell for 19 years from 1970 to 1989. After taking 2 years to travel the world, it was my great good fortune that Bob volunteered to join my staff in the spring of 1991.

At the time, Bob told me he was looking to complete 20 years of Senate service. I do not think either he or I thought that he would be with me for 14 years. But I could not be more pleased that Bob decided to stay.

During his tenure in my office, he has worked on education, veterans, and international affairs issues. His work on all these issues has been outstanding. On veterans and education issues, in particular, he has developed a long list of legislative victories both small and large.

Bob has a gift for seeing legislative opportunities. One example I will never forget involves the V-chip. For years, I had heard from parents, educators, health care professionals and religious leaders about their concerns regarding the influence of television violence on young people. In response, Bob helped me form a steering committee of interested individuals and organizations to talk about possible approaches to help shield children from gratuitous violence on television. And we developed V-chip legislation. During the debate on the 1996 telecommunications bill, I offered my amendment to require that the V-chip be included in TVs so that parents would have the ability to block out violent shows. When I offered the amendment, the so-called experts told us not to push forward—that the amendment couldn't pass. But Bob advised me to move forward. And when the roll was called, the amendment passed by a strong 73 to 26 margin, and was then enacted into law.

Bob's attention to North Dakota's veterans has paid off in greatly improved facilities around the State. When Bob learned that the VA was considering closing VA facilities that were not up to current standards, he alerted me and helped me lead the fight for a $12 million renovation at the Fargo VA Medical Center. These renovations, which will be finished later this year, have dramatically improved the facility for our veterans. Bob has also been very concerned about the long travel times facing the many North Dakota veterans who live in rural areas. From his first day in the office, he pushed hard to expand services for rural veterans through the Community Based Outpatient Clinics, CBOCs. To date, as a result of Bob's hard work, we have secured three CBOCs at Minot, Grafton and Bismarck. And the VA's CARES, Capital Assets Realignment for Enhanced Services, Commission has approved five new clinics at Williston, Jamestown, Devils Lake, Grand Forks AFB, and Dickinson. Finally, Bob has had great compassion for the most vulnerable among our veterans—homeless veterans—and has constantly looked for ways to help them. Most recently, he worked with Centre, Inc. in Fargo to shepherd through a $1.6 million grant to renovate a facility that will house a 48-bed shelter for homeless veterans.

On education, he was constantly looking for ways to help North Dakota's teachers, whether it was bringing information technology to classrooms or advocating for appropriate implementation of the No Child Left Behind Act. Bob conceived of the Rural Education Achievement Program and built a coalition that helped me enact this important legislation during the 106th Congress. Almost 80 percent of North Dakota school districts have 600 students or less. Under the REAP program, small, rural school districts are entitled to consolidate funding from Federal education programs to make more efficient use of the funds. In the first 3 years of the REAP program, more than 270 North Dakota schools benefitted from approximately $2.7 million in funding.

Bob's commitment to education also carried over to the intern program. As he had in Senator Pell's office, Bob volunteered to coordinate my Washington intern program. Bob devoted significant time and effort to ensuring that interns in my office had a terrific learning experience. In fact, Bob's example has inspired dozens of former interns to seek careers in public service. Interns from 10, 20 and even 30 years ago stop by frequently just to say hello

and let Bob know what they are doing now.

But Bob's importance to me and my office cannot be captured by simply cataloguing his many accomplishments. During his time working in the Senate, Bob Foust has been the consummate professional. He stayed in constant touch with North Dakota leaders on the issues he covered. Time after time, he would learn of a problem and immediately go to work finding a solution. If Federal services were not being delivered effectively, Bob would work with the agency to make sure North Dakotans got the services they deserved. If a Federal program did not work for North Dakota, Bob would draft legislation to fix the problem, and work tirelessly until the Conrad amendment was signed into law.

Finally, and most importantly, Bob Foust is an outstanding person. He has worked quietly and tirelessly behind the scenes to make things happen, and was always happy to divert all the credit to others. He has been tremendously loyal, tremendously dedicated, and a passionate advocate for the people of my State. He has never forgotten that he is working for the American taxpayer. And he has been a good friend and a mentor to others on staff.

With extraordinary gratitude for his years of service, I wish Bob well as he moves on to the next stage in his life and career.

BANKRUPTCY LEGISLATION

Mr. KENNEDY. Mr. President, during the floor debate on the recently passed bankruptcy bill, an important letter from a number of medical and law professors regarding the high number of debtors who are forced into bankruptcy due to the cost of health care was discussed on numerous occasions. The letter was addressed to Senator GRASSLEY and points out a number of the professors' concerns with the findings of the U.S. Trustee Program related to medical debt.

Since it is such a valuable document, it is important that this letter be printed in the RECORD so that all people have access to it. Mr. President, I ask unanimous consent that the letter be printed in the RECORD.

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

FEBRUARY 14, 2005.

Hon. CHARLES E. GRASSLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRASSLEY: Thank you for distributing a copy of the letter from the Office of Legislative Affairs with the summary sheet on the medical debt findings from the U.S. Trustee Program. Because each of us has devoted some years of scholarly research to the questions about families in financial trouble because of medical debts, we have been asked to review this letter. We know that you are deeply concerned about the families who file for bankruptcy in the aftermath of a serious medical problem, and we are glad to help in any way we can. We are also very glad that you have encouraged the U.S. Trustee Program to produce additional data related to this issue. Like earlier studies that also used petition and schedule data to explore the role of medical debt in bankruptcy, these data provide further evidence of the large number of families that are facing financial collapse following a serious medical problem. Because of limitations in the data used, however, these findings also significantly underreport both the breadth and impact of medical bankruptcies.

The U.S. Trustee sample is limited only to Chapter 7 cases. In part because of time lost from work due to illness, accidents and layoffs, on average, these families have an annual median income of about $19,000. This means that the average medical debt identified by the U.S. Trustee (average $5000 for those with medical debt) is quite substantial for many families trying to cope with medical problems. Earlier reports from the U.S. Trustee's Chapter 7 data and independent studies are consistent with the finding that debts owed directly to medical providers appear in a significant portion of the sampled cases and that the amounts can be quite substantial.

As helpful as these data may be, however, we are reminded that they document only a small portion of the financial difficulties facing families in the aftermath of serious medical problems. As early as 1991, researchers recognized that they could not rely on petition and schedule listings to determine the amount of medical debt families incurred. Petition data, like the kind used by the Office of the U.S. Trustee, exclude:

Prescription medications, which are charged on credit cards

Doctors visits, rehabilitation treatments, and other services charged on credit cards

Medical supplies, crutches; needles, and the like that are charged on credit cards

Hospital bills that are charged on credit cards

Second mortgages that people have put on their homes to pay off hospital bills and other medical expenses

Cash advances, bank overdrafts and payday loans that people have incurred to pay for medical services when they are delivered or to pay off medical bills that are outstanding

Third party specialty lenders that some hospitals now steer their patients toward when those patients are unable to pay

In addition, in our extensive work with court records we have observed that even very sophisticated debtors do not always list the original creditor on an account. Studies are finding high rates of debt collector usage among medical providers, and some collectors may have received assignment of the debt. The petition data, however, necessarily conceal:

Medical debts assigned to collectors that may be listed under the collectors' or the collecting attorneys' names, which may bear no medical reference whatsoever.

Medical debts for which the debtor has been sued and an attorney is now attempting to collect, for which the debtor lists the name of the attorney

The petition data also exclude other expenses that bear down on the families, including:

Medical expenses that families struggled to pay off, bankrupting themselves in the process by getting behind in mortgage, car payments, and other necessary expenses.

Direct but non-medical expenses of illness or injury, suh as the labor and material costs of building a ramp onto a home to make it wheelchair accessible, or the travel costs associated with transporting a critically ill child to a specialty facility.

Debts owed to providers that patients and their families omit from schedules (and thus generally are not discharged) out of fear of losing medical care.

Lost income of a sick person (or a caregiver), which may be a major factor in medical-related bankruptcy.

Debts for Chapter 13 filers, who were omitted from the U.S. Trustee report, but who also have reported a high rate of medical-related bankruptcy.

The petition data also omit data about some of the most pressing questions in health care policy debates. Petition data do not capture systematic information on insurance status, which is relevant to understanding the range of families at risk of health-related financial disaster including but not limited to bankruptcy. Similarly, petition data have no information on the diagnoses of the ill or injured people and the types of care and drugs they need, all of which are relevant to recognizing the magnitude of the problem.

Because the petition data provide so little information about medical bankruptcy, experienced empirical researchers in this field have come to realize surveying the debtors themselves is crucial to getting accurate data. The 2001 Consumer Bankruptcy Project study is the most extensive study to date on this issue. It used written questionnaires, court filing data, and detailed follow-up telephone interviews, a combination that offers a much richer understanding of how medical problems affect family finances. The survey instruments were designed to capture more accurately the direct costs of care by asking questions about medical debts within the prior two years of filing, or since illness onset, rather than being focused exclusively on what bills are identifiable as of the date of the bankruptcy petition.

When Mr. Moschella listed all the factors considered in the study recently reported in Health Affairs, describing it as using ''very broad definitions'' to describe medical bankruptcies, he did not make it clear that we reported the range of results that reflected inclusion or exclusion of various factors. He thus gave the impression we lumped them all together as ''medical bankruptcies.'' In fact, to accommodate the variety in the ways a ''medical bankruptcy'' might be defined, the recent Health Affairs paper reports a range from 46.2% to 54.5%—for the estimated percentage of bankruptcy filers affected by medical problems based on the 2001 study. The calculations of those numbers are explained in detail, and information is available to make other combinations. As the data from additional rounds of follow-up telephone interviews are analyzed, we will be able to offer an even more in-depth picture of these families' financial circumstances and the role of illness or injury.

Again, we extend our thanks to you for encouraging the development of additional data relevant to medical-related bankruptcy. We are prepared to assist your office in any way to evaluate these data or to consider policy changes to help families that currently are devastated financially by serious acute or chronic medical problems in their households.

Yours truly,

Dr. David Himmelstein, Associate Professor of Medicine, Harvard Medical School.

Dr. Teresa Sullivan, Professor of Sociology, The University of Texas at Austin, and Executive Vice Chancellor for Academic Affairs, The University of Texas System.

Professor Elizabeth Warren, Leo Gottlieb Professor of Law, Harvard Law School.

Dr. Steffie Woolhandler, Associate Professor of Medicine, Harvard Medical School.

Professor Melissa Jacoby, Associate Professor of Law, School of Law, University of North Carolina at Chapel Hill.

Dr. Deborah Thorne, Assistant Professor of Sociology, Ohio University.

Professor Jay Lawrence Westbrook, Benno C. Schmidt Chair of Business, University of Texas School of Law.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

Mrs. FEINSTEIN. Mr. President, I rise today to pay tribute to the millions of Americans of Asian and Pacific heritage for their significant contributions and service to strengthen this great Nation, and to join the Nation in celebrating Asian Pacific American Heritage Month.

First, I would like to take this opportunity to recall the pioneers of Asian Pacific American Heritage Month. Through their vision and leadership, Frank Horton, Norman Y. Mineta, DANIEL INOUYE, and Spark Matsunaga successfully empowered Asian and Pacific Islander Americans by establishing a period of celebration that recognized the many contributions Asian and Pacific Islanders have made for over a century.

They chose May to commemorate Asian Pacific Heritage Month because that is when the first Japanese immigrants came to the United States in 1843. It is also the anniversary of the completion of the transcontinental railroad in 1869.

This year's theme for Asian Pacific American Heritage Month, ''Liberty and Freedom for All,'' honors the remarkable accomplishments Asians and Pacific Islanders from all walks of life have made to their communities.

I want to pay particular tribute to the thousands of Asian Americans serving in our armed forces and thank them for their invaluable service for defending our country and securing freedom abroad.

The Asian American tradition of U.S. military service can be traced back as far as the War of 1812, and our country is grateful for the military service of more than 300,000 Asian Pacific American veterans.

We are particularly indebted to the famous ''Go for Broke'' 442nd regimental combat team of Japanese American soldiers of World War II. The 442nd regiment was the most highly decorated unit in American military history—with more than 21 Medal of Honor winners, including my dear colleague, U.S. Senator INOUYE.

In spite of the discrimination and racism of those tumultuous times, these Asian American service members performed above and beyond the call of duty.

I also want to take a moment and honor the memory of one of the Asian American community's greatest political leaders and a trusted colleague of mine, U.S. Representative Robert Matsui.

As a youth, Bob Matsui and his family were interned at Tule Lake Camp for more than three years during World War II, but Bob overcame these challenges to go on and pursue a distinguished career in public service. One of Bob's most significant legacies was his work prompting the U.S. government to make amends with Japanese Americans who were interned during World War II. It was due to Bob's dedication and perseverance that the U.S government finally issued a formal apology for the Japanese-American internment program and also provided due compensation to the victims of this policy.

In tribute to his outstanding achievements, Senator BOXER and I helped name the Federal courthouse in Bob's hometown of Sacramento in his honor. His work and his legacy will be fondly remembered and he serves as a shining example of the extraordinary achievements of Asian and Pacific Islander Americans.

This year, the Asian American community also saw the passing of the civil rights leader, Fred Korematsu. Mr. Korematsu's defiance of the ill-conceived Japanese internment policy during World War II was an incredibly courageous act. His challenge of the Japanese internment policy made its way to the U.S. Supreme Court, the highest court in the land. In recognition of his courageous actions, President Clinton awarded Mr. Korematsu the highest civilian honor, the Presidential Medal of Freedom, in 1998.

Mr. Korematsu and Bob Matsui are testaments to the remarkable display of courage, will, and determination of millions of Asian Americans to succeed in our country despite personal hardships and at times, discrimination.

Currently, Asian Pacific Islander Americans constitute one of the fastest growing minority communities in the United States, and I am proud to recognize the State of California as home to the greatest number of Asian Pacific Islander Americans. There are over 13 million Asian Pacific Islander Americans in the nation with more than 4.5 million living in California.

With this wealth of Asian American diversity, our State is enriched by many famous ethnic enclaves such as San Francisco's Chinatown, Westminster's Little Saigon, and the City of Artesia's Little India. In fact, the second largest populations of Filipino, Korean, and Vietnamese in the world are located in California.

In this congressional session, I am hoping to help preserve some of the unique Asian American immigration history in my State. Senator BOXER and I have introduced legislation to help provide Federal funding for the Angel Island Immigration Station, known as the ''Ellis Island of the West.''

The Angel Island Immigration Station, a national historic landmark, was the entry point for over 1 million immigrants from 1910–1940, including approximately 175,000 Chinese immigrants. Angel Island is a precious part of our Nation's history and tells the story of many people who came to America to make a better life for their families.

As we join the Nation in celebrating the rich and diverse Asian and Pacific Island cultures during Asian Pacific American Heritage Month, we are not only recognizing many notable achievements, but we are also reminded of the struggles and sacrifices endured to live and experience the American dream.

I am pleased to take this time today to honor the distinguished accomplishments of Asian Pacific Americans during this year's Asian Pacific American Heritage Month.

BUDGET SCOREKEEPING REPORT

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

This report shows the effects of congressional action on the 2005 budget through May 25, 2005. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2006 Concurrent Resolution on the Budget, H. Con. Res. 95.

The estimates show that current level spending is under the budget resolution by $5.106 billion in budget authority and by $72 million in outlays in 2005. Current level for revenues is $407 million above the budget resolution in 2005.

This is my first report for fiscal 2005 and I ask unanimous consent to have it printed with the RECORD corrections to the Senate Committee Allocation tables published on pages 88 and 89 of House Report 109–62, the Report to accompany H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006. The allocation amounts for the Finance Committee contained small numerical errors. The tables display the corrected Senate Committee allocations.

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

CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 26, 2005.

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

DEAR MR. CHAIRMAN: The enclosed tables show the effect of Congressional action on the 2005 budget and are current through May 25, 2005. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions for fiscal year 2005 that underlie H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006. This is my first report for fiscal year 2005.

Sincerely,

ELIZABETH M. ROBINSON
(For Douglas Holtz-Eakin, Director).

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2005, AS OF MAY 25, 2005

[In billions of dollars]

	Budget resolution [1]	Current level [2]	Current level over/under (−) resolution
On-budget:			
Budget Authority	1,996.6	1,991.5	−5.1
Outlays	2,023.9	2,023.9	−0.1
Revenues	1,483.7	1,484.1	0.4
Off-budget:			
Social Security Outlays	398.1	398.1	0
Social Security Revenues	573.5	573.5	0

[1] H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, assumed the enactment of emergency supplemental appropriations for fiscal year 2005, in the amount of $81,811 million in budget authority and $32,121 million in outlays, which would be exempt from the enforcement of the budget resolution. Since current level excludes the emergency appropriations in P.L. 109–13 (see footnote 2 of Table 2), the amounts specified in the budget resolution have also been reduced for purposes of comparison.

[2] Current level is the estimated effect on revenue and spending of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2005, AS OF MAY 25, 2005

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in Previous Sessions: [1]			
Revenues	n.a.	n.a.	1,484,024
Permanents and other spending legislation	1,109,476	1,070,500	n.a.
Appropriation legislation	1,298,963	1,369,221	n.a.
Offsetting receipts	−415,912	−415,912	n.a.
Total, enacted in previous sessions	1,992,527	2,023,809	1,484,024
Enacted This Session: Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (P.L. 109–13) [2]	−1,058	4	41
Total Current Level [2, 3]	1,991,469	2,023,813	1,484,065
Total Budget Resolution	2,078,456	2,056,006	1,483,658
Adjustment to budget resolution for emergency requirements [4]	−81,881	−32,121	n.a.
Adjusted Budget Resolution	1,996,575	2,023,885	1,483,658
Current Level Over Adjusted Budget Resolution	n.a.	n.a.	407
Current Level Under Adjusted Budget Resolution	5,106	72	n.a.

Notes: n.a. = not applicable; P.L. = Public Law

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

[2] Pursuant to section 402 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes $83,140 million in budget authority and $33,034 million in outlays from the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (P.L. 109–13).

[3] Excludes administrative expenses of the Social Security Administration, which are off-budget.

[4] H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2006, assumed the enactment of emergency supplemental appropriations for fiscal year 2005, in the amount of $81,811 million in budget authority and $32,121 million in outlays, which would be exempt from the enforcement of the budget resolution. Since current level excludes the emergency appropriations in P.L. 109–13 (see footnote 2), the amounts specified in the budget resolution have also been reduced for purposes of comparison.

Source: Congressional Budget Office.

SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 302 OF THE CONGRESSIONAL BUDGET ACT—BUDGET YEAR TOTAL 2005

[In billions of dollars]

Committee	Direct spending jurisdiction		Entitlements funded in annual appropriations acts	
	Budget authority	Outlays	Budget authority	Outlays
Appropriations: General Purpose Discretionary	840.036	929.520		
Memo:				
on-budget	835.610	925.115		
off-budget	4.426	4.405		
Agriculture, Nutrition, and Forestry	25.258	25.148	71.954	49.563
Armed Services	85.351	85.240	0.041	0.061
Banking, Housing and Urban Affairs	14.779	6.052	0.000	−0.047
Commerce, Science, and Transportation	13.635	8.218	1.082	0.889
Energy and Natural Resources	5.124	3.922	0.004	0.005
Environment and Public Works	39.395	2.056	0.000	0.000
Finance	820.964	821.356	350.443	350.266
Foreign Relations	10.785	11.054	0.172	0.172
Homeland Security and Governmental Affairs	71.750	70.621	18.219	18.219
Judiciary	6.009	6.076	0.578	0.564
Health, Education, Labor, and Pensions	13.952	13.946	3.988	3.889
Rules and Administration	0.076	0.019	0.113	0.112
Intelligence	0.000	0.000	0.239	0.239
Veterans' Affairs	2.161	2.190	36.996	36.924
Indian Affairs	0.555	0.562	0.000	0.000
Small Business	1.702	1.702	0.000	0.000
Unassigned to Committee	−434.360	−420.248	0.000	0.000
Total	677.136	637.914	483.829	460.856

SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 302 OF THE CONGRESSIONAL BUDGET ACT—BUDGET YEAR TOTAL 2006

[In billions of dollars]

Committee	Direct spending jurisdiction		Entitlements funded in annual appropriations acts	
	Budget Authority	Outlays	Budget Authority	Outlays
Appropriations: General Purpose Discretionary	842.265	916.081		
Memo:				
on-budget	837.689	911.494		
off-budget	4.576	4.587		
Agriculture, Nutrition, and Forestry	25.721	25.061	69.535	50.456
Armed Services	91.206	91.125	0.040	0.060
Banking, Housing and Urban Affairs	13.507	2.957	0.000	−0.014
Commerce, Science, and Transportation	13.078	7.575	0.928	0.921
Energy and Natural Resources	4.600	4.135	0.054	0.060
Environment and Public Works	39.389	2.154	0.000	0.000
Finance	921.388	923.342	401.199	401.160
Foreign Relations	11.532	11.939	0.174	0.174
Homeland Security and Governmental Affairs	74.698	71.791	18.611	18.611
Judiciary	7.387	6.528	0.580	0.592
Health, Education, Labor, and Pensions	13.180	11.578	4.100	3.979
Rules and Administration	0.072	0.015	0.118	0.117

SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 302 OF THE CONGRESSIONAL BUDGET ACT—BUDGET YEAR TOTAL 2006—Continued

[In billions of dollars]

Committee	Direct spending jurisdiction		Entitlements funded in annual appropriations acts	
	Budget Authority	Outlays	Budget Authority	Outlays
Intelligence	0.000	0.000	0.245	0.245
Veterans' Affairs	1.293	1.353	36.198	36.108
Indian Affairs	0.559	0.547	0.000	0.000
Small Business	0.000	0.000	0.000	0.000
Unassigned to Committee	−496.329	−484.403	0.000	0.000
Total	721.281	675.697	531.782	512.469

SENATE COMMITTEE BUDGET AUTHORITY AND OUTLAY ALLOCATIONS PURSUANT TO SECTION 302 OF THE CONGRESSIONAL BUDGET ACT—5-YEAR TOTAL: 2006–2010

[In billions of dollars]

Committee	Direct spending jurisdiction		Entitlements funded in annual appropriations acts	
	Budget Authority	Outlays	Budget authority	Outlays
Agriculture, Nutrition, and Forestry	111.747	111.108	341.876	260.136
Armed Services	494.585	494.199	0.200	0.270
Banking, Housing and Urban Affairs	74.258	9.668	0.000	−0.028
Commerce, Science, and Transportation	68.875	40.886	5.076	5.054
Energy and Natural Resources	19.461	18.898	0.268	0.277
Environment and Public Works	180.812	9.994	0.000	0.000
Finance	5515.613	5527.427	2424.576	2423.728
Foreign Relations	63.726	60.966	0.794	0.794
Homeland Security and Governmental Affairs	402.936	387.261	99.879	99.879
Judiciary	32.071	31.766	2.941	2.979
Health, Education, Labor, and Pensions	68.205	62.245	21.289	20.734
Rules and Administration	0.366	0.323	0.640	0.639
Intelligence	0.000	0.000	1.314	1.314
Veterans' Affairs	6.327	6.498	185.814	185.182
Indian Affairs	2.555	2.682	0.000	0.000
Small Business	0.000	0.000	0.000	0.000

SAN JUAN NATIONAL FOREST CENTENNIAL MONTH

Mr. SALAZAR. Mr. President, I rise today in recognition of one of our great national treasures. Next week, while the Senate is in recess, we will celebrate 100 years of the San Juan National Forest in my great State of Colorado. The people of southwestern Colorado will be celebrating this anniversary, as they should. I rise to underscore that I believe all Americans should celebrate this important milestone.

The San Juan National Forest was created 100 years ago on June 3, 1905, through Presidential proclamation by President Theodore Roosevelt. When you see it, you know why President Roosevelt set aside this remarkable place. It is located in southwestern Colorado on the western slope of the Continental Divide in one of America's most magnificent landscapes. The San Juan covers nearly 2 million acres, in an area more than 120 miles wide and 60 miles long. This unique scene includes alpine lakes, canyons, rapids, waterfalls, historic mines, and broad variations in elevation including mountain peaks of over 14,000 feet high.

Not only is it beautiful, but its rich history is deeply intertwined with the history of this great country. The San Juan was originally the homeland of the Ute Indians as well as an area that was frequented by the Navajo and Apache Tribes as well. Many pioneers who were looking for routes to the West traveled through the San Juan. Some of these individuals remained there establishing mining sites which contributed to development and a growing community.

The San Juan National Forest benefits the communities of southwestern Colorado through the supply of timber, minerals, oil and gas, grazing pastures, recreation, clean water and air and other natural resources.

All of these amenities offered by the San Juan National Forest are important to the quality of life and economic well being of southwestern Coloradans; this has been the case for the past 100 years, it is the case today, and hopefully will be true for the next 100 years.

I urge all citizens of Colorado and our Nation to join in the centennial celebration of the San Juan National Forest through the many activities scheduled for June 1–4, 2005, to celebrate this special place and show appreciation for our national forests.

Finally, this year also marks the centennial of the U.S. Forest Service, the Federal agency which manages the San Juan and 154 other National Forests across our country. I want to thank the dedicated men and women of our Forest Service for their extraordinary work and continued commitment to our precious lands.

NATIONAL FOSTER CARE MONTH

Ms. LANDRIEU. Mr. President, today I rise to bring your attention to National Foster Care Month. As we celebrate this National Foster Care Month, we must remember how far we have come, we must also remember how far we still have to go. In my 27 years as a public servant, I have had the opportunity to meet thousands of children in foster care. I have personally witnessed the sheer joy they find in having a ''forever family,'' and the utter pain when they do not. I firmly believe that there is no such thing as an unwanted child, merely unfound families. Let me tell you a story about one of these extraordinary children. A few years ago, a young woman named Sarah, who spent 14 of her 19 years of life in foster care, was asked by a Member of Congress what the word ''permanency'' meant to her. She said, ''many people in the system wrongly think that permanency means staying in one place for a long time, but to me, permanency means having someone to call when I am not sure if I should wash my new white skirt with a blue shirt, or to take me to Karate lessons, or to cry with me when I break up with my boyfriend.''

For those of us who have had that kind of permanency in our lives, living without it seems unfathomable. But the fact remains that each year, over 100,000 children in the United States are dreaming of that kind of permanency, 25,000 children leave the foster care system without ever having found it, and almost 600,000 go to bed every night wondering if they ever will find it. Every child deserves the opportunity to be in a loving family where they are nurtured, comforted, and protected. Adoption gives children who have been abandoned, orphaned, or abused a second chance to find happiness in a secure and supportive family.

Over the past decade, the number of children being adopted has risen dramatically, and according to the 2000 Census Special Report, over 2 million children today live in adoptive homes. In the last year alone, over 6,500 children have been listed on the web page of Adopt US Kids and 1,500 of these children have found families through this process.

In closing, I would like to share with you something said in the award winning book, There Are No Children Here, about foster care children. ''By the time they enter adolescence, they have contended with more terror than most of us confront in a lifetime. They have

had to make choices that most experienced and educated adults would find difficult. They have lived with fear and witnessed death. Some of them have lashed out. They have joined gangs, sold drugs, and, in some cases, inflicted pain on others. But they have played baseball and gone on dates and shot marbles and kept diaries. For, despite all they have seen and done, they are—and we must constantly remind ourselves of this—still children.''

During National Foster Care Month, I encourage you to log on to www.adoptuskids.org to learn more about the children who are waiting in our country and across the Nation for the safe, loving home they deserve. As Mistral said, ''Many things we need can wait, the child cannot. To him we cannot say tomorrow. His name is today.''

RESIGNATION OF FTC COMMISSIONER ORSON SWINDLE

Mr. MCCAIN. Mr. President, after over 7 years of service, Orson Swindle announced today his resignation as Commissioner of the Federal Trade Commission. Mr. Swindle has been dedicated to protecting the interests of the American consumer by promoting competition and fairness in the marketplace. He will be sorely missed.

Mr. Swindle's accomplishments at the FTC have been numerous, but his efforts to promote the vigorous development of the Internet and technology generally have been particularly important to our Nation's economy. His service with the Commission started shortly after the birth of electronic commerce, and it was thanks in part to Mr. Swindle's efforts to keep the Internet free of over-regulation that it is now such a robust and widely-used medium of communication, commerce, education, and political participation. All the while, Mr. Swindle has focused his efforts on educating consumers about the new online world in order to build their confidence in and knowledge of the Internet. He has also ensured that industry understands the need to self-regulate effectively or face the credible threat of Government interference and aggressive enforcement.

I commend Mr. Swindle and thank him for his outstanding service to this country, and I deeply hope that he will continue to build on his long and distinguished career as a public servant. Our Nation benefits greatly from the work of individuals such as Orson Swindle, whom I am proud to call my friend. He stands as an example for us all of commitment, achievement, and sacrifice on behalf of our Nation.

THE NATIONAL ALL SCHEDULES PRESCRIPTION ELECTRONIC REPORTING ACT

Mr. SESSIONS. Mr. President, I take a moment to bring attention to an important step that was taken yesterday in the Senate Committee on Health, Education, Labor, and Pensions. On Wednesday morning, the HELP Committee unanimously passed S. 518, the National All Schedules Prescription Electronic Reporting Act, a bill designed to help states combat the growing scourge of prescription drug abuse and diversion.

I begin by thanking Senator ENZI, our chairman, for his excellent support in bringing this bill, the National All Schedules Prescription Electronic Reporting Act, before the committee for consideration. I also thank and commend the bill's original cosponsors, Senators KENNEDY, DURBIN, and DODD, and their staffs, for contributing to the productive, bipartisan process of developing this legislation.

The abuse and diversion of prescription drugs is a tremendous public health issue for our nation, and a growing one. An epidemic that first attracted public notice as a regional crisis has now spread to touch every kind of community, from major cities to the smallest rural hamlet. Prescription drugs now rank second only to marijuana in the incidence of abuse. Over 31 million American adults and adolescents have, at one time, abused pain relievers, and the number of first-time abusers has increased 336 percent since 1990.

As appalling as the numbers are, we can not permit them to obscure the human tragedy of drug abuse and dependence, or the toll that drug diversion takes on communities. In the case of individuals who become addicted to prescription medications, the addicted too often fall from the productive ranks of society into unemployment, disability, hospitalization, or even death. They may be drawn into criminal activities that lead to incarceration. Their families and communities suffer along with them. Those who engage in drug diversion feed an insidious black market that makes dangerous drugs available to children, as well as adults. On a societal level, taxpayers bear much of the expense of abused or illegally diverted drugs, and, subsequently, of treating the medical consequences of misuse and addiction.

I find particularly concerning the recent Partnership for a Drug-Free America finding that prescription medications are emerging as the most rapidly growing category of drugs abused by America's teenagers. According to this national study, released April 21st, approximately one in five teenagers—that is over 4 million kids nationally—has abused prescription painkillers, and 37 percent report that close friends have done so. Another 10 percent of teens have abused prescription stimulants, such as Ritalin. Surveys show that this dismal pattern is driven by, according to teens' own assessment, ease of access.

The establishment, by the states, of programs to monitor prescriptions for controlled substances can help curb inappropriate, illegal access to these potentially dangerous drugs. At the present time, 20 states have operating prescription drug monitoring programs. In general, monitoring programs collect, from dispensers, a basic set of information on prescriptions that are issued for controlled substances. In the most effective programs, providers, including physicians and pharmacists, may request the prescription histories of their patients, permitting them to avoid providing controlled substances to ''doctor shoppers'' seeking multiple prescriptions to feed addiction or for diversion to the black market.

These monitoring programs, appropriately designed, not only help healthcare providers to better deliver appropriate, effective treatment of pain and other conditions that require the use of ''scheduled'' drugs, but also provide an important tool that permits doctors to identify and, if appropriate, refer for treatment patients whose prescription history suggests that they are at high risk of addiction.

In addition, they offer an opportunity to repair the physician-patient relationship in the face of a growing addiction problem that has created an atmosphere in which physicians fear that prescribing ''high risk'' medications could inadvertently injure patients or lead to civil or criminal liability or professional discipline. This situation has created yet another class of victims, patients who are finding it too difficult to obtain timely, effective treatment for pain and other legitimate medical needs. Much to their credit, physicians have recognized the tremendous potential here and have been the leading advocates for national legislation supporting the broader adoption of well-designed prescription drug monitoring programs.

I would like to particularly commend the American Society of Interventional Pain Physicians, and Dr. Laxmaiah Manchikanti, their CEO, for the tremendous effort they have put forth to educate members and the public regarding the need for this legislation. ASIPP has, in recent days, been joined in their strong advocacy for the NASPER bill by the American Society of Anesthesiology and the American Osteopathic Association, and I expect that others will soon follow. Those physicians who have stepped forward to advocate for a balanced and effective solution to this problem are truly acting in a manner consistent with the highest ideals of the medical profession.

The bill we are considering today, National All Schedules Prescription Electronic Reporting Act, establishes a federal grant program, to be administered by the Department of Health and Human Services, that would support both the creation of new state programs and the improvement of existing ones. Participating programs would be designed according to a ''best practices'' model, and would adopt applicable health information technology standards.

It also addresses the important barriers that continue to hamper the full

realization of these programs' potential: the fact that there are not enough of them, and in a time when patients regularly cross state lines seeking treatment, existing program can not yet effectively share information across state lines.

This bill provides states with the resources and guidance they need to make important progress toward minimizing the abuse and diversion of prescription medications while ensuring patients' access to timely, effective treatment, and I urge you to join us in supporting it.

ADDITIONAL STATEMENTS

NINTH ANNUAL WORLD CONGRESS IN AMMAN, JORDAN

• Mr. CHAFEE. Mr. President, next week, from June 2–6, 2005, the Center for Civic Education will host the Ninth Annual World Congress on Civic Education in Amman, Jordan. Nearly 200 civic education leaders will attend this event, representing 58 countries and 28 U.S. States.

The purpose of the World Congress is to share information about the best practices and materials developed through Civitas: An International Civic Education Exchange Program, an authorized program of the No Child Left Behind Act. The program addresses the full range of civic education activities. These include the development of educational policy, standards, curricular frameworks, and materials, as well as teacher education, classroom implementation, and research and evaluation.

One program developed through Civitas is Project Citizen, a middle school level program on public policy in the United States. Project Citizen is now being used in more than fifty countries, and is one of the most effective programs in promoting the development of a political culture supportive of democratic values, principles, institutions, and participation.

Another important component of Civitas is the series of exchanges among leaders in civic education in the United States and those in emerging and established democracies worldwide. The purpose of the exchanges is for civic education leaders to learn from and assist each other in improving education for democracy in their home nations.

Therefore, I think it is an important step that for the first time the World Congress on Civic Education will be hosted in the Middle East. Joining the Center for Civic Education in hosting this year's World Congress is Arab Civitas—a regional network of nine Arab countries in the Middle East—and the Jordanian Center for Civic Education Studies.

Arab Civitas, which is funded through the Middle East Partnership Initiative at the State Department, administers a program of citizenship education in elementary and secondary schools in the Middle East. Civic educators in Jordan, Egypt, the West Bank, Lebanon, Tunisia, Morocco, Algeria, Yemen, Bahrain, and recently Saudi Arabia, work with the Center for Civic Education through Arab Civitas. The goal of the program is to help students understand and respect the core concepts of freedom and democracy such as free expression, pluralism and the rule of law, and human rights.

As the chairman of the Senate Committee on Foreign Relations Subcommittee on Near Eastern and South Asian Affairs, it is my strong belief that many of the conflicts and problems in the world, and particularly in the Middle East, could be lessened by strong investments in education. I am particularly supportive of education programs which seek to improve tolerance and understanding of others. Thus, the theme of this year's congress is of particular interest to me: Advancing Peace and Stability through Active Citizenship.

Mr. President, I think we can all agree that this is exciting work that the Center for Civic Education is accomplishing. Its work in strengthening democracy, and promoting tolerance and moderation, in the United States and throughout the world, is admirable. I hope and expect the attendees will have a successful Ninth Annual World Congress on Civic Education.•

DEAF WEST THEATER PRODUCTION OF ''BIG RIVER''

• Mr. HARKIN. Mr. President, I recently had the pleasure of attending a truly unique theater production at Ford's Theater—a production that is a testament to the Positive impact of Federal funding of the arts. The Deaf West Theater production of Big River: The Adventures of Huckleberry Finn, in conjunction with the Roundabout Theater Company and the Mark Taper Forum, utilizes American Sign Language and a cast of hearing and deaf actors working seamlessly together to, tell this classic Mark Twain story. The exceptional quality of this production was recognized with a 2004 Tony Honor for Excellence in the Theater.

This production of Big River is a superb example of how the performing arts can lead by example, in this case, by offering a dramatic example of people who bridge the gap between the deaf and hearing communities. Deaf and hearing actors are an integral part of the show. Deaf and hearing audiences have an equal opportunity to enjoy the production. And the perspective of deaf culture is seamlessly integrated into the performance.

Federal funding was critical in achieving these important goals. Authorization for grant funding of deaf theater has been in Federal law, in one form or another, since 1967. In the case of the current production of Big River, grants from the U.S. Department of Education's Office of Special Education and Rehabilitative Services supported the training of deaf actors in the show, allowed the production to reach national audiences through touring, and helped to fund educational outreach.

I understand that our distinguished majority leader, Senator FRIST, recently saw the production, and was as dazzled by it as I was. So I encourage all of our colleagues, their families, and staffs to go see Big River, which will be at Ford's Theater until June 4. And I also encourage my colleagues to join with me in working to restore funding to keep Deaf West's work alive for audiences in the future.•

HONORING NEW IBERIA MAIN STREET

• Ms. LANDRIEU. Mr. President, today I rise to honor a city from my home State of Louisiana and am delighted to recognize its achievement before this body.

The City of New Iberia, LA, was recently selected by The National Trust for Historic Preservation to receive a 2005 Great American Main Street Award. New Iberia won this prestigious award because of its successful downtown revitalization. In addition to being recognized as one of only five winning communities nationwide, New Iberia is the only community in Louisiana to ever receive this distinction. As a champion of sustainable and quality community development, I can personally attest to this well-deserved honor. New Iberia's Main Street creates a unique sense of place through the beauty of its architecture, landscaping, and natural integration with Bayou Teche. The residents of New Iberia identify with this special place, and it contributes to the quality of life and sense of community pride shared by them.

Founded in 1779, New Iberia was a prosperous antebellum community that matured into a modern city. By the mid 1960s, New Iberia's Main Street began experiencing decline typical of many communities in the United States at that time. Recognizing the role of Main Street in the life of a community, New Iberia's business leaders, elected officials, and citizens started a progressive downtown revitalization effort known as Operation Impact in the early 1970s. This focus on Main Street continued, and in the 1990s, New Iberia further enhanced its efforts by initiating an officially designated Main Street Program. The unified commitment, hard work, and enthusiasm of the people of New Iberia over nearly 40 years has reestablished their downtown as a vibrant nucleus of culture, commerce, and tourism. It has also fittingly earned them national acclaim.

In the few years since the Main Street Program began in New Iberia, the city has seen over 115 new businesses established, over 420 new jobs created, and more than $19 million in private investment with total investment exceeding $24 million.

Downtown development and Main Street revitalization efforts have contributed significantly to building safer communities, stronger economies, and better quality of life across America. New Iberia, LA, is a superb example of how these cooperative efforts can improve communities. Today, I give the people of New Iberia my thanks and praise.●

RECOGNITION OF THE 50TH ANNIVERSARY OF THE ORDINATION OF REV. MONSIGNOR STANLEY E. MILEWSKI

● Mr. LEVIN. Mr. President, I would like to call my colleagues' attention to plans to honor a distinguished religious leader in Michigan, Monsignor Stanley Milewski. Monsignor Milewski will be honored at a special service of thanksgiving followed by a dinner reception on Sunday, June 5, 2005, on the St. Mary's Orchard Lake Schools campus. The tribute will mark his 50th anniversary as a Polish-American diocesan priest.

Since his ordination into the priesthood on June 4, 1955, by Cardinal Edward Mooney in Detroit, Monsignor Milewski has been an important part of the history of the Polish pastoral ministry in Michigan and in the United States. Monsignor Milewski has earned the respect and admiration of people throughout Michigan and across the United States, and is especially admired by the approximately three-quarters of a million people of Polish descent who are part of the Archdiocese of Detroit, because of his devotion to service and confident leadership through years of ministry.

Born in Detroit to Polish immigrants on November 30, 1929, Monsignor Milewski received his primary and secondary education in Catholic parochial schools in Detroit. He earned his undergraduate degree from St. Mary's College of Orchard Lake and completed graduate studies at St. John's Provincial Seminary in Plymouth, MI, and at SS. Cyril and Methodius Seminary in Orchard Lake. SS. Cyril and Methodius Seminary enjoys the distinction of being the only Polish seminary in the United States and was founded in Detroit in 1885. Monsignor Milewski was awarded an honorary doctorate degree from Alliance College in Pennsylvania and an honorary doctorate of theology degree from Madonna University in Livonia, MI. He was later appointed to the faculty of the Orchard Lake Schools in January 1957, and his responsibilities have included procurator-treasurer, teacher, athletic director, and vice rector. He served as chancellor of the Lake Orchard Schools from 1977 to 2000.

Monsignor Milewski's appointments include the Prelate of Honor of His Holiness John Paul II on March 20, 1990, Honorary Canon of the Diocese of Plock, and Honorary Canon of the Diocese of Lomza. In addition to the many recognitions and awards he has received, Monsignor Milewski was honored to have the Pope visit the 120-acre Orchard Lake Schools campus in 1969. Of that visit, Monsignor said, ''From that point on, I really got to know what a great man he was and what a tremendous memory he had.'' He recalls how the Pope once remarked that the seminary at Orchard Lakes was the most beautiful Polish seminary in the world. The campus includes the John Paul II center, a museum of artifacts and photos.

I know my colleagues join me in congratulating Monsignor Milewski on his faithfulness to his calling and on his many achievements in the pastoral ministry. I am pleased to express my sincere appreciation to him on his 50th anniversary and to wish him many more years of good health and happiness.●

TRIBUTE TO CHARLIE WALKER

● Mr. SARBANES. Mr. President, I want to pay tribute today to an outstanding public servant, educator, and communicator, Charlie Walker. Charlie is retiring after a distinguished 40-year career in teaching and government service at the local, State and Federal levels, most recently as director of government affairs for the Baltimore District, U.S. Army Corps of Engineers. I extend my personal congratulations and thanks for his many years of dedicated service and contributions to the American people.

Born in Charleston, WV, Charlie spent much of his youth and career in Baltimore, MD. He was a graduate of Clifton Park Junior High and Baltimore's City College, one of the oldest and finest public high schools in the country. He won scholarships to Towson State Teachers College, now Towson University, where he excelled academically and in his extracurricular activities, selected to serve not only as president of the Phi Alpha Theta Honorary Society in history but also as a manager of three sports teams—soccer, wrestling, and track. Upon graduation in 1963, Charlie taught for 3 years in Baltimore's secondary schools and then enrolled in West Virginia University to earn a master's degree in history. In 1966, Charlie enlisted in the U.S. Army and served for a 3-year period in Vietnam and at the Walter Reed Army Medical Center. He returned to West Virginia University to obtain a Ph.D. in history, and worked in various and progressively responsible positions in local, State and Federal Government, including service as an historian and public affairs officer with the U.S. Army Corps of Engineers, an aide to the mayor of Baltimore and a research analyst with the Library of Congress.

In 1987, Charlie Walker was tapped to lead the public affairs office of the newly established Maryland Department of the Environment, and it was in this position that I first had the opportunity and privilege of working closely with Charlie. A highly skilled communicator and manager, Charlie assembled a terrific team to promote the initiatives of the new department and to protect and restore the quality of Maryland's air, water, and land resources. Charlie and his team set a standard for outreach and responsiveness that few, if any, agencies have been able to match. He served in this position until 1991 when he was recruited, as government affairs officer for the Baltimore District, U.S. Army Corps of Engineers, to help the district restore relations and responsiveness with the Congress and other levels of government. Over the past 14 years, Charlie has been a trusted adviser to six district engineers, and the principal point of contact for Members of Congress and our staffs from the Five States and the District of Columbia, which encompass the Baltimore District's jurisdiction.

With his in-depth knowledge, political astuteness, and a dedication to public service that is second to none, Charlie has remained a constant force in moving the Army Corps of Engineers' programs and services forward. He is well known, widely respected, and well liked, not only among the staff at the Baltimore District but throughout the U.S. Army Corps of Engineers and beyond. He is the core of the Corps. His advice is constantly sought for improving communications and relations with the press, the public and with elected officials at all levels of government. Over the years, he has inspired great loyalty in the members of the Baltimore District staff and affection from the countless others with whom he has worked. He will be sorely missed by those of us who have had the pleasure of working with him.

Throughout the course of his career, Charlie has received numerous honors including the Commander's Award for Civil Service, Governor's Salute to Excellence Award, and the Maryland Department of the Environment Award for Outstanding Public Service. In addition to his public service, Charlie has volunteered a great deal of time and energy serving on the numerous organizations, including the Phi Alpha Theta History Society, the Society of American Military Engineers, and the Baltimore Council on Foreign Affairs.

It is my firm conviction that public service and teaching are among the most honorable callings. They demand the very best, most dedicated efforts of those who have the opportunity to serve their fellow citizens. Throughout his career Charlie Walker has exemplified a steadfast commitment to meeting this demand. I want to extend my personal congratulations and thanks for his many years of hard work and dedication and wish him well in the years ahead.●

TRIBUTE TO JESSIE HALE DOWNS

● Mr. SESSIONS. Today, with a great sense of honor and respect, I rise to pay tribute to Mrs. Jessie Hale Downs for

her humane and charitable service to the city of Birmingham, AL.

In 1944, Mrs. Hale and her husband, Jimmie Hale, cofounded the Downtown Jimmie Hale Mission in Birmingham. These two individuals founded this mission to help rescue scores of individuals from homelessness and addiction. On November 17, 1944, Jimmie Hale died, leaving his young wife widowed and expecting their first daughter in January of 1945.

The death of her husband left her with nothing, so Mrs. Hale was taken in by a friend, and 2 months later she gave birth to a daughter. Later, Jessie married a man who had been aided by the Jimmie Hale Mission, Joe Downs. Unfortunately, he never overcame his addiction and after 2½ years of marriage and the birth of a daughter, he left the family.

Nevertheless, Jessie Hale Downs remained resolve in her dedication to the Jimmie Hale Mission, and she refused to let her late husband's dream die. Mrs. Downs is gifted with a great sense of leadership and a spirit of love for humanity. She served as the executive director of the Mission for 46 years and even today travels to churches and civic meetings to share the story of the Jimmie Hale Mission and what they have to offer.

Because of her unwavering dedication to the Mission, which began as a lone storefront chapel ministering to the men on the streets of downtown Birmingham, the Mission has now expanded into a six-facility, holistic-approach ministry in central Alabama committed to helping people break the chains of addiction and homelessness.

While Jimmie Hale envisioned the ministry, Jessie Hale Downs saw the Mission to fruition. Now, at the age of 88, Mrs. Downs is the matriarch and heartbeat of the Jimmie Hale Mission. I would like to offer thanks for a life lived to serve the less fortunate. The community of Birmingham and the State of Alabama are better off because Mrs. Jessie Hale Downs has lived among us.●

STANDING SOUTH DAKOTANS

● Mr. THUNE. Mr. President, today I rise to congratulate two outstanding men from South Dakota, Staff Sergeant Eric Borah of New Underwood and Sergeant Daniel Iverson of Madison. Both men have been honored this year for their unwavering dedication to our country.

Eric, a Wheeled Vehicle Mechanic in the South Dakota Army Guard's 235th Military Police Company from Custer, has been named Non-Commissioned Officer of the Year.

Daniel, an Army Bandsman with the South Dakota Army Guard's 147th Army Band from Mitchell, was named Soldier of the year.

Eric and Daniel will be recognized in Washington, DC two of the Outstanding Soldiers and Airmen of the Year for the National Guard. It is with great pleasure that I offer my congratulations to these two men not only for their admirable achievements but also for the great name that they bring to the State of South Dakota.●

HONORING THE ACCOMPLISHMENTS OF MR. MATTH TOEBBEN

● Mr. BUNNING. Mr. President, I pay tribute and congratulate Mr. Matth Toebben of Northern Kentucky, who was recently honored with one of the ''Movers and Shakers'' awards for the Greater Cincinnati area. Mr. Toebben's life accomplishments and dedication to Commonwealth of Kentucky have given me reason to be proud.

I believe Mr. Toebben to be the embodiment of the American Dream. After immigrating to the United States from Borger, Germany in 1953 with only $10 to his name, he used all of his money to buy a train ticket to Cincinnati. Upon arrival in the area, Mr. Toebben took up not only one job, but two jobs as a carpenter for a Ft. Wright home builder in Northern Kentucky. He worked both night and day saving as much money as he could. This quickly paid off and by 1955, only 2 years after his arrival to the United States, Mr. Toebben started his own business, Toebben Builders and Developers.

The ''Movers and Shakers'' award of Northern Kentucky is an annual award presented to honor those within the Greater Cincinnati region who stand as an example for all. It is presented by the Kentucky Enquirer, the Sales and Marketing Council of Northern Kentucky, The Home Builders Association of Northern Kentucky and The Kentucky Post.

As a Senator from Kentucky, I commend Mr. Toebben for his hard work and dedication. I hope that he will serve as an inspiration to the citizens of Kentucky.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:34 a.m., a message from the House of Representatives, delivered by Ms. Niland, 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. 2566. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

At 4:16 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 concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 167. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

At 5:27 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 bills, in which it requests the concurrence of the Senate:

H.R. 810. An act to amend the Public Health Service Act to provide for human embryonic stem cell research.

H.R. 2520. An act to provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program.

H.R. 2528. An act making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker of the House of Representatives has signed the following enrolled bill:

H.R. 2566. An act to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS).

At 7:00 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H. R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, and asks for a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House: From the Committee on Transportation and Infrastructure, for consideration of the House bill (except title X), and the Senate amendment (except title V), and modifications committed to conference: Messrs. YOUNG of Alaska, PETRI, BOEHLERT, COBLE, DUNCAN, MICA, HOEKSTRA, LATOURETTE, BACHUS, BAKER, GARY C. MILLER of California,

HAYES, SIMMONS, BROWN of South Carolina, GRAVES, SHUSTER, BOOZMAN, OBERSTAR, RAHALL, DEFAZIO, COSTELLO, Ms. NORTON, Messrs. NADLER, MENENDEZ, Ms. CORRINE Brown of Florida, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TAYLOR of Mississippi, Ms. MILLENDER-MCDONALD, Messrs. CUMMINGS, BLUMENAUER, and Mrs. TAUSCHER.

From the Committee on the Budget, for consideration of sections 8001–8003 of the House bill, and title III of the Senate amendment, and modifications committed to conference: Messrs. NUSSLE, MARIO DIAZ-BALART of Florida, and SPRATT.

From the Committee on Education and the Workforce, for consideration of sections 1118, 1605, 1809,3018, and 3030 of the House bill, and sections 1304, 1819, 6013, 6031, 6038, and 7603 of the Senate amendment, and modifications committed to conference: Messrs. KLINE, KELLER, and BARROW.

From the Committee on Energy and Commerce, for consideration of provisions in the House bill and Senate amendment relating to Clean Air Act provisions of transportation planning contained in sections 6001 and 6006 of the House bill, and sections 6005 and 6006 of the Senate amendment; and sections 1210, 1824, 1833, 5203, and 6008 of the House bill, and sections 1501, 1511, 1522, 1610–1619, 1622, 4001, 4002, 6016, 6023, 7218, 7223, 7251, 7252, 7256–7262, 7324, 7381, 7382, and 7384 of the Senate amendment, and modifications committed to conference: Messrs. BARTON of Texas, PICKERING, and DINGELL.

From the Committee on Government Reform, for consideration of section 4205 of the house bill, and section 2101 of the Senate amendment and modifications committed to conference: Messrs. TOM DAVIS of Virginia, PLATTS, and WAXMAN.

From the Committee on Homeland Security, for consideration of sections 1834, 6027, 7324, and 7325 of the Senate amendment, and modifications committed to conference: Messrs. COX, DANIEL E. LUNGREN of California, and THOMPSON of Mississippi.

From the Committee on the Judiciary, for consideration of sections 1211, 1605, 1812, 1832, 2013, 2017, 4105, 4201, 4202, 4214, 7018–7020, and 7023 of the House bill, and sections 1410, 1512, 1513, 6006, 6029, 7108, 7113, 7115, 7338, 7340, 7343, 7345, 7362, 7363, 7406, 7407, and 7413 of the Senate amendment, and modifications committed to conference: Messrs. SENSENBRENNER, SMITH of Texas, and CONYERS.

From the Committee on Resources, for consideration of sections 1119, 3021, 6002, and 6003 of the House bill, and sections 1501, 1502, 1505, 1511, 1514, 1601, 1603, 6040, and 7501–7518 of the Senate amendment, and modifications committed to conference: Messrs. POMBO, WALDEN of Oregon, and KIND.

From the Committee on Rules, for consideration of sections 8004 and 8005 of the House bill, and modifications committed to conference: Mr. DREIER, Mrs. CAPITO, and Mr. MCGOVERN.

From the Committee on Science, for consideration of sections 2010, 3013, 3015, 3034, 3039, 3041, 4112, and title V of the House bill, and title II and sections 6014, 6015, 6036, 7118, 7212, 7214, 7361, and 7370 of the Senate amendment, and modifications committed to conference: Messrs. EHLERS, REICHERT, and GORDON.

From the Committee on Ways and Means, for consideration of title X of the House bill, and title V of the Senate amendment, and modifications committed to conference: Messrs. THOMAS, MCCRERY, and RANGEL.

For consideration of the House bill and Senate amendment, and modifications committed to conference: Mr. DELAY.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1224. An act to repeal the prohibition on the payment of interest on demand deposits, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2528. An act making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; to the Committee on Appropriations.

MEASURES PLACED ON THE CALENDAR

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

S. 1127. A bill to require the Secretary of Defense to submit to Congress all documentation related to the Secretary's recommendations for the 2005 round of defense base closure and realignment.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 810. An act to amend the Public Health Service Act to provide for human embryonic stem cell research.

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–2340. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990; to the Committee on Armed Services.

EC–2341. A communication from the Special Assistant to the Secretary of the Navy for Base Realignment and Closure, Department of the Navy, transmitting, pursuant to law, a report entitled ''Supplemental Information to Volume IV of the Department of Defense Base Closure Report [Department of the Navy (DON) Analyses and Recommendations]''; to the Committee on Armed Services.

EC–2342. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–2343. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report entitled ''Department of Defense Fiscal Year 2004 Purchases from Foreign Entities''; to the Committee on Armed Services.

EC–2344. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to amounts of staff-years of technical effort to be allocated for each defense Federally Funded Research and Development Center (FFRDC) during Fiscal Year 2006; to the Committee on Armed Services.

EC–2345. A communication from the Secretary of Energy, transmitting, a report of proposed legislation relative to amending the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005; to the Committee on Armed Services.

EC–2346. A communication from the Principal Deputy, Personnel and Readiness, Office of the Under Secretary of Defense, Department of Defense, transmitting, pursuant to law, a report relative to the status of female members of the Armed Forces for Fiscal Year 2004; to the Committee on Armed Services.

EC–2347. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Contractor Personnel Supporting a Force Deployed Outside the United States'' (DFARS Case 2003-D087) received on May 23, 2005; to the Committee on Armed Services.

EC–2348. A communication from the Deputy Assistant Administrator, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''NOAA Climate and Global Change Program, FY 2006'' (FRN, Docket No.: 000616180–5104–11) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2349. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''NMFS is Opening Directed Fishing for Species that Comprise the Deep-water Species Fishery by Vessels using Trawl Gear in the Gulf of Alaska (GOA)'' (Docket NO. 041126333–5040–02; I.D. 042105C) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2350. A communication from the Acting Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Federal-State Joint Board on Universal Service, Report and Order in CC Docket No. 96–45; FCC 05–46'' received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2351. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Cedarville, California)'' (MB Docket No. 04–387) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2352. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule

entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Dulac, Louisiana, King City, California; Fallon Station, Nevada; Coachella, California; Cambria, California; Carbon, Texas; and Northport, Alabama)'' (MB Docket Nos. 04–329, 04–332 through 04–337) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2353. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.606(b), Table of Allotments, TV Broadcast Stations; Green Bay, WI.'' (MB Docket No. 01–315, RM–10136) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2354. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Shorter, Orrville, Selma and Birmingham, Alabama)'' (MB Docket No. 04–201) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2355. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Section 304 of the Telecommunications Act of 1996 Commercial Availability of Navigation Devices'' (FCC 05–76, CS Docket No. 97–80) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2356. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of the Quarter II Fishery for Loligo Squid'' (I.D. 042005B) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2357. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closing Directed Fishing for Pacific Cod by Catcher Vessels Less than 60 Feet Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area'' (I.D. 041805D) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2358. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder; 2005 Specifications; Commercial Summer Flounder Quota Transfer'' (I.D. 031805C) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2359. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Species in the Rock Sole/Flathead Sole/'Other Flatfish' Fishery Category by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area'' (I.D. 042105B) received on May 23, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2360. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice'' (RIN2126–AA15) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2361. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (58); Amdt. No. 3122'' ((RIN2120–AA65) (2005–0017)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2362. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Definition of Commuter Aircraft at Ronald Reagan Washington National Airport'' (RIN2120–AI58) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2363. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Ineligibility for an Airman Certificate Based on Security Grounds; DISPOSITION OF COMMENTS'' ((RIN2120–AH84) (2005–0001)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2364. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Federal Airways V–2, V–257 and V–343; MT'' ((RIN2120–AA66) (2005–0114)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2365. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airport Noise Compatibility Planning: DISPOSITION OF COMMENTS'' ((RIN2120–AI37) (2005–0001)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2366. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Eurocopter France Model AS355E, F, F1, F2, and N Helicopters'' ((RIN2120–AA64) (2005–0253)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2367. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model CL 600 2B19 Airplanes'' ((RIN2120–AA64) (2005–0257)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2368. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Saab Model SAAB SF340A and SAAB 340B Series Airplanes'' ((RIN2120–AA64) (2005–0256)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2369. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model DHC 8 102, 103, 106, 201, 202, 301, 311, and 315 Airplanes'' ((RIN2120–AA64) (2005–0255)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2370. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Fokker Model F 28 Series Airplanes'' ((RIN2120–AA64) (2005–0254)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2371. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Schweizer Aircraft Corp Model 269 C, C–1, and D Helicopters'' ((RIN2120–AA64) (2005–0252)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2372. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300 B4-600, 600R, and FR–600R Series Airplanes, and Model C4 605R Variant F Airplanes; and Model A310 Series Airplanes'' ((RIN2120–AA64) (2005–0251)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2373. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Rolls Royce Corporation 250–B Series and 250 C Series Turboprop and Turboshaft Engines'' ((RIN2120–AA64) (2005–0249)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2374. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 777–200 Series Airplanes'' ((RIN2120–AA64) (2005–0248)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2375. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–100, 100B, 200B, 300, 400, 400D, 747SR, and 747SP Series Airplanes'' ((RIN2120–AA64) (2005–0247)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2376. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737-300, 400, and 500 Series Airplanes'' ((RIN2120–AA64) (2005–0250)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2377. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 777–200 and 300 Series Airplanes'' ((RIN2120–AA64) (2005–0246)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2378. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–100, 100B, 100B SUD, 200B, 200C, 300, 400, and 400D Series Airplanes; and Model 747SR Series Airplanes'' ((RIN2120–AA64) (2005–0245)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2379. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled ''Airworthiness Directives: Boeing Model 747 Airplanes'' ((RIN2120–AA64) (2005–0244)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2380. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: General Electric Company CF–80E1 Series Turbofan Engines'' ((RIN2120–AA64) (2005–0243)) received on May 24, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2381. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' ((44 CFR 65) (Doc. No. FEMA–B–7451)) received on May 23, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2382. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (44 CFR 67) received on May 23, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2383. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' ((44 CFR 65) (Doc. No. FEMA–P–7642)) received on May 23, 2005; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, with amendments:

S. 606. A bill 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, and for other purposes (Rept. No. 109–74).

By Mr. ENZI, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 302. A bill to make improvements in the Foundation for the National Institutes of Health (Rept. No. 109–75).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. SPECTER for the Committee on the Judiciary.

Richard A. Griffin, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Regina B. Schofield, of Virginia, to be an Assistant Attorney General.

Paul D. Clement, of Virginia, to be Solicitor General of the United States.

Gretchen C. F. Shappert, of North Carolina, to be United States Attorney for the Western District of North Carolina for the term of four years.

Anthony Jerome Jenkins, of Virgin Islands, to be United States Attorney for the District of the Virgin Islands for the term of four years.

Stephen Joseph Murphy III, of Michigan, to be United States Attorney for the Eastern District of Michigan for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

NOMINATIONS DISCHARGED BY THE COMMITTEE ON FOREIGN RELATIONS AND CONFIRMED

Nominee: Victoria Nuland.

Post: U.S. Mission to NATO.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self
2. Spouse
3. Children and Spouses
4. Parents: $100.00, Sept 2004, Kerry for President; Names: Sarah P. Nuland (stepmother).
5. Grandparents
6. Brothers and Spouses
7. Sisters and Spouses

Nominee: John F. Tefft.

Post: Tblisi, Georgia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self, None.
2. Spouse, None.
3. Children and Spouses: Christine Marie Tefft, $50, 2004, John Kerry; Cathleen Mary Tefft and Andrew Horowitz, $50, 2004, John Kerry.
4. Parents: Floyd F. Tefft, $50, 2004, Russ Feingold for Senate; Mary J. Tefft (deceased).
5. Grandparents: Floyd B. Tefft (deceased); Lucy Britt Tefft (deceased); James Durkin (deceased); Julia Healy Durkin (deceased).
6. Brothers and Spouses: Thomas and Julie Tefft, none; James Tefft and Victoria Wise, none.
7. Sisters and Spouses: Patricia Tefft Cousin (deceased); Sheila Tefft and Rajiv Chandra, none.

Nominee: David Horton Wilkins.

Post: U.S. Ambassador to Canada.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self: David H. Wilkins, $5,000.00, 10/2004, RNC Presidential Trust; $5,000.00, 9/2004, RNC Presidential Trust; $10,000.00, 8/2004, RNC Presidential Trust; $1,000.00, 7/2004, DeMint for Congress; $4,000.00, 8/2003, Bush-Cheney '04 (joint); $50.00, 6/2003, Republican National Comm.; $50.00, 2/2003, Republican National Comm.; $75.00, 2/2003, Republican National Comm.; $1,000.00, 4/02/01, Lindsey Graham for Senate.
2. Spouse: Susan C. Wilkins, none.
3. Children and Spouses: Robert & Stephanie Wilkins, $4,000.00, 2003, Bush-Cheney '04 (joint); James Wilkins, $2,000.00, 2003, Bush-Cheney '04.

Parents: deceased, William W. Wilkins, Sr., Evelyn Horton Wilkins, none.

5. Grandparents: deceased, Mr. & Mrs. Millard Horton, Mr. & Mrs. William C. Wilkins, none.
6. Brothers and Spouses: Mr. & Mrs. William W. Wilkins, Jr., Mr. Robert Terrell Wilkins, none.
7. Sisters and Spouses: Bryan & Nancy W. Lyndon, $4,000.00, 2003, Bush-Cheney '04.

Nominee: Wiliam Alan Eaton.

Post: Panama.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self: $0.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Marjory C. Eaton (mother), $0.
5. Grandparents: Ethel & Lee Combs (maternal, deceased), $0; Lettie & Oscar Eaton (paternal, deceased), $0.
6. Brothers and Spouses: N/A.
7. Sisters and Spouses: Christine D. Fellers (sister), $0; Larry L. Fellers (brother-in-law), $0.

Nominee: James M. Derham.

Post: Guatemala.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self: James M. Derham, none.
2. Spouse: Joleen A. Schweitzer, none.
3. Children and Spouses: Michael T. Derham, $35, 8/2004, DNC; Christopher D. Derham, none; Katherine M. Derham, none.
4. Parents: John A. Derham, deceased; Dorothy K. Derham, none.
5. Grandparents: John Derham, deceased; Margaret Derham, deceased; Walter Kingwell, deceased; Dorothy Kingwell, deceased.
6. Brothers and Spouses: Dennis J. Derham, none.
7. Sisters and Spouses: N/A.

Nominee: Paul A. Trivelli.

Post: U.S. Ambassador to Nicaragua.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self: none.
2. Spouse: none.
3. Children and Spouses: Carlos Trivelli (unmarried), none; Daniela Trivelli (unmarried), none.
4. Parents: Ruth Trivelli (mother), none; Benjamin Trivelli (father) and spouse Sharon, $250.00, 6/30, Rosa DeLauro; $200, 2/03, Rosa DeLauro.
5. Grandparents: Anna Trivelli (deceased); Matthew Trivelli (deceased); Arthur Anderson (deceased); Ruth Anderson (deceased).
6. Brothers and Spouses: Vincent Trivelli and spouse Joyce, $100, summer 04, Kerry campaign; Philip Trivelli and spouse Natalie, $20, summer 04, Kerry campaign.
7. Sisters and Spouses: Pamela Combies (unmarried), none.

Nominee: Linda Jewell.

Post: Ambassador to Ecuador.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform

me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, Date, and Donee:

1. Self: Linda Jewell, $100, 2/5/04, Dem. Nat'l Comm.

2. Spouse: John Walsh, $150, 5/22/04, John Kerry for Pres.; $50, 09/04, John Kerry for Pres.

3. Children and Spouses: Susanna Walsh (no spouse), 0; Patrick Walsh (no spouse), 0.

4. Parents: Analee Jewell, 0; Robert Jewell (deceased), 0.

5. Grandparents: Albert Jewell (deceased); Eliza Jewell (deceased); H. Frank Rider (deceased); Ada Rider (deceased).

6. Brothers and Spouses: Frank Jewell and Sarah Lavicka, $250, 1/11/01, Dem. Nat'l Comm.; $50 6/27/04, Campus Dems.; $50, 7/11/04, John Kerry for Pres.; $500, 8/19/04, Dem. Nat'l Comm.; $500, 9/29/04, www.democrats.org.

7. Sisters and Spouses: None.

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. WYDEN (for himself and Mr. SUNUNU):

S. 1128. A bill to amend title XIX of the Social Security Act to provide for increased rebates under the medicaid program for prescription drugs that are directly advertised to consumers, to require other Federal programs purchasing or reimbursing for such drugs to establish payment and reimbursement mechanisms that reduce the costs of those drugs, and for other purposes; to the Committee on Finance.

By Mr. LUGAR (for himself and Mr. HAGEL):

S. 1129. A bill to provide authorizations of appropriations for certain development banks, and for other purposes; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Ms. LANDRIEU, and Mr. LEVIN):

S. 1130. A bill to treat the Tuesday next after the first Monday in November as a legal public holiday for purposes of Federal employment, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAIG:

S. 1131. A bill to authorize the exchange of certain Federal land within the State of Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COLEMAN (for himself, Ms. LANDRIEU, Mr. DEWINE, Ms. SNOWE, Mr. COCHRAN, Mr. VITTER , Mr. BAYH, and Mr. SMITH):

S. 1132. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BYRD (for himself, Mr. ROCKEFELLER, and Mr. SPECTER):

S. 1133. A bill to authorize the Secretary of Energy to develop and implement an accelerated research, development, and demonstration program for advanced clean coal technologies for use in coal-based generation facilities and to provide financial incentives to encourage the early commercial deployment of advanced clean coal technologies through the retrofitting, repowering, replacement, and new construction of coal-based electricity generating facilities and industrial gasification facilities; to the Committee on Energy and Natural Resources.

By Mrs. CLINTON (for herself, Ms. COLLINS, Ms. LANDRIEU, Mrs. MURRAY, Mr. REED, and Ms. MIKULSKI):

S. 1134. A bill to express the sense of Congress on women in combat; to the Committee on Armed Services.

By Mr. BENNETT (for himself and Mr. HATCH):

S. 1135. A bill to authorize the exchange of certain land in Grand and Uintah Counties, Utah, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself, Mr. JOHNSON, Ms. COLLINS, Ms. SNOWE, Mr. SUNUNU, Mr. CORZINE, Mr. LIEBERMAN, Mr. LAUTENBERG, Mr. DOMENICI, Mr. DODD, and Mr. BINGAMAN):

S. 1136. A bill to facilitate the provision by members of the Armed Forces of testimony on the military value of military installations in connection with the 2005 round of defense base closure and realignment; to the Committee on Armed Services.

By Mr. GRASSLEY (for himself, Mr. MCCAIN, and Mr. ALLEN):

S. 1137. A bill to include dehydroepiandrosterone as an anabolic steroid; to the Committee on the Judiciary.

By Mr. ALLEN:

S. 1138. A bill to authorize the placement of a monument in Arlington National Cemetery honoring the veterans who fought in World War II as members of Army Ranger Battalions; to the Committee on Veterans' Affairs.

By Mr. SANTORUM:

S. 1139. A bill to amend the Animal Welfare Act to strengthen the ability of the Secretary of Agriculture to regulate the pet industry; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARPER (for himself and Mr. BIDEN):

S. 1140. A bill to designate the State Route 1 Bridge in the State of Delaware as the ''Senator William V. Roth, Jr. Bridge''; to the Committee on Environment and Public Works.

By Mr. COCHRAN (for himself, Mr. PRYOR, Mr. CHAMBLISS, and Mr. ROBERTS):

S. 1141. A bill to authorize the Secretary of Homeland Security to regulate ammonium nitrate; to the Committee on Homeland Security and Governmental Affairs.

By Ms. LANDRIEU (for herself, Mr. GRAHAM, Mr. ALLEN, Mr. DURBIN, and Mr. LAUTENBERG):

S. 1142. A bill to provide pay protection for members of the Reserve and the National Guard, and for other purposes; to the Committee on Finance.

By Mr. ENZI:

S. 1143. A bill to provide death and disability benefits for aerial firefighters who work on a contract basis for a public agency and suffer death or disability in the line of duty, and for other purposes; to the Committee on the Judiciary.

By Mrs. CLINTON:

S. 1144. A bill to provide military retirement credit for certain service by National Guard members performed while in a State duty status immediately after the terrorist attacks of September 11, 2001; to the Committee on Armed Services.

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. SMITH, Mr. LEAHY, Ms. COLLINS, Mr. LIEBERMAN, Ms. SNOWE, Mr. WYDEN, Mr. JEFFORDS, Mr. SCHUMER, Mr. CHAFEE, Mr. AKAKA, Mr. ENSIGN, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Ms. CANTWELL, Mrs. CLINTON, Mr. COLEMAN, Mr. CORZINE, Mr. DAYTON, Mr. DODD, Mr. DURBIN, Mrs. FEINSTEIN, Mr. HARKIN, Mr. INOUYE, Mr. JOHNSON, Mr. KERRY, Ms. LANDRIEU, Mr. LEVIN, Mrs. LINCOLN, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. OBAMA, Mr. REED, Mr. SALAZAR, Mr. SARBANES, Ms. STABENOW, Mr. LAUTENBERG, Mr. PRYOR, and Mr. ROCKEFELLER):

S. 1145. A bill to provide Federal assistance to States and local jurisdictions to prosecute hate crimes; to the Committee on the Judiciary.

By Mrs. BOXER:

S. 1146. A bill to require the Federal Trade Commission to monitor and investigate gasoline prices under certain circumstances; to the Committee on Commerce, Science, and Transportation.

By Mr. ROCKEFELLER (for himself, Ms. SNOWE, Mr. BAUCUS, Mr. BURNS, Mr. SCHUMER, Mr. BUNNING, and Ms. CANTWELL):

S. 1147. A bill to amend the Internal Revenue Code of 1986 to provide for the expensing of broadband Internet access expenditures, and for other purposes; to the Committee on Finance.

By Ms. MIKULSKI (for herself, Ms. STABENOW, Mr. BINGAMAN, Mrs. MURRAY, Mr. CORZINE, Mr. JOHNSON, and Mr. INOUYE):

S. 1148. A bill to amend title XVIII of the Social Security Act to permit direct payment under the medicare program for clinical social worker services provided to residents of skilled nursing facilities; to the Committee on Finance.

By Mr. ISAKSON (for himself and Mr. KENNEDY):

S. 1149. A bill to amend the Federal Employees' Compensation Act to cover services provided to injured Federal workers by physician assistants and nurse practitioners, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. CLINTON:

S. 1150. A bill to increase the security of radiation sources, and for other purposes; to the Committee on Environment and Public Works.

By Mr. McCAIN (for himself and Mr. LIEBERMAN):

S. 1151. A bill to provide for a program to accelerate the reduction of greenhouse gas emissions in the United States by establishing a market-driven system of greenhouse gas tradeable allowances, to limit greenhouse gas emissions in the United States and reduce dependence upon foreign oil, to support the deployment of new climate change-related technologies, and ensure benefits to consumers; to the Committee on Environment and Public Works.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. SMITH, and Ms. COLLINS):

S. 1152. A bill to amend title XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the Medicare Program; to the Committee on Finance.

By Mr. BUNNING (for himself and Mr. THOMAS):

S. 1153. A bill to provide Federal financial incentives for deployment of advanced coal-based generation technologies; to the Committee on Finance.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 1154. A bill to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWNBACK (for himself, Mr. ALEXANDER, Mr. ALLARD, Mr. BUNNING, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. ENSIGN, Mr. ENZI, Mr. GRAHAM, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. MCCAIN, Mr. SANTORUM, Mr. SESSIONS, Mr. SUNUNU, Mr. TALENT, and Mr. THUNE):

S. 1155. A bill to establish a commission to conduct a comprehensive review of Federal agencies and programs and to recommend the elimination or realignment of duplicative, wasteful, or outdated functions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH:

S. 1156. A bill to amend the Internal Revenue Code of 1986 to extend the credit period for electricity produced from renewable resources at certain facilities, to extend the credit for electricity produced from certain renewable resources, and for other purposes; to the Committee on Finance.

By Mr. CRAPO (for himself, Mr. REID, Mr. ALLARD, Mr. BAUCUS, Mr. CRAIG, and Mr. ENSIGN):

S. 1157. A bill to amend the Internal Revenue Code of 1986 to treat gold, silver, platinum, and palladium, in either coin or bar form, in the same manner as equities and mutual funds for purposes of maximum capital gains rate for individuals; to the Committee on Finance.

By Mr. KENNEDY (for himself, Mr. AKAKA, and Mr. LAUTENBERG):

S. 1158. A bill to impose a 6-month moratorium on terminations of certain plans instituted under section 4042 of the Employee Retirement Income Security Act of 1974 in cases in which reorganization of contributing sponsors is sought in bankruptcy or insolvency proceedings; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself, Mr. BAUCUS, Mr. SMITH, Mr. SCHUMER, Mr. CRAPO, Mr. LOTT, Mr. KYL, and Mrs. LINCOLN):

S. 1159. A bill to amend the Internal Revenue Code of 1986 to permanently extend the subpart F exemption for active financing; to the Committee on Finance.

By Mr. SMITH (for himself, Mrs. LINCOLN, Mr. ROCKEFELLER, and Mr. KERRY):

S. 1160. A bill to amend the Internal Revenue Code of 1986 to restore, increase, and make permanent the exclusion from gross income for amounts received under qualified group legal services plan; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. COBURN (for himself and Mr. INHOFE):

S. Res. 157. A resolution congratulating Carrie Underwood for winning the ''American Idol'' television program and thanking her for being a positive role model; to the Committee on the Judiciary .

By Mr. GRAHAM (for himself, Mr. ALLARD, Mr. ALLEN, Mr. BAYH, Mr. BUNNING, Mr. CHAMBLISS, Mr. COCHRAN, Mr. DEMINT, Mr. DEWINE, Mrs. DOLE, Mr. DODD, Mr. DURBIN, Mrs. HUTCHISON, Mr. ISAKSON, Mr. KERRY, Ms. LANDRIEU, Mr. LOTT, Ms. MIKULSKI, Mr. SANTORUM, Mr. SESSIONS, Mr. SPECTER, Mr. TALENT, Mr. VOINOVICH, Mr. SCHUMER, Mr. BROWNBACK, Mr. OBAMA, and Mr. BURR):

S. Res. 158. A resolution expressing the sense of the Senate that the President should designate the week beginning September 11, 2005, as ''National Historically Black Colleges and Universities Week''; to the Committee on the Judiciary.

By Mr. INHOFE (for himself and Mr. COBURN):

S. Res. 159. A resolution recognizing the 50th anniversary of the Oklahoma Independent Petroleum Association and its members vital contribution to the oil and gas industry of the United States; considered and agreed to.

By Mrs. CLINTON (for herself and Mr. HAGEL):

S. Con. Res. 39. A concurrent resolution to express the sense of Congress on the Purple Heart; to the Committee on Armed Services.

By Mr. LUGAR:

S. Con. Res. 40. A concurrent resolution recognizing and commending the President and the governments of other countries that have participated in the Proliferation Security Initiative for the historic efforts and successes of the Proliferation Security Initiative in reducing the threat posed by illicit trafficking in weapons of mass destruction, their means of delivery, and related materials, on the occasion of the second anniversary of the establishment of the Proliferation Security Initiative; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. REID, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 20, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce the number of abortions, and improve access to women's health care.

S. 103

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 103, a bill to respond to the illegal production, distribution, and use of methamphetamine in the United States, and for other purposes.

S. 313

At the request of Mr. LUGAR, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 313, a bill to improve authorities to address urgent nonproliferation crises and United States nonproliferation operations.

S. 327

At the request of Mrs. LINCOLN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 327, a bill to amend the Internal Revenue Code of 1986 to expand the tip credit to certain employers and to promote tax compliance.

S. 333

At the request of Mr. SANTORUM, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 333, a bill to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran.

S. 392

At the request of Mr. LEVIN, the names of the Senator from Nevada (Mr. REID), the Senator from New York (Mrs. CLINTON), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New York (Mr. SCHUMER), the Senator from Washington (Mrs. MURRAY), the Senator from South Carolina (Mr. DEMINT) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 392, a bill to authorize the President to award a gold medal on behalf of Congress, collectively, to the Tuskegee Airmen in recognition of their unique military record, which inspired revolutionary reform in the Armed Forces.

S. 418

At the request of Mrs. CLINTON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 418, a bill to protect members of the Armed Forces from unscrupulous practices regarding sales of insurance, financial, and investment products.

S. 438

At the request of Mr. ENSIGN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 438, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 593

At the request of Ms. COLLINS, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Virginia (Mr. ALLEN) were added as cosponsors 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. 603

At the request of Ms. LANDRIEU, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 603, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 642

At the request of Mr. FRIST, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 642, a bill to support certain national youth organizations, including the Boy Scouts of America, and for other purposes.

S. 793

At the request of Mr. DURBIN, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 793, a bill to establish national standards for discharges from cruise vessels into the waters of the United States, and for other purposes.

S. 844

At the request of Mr. REID, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S.

844, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce the number of abortions, and improve access to women's health care.

S. 935

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 935, a bill to regulate .50 caliber sniper weapons designed for the taking of human life and the destruction of materiel, including armored vehicles and components of the Nation's critical infrastructure.

S. 936

At the request of Mr. LEAHY, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 936, a bill to ensure privacy for e-mail communications.

S. 962

At the request of Mr. GRASSLEY, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 962, a bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued to finance certain energy projects, and for other purposes.

S. 985

At the request of Mrs. CLINTON, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 985, a bill to establish kinship navigator programs, to establish kinship guardianship assistance payments for children, and for other purposes.

S. 1049

At the request of Mr. FRIST, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1049, a bill to amend title XXI of the Social Security Act to provide grants to promote innovative outreach and enrollment under the medicaid and State children's health insurance programs, and for other purposes.

S. 1055

At the request of Mr. KENNEDY, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Vermont (Mr. JEFFORDS), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Washington (Mrs. MURRAY), the Senator from Rhode Island (Mr. REED) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 1055, a bill to improve elementary and secondary education.

S. 1062

At the request of Mr. KENNEDY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1062, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S. 1075

At the request of Mr. THUNE, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 1075, a bill to postpone the 2005 round of defense base closure and realignment.

S. 1081

At the request of Ms. STABENOW, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1081, a bill to amend title XVIII of the Social Security Act to provide for a minimum update for physicians' services for 2006 and 2007.

S. 1110

At the request of Mr. ALLEN, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 1110, a bill to amend the Federal Hazardous Substances Act to require engine coolant and antifreeze to contain a bittering agent in order to render the coolant or antifreeze unpalatable.

S. 1112

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1120

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1120, a bill to reduce hunger in the United States by half by 2010, and for other purposes.

S. 1127

At the request of Ms. SNOWE, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1127, a bill to require the Secretary of Defense to submit to Congress all documentation related to the Secretary's recommendations for the 2005 round of defense base closure and realignment.

S.J. RES. 18

At the request of Mr. MCCONNELL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S.J. Res. 18, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. CON. RES. 20

At the request of Mr. COCHRAN, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. Con. Res. 20, a concurrent resolution expressing the need for enhanced public awareness of traumatic brain injury and support for the designation of a National Brain Injury Awareness Month.

S. RES. 153

At the request of Mr. SESSIONS, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. Res. 153, a resolution expressing the support of Congress for the observation of the National Moment of Remembrance at 3:00 pm local time on this and every Memorial Day to acknowledge the sacrifices made on the behalf of all Americans for the cause of liberty.

AMENDMENT NO. 762

At the request of Mr. NELSON of Florida, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of amendment No. 762 intended to be proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LUGAR (for himself and Mr. HAGEL):

S. 1129. A bill to provide authorizations of appropriations for certain development banks, and for other purposes; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, I rise today to introduce legislation authorizing replenishment of funds to three of the five multilateral development banks, as requested by the U.S. Department of the Treasury. In addition, this legislation includes a long list of reform measures, intended to bring about transparency and accountability at all of the MDBs—the World Bank, the African Development Bank, the Asian Bank, the Inter-American Bank and the European Bank for Reconstruction and Development.

The World Bank, was the first MDB to be established in 1944, followed by the African Development Bank, 1964 and the Asian Development Bank, 1966. The shared original purpose of the three banks was to encourage economic development and reduce poverty in geographic regions impacted by the respective institutions.

I support the original operating purpose of the banks. However, I am deeply concerned that massive amounts of funds are not utilized as originally intended, due to diversion of those funds.

In 2003, I received information from credible sources within the MDBs alleging corruption on various fronts. As a result, I instructed staff of the Senate Foreign Relations Committee to commence collecting information on the anti-corruption strategies, and successes of each bank.

Based on the initial findings, I launched an investigation, reviewing corruption at the banks and their efforts to combat it. To date, I have chaired four hearings and sent letters of inquiry regarding individual projects to the bank presidents. Committee staff have interviewed scores of NGO representatives, bank insiders, academics and others, and have visited problem projects in six countries. Far too often, projects intended to boost economic development are derailed, and the poor suffer, unable to realize projected benefits in quality health care, clean water and education.

While the United States is one of dozens of donors, the financial contribution of American taxpayers over the years to these three institutions alone

exceeds $30 billion. The Congress has an obligation to our own citizens, as well as the intended beneficiaries of MDB projects, to press for transparency and accountability in the banks' operations.

Through adoption of the package of reforms I propose, the United States would set an example for other donor countries, encouraging their officials to also press for transparency and accountability.

I am pleased there is good news to report. The World Bank has embarked on an anti-corruption voluntary cooperation initiative, based in part on the Pentagon's anticorruption efforts. In addition, leading government officials from Italy, Spain and other countries have contacted the Committee, asking for more information about our review, and comparing strategies on ways of improving bank transparency. Finally, we have witnessed incremental improvements of greater transparency among the banks as a result of the Committee's ongoing work.

However, there is more to accomplish. This substantive package of reforms is based on our findings to date, and the input of many who support the original stated purpose of the multilateral development banks.

The Committee's oversight work continues, with the goal of enduring results.

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. 1129

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 ''Development Bank Reform and Authorization Act of 2005''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The United States has strong national security and humanitarian interests in alleviating poverty and promoting development around the world.

(2) The World Bank, the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, and the Inter-American Development Bank leverage the resources that the United States and other donors can devote to such goals.

(3) Contributions from the United States and other donors to the multilateral development banks must be well managed so that the mission of such banks is fully realized and not undermined by corruption. Bribes can influence important bank decisions on projects and contractors and misuse of funds can inflate project costs, cause projects to fail, and undermine development effectiveness.

(4) Officials of the World Bank have identified corruption as the single greatest obstacle to economic and social development. Corruption undermines development by distorting the rule of law and weakening the institutional foundation on which economic growth depends.

(5) Officials of the World Bank have determined that the harmful effects of corruption are especially severe on the poor, who are hardest hit by economic decline, are most reliant on the provision of public services, and are least capable of paying the extra costs associated with bribery, fraud, and the misappropriation of economic privileges.

(6) In hearings before the Foreign Relations Committee of the Senate, it was demonstrated that—

(A) significant multilateral development bank funding has been lost to corruption and it is difficult to ascertain such amount precisely, in part because the multilateral development banks have not implemented procedures to calculate such amounts, either in the aggregate or on a country basis;

(B) the multilateral development banks are taking action to address fraud and corruption but additional measures remain to be carried out;

(C) the capability of anti-corruption mechanisms are not consistent among the multilateral development banks and divergences in anti-corruption policies exist that may hinder coordination on fighting corruption;

(D) weaknesses in whistleblower policy and practice exist at the multilateral development banks, to varying degree, that impede anti-fraud and anti-corruption efforts;

(E) greater transparency is necessary to provide effective development aid;

(F) the Secretary of the Treasury encourages anti-corruption efforts at the multilateral development banks and reviews loans made by such banks, however, the United States has limited ability to investigate the misuse of funds from such banks; and

(G) in some cases, the countries bearing the cost of prosecuting corruption related to the multilateral development banks are the countries that can least afford such costs, for example, the Government of Lesotho incurred considerable expense, despite competing priorities, such as those arising from an HIV/AIDS rate of more than 25 percent in that country, to investigate and prosecute fraud and corruption related to a project that received funding from the World Bank and the World Bank did not contribute money towards the prosecution or investigation.

(7) The General Accounting Office issued a report in 2001 that evaluated the external audit reporting of the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, and the Inter-American Development Bank and a report in 2000 that evaluated the internal controls of the World Bank, and recommended measures to strengthen such audit reporting and controls.

(8) The International Financial Institutions Advisory Commission (also known as the ''Meltzer Commission'') concluded in 2000, among other things, that—

(A) pressure to lend for lending's sake is built into the structure of the multilateral development banks;

(B) although several of the multilateral development banks recognize this problem and have called attention to the need for change, there is, at most, weak counterbalance to the pressure to lend; and

(C) the multilateral development banks' systems for project evaluation, performance evaluation, and project selection must be improved, and that such evaluation should be a repetitive process spread over time, including many years after final disbursement of funds.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on International Relations and the Committee on Financial Services of the House of Representatives.

(2) GROUP OF 7.—The term ''Group of 7'' means Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States.

(3) GROUP OF 8.—The term ''Group of 8'' means the Group of 7 and Russia.

(4) MULTILATERAL DEVELOPMENT BANKS.—The term ''multilateral development banks'' means the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank, the World Bank, and any subsidiary or affiliate of such institutions.

(5) PERSON.—The term ''person'' includes a government, a government-controlled entity, a corporation, a company, an association, a firm, a partnership, a society, and a joint stock company, as well as an individual.

(6) SECRETARY.—Except as otherwise provided, the term ''Secretary'' means the Secretary of the Treasury.

(7) WORLD BANK.—The term ''World Bank'' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, and the Multilateral Investment Guarantee Agency and any subsidiary or affiliate of such institutions.

SEC. 4. REFORMS.

(a) AUTHORITY.—The Secretary is authorized to seek the creation of a pilot program that establishes an Anti-Corruption Trust at the World Bank, as described in this section.

(b) PURPOSES.—The purposes of the Anti-Corruption Trust pilot program shall include—

(1) to assist poor countries in investigations and prosecutions of fraud and corruption related to a loan, grant, or credit of the World Bank; and

(2) to determine whether such a program should be carried out at other multilateral development banks.

(c) REPAYMENT OF FUNDS.—If a poor country assesses a fine or receives any renumeration as part of a prosecution paid for with funds from the Anti-Corruption Trust pilot program, such country shall repay the amount received from the Trust until the total amount received by such country is repaid.

(d) MONITORING.—The Secretary shall be responsible for establishing a system for monitoring the disbursement and use of funds from the Anti-Corruption Trust pilot program and promoting access to such funds by poor countries that are challenged by the high cost of investigating and prosecuting corruption and fraud linked to a loan from, or a project funded by, the World Bank.

(e) OTHER DONORS.—The Secretary shall encourage other donors to the multilateral development banks to contribute funds to the Anti-Corruption Trust.

(f) POOR COUNTRIES DEFINED.—In this section, the term ''poor countries'' means countries eligible to borrow from the International Development Association, as such eligibility is determined by gross national product per capita, lack of creditworthiness to borrow on market terms, and good policy performance.

(g) REPORTS.—

(1) REPORT ON IMPLEMENTATION.—Not later than September 1, 2006, the Secretary shall submit to the appropriate congressional committees a report that describes the actions taken to establish the Anti-Corruption Trust as described in this section.

(2) REPORT ON EVALUATION.—Not later than September 1, 2007, the Secretary shall submit to the appropriate congressional committees a report that—

(A) evaluates the effectiveness of the Anti-Corruption Trust pilot program; and

(B) evaluates the feasibility of establishing similar trusts at other multilateral development banks.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary such sums as may be necessary for contribution on behalf of the United States to an Anti-Corruption Trust if a pilot program establishing such a Trust is established as described in this section.

SEC. 5. PROMOTION OF POLICY GOALS AT MULTILATERAL DEVELOPMENT BANKS.

Title XV of the International Financial Institutions Act (22 U.S.C. 262o) is amended by adding at the end the following:

"SEC. 1505. PROMOTION OF POLICY GOALS.

''(a) DEFINITIONS.—In this section:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on International Relations and the Committee on Financial Services of the House of Representatives.

''(2) MULTILATERAL DEVELOPMENT BANKS.—The term 'multilateral development banks' means the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank, the World Bank, and any subsidiary or affiliate of such institutions.

''(3) PERSON.—The term 'person' includes a government, a government-controlled entity, a corporation, a company, an association, a firm, a partnership, a society, and a joint stock company, as well as an individual.

''(4) SECRETARY.—Except as otherwise provided, the term 'Secretary' means the Secretary of the Treasury.

''(5) WORLD BANK.—The term 'World Bank' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, and the Multilateral Investment Guarantee Agency, and any subsidiary or affiliate of such institutions.

''(b) TRANSPARENCY.—

''(1) PUBLICATION OF STATEMENTS.—

''(A) IN GENERAL.—Not later than 60 calendar days after a meeting of the board of directors of a multilateral development bank, the Secretary shall provide for publication on the Internet Web site of the Department of the Treasury of—

''(i) the justification for each vote by the United States Executive Director at the multilateral development bank on any matter before the board of directors of the bank; and

''(ii) any written statement presented at the meeting by such United States Executive Director at the bank concerning—

''(I) a lending, grant, or guarantee operation which would result or be likely to result in significant social or environmental effects;

''(II) an institutional policy or strategy of the bank that generates significant public interest, including operational policies and sector or thematic strategies;

''(III) a project on which a claim has been made to the inspection mechanism of the bank; or

''(IV) a case pending before the inspection mechanism of the bank.

''(B) REDACTED MATERIAL.—The Secretary may redact material from the material to be made available under subparagraph (A) if the Secretary determines such material is too sensitive for public distribution.

''(2) VOICE AND VOTE.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of the publication policy described in paragraph (3), and use the voice and vote of the United States to implement such policy.

''(3) PUBLICATION POLICY.—

''(A) IN GENERAL.—The publication policy referred to in paragraph (2) is a policy that each multilateral development bank shall—

''(i) make available to the public, including on the Internet Web site of such bank, the loan, credit, and grant documents, country assistance strategies, sector strategies, and sector policies prepared by the bank that are to be presented for endorsement or approval by the board of directors of the bank, 15 calendar days prior to the date that such document, strategy, or policy will be considered by the board or, if not available at that time, at the time the documents are distributed to the board;

''(ii) make available to the public all draft country strategies 120 calendar days prior to consideration of such strategies by the board of directors of the bank;

''(iii) make a concerted effort to distribute paper copies of the material referred to in clauses (i) and (ii) to communities affected by the documents referred to in such clauses;

''(iv) make available to the public, including on the Internet Web site of such bank, the minutes of a meeting of the board of directors of the bank, not later than 60 calendar days after the date that the bank approves the minutes of the board meeting;

''(v) make available to the public, including on the Internet Web site of such bank, a summary of discussion of the meeting of the board of directors of the bank, not later than 90 calendar days after the date of the meeting;

''(vi) keep a written transcript or electronic recording of each meeting of its board of directors and preserve the transcript or recording for not less than 10 years after the date of such meeting; and

''(vii) make available to the public a written transcript or an electronic recording of a meeting of the board of directors of the bank during the 5-year period beginning on the date that is 5 years after the date of the meeting.

''(B) REDACTED MATERIAL.—The president of a multilateral development bank may redact material from the material to be made available under subparagraph (A) if the president of a multilateral development bank determines such material is too sensitive for public distribution.

''(c) STRENGTHENING DEVELOPMENT BANK ADMINISTRATION.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of, and use the voice and vote of the United States to achieve at the bank, the following United States policy goals:

''(1) Each multilateral development bank shall require mandatory financial disclosure of any possible or apparent conflict of interest by each employee of the bank, consultant to the bank, or independent expert to the bank whose duties and responsibilities include, through decision or the exercise of judgment, the taking of any action regarding—

''(A) contracting or procurement;

''(B) developing, administering, managing, or monitoring loans, grants, programs, projects, subsidies, or other conferred financial or operational benefits provided by the bank; or

''(C) evaluating or auditing any project, program or entity.

''(2) Each multilateral development bank shall reform the 'pressure to lend' incentive structure at such bank by linking project design and implementation to staff performance appraisals and shall require that staff increase its focus on monitoring existing loans.

''(3) Each multilateral development bank shall continue strengthening whistleblower policies at the bank to the level of emerging standards for national and international law in the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201 et seq.), the Inspector General Act of 1978 (5 U.S.C. App.), and the model approved for member nations by the Organization of American States to implement the Inter-American Convention Against Corruption, done at Caracas on March 29, 1996.

''(4) All loan, credit, guarantee, and grant documents and other agreements with borrowers shall include provisions for the financial resources and conditionality necessary to ensure that a person who obtains financial support from a multilateral development bank complies with applicable bank policies and national and international laws in carrying out the terms and conditions of such documents and agreements, including bank policies and national and international laws pertaining to the comprehensive assessment and transparency of the activities supported, such as those concerning public consultation, access to information, public health, safety, and environmental protection.

''(5) Each multilateral development bank shall develop clear procedures setting forth the circumstances under which a person will be barred from receiving a loan, contract, grant, or credit from such bank, shall make such procedures available to the public, and shall make the identities of such person available to the public.

''(6) Each multilateral development bank shall coordinate policies across international institutions on issues including debarment, cross-debarment, procurement and consultant guidelines, and fiduciary standards so that a person that is debarred by one multilateral development bank is automatically declared ineligible to conduct business with the other multilateral development banks during the specified ineligibility period.

''(d) ANTI-CORRUPTION PRACTICES.—

''(1) VOICE AND VOTE.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of the United States anti-corruption policy described in paragraph (2), and use the voice and vote of the United States to implement such policy at the bank.

''(2) ANTI-CORRUPTION POLICY.—The anti-corruption policy referred to in paragraph (1) is the United States policy that a person that receives money from a multilateral development bank shall sign a code of conduct that embodies the standards set out in section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–2), and that prohibits such person from corruptly in furtherance of an offer, payment, promise to pay, or authorization of the payment of any money, or offer, gift, promise to give, or authorization of the giving of anything of value to any official for purposes, directly or indirectly—

''(A)(i) influencing any act or decision of such official in his or her official capacity;

''(ii) supporting any political party, political entity, any official of a political party, or any candidate for political office;

''(iii) inducing such official to do or omit to do any act in violation of the lawful duty of such official; or

''(iv) securing any improper advantage; or

''(B) inducing such official to use the official's influence with a government or instrumentality thereof, to affect or influence any act or decision of such government or instrumentality,

in order to assist such person in obtaining or retaining business for or with, or directing business to, any other person.

''(e) STRENGTHENING DEVELOPMENT BANK AUDITING.—

''(1) VOICE AND VOTE.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of, and use the voice and vote of the United States to achieve at the bank, the following United States policy goals:

''(A) Each multilateral development bank shall—

''(i) establish an independent Office of an Inspector General, establish or strengthen an independent auditing function at the bank, and require that the Inspector General and the auditing function report directly to the board of directors of the bank; and

''(ii) adopt and implement an internationally recognized internal controls framework, allocate adequate staffing to auditing and supervision, require external audits of internal controls, and external and forensic audits of loans where fraud is suspected.

''(B) Each multilateral development bank shall establish a plan and schedule for conducting regular, independent audits of internal management controls and procedures for meeting operational objectives, complying with the policies of such bank, and preventing fraud, and making reports describing the scope and findings of such audits available to the public.

''(C) Each multilateral development bank shall establish effective procedures for the receipt, retention, and treatment of—

''(i) complaints received by the bank regarding fraud, accounting, mismanagement, internal accounting controls, or auditing matters; and

''(ii) the confidential, anonymous submission, particularly by employees of the bank, of concerns regarding fraud, accounting, mismanagement, internal accounting controls, or auditing matters.

''(D) Each multilateral development bank shall post on the Internet Web site of such bank an annual report containing statistical summaries and case studies of the fraud and corruption cases pursued by the bank's investigations unit.

''(f) COMPENSATION PACKAGES FOR PEOPLE NEGATIVELY AFFECTED BY DEVELOPMENT BANK PROJECTS.—

''(1) VOICE AND VOTE.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of the United States policy goals related to compensation described in paragraph (2), and use the voice and vote of the United States to implement such policy at the bank.

''(2) COMPENSATION POLICY.—The compensation policy referred to in paragraph (1) is a policy that each multilateral development bank shall, for each project funded by the bank where compensation, including resettlement or rehabilitation assistance, is to be provided to persons adversely impacted by the project, require that an independent mechanism be established for, or included in the design of, the project to receive and adjudicate complaints from a person who is eligible for compensation if such person, not more than 6 years after the date of the completion of the project, finds that the compensation is either inadequate or improperly implemented.

''(g) EVALUATION.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to inform the bank of, and use the voice and vote of the United States to achieve at the bank, the following goals:

''(1) Each multilateral development bank shall make the results of project and non-project operations evaluations available to the public, including through the Internet Web site of the bank and including information on the quantity of projects evaluated per year as a percentage of total projects carried out.

''(2) Each multilateral development bank shall require that all loans, grants, credits, policies, and strategies, including budget support, prepared by the bank include specific outcome and output indicators to measure results, and that the indicators and results be published periodically during the execution and at the completion of the appropriate project or program, and at the number of years after such completion determined to be appropriate for such loan, grant, credit, policy, or strategy.

''(3) Each multilateral development bank shall promote rigorous evaluation of projects and policies to ensure that the intent of such projects and policies is realized. Such a bank shall favor grants and loans to applicants who agree, in consultation with an independent evaluator or evaluators, to design projects to facilitate the evaluation of outcomes. Rigorous evaluations shall measure the impact on those served by a loan, grant, or credit and shall have a carefully constructed comparison group to help measure the impacts of the loan, grant, or credit.

''(h) QUALIFICATION POLICY.—

''(1) VOICE AND VOTE.—The Secretary shall instruct the United States Executive Director at each multilateral development bank to encourage the bank to implement the qualification policy for borrowing countries described in paragraph (2), and use the voice and vote of the United States to achieve such policy at each bank.

''(2) QUALIFICATION POLICY FOR BORROWING COUNTRIES.—The qualification policy for borrowing countries referred to in paragraph (1) is a policy that requires, in addition to the standards in effect on the date of the enactment of the Development Bank Reform and Authorization Act of 2005, each multilateral development bank to qualify a country for budget support, adjustment lending, policy lending for non-project loans, grants, or credits, or other loans directed to the country's budget based on transparency in procurement and fiduciary requirements and requiring the borrowing country to make its budget available to the public before funds are disbursed to that country.

''(i) MICROFINANCE AND BUSINESS DEVELOPMENT.—The Secretary shall inform the management of each multilateral development bank and the public that it is the policy of the United States to encourage microfinance services for the poor and very poor (as that term is defined in section 259 of the Foreign Assistance Act of 1961 (22 U.S.C. 2214a)), and micro-, small-, and medium-enterprise development programs, particularly in a country where the government of such country ranks poorly in the World Bank Institute's governance indicators.

''(j) RESOURCE DEPENDENT COUNTRY REVENUE TRANSPARENCY.—

''(1) REQUIREMENTS FOR RESOURCE ASSISTANCE FOR A GOVERNMENT.—The Secretary shall inform the management of each multilateral development bank and the public that it is the policy of the United States that any assistance provided by a such bank including any investment, loan, credit, grant, or guarantee, to a government of a resource-dependent country or for any project located in a resource-dependent country, other than humanitarian assistance, assistance to address HIV/AIDS, tuberculosis, malaria or food aid, may not be provided unless the government has in place or is taking the necessary steps to establish functioning systems for—

''(A) accurately accounting for all revenues received by a borrowing government from a person and all payments to a government in connection with the extraction or export of natural resources, such as gas, oil, oil shale, tar sands, coal, any metal, mineral, or timber;

''(B) the independent auditing of such payments and such revenues by a credible, independent auditor, applying international auditing standards, and the widespread regular public dissemination of the auditor's findings, including a reconciliation of aggregate payments and revenues;

''(C) verifying such revenues against the records for such payments made by each person, including widespread dissemination of aggregate payment information in a manner that protects proprietary information, that observes the law of the borrowing country, and that the person determines does not cause substantial competitive harm;

''(D) making available to the public all contracts between the government of such country or any person owned or controlled by such government, and any person that is engaged in the extraction or export of natural resources through a project or program supported by a bank, unless the person determines such disclosure would cause substantial competitive harm;

''(E) applying the revenue transparency approach described in this paragraph equally and fully to all extractive industry companies operating in the country, including state-owned entities; and

''(F) establishing a legal framework for disclosure of payments from a person or contracts with a person and outlining the level and extent of disclosure or payment information by companies in the extractive industries.

''(2) REQUIREMENTS FOR OTHER NATURAL RESOURCE ASSISTANCE.—The Secretary shall inform the management of each multilateral development bank and the public that it is the policy of the United States that any assistance, including any investment, loan, or guarantee, provided by such a bank to private sector sponsors for the extraction or export of natural resources in a resource-dependent country shall only be provided if the government of the country has in place or is taking necessary steps to establish the functioning systems described in subparagraphs (A) through (F) in paragraph (1) and if the private sector sponsors of such projects publicly disclose revenue payments made to the government of such country, in accordance with the laws of such country regarding the required level and extent of such disclosure.

''(3) COMPLIANCE WITH TRANSPARENCY GUIDELINES PRIOR TO APPROVAL OF ASSISTANCE.—In furtherance of the policy described in paragraph (1), not later than 2 years after the date of the enactment of the Development Bank Reform and Authorization Act of 2005, the Secretary shall inform the management of each multilateral development bank and the public that it is the policy of the United States that any assistance by such a bank, including any investment, loan, credit, grant, or guarantee, other than humanitarian assistance, assistance to address HIV/AIDS, tuberculosis, or malaria or to provide food, to any government of a resource-dependent country or for any project located in such country, shall not be provided unless the bank, prior to the approval of such assistance, has—

''(A) determined that the government has in place the systems described in subparagraphs (A) through (F) of paragraph (1), based on all information that is relevant, applicable and reasonably available to the bank, including, the views of other international financial institutions active in such country and the views of civil society organizations that are active within and outside such country;

''(B) determined that private sector sponsors of projects for the extraction and export of natural resources have agreed to publicly

disclose revenue payments to host governments; and

''(C) made available to the public the findings and conclusions identifying the information taken into consideration in making such determinations and the reasons for such determinations.

''(4) RESOURCE-DEPENDENT COUNTRY DEFINED.—In this subsection, the term 'resource-dependent country' means a country that has—

''(A) an average share of natural resource-derived fiscal revenues of at least 25 percent of the total fiscal revenues during the preceding 3-year period; or

''(B) an average share of natural resource export proceeds of at least 25 percent of the total export proceeds during the preceding 3-year period.''.

SEC. 6. SENSE OF CONGRESS ON THE EXTRACTIVE INDUSTRY TRANSPARENCY INITIATIVE AND G–8 AGREEMENTS.

It is the sense of Congress that—

(1) the President should continue promoting the Extractive Industry Transparency Initiative as one approach to help ensure that the revenues from extractive industries contribute to sustainable development and poverty reduction, as such Initiative is a voluntary initiative intended—

(A) to promote greater transparency of developing country government revenues and expenditures, procurement, concession-granting systems; and

(B) to work to recover stolen assets and enforce antibribery laws;

(2) the United States should encourage the continued work of the G–8 to promote the Extractive Industries Transparency Initiative; and

(3) the United States should support and encourage the carrying out of the agreements of the G–8 made at the 2004 Summit at Sea Island, Georgia, and at the 2003 Summit at Evian, France, to promote transparency in public budgets, including revenues and expenditures, government procurement, public concessions, the granting of licenses with special emphasis on countries with large extractive industries sectors, including the agreements made at the Summit at Sea Island which specifically—

(A) support the efforts of the Public Expenditure and Financial Accountability program at the World Bank to help developing countries achieve accountability in public finance and expenditure and to extend harmonized approaches to the assessment and reform of their public financial, accountability, and procurement systems;

(B) invite developing countries to prepare anticorruption action plans to implement the commitments of such countries in regional and international conventions; and

(C) achieve agreement on full disclosure of the World Bank International Development Association's Country Policy and Institutional Assessment results, with disclosure to begin with the 2005 ratings.

SEC. 7. REPORTS FROM THE GOVERNMENT ACCOUNTABILITY OFFICE.

(a) SENSE OF CONGRESS ON ACCESS TO INFORMATION.—It is the sense of Congress that—

(1) to evaluate the compliance of the multilateral development banks with the policies of the United States described in section 1505 of the International Financial Institutions Act, as added by section 5 of this Act, and to prepare the reports required by this section, the Comptroller General of the United States should have full and complete access to financial information relating to the multilateral development banks, including information related to the performance, accountability, oversight, financial transactions, organization, and activities of the multilateral development banks;

(2) the Secretary should seek to conclude memorandums of understanding with the multilateral development banks to ensure that the United States will have access to documents related to information described in paragraph (1); and

(3) the Secretary of the Treasury should facilitate access by the Comptroller General of the United States to the financial information described in paragraph (1).

(b) REPORT ON EFFECTIVENESS OF MULTILATERAL DEVELOPMENT BANKS.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a review of the effectiveness of each multilateral development bank in achieving the mission of such bank as set out in the articles of agreement of such bank, specifically poverty reduction and economic development; and

(2) submit to the appropriate congressional committees a report on the findings of the review.

(c) REPORT ON CONSISTENCY OF MULTILATERAL DEVELOPMENT BANK PRACTICES WITH STATUTORY POLICIES.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall prepare and submit to the appropriate congressional committees a report on the extent to which the practices of the multilateral development banks are consistent with the policies of the United States, as expressly contained in Federal law applicable to the multilateral development banks.

(d) REPORT ON REFORMS AT THE MULTILATERAL DEVELOPMENT BANKS.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall prepare and submit to the appropriate congressional committees a report on the extent of the implementation of the reforms called for by the Group of 8 or by the Group of 7, starting with the 2000 Okinawa Summit, as delineated in communiqués, chairman's statements, and other official communication through the summit or finance ministerial processes of the Group of 8 or the Group of 7.

SEC. 8. CONTRIBUTIONS TO MULTILATERAL DEVELOPMENT BANKS.

(a) WORLD BANK.—The International Development Association Act (22 U.S.C. 284 et seq.) is amended by adding at the end the following new section:

''SEC. 23. FOURTEENTH REPLENISHMENT.

''(a) CONTRIBUTION AUTHORITY.—

''(1) IN GENERAL.—The United States Governor of the Association is authorized to contribute on behalf of the United States $2,850,000,000 to the fourteenth replenishment of the resources of the Association.

''(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

''(b) AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated, without fiscal year limitation, $2,850,000,000 for payment by the Secretary of the Treasury.''.

(b) AFRICAN DEVELOPMENT BANK FUND.—The African Development Fund Act (22 U.S.C. 290g et seq.) is amended by adding at the end the following new section:

''SEC. 218. TENTH REPLENISHMENT.

''(a) CONTRIBUTION AUTHORITY.—

''(1) IN GENERAL.—The United States Governor of the Fund is authorized to contribute on behalf of the United States $407,000,000 to the tenth replenishment of the resources of the Fund.

''(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

''(b) AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated, without fiscal year limitation, $407,000,000 for payment by the Secretary of the Treasury.''.

(c) ASIAN DEVELOPMENT FUND OF THE ASIAN DEVELOPMENT BANK.—The Asian Development Bank Act (22 U.S.C. 285 et seq.) is amended by adding at the end the following new section:

''SEC. 32. EIGHTH REPLENISHMENT.

''(a) CONTRIBUTION AUTHORITY.—

''(1) IN GENERAL.—The United States Governor of the Bank is authorized to contribute on behalf of the United States $461,000,000 to the eighth replenishment of the resources of the Fund.

''(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

''(b) AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated, without fiscal year limitation, $461,000,000 for payment by the Secretary of the Treasury.''.

SEC. 9. ANNUAL REPORTS.

(a) INITIAL REPORT.—Not later than September 1, 2006, the Secretary shall submit a report to the appropriate congressional committees the describes the actions taken by the United States Executive Director at each multilateral development bank to implement the policy goals described in this Act and the amendments made by this Act and any other actions that should be taken to implement such goals.

(b) UPDATES.—The Secretary shall submit to the appropriate congressional committees an annual update of the report required by subsection (a) for each of the fiscal years 2007, 2008, and 2009.

By Mr. CRAIG:

S. 1131. A bill to authorize the exchange of certain Federal land within the State of Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Mr. President, I rise today to introduce the Idaho Land Enhancement Act of 2005. Simply put, this legislation directs the Secretaries of Agriculture and Interior to exchange land with the State of Idaho involving key parcels of land from the Boise Foothills to North Idaho.

The proposed exchange is exceptional in many respects. First, the concept for the proposed land exchange originated from a local conservation effort led by the city of Boise and local conservation groups including the Idaho Conservation League. Since the late 1960's the issue of conserving the Boise Foothills has been a significant concern of the community. Conservation efforts have continued to grow in support within the community, culminating in May 2001 with the citizens of Boise, in one of the highest voter turnouts in city history, electing to tax themselves in order to provide funding to secure permanent public open space in the Boise Foothills.

Next, the collaboration between the city of Boise, the State of Idaho, the Forest Service and the Bureau of Land Management has produced an agreement that has yielded a proposal benefiting the State's endowment beneficiaries while addressing the common threats of fire and hazardous fuels, invasive species, habitat fragmentation and unmanaged recreation associated with urban interface with Federal lands. The proposal uses both Bureau of Land Management and Forest Service land to balance an exchange with Idaho State Endowment lands on an equal value basis.

Last, the process has been open, transparent, and has wide support throughout the State. The city of Boise has facilitated public meetings, provided opportunities for public comment, and has made the maps of the exchange available to the public. The City has met with all of the affected tribes and counties. In addition, the multi-agency group completed evaluations of timber values, minerals, cultural resources, water rights, legal access, wildlife, fisheries, vegetation, hydrology, wetlands, threatened and endangered species, and specific habitat. The evaluations show that no major environmental effect will occur as a result of the exchange. In fact, The Nature Conservancy independently reviewed the data and compared it to their eco-regional planning efforts and concluded that the exchange has ''limited potential to impact biodiversity values'' and they support the exchange.

The city of Boise has made a substantial investment of local property tax dollars in the facilitation of this land exchange package. This exchange will complete a statewide collaborative process that represents a legacy of local, State and Federal cooperation benefiting land management interests throughout the State.

This exchange will enhance land in both the northern and southern parts of the State. It is an example of how local, State, and Federal partners can come together to collaboratively develop an exchange in which the public and the land are the ultimate beneficiaries.

By Mr. COLEMAN (for himself, Ms. LANDRIEU, Mr. DEWINE, Ms. SNOWE, Mr. COCHRAN, Mr. VITTER, Mr. BAYH, and Mr. SMITH):

S. 1132. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease; to the Committee on Health, Education, Labor, and Pensions.

Mr. COLEMAN. Mr. President, I am pleased today to be introducing the bipartisan Treatment of Children's Deformities Act. I am pleased to be joined by many of my friends and colleagues, including Senators LANDRIEU, DEWINE, SNOWE, COCHRAN, VITTER and BAYH.

Imagine being a parent with a child who has a cleft lip and palate or another more severe congenital facial deformity that requires reconstructive surgery to achieve a sense of normalcy and function. Now imagine receiving a letter from your insurance carrier that states the following:

> The reviewer determined that although the procedures listed above would enhance the appearance of the patient, the procedures listed are not necessary to correct a functional disorder and therefore do not meet the criteria for benefits as outlined in the medical plan.

Unfortunately, there are numerous examples of children and families around the country that have been confronted with this kind of heart wrenching situation. Examples of congenital deformities include cleft lip, cleft palate, skin lesions, vascular anomalies, malformations of the ear, hand, or foot, and other more profound craniofacial deformities. It is essential for children with these problems to receive timely surgical care in order to have a chance at leading normal, healthy, happy lives. And yet, an increasing number of kids go without life changing treatment because treatment is regarded as ''cosmetic'' or ''non-functional.''

It's unfortunate that legislation is necessary. However, this legislation will ensure that children who are born with a congenital deformity—whether a cleft lip and palate or a more severe deformity—receive the reconstructive surgery they need to achieve a sense of normalcy and function.

According to the March of Dimes, 150,000 newborns suffer from birth defects each year. Of the 150,000 born, approximately 50,000 require reconstructive surgery. Although surgeons are able to correct many of these problems, an increasing number of these children are denied access to care by the labeling of the procedures as ''cosmetic'' or ''non-functional'' in nature.

A common Federal definition of reconstructive surgery, based on the American Medical Association's definition, will help clarify coverage nationally and reduce the delay for children in need of surgery.

It is essential for children with these problems to receive timely surgical care in order to have a chance at leading normal, healthy, and happy lives. Also, many times these surgeries are best performed while children are young and their bodies can more readily recover and respond to the corrective surgery.

The Treatment of Children's Deformities Act differentiates between cosmetic and reconstructive surgery. The legislation defines reconstructive surgery as that being performed on abnormal structures of the body, caused by congenital defects, developmental abnormalities, trauma, infection, tumors or disease.

Cosmetic surgery, in contrast, is defined by the American Medical Association as being performed to reshape normal structures of the body in order to improve the patient's appearance and self-esteem.

Children born with deformities should receive the help they need and this legislation will make it happen. I look forward to working with my colleagues to pass this legislation that will improve the quality of life for children born with congenital deformities. I urge my colleagues to join me in supporting this legislation.

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. 1132

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 ''Treatment of Children's Deformities Act of 2005''.

SEC. 2. COVERAGE OF MINOR CHILD'S CONGENITAL OR DEVELOPMENTAL DEFORMITY OR DISORDER.

(a) GROUP HEALTH PLANS.—

(1) PUBLIC HEALTH SERVICE ACT AMENDMENTS.—

(A) IN GENERAL.—Subpart 2 of part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–4 et seq.) is amended by adding at the end the following:

''SEC. 2707. STANDARDS RELATING TO BENEFITS FOR MINOR CHILD'S CONGENITAL OR DEVELOPMENTAL DEFORMITY OR DISORDER.

''(a) REQUIREMENTS FOR RECONSTRUCTIVE SURGERY.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer offering group health insurance coverage, that provides coverage for surgical benefits shall provide coverage for outpatient and inpatient diagnosis and treatment of a minor child's congenital or developmental deformity, disease, or injury. A minor child shall include any individual through 21 years of age.

''(2) REQUIREMENTS.—Any coverage provided under paragraph (1) shall be subject to pre-authorization or pre-certification as required by the plan or issuer, and such coverage shall include any surgical treatment which, in the opinion of the treating physician, is medically necessary to approximate a normal appearance.

''(3) TREATMENT DEFINED.—

''(A) IN GENERAL.—In this section, the term 'treatment' includes reconstructive surgical procedures (procedures that are generally performed to improve function, but may also be performed to approximate a normal appearance) that are performed on abnormal structures of the body caused by congenital defects, developmental abnormalities, trauma, infection, tumors, or disease, including—

''(i) procedures that do not materially affect the function of the body part being treated; and

''(ii) procedures for secondary conditions and follow-up treatment.

''(B) EXCEPTION.—Such term does not include cosmetic surgery performed to reshape normal structures of the body to improve appearance or self-esteem.

''(b) NOTICE.—A group health plan under this part shall comply with the notice requirement under section 714(b) of the Employee Retirement Income Security Act of 1974 with respect to the requirements of this section as if such section applied to such plan.''.

(B) CONFORMING AMENDMENT.—Section 2723(c) of the Public Health Service Act (42 U.S.C. 300gg–23(c)) is amended by striking ''section 2704'' and inserting ''sections 2704 and 2707''.

(2) ERISA AMENDMENTS.—

(A) IN GENERAL.—Subpart B of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185 et seq.) is amended by adding at the end the following:

''SEC. 714. STANDARDS RELATING TO BENEFITS FOR MINOR CHILD'S CONGENITAL OR DEVELOPMENTAL DEFORMITY OR DISORDER.

''(a) REQUIREMENTS FOR RECONSTRUCTIVE SURGERY.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer offering group health insurance coverage, that provides coverage for surgical benefits shall provide coverage for outpatient and inpatient diagnosis and treatment of a minor child's congenital or developmental deformity, disease, or injury. A minor child shall include any individual through 21 years of age.

''(2) REQUIREMENTS.—Any coverage provided under paragraph (1) shall be subject to pre-authorization or pre-certification as required by the plan or issuer, and such coverage shall include any surgical treatment which, in the opinion of the treating physician, is medically necessary to approximate a normal appearance.

''(3) TREATMENT DEFINED.—

''(A) IN GENERAL.—In this section, the term 'treatment' includes reconstructive surgical procedures (procedures that are generally performed to improve function, but may also be performed to approximate a normal appearance) that are performed on abnormal structures of the body caused by congenital defects, developmental abnormalities, trauma, infection, tumors, or disease, including—

''(i) procedures that do not materially affect the function of the body part being treated; and

''(ii) procedures for secondary conditions and follow-up treatment.

''(B) EXCEPTION.—Such term does not include cosmetic surgery performed to reshape normal structures of the body to improve appearance or self-esteem.

''(b) NOTICE UNDER GROUP HEALTH PLAN.—The imposition of the requirements of this section shall be treated as a material modification in the terms of the plan described in section 102(a)(1), for purposes of assuring notice of such requirements under the plan; except that the summary description required to be provided under the last sentence of section 104(b)(1) with respect to such modification shall be provided by not later than 60 days after the first day of the first plan year in which such requirements apply.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 731(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191(c)) is amended by striking ''section 711'' and inserting ''sections 711 and 714''.

(ii) Section 732(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191a(a)) is amended by striking ''section 711'' and inserting ''sections 711 and 714''.

(iii) The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 is amended by inserting after the item relating to section 713 the following:

''Sec. 714. Standards relating to benefits for minor child's congenital or developmental deformity or disorder''.

(3) INTERNAL REVENUE CODE AMENDMENTS.—Subchapter B of chapter 100 of the Internal Revenue Code of 1986 is amended—

(A) in the table of sections, by inserting after the item relating to section 9812 the following:

''Sec. 9813. Standards relating to benefits for minor child's congenital or developmental deformity or disorder''; and

(B) by inserting after section 9812 the following:

''SEC. 9813. STANDARDS RELATING TO BENEFITS FOR MINOR CHILD'S CONGENITAL OR DEVELOPMENTAL DEFORMITY OR DISORDER.

''(a) REQUIREMENTS FOR RECONSTRUCTIVE SURGERY.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer offering group health insurance coverage, that provides coverage for surgical benefits shall provide coverage for outpatient and inpatient diagnosis and treatment of a minor child's congenital or developmental deformity, disease, or injury. A minor child shall include any individual through 21 years of age.

''(2) REQUIREMENTS.—Any coverage provided under paragraph (1) shall be subject to pre-authorization or pre-certification as required by the plan or issuer, and such coverage shall include any surgical treatment which, in the opinion of the treating physician, is medically necessary to approximate a normal appearance.

''(3) TREATMENT DEFINED.—

''(A) IN GENERAL.—In this section, the term 'treatment' includes reconstructive surgical procedures (procedures that are generally performed to improve function, but may also be performed to approximate a normal appearance) that are performed on abnormal structures of the body caused by congenital defects, developmental abnormalities, trauma, infection, tumors, or disease, including—

''(i) procedures that do not materially affect the function of the body part being treated; and

''(ii) procedures for secondary conditions and follow-up treatment.

''(B) EXCEPTION.—Such term does not include cosmetic surgery performed to reshape normal structures of the body to improve appearance or self-esteem.''.

(b) INDIVIDUAL HEALTH INSURANCE.—

(1) IN GENERAL.—Part B of title XXVII of the Public Health Service Act is amended by inserting after section 2752 the following:

''SEC. 2753. STANDARDS RELATING TO BENEFITS FOR MINOR CHILD'S CONGENITAL OR DEVELOPMENTAL DEFORMITY OR DISORDER.

''(a) REQUIREMENTS FOR RECONSTRUCTIVE SURGERY.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer offering group health insurance coverage, that provides coverage for surgical benefits shall provide coverage for outpatient and inpatient diagnosis and treatment of a minor child's congenital or developmental deformity, disease, or injury. A minor child shall include any individual through 21 years of age.

''(2) REQUIREMENTS.—Any coverage provided under paragraph (1) shall be subject to pre-authorization or pre-certification as required by the plan or issuer, and such coverage shall include any surgical treatment which, in the opinion of the treating physician, is medically necessary to approximate a normal appearance.

''(3) TREATMENT DEFINED.—

''(A) IN GENERAL.—In this section, the term 'treatment' includes reconstructive surgical procedures (procedures that are generally performed to improve function, but may also be performed to approximate a normal appearance) that are performed on abnormal structures of the body caused by congenital defects, developmental abnormalities, trauma, infection, tumors, or disease, including—

''(i) procedures that do not materially affect the function of the body part being treated; and

''(ii) procedures for secondary conditions and follow-up treatment.

''(B) EXCEPTION.—Such term does not include cosmetic surgery performed to reshape normal structures of the body to improve appearance or self-esteem.''.

(2) CONFORMING AMENDMENT.—Section 2762(b)(2) of the Public Health Service Act (42 U.S.C. 300gg–62(b)(2)) is amended by striking ''section 2751'' and inserting ''sections 2751 and 2753''.

(c) EFFECTIVE DATES.—

(1) GROUP HEALTH COVERAGE.—The amendments made by subsection (a) shall apply with respect to group health plans for plan years beginning on or after January 1, 2006.

(2) INDIVIDUAL HEALTH COVERAGE.—The amendment made by subsection (b) shall apply with respect to health insurance coverage offered, sold, issued, renewed, in effect, or operated in the individual market on or after such date.

(d) COORDINATED REGULATIONS.—Section 104(1) of Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 300gg–92 note) is amended by striking ''this subtitle (and the amendments made by this subtitle and section 401)'' and inserting ''the provisions of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974, the provisions of parts A and C of title XXVII of the Public Health Service Act, and chapter 100 of the Internal Revenue Code of 1986''.

By Mr. BYRD (for himself, Mr. ROCKEFELLER, and Mr. SPECTER):

S. 1133. A bill to authorize the Secretary of Energy to develop and implement an accelerated research, development, and demonstration program for advanced clean coal technologies for use in coal-based generation facilities and to provide financial incentives to encourage the early commercial deployment of advanced clean coal technologies through the retrofitting, repowering, replacement, and new construction of coal-based electricity generating facilities and industrial gasification facilities; to the Committee on Energy and Natural Resources.

Mr. BYRD. Mr. President, today I am introducing S. 1133, the Clean Coal Research, Development, Demonstration, and Deployment Act of 2005. I am proud to have Senators ROCKEFELLER and SPECTER as cosponsors of my bill. This comprehensive clean coal technology legislation will help provide for a new era for coal. I have looked into the past; I recognize the enormous challenges that are before us; and I see coal's future.

The bill authorizes important programs at the Department of Energy as

well as provides a major package of targeted federal energy tax incentives. It supports a research and development program and tax incentives to encourage the use of advanced coal technologies at coal-fired power plants. The bill also promotes a major investment in a national industrial gasification program. It is a balanced and financially sound proposal, and it recognizes that there are new horizons opening for coal.

The Byrd-Rockefeller-Specter bill works to balance these ever expanding opportunities in a very reasonable and responsible way. We must move forward with the development and deployment of advanced power generation and carbon capture and sequestration technologies. Coal also has a future in producing chemicals, alternative transportation fuels, and other important products for use in the economy. My legislation can begin to initiate that effort.

There are those who have wanted to push coal aside like stove wood and horse power as novelties from a bygone era. But we cannot ignore coal as part of the solution to our future energy challenges. Over the past several years, I have been diligently assembling a set of proposals that can provide a comprehensive approach for the near- and long-term viability for coal, both at home and abroad. It is time that we reexamine the opportunities for coal, and let the past be our guide to the future.

Mr. President, I hope other Senators will review S. 1133, and I urge them to cosponsor this legislation.

By Mr. BENNETT (for himself and Mr. HATCH):

S. 1135. A bill to authorize the exchange of certain land in Grand and Uintah Counties, Utah, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BENNETT. Mr. President, I am pleased to be able to re-introduce the Utah Recreational Land Exchange Act of 2005, together with my colleague Senator HATCH. Legislation was introduced in the previous Congress to lay the groundwork for our efforts in the 109th Congress.

This legislation will ensure the protection of critical lands along the Colorado River corridor in southeastern Utah and will help provide important funding for Utah's school children. In Utah we treasure the education of our children. A key component of our education system is the 3.5 million acres of school trust lands scattered throughout the State. These lands are dedicated to the support of public education. Revenue from Utah school trust lands, whether from grazing, forestry, surface leasing or mineral development, is placed in the State School Fund. This fund is a permanent income producing endowment created by Congress upon statehood to fund public education. Unfortunately, the majority of these lands are trapped within federal ownership patterns that make it impossible for responsible development. It is critical to both the State of Utah and the Bureau of Land Management, BLM, that we consolidate their respective lands to ensure that both public agencies are permitted to fulfill their mandates.

The legislation we are introducing today is yet another chapter in our State's long history of consolidating these State lands for the financial well being of our education system. These efforts serve a dual purpose as they help the Federal land management agencies to consolidate Federal lands in environmentally sensitive areas that can then be reasonably managed. We see this exchange as a win-win solution for the State of Utah and its school children, as well as the Department of the Interior as the caretaker of our public lands.

Beginning in 1998 Congress passed the first major Utah school trust land exchange which consolidated hundreds of thousands of acres. Again in 2000, Congress enacted an exchange consolidating another 100,000 acres. I was proud to playa role in those efforts, and the bill we are introducing today is yet another step in the longjoumey toward giving the school children the deal they were promised in 1896 when Utah was admitted to the Union.

The School Trust of Utah currently owns some of the most spectacular lands in America, located along the Colorado River in southeastern Utah. This legislation will ensure that places like Westwater Canyon of the Colorado River, the world famous Kokopelli and Slickrock biking trails, some of the largest natural rock arches in the United States, wilderness study areas, and viewsheds for Arches National Park will be traded into Federal ownership and for the benefit of future generations. At the same time, the school children of Utah will receive mineral and development lands that are not environmentally sensitive, in locations where responsible development makes sense. This will be an equal value exchange, with approximately 40,000 acres exchanged on either side, with both taxpayers and the school children of Utah receiving a fair deal. Moreover, the legislation establishes a valuation process that is transparent to the public, yet will ensure the exchange process occurs in a timely manner.

This legislation represents a truly collaborative process. We have convened all of the players to give us input into this legislation: local government, the State, the recreation community, the environmental community and other interested parties. At the same time we are working closely with the Department of Interior. We introduced this bill in the 108th Congress in order to initiate some discussion of moving forward with this exchange proposal. Since that time, some changes have been made in an effort to improve this legislation. We remain receptive to additional changes that might make further improvements. The State has been working with all of these groups over the past year at a grass-roots level to address concerns. We look forward to working with the appropriate committees and the Department of Interior toward a successful resolution of this proposed exchange.

I urge all of my colleagues to support our efforts to fund the education of our children in Utah and to protect some of this Nation's truly great lands. I urge support of the Utah Recreational Land Exchange Act of 2005.

By Mr. GRASSLEY (for himself, Mr. MCCAIN, and Mr. ALLEN):

S. 1137. A bill to include dehydroepiandrosterone as an anabolic steroid; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, recently, the problem of steroid abuse has been getting a great deal of media attention. While this publicity has helped to raise public awareness about the dangers of illegal steroids, recent studies indicate that more and more young people are taking these drugs to improve their performance, appearance, or self image. In fact, some recent studies indicate that as many as 5 percent to 7 percent of students, even as young as middle school, admit to using illegal steroids.

Even more widespread among adolescents, however, is the use of over-the-counter supplements. Many young people are turning to ''supplements'' as an alternative to illegal steroids, mistakenly believing that because they are sold over the counter, they must be safe. However, many of these over the counter ''supplements'' actually produce the same dangerous effects on the body as illegal steroids. Some, even become steroids in the bloodstream.

Last year, the President signed into law the Anabolic Steroid Control Act of 2004, which added 18 anabolic steroid precursors to the list of anabolic steroids that are classified as controlled substances. Yet as I speak, on the shelves of health stores across the country, sits one anabolic steroid that can be bought by anyone, at any age, without the need of a doctor's prescription.

Dehydroepiandrosterone, or DHEA, is an anabolic steroid that once ingested, the body turns into testosterone. DHEA like all other steroids, may cause a number of long term physical and psychological effects, including: heart disease, cancer, stroke, liver damage, severe acne, baldness, dramatic mood swings, aggression etc. In fact, DHEA is already banned by the Olympics, the World Anti-Doping Agency, the National Collegiate Athletic Association, the National Football League, the National Basketball Association, and Minor League Baseball, yet it actually enjoys special protections under the Anabolic Steroid Control Act.

In an effort to keep all potentially dangerous steroids out of the hands of unsuspecting consumers and children, I am pleased to introduce legislation

today that would add DHEA to the list of controlled substances under the Anabolic Steroid Control Act. This legislation will eliminate the special exemption granted to DHEA, thereby treating it as every other substance in the steroid family.

With the dramatic rise in the use of steroids among our nation's youth, now is the time to act to curb this increasingly growing problem. Just like all other anabolic steroids, DHEA should not be available over the counter, but only under a doctor's supervision. I encourage my colleagues to join in support of this legislation.

I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 1137

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

SECTION 1. INCLUSION OF DEHYDROEPIANDROSTERONE.

Section 102(41)(A) of the Controlled Substances Act (21 U.S.C. 802(41)(A)) is amended—

(1) in the matter preceding clause (i), by striking ''corticosteroids, and dehydroepiandrosterone'' and inserting ''and corticosteroids'';

(2) by redesignating clauses (x) through (xlx) as clauses (xi) through (xlxi), respectively; and

(3) by inserting after clause (ix) the following:

''(x) dehydroepiandrosterone (androst-5-en-3β-ol-17-one);''.

By Mr. SANTORUM:

S. 1139. A bill to amend the Animal Welfare Act to strengthen the ability of the Secretary of Agriculture to regulate the pet industry; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. SANTORUM. Mr. President, I rise today to introduce the Pet Animal Welfare Statute of 2005 (PAWS). The introduction of this important animal welfare legislation demonstrates my continued interest in humane treatment of animals. As the proud owner of a German Shepherd, it is disturbing to see the number of high volume breeders who are careless and disregard their responsibilities to care properly for their animals.

Across the United States, there are more than 3,000 commercial dog-breeding facilities that are licensed to operate by the United States Department of Agriculture (USDA). Owners of these facilities are required to comply with the rules and regulations of the Animal Welfare Act (AWA), which sets forth standards for humane handling and treatment. USDA inspections are also required to ensure compliance with AWA standards.

Unfortunately, enforcement of AWA has not effectively stopped the inhumane treatment of animals within the pet industry. Because the AWA only covers breeders and others who sell at wholesale, many puppy mill owners have successfully avoided AWA requirements by selling directly to the public. The ability to use the Internet as a marketing tool for direct sales has only made selling directly to the public more prevalent and popular. Because USDA can only regulate wholesalers under the AWA, it has very limited authority to oversee the care and conditions of animals in these facilities.

PAWS addresses this growing problem. PAWS would regulate breeders who raise seven or more litters of dogs or cats each year. This threshold test would differentiate those breeders who raise animals in mass numbers from those who are hobby breeders.

In addition, this broad ranging legislation would cover importers and other non-breeder dealers who sell more than 25 dogs or cats per year, strengthen USDA's enforcement authority, and assure USDA access to source records of persons who acquire dogs for resale. Finally, PAWS expands the USDA's authority to seek injunctions against unlicensed dog and cat dealers.

The term ''puppy mill'' is not new to many people, be it pet owners, consumers, animal welfare advocates, inspectors or just casual observers. Puppy mills are large breeding operations that mass-produce puppies for commercial sale with little regard for the humane handling and treatment of the dogs. Breeding and raising dogs without respect to the animal's welfare guarantees bad results for the unknowing owner, and for the health of the dog and her puppies. For dogs, puppy mill conditions can mean overcrowded cages, lack of protection from weather conditions, and an overall lack of veterinary care.

The benefits of regulating commercial breeders and sellers are obvious. PAWS addresses the commerce in pets from many different angles, including imports, large direct sellers, Internet sellers, enforcement tools, and source records. As a member of the Senate Agriculture Committee and Chairman of the Subcommittee on Research, Nutrition and General Legislation, the subcommittee with jurisdiction, I am prepared to work aggressively to advance this legislation. I urge my colleagues to join Senator DURBIN and me in supporting this legislation.

Mr. DURBIN. Mr. President, I rise today to introduce the Pet Animal Welfare Statute, PAWS, along with my colleague, Senator SANTORUM.

For more than three decades, Congress has given the responsibility of ensuring minimum standards of humane care and treatment of animals to the U.S. Department of Agriculture, USDA, under the Animal Welfare Act, AWA.

The current guidelines within the AWA do not go far enough to protect puppies at large breeding facilities; they merely ensure the provision of water and food, and that is inadequate. The AWA has been largely ineffective because of weak enforcement procedures and limited resources. Another severe limitation of the current AWA is that it does not regulate overseas breeders who submit their animals to deplorable conditions before exporting them to the United States, leaving many imported animals with diseases and behavioral disorders. PAWS strengthens the AWA to better control the practices of puppy breeding in large facilities, addresses cruel puppy treatment and places stricter regulations on overseas breeders.

In large breeding facilities, puppies are often kept in cramped, dirty cages; sometimes stacked on top of each other; exposed to the elements in extreme cold and heat; forced to breed too frequently; and deprived of adequate food, water, veterinary care, and any semblance of loving contact. In fact, current law allows many of these breeders to evade all federal oversight.

This inhumane treatment has a direct bearing on the physical and mental health of dogs in these facilities. Often, after these puppies join a family, they turn out to have serious health and behavioral problems that cause them pain, cause their owners great distress, and require expensive medical care.

I believe PAWS will address these problems by filling gaps in the current law and encouraging stronger enforcement by USDA to crack down on chronic violators. The bill also applies to cats.

PAWS requires that any commercial breeder who sells seven or more litters of dogs or cats directly to the public in a year must be licensed by the USDA. The statute also allows the USDA to obtain the identity of breeders, a measure that would help the USDA to address inhumane treatment. PAWS extends the suspension period for facilities with AWA violations from 21 days to 60 days and provides the USDA with direct authority to apply for injunctions.

I've heard from many of my constituents in Illinois who are deeply concerned about the puppy mill problem and want this legislation enacted. PAWS is supported by national organizations, including the Humane Society of the United States, the American Kennel Club, Doris Day Animal League, and the Animal Welfare Institute.

I am pleased that we have obtained additional funds for USDA to improve its enforcement of the AWA. This piece of legislation will complement those ongoing efforts by strengthening USDA's authority to crack down on the bad actors.

PAWS will ensure that any commercial dog breeder licensed by the Federal Government is meeting basic humane standards of care. We owe at least this much to the animals that have earned the title ''man's best friend.'' This safety net for dogs and cats will protect pets and the consumers who care about them against the poor treatment practices of the worst dealers: the ones who provide no

interaction; the ones who violate industry norms against over-breeding; the ones who repeatedly violate the law governing humane care. The good dealers, however, should be recognized for the value they bring to pet lovers everywhere.

Currently, the good dealers suffer at the hands of the bad ones, the ones who give the industry a bad reputation. This bill will help draw a clear distinction in favor of the good dealers. I thank my colleagues for their attention to this issue, and I urge their support for the Pet Animal Welfare Statute.

By Mr. COCHRAN (for himself, Mr. PRYOR, Mr. CHAMBLISS, and Mr. ROBERTS):

S. 1141. A bill to authorize the Secretary of Homeland Security to regulate ammonium nitrate; to the Committee on Homeland Security and Governmental Affairs.

Mr. COCHRAN. Mr. President, fertilizers provide essential nutrients to the food we eat. Without fertilizer, roughly one-third of the world's people would go hungry. Ammonium nitrate fertilizer is an effective source of nitrogen that all crops need to grow. Thousands of American farmers value its use in certain applications including cool weather fertilization and other low-till cropping systems. Thus, the continued availability of ammonium nitrate fertilizer to U.S. farmers has economic, agronomic and environmental benefits to farmers and society as a whole.

At the same time, the April 1995 attack on the Alfred P. Murrah Federal Building in Oklahoma City showed America that this highly valuable fertilizer can be subject to adulteration and misuse by criminals intent on engaging in acts of terror.

After the Oklahoma City tragedy, Congress enacted legislation calling for a study on the feasibility and practicability of imposing controls on certain precursor chemicals, including ammonium nitrate. Congress recognized that it is simply not possible for the agriculture community to guarantee against the criminal misuse of ammonium nitrate or for any community to guarantee that the thousands of everyday products that can be converted to criminal use will not be misused by those with the intent and capability to do so.

Over the past 10 years, the security landscape has continued to change. The agriculture community and the fertilizer industry recognize that more needs to be done to strengthen the controls regarding the handling and purchase of ammonium nitrate fertilizer in order to ensure American farmers continue to have access to this valued input. Today, with my colleague from Arkansas Mr. PRYOR, my colleague from Georgia Mr. CHAMBLISS, and my colleague from Kansas Mr. ROBERTS, I am pleased to introduce legislation that provides a practical and workable solution to enhance the secure handling of ammonium nitrate ensuring that ammonium nitrate remains available for agricultural use.

The legislation is entitled ''The Secure Handling of Ammonium Nitrate Act of 2005.'' It calls for Federal and State cooperation to secure ammonium nitrate fertilizer. It requires any person who produces, stores, sells, or distributes ammonium nitrate to register their facility with their State department of agriculture and to maintain records of sales or distribution of the product. Additionally, it requires all purchasers of ammonium nitrate to register with their State department of agriculture.

We believe these requirements are necessary measures to help provide additional security for ammonium nitrate fertilizer and will not unduly burden agriculture professionals or farmers who use ammonium nitrate. Furthermore, we believe this important legislation will effectively enhance ongoing security measures and help to keep ammonium nitrate out of the hands of those who wish to harm our Nation.

I urge Senators to support this legislation.

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. 1141

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 ''Secure Handling of Ammonium Nitrate Act of 2005''.

SEC. 2. FINDINGS.

Congress finds that—

(1) ammonium nitrate is an important fertilizer used to produce a reliable and affordable food supply for the United States and the world;

(2) in the wrong hands, ammonium nitrate may be used for illegal activities;

(3) the production, importation, storage, sale, and distribution of ammonium nitrate affects interstate and intrastate commerce; and

(4) it is necessary to regulate the production, storage, sale, and distribution of ammonium nitrate.

SEC. 3. DEFINITIONS.

In this Act:

(1) AMMONIUM NITRATE.—The term ''ammonium nitrate'' means solid ammonium nitrate that is chiefly the ammonium salt of nitric acid and contains not less than 33 percent nitrogen, of which—

(A) 50 percent is in ammonium form; and

(B) 50 percent is in nitrate form.

(2) FACILITY.—

(A) IN GENERAL.—The term ''facility'' means any site where ammonium nitrate is produced, stored, or held for distribution, sale, or use.

(B) INCLUSIONS.—The term ''facility'' includes—

(i) all buildings or structures used to produce, store, or hold ammonium nitrate for distribution, sale, or use at a single site; and

(ii) multiple sites described in clause (i), if the sites are—

(I) contiguous or adjacent; and

(II) owned or operated by the same person.

(3) HANDLE.—The term ''handle'' means to produce, store, sell, or distribute ammonium nitrate.

(4) HANDLER.—The term ''handler'' means any person that produces, stores, sells, or distributes ammonium nitrate.

(5) PURCHASER.—The term ''purchaser'' means any person that purchases ammonium nitrate.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

SEC. 4. REGULATION OF HANDLING AND PURCHASE OF AMMONIUM NITRATE.

(a) IN GENERAL.—The Secretary may regulate the handling and purchase of ammonium nitrate to prevent the misappropriation or use of ammonium nitrate in violation of law.

(b) REGULATIONS.—The Secretary may promulgate regulations that require—

(1) handlers—

(A) to register facilities;

(B) to sell or distribute ammonium nitrate only to handlers and purchasers registered under this Act; and

(C) to maintain records of sale or distribution that include the name, address, telephone number, and registration number of the immediate subsequent purchaser of ammonium nitrate; and

(2) purchasers to be registered.

(c) USE OF PREVIOUSLY SUBMITTED INFORMATION.—Prior to requiring a facility or handler to submit new information for registration under this section, the Secretary shall—

(1) request from the Attorney General, and the Attorney General shall provide, any information previously submitted to the Attorney General by the facility or handler under section 843 of title 18, United States Code; and

(2) at the election of the facility or handler—

(A) use the license issued under that section in lieu of requiring new information for registration under this section; and

(B) consider the license to fully comply with the requirement for registration under this section.

(d) CONSULTATION.—In promulgating regulations under this section, the Secretary shall consult with the Secretary to Agriculture to ensure that the access of agricultural producers to ammonium nitrate is not unduly burdened.

(e) DATA CONFIDENTIALITY.—

(1) IN GENERAL.—Notwithstanding section 552 of title 5, United States Code, or the USA PATRIOT ACT (Public Law 107–56; 115 Stat. 272) or an amendment made by that Act, except as provided in paragraph (2), the Secretary may not disclose to any person any information obtained from any facility, handler, or purchaser—

(A) regarding any action taken, or to be taken, at the facility or by the handler or purchaser to ensure the secure handling of ammonium nitrate; or

(B) that would disclose—

(i) the identity or address of any purchase of ammonium nitrate;

(ii) the quantity of ammonium nitrate purchased; or

(iii) the details of the purchase transaction.

(2) EXCEPTIONS.—The Secretary may disclose any information described in paragraph (1)—

(A) to an officer or employee of the United States, or a person that has entered into a contract with the United States, who needs to know the information to perform the duties of the officer, employee, or person, or to a State agency pursuant to an arrangement under section 6, under appropriate arrangements to ensure the protection of the information;

(B) to the public, to the extent the Secretary specifically finds that disclosure of particular information is required in the public interest; or

(C) to the extent required by order of a Federal court in a proceeding in which the Secretary is a party, under such protective measures as the court may prescribe.

SEC. 5. ENFORCEMENT.

(a) INSPECTIONS.—The Secretary, without a warrant, may enter any place during business hours that the Secretary believes may handle ammonium nitrate to determine whether the handling is being conducted in accordance with this Act, including regulations promulgated under this Act.

(b) PREVENTION OF SALE OR DISTRIBUTION ORDER.—In any case in which the Secretary has reason to believe that ammonium nitrate has been handled other than in accordance with this Act, including regulations promulgated under this Act, the Secretary may issue a written order preventing any person that owns, controls, or has custody of the ammonium nitrate from selling or distributing the ammonium nitrate.

(c) APPEAL PROCEDURES.—

(1) IN GENERAL.—A person subject to an order under subsection (b) may request a hearing to contest the order, under such administrative adjudication procedures as the Secretary may establish.

(2) RESCISSION.—If an appeal under paragraph (1) is successful, the Secretary shall rescind the order.

(d) IN REM PROCEEDINGS.—The Secretary may institute in rem proceedings in the United States district court for the district in which the ammonium nitrate is located to seize and confiscate ammonium nitrate that has been handled in violation of this Act, including regulations promulgated under this Act.

SEC. 6. ADMINISTRATIVE PROVISIONS.

(a) COOPERATIVE AGREEMENTS.—The Secretary may enter into a cooperative agreement with the Secretary of Agriculture, or the head of any State department of agriculture or other State agency that regulates plant nutrients, to carry out this Act, including cooperating in the enforcement of this Act through the use of personnel or facilities.

(b) DELEGATION.—

(1) IN GENERAL.—The Secretary may delegate to a State the authority to assist the Secretary in the administration and enforcement of this Act, including regulations promulgated under this Act.

(2) DELEGATION REQUIRED.—On the request of a Governor of a State, the Secretary shall delegate to the State the authority to carry out section 4 or 5, on a determination by the Secretary that the State is capable of satisfactorily carrying out that section.

(3) FUNDING.—If the Secretary enters into an agreement with a State under this subsection to delegate functions to the State, the Secretary shall provide to the State adequate funds to enable the State to carry out the functions.

(4) INAPPLICABILITY.—Notwithstanding any other provision of this subsection, this subsection does not authorize a State to carry out a function under section 4 or 5 relating to a facility or handler in the State that makes the election described in section 4(c)(2).

SEC. 7. CIVIL LIABILITY.

(a) UNLAWFUL ACTS.—It is unlawful for any person—

(1) to fail to perform any duty required by this Act, including regulations promulgated under this Act;

(2) to violate the terms of registration under this Act;

(3) to fail to keep any record, make any report, or allow any inspection required by this Act; or

(4) to violate any sale or distribution order issued under this Act.

(b) PENALTIES.—

(1) IN GENERAL.—A person that violates this Act (including a regulation promulgated under this Act) may only be assessed a civil penalty by the Secretary of not more than $50,000 per violation.

(2) NOTICE AND OPPORTUNITY FOR A HEARING.—No civil penalty shall be assessed under this Act unless the person charged has been given notice and opportunity for a hearing on the charge in the county, parish, or incorporated city of residence of the person charged.

(c) JURISDICTION OVER ACTIONS FOR CIVIL DAMAGES.—The district courts of the United States shall have exclusive jurisdiction over any action for civil damages against a handler for any harm or damage that is alleged to have resulted from the use of ammonium nitrate in violation of law that occurred on or after the date of enactment of this Act.

SEC. 8. STATE LAW PREEMPTION.

This Act preempts any State law (including a regulation) that regulates the handling of ammonium nitrate to prevent the misappropriation or use of ammonium nitrate in violation of law.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Mr. PRYOR. Mr. President, I stand today in support of legislation that will better protect our homeland by securing the trade and handling of ammonium nitrate. While ammonium nitrate is well known in the agriculture community to be an important fertilizer, it has also become a common ingredient in creating highly explosive bombs like the one used in the unforgettable April 1995 bombing attack of the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma. A little more than a month ago, we reflected on the tenth anniversary of this tragic moment in our nation's history. Despite the enormous potential for misuse if in the wrong hands, the purchase and use of ammonium nitrate is still largely unregulated by the federal government. It is our hope that we can reduce this potential for misuse. By better securing the trade and handling of this chemical, we will make it more difficult for individuals and groups to misuse the chemical and threaten the lives of Americans. The purpose of our legislation is to protect our homeland from future threats and attacks that may be similar in nature to that of the Oklahoma City Bombing while still ensuring that law abiding citizens can use this valuable fertilizer for agricultural activities.

Fertilizer provides essential nutrients to the food we eat by providing an effective source of nitrogen that all crops need to grow. I recognize the importance of fertilizer to our Nation's farming community, and that is why I believe that we must continue the availability of ammonium nitrate fertilizer to farmers in order to maintain the economic, agronomic and environmental benefits that this product provides. I also understand the negative impact of that fertilizer can have on our people if misused by criminals intent on engaging in acts of terror.

Since the 1995 Oklahoma City tragedy, many studies have been conducted by the Federal Government to determine the feasibility and practicability of imposing controls on certain precursor chemicals, including ammonium nitrate. In addition, the fertilizer industry and the Bureau of Alcohol Tobacco and Firearms (ATF) created the ''America's Security Begins with You'' ammonium nitrate security campaign in 1995 as an effort to minimize possible misuse of ammonium nitrate fertilizer. These studies and campaigns have both led to show that it is impossible for the agricultural community to guarantee against the criminal misuse of ammonium nitrate under current laws and regulations and that more can and should be done to protect against this threat.

The agricultural community and the fertilizer industry both recognize that more can and should be done to strengthen the controls regarding the handling and purchase of ammonium nitrate fertilizer in order to ensure American farmers continue to have access to this valued input. I believe that the Federal government must do its part in helping to assure that ammonium nitrate fertilizer stays in the hands of agricultural professionals and encourage all who handle this chemical to protect their community and America by establishing effective security measures.

I am proud to join my colleague from Mississippi, Senator COCHRAN, in introducing this legislation along with Senator CHAMBLISS and Senator ROBERTS. I believe it provides a very practical and workable solution to enhance the secure handling of ammonium nitrate and ensure that ammonium nitrate remains available for agricultural use. ''The Secure Handling of Ammonium Nitrate Act of 2005'' calls for a federal and state cooperation to secure ammonium nitrate fertilizer. It requires the Department of Homeland Security to enter into cooperative agreements with state departments of agriculture to ensure that any person who produces, stores, sells, or distributes ammonium nitrate registers their facility and maintains records of sales or distribution of the product. As such, purchasers of ammonium nitrate would also be required to register with their state's department of agriculture.

My colleagues and I agree that these requirements are necessary measures that provide additional security for ammonium nitrate fertilizer and will not unduly burden agriculture professionals or farmers who use this product. Furthermore, we firmly believe that this legislation will effectively enhance ongoing security measures by helping to keep ammonium nitrate out of the hands of those who wish to harm our Nation.

I thank the Chairman of the Appropriations Committee, as well as the

Chairmen of the Agriculture and Intelligence Committees for their leadership on this issue, and I urge my colleagues in the Senate to support this important legislation.

Mr. CHAMBLISS. Mr. President, I would like to echo the comments of the senior Senator from Mississippi regarding the ''Secure Handling of Ammonium Nitrate Act of 2005.'' The importance of ammonium nitrate fertilizer to the agricultural industry cannot be understated. However, its use in acts of terror has led the industry and public alike searching for a way to further secure the handling and use of ammonium nitrate. I believe this legislation accomplishes that goal. If passed, this bill will help us to track both where this fertilizer is, and who is in possession of it. The answers to both of these very important questions will further ongoing efforts to keep our Nation safe from people who may wish to do it harm. I feel this legislation provides additional security for ammonium nitrate while maintaining its viability as an agricultural fertilizer.

I urge my colleagues to support this important legislation.

By Ms. LANDRIEU (for herself, Mr. GRAHAM, Mr. ALLEN, Mr. DURBIN, and Mr. LAUTENBERG):

S. 1142. A bill to provide pay protection for members of the Reserve and the National Guard, and for other purposes; to the Committee on Finance.

Ms. LANDRIEU. Mr. President, over 50 years ago, Sir Winston Churchill uttered the immortal words, ''never in the field of human conflict has so much been owed by so many to so few.'' Although Prime Minister Churchill was referring to the selfless and courageous effort of the Royal Air Force in their defeat of the Germans in World War II, I would like to argue that these words apply equally to the men and women fighting to preserve democracy in Iraq and Afghanistan. These men and women are not only making it possible for each and every one of us to go about our daily lives under the blanket of safety and freedom to which Americans have become accustomed, but they are also striving to bring these benefits to people who have never had them before.

If you have had the opportunity to spend time with these men and women, as I have, you quickly observe that they embody everything good about America. Their patriotism, their unyielding commitment to serve their country, their selflessness and their sacrifice should serve as examples to us all. Perhaps what amazes me most, is that although these men and women are prepared to make the ultimate sacrifice for their country, they ask for little in return from it. It is therefore incumbent on us to recognize the debt we owe to them, and honor it.

Today there are 80,000 members of the National Guard and our Reserve armed forces serving bravely in the war on terror. In addition, close to 89,000 members of the Guard and Reserve have been activated in anticipation of being sent to Iraq, Afghanistan, or any other place their country calls on them to serve. While deployed, these citizen soldiers are asked, in a moment's notice, to leave their families, their jobs, and their communities behind, causing tremendous stress on the home front and in the workplace.

While having a loved one in harm's way is reason for stress alone, many of the families of these men and women have the added stress of trying to fill the void left. Many families have lost the main bread winner when a Guardsmen or Reservist gets deployed. As a result, they have trouble paying bills, the rent, the mortgage, or medicine for their children.

The primary reason these families cannot make ends meet is because for Guardsmen and Reservists military pay is often less than civilian pay. We call that the ''pay gap.'' According to the most recent Status of Forces Survey of Reserve Components, 51 percent of our citizen soldiers take a pay cut when they get deployed and 11 percent of them lose more than $2,500 per month.

We ask these men and women to make so many sacrifices on our behalf. I think that it is time that we be willing to make one in return. The least we can do is to help these families find relief from the financial woes caused by this gap. To help do this, my colleagues Senator GRAHAM, Senator ALLEN, Senator DURBIN, and myself are pleased to introduce the Helping Our Patriotic Employers at Helping our Military Employees Act of 2005. We call the bill by its nickname: HOPE at HOME. Our guard and reserve families have enough to worry about when a loved one gets called away, the least we can do is relieve some of the financial worry by encouraging employers to make up the pay gap. Let me describe for my colleagues how this legislation works.

HOPE at HOME will give a 50 percent tax credit to the thousands of employers around the country who have taken the patriotic step of continuing to pay the salary of their guard and reservists employees who have been called to active duty. There are literally thousands of employers out there who already take this noble step—they do it voluntarily, selflessly and at great sacrifice. The HOPE at HOME Act honors that sacrifice.

HOPE at HOME will also encourage companies that cannot afford to make up the pay-gap an incentive to do it. One survey found that only 173 of the Fortune 500 companies make up the pay gap. If the wealthiest companies cannot afford to help their active duty employees, imagine how difficult this is for smaller companies. HOPE at HOME will allow companies large and small to do the patriotic thing and reward those employees who are serving to keep us all free.

HOPE at HOME will also give small patriotic employers additional tax relief if they need to hire a worker to temporarily replace the active duty Guardsmen or Reservist. In addition, the bill clarifies the tax treatment of any pay-gap payments to make income tax filing easier for our Guard and Reservists.

A moment ago, I mentioned that thousands of employers make up the pay-gap for their employees. There is one employer, however, and it happens to be the Nation's largest, that does not make up the pay gap: Uncle Sam. The Federal Government, which should set the bar for patriotism in our country, does not do its part to help citizen soldiers. Senator DURBIN has been a leader in this area, so our bill includes language that he has been fighting to require the Federal Government to make up the pay gap. We cannot ask the private sector to do more than they are doing if the Federal Government is not willing to step up and do its part for our military men and women.

This is not only the right thing to do, it is the smart thing to do. Today our Nation relies on the Guard and Reserve to meet our armed forces needs more than at any other time in our history. At times in the war on terror, forty-percent of our troops in Iraq and Afghanistan were citizen soldiers. Many of them performed multiple tours of duty or found their duties extended.

All of the experts tell us that our need for our Guard and Reserve troops will only get greater. In the post-Cold War world, we have drastically reduced our standing Army from 800,000 in 1989 to approximately 482,000 today, a 40 percent decrease. The number of deployments has increased by over 300 percent. The Guard and Reserve have made it possible to meet these challenges. We still find ourselves stretched thin, but without the Guard and Reserve we would never be able to meet our obligation as guardians of freedom in the World.

But this over-reliance on the Guard and Reserve is starting to have a toll on our ability to recruit and retain these men and women. The percentage of Army Reserve personnel who plan to remain in the military after their tour of duty ends fell from 73 percent to 66 percent over 2004. The top reasons for leaving the Guard and Reserve, according to the Status of Forces Survey of Reserve Components, are family stress, the number and lengths of deployments, income loss, and conflict with civilian employment.

We are beginning to have recruitment problems as well for our standing military. Back in February, the Army and the National Guard and Reserve recruited 3,824 soldiers, but this was only 69 percent of their monthly goal. The numbers went up in March, but still fell short by 12 percent of the goal.

HOPE at HOME recognizes that a soldier who is worrying about how his or her family is paying the bills is not focusing on the mission at hand. A soldier who is worrying about whether the family is paying the rent, is not going

to reenlist. And every time one of our soldiers leaves, our Nation loses the experience and service of a highly trained, capable professional. We need to make every effort to keep our citizen soldiers in service to their country. HOPE at HOME is a first step to addressing our military's larger recruitment and retention issues.

During the Cold War we built our strength on having the biggest, best equipped standing army in the World. Now our military gathers its strength from a large reserve of qualified men and women in the Guard and Reserve who are ready to fight at a moment's call. We will lose that strength if we do not give our Guardsmen and Reservists and their families HOPE at HOME.

I hope my colleagues will join Senators ALLEN, GRAHAM, DURBIN and myself in supporting the HOPE at HOME Act.

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. 1142

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 ''Helping Our Patriotic Employers at Helping Our Military Employees Act of 2005'' or the ''HOPE at HOME Act of 2005''.

SEC. 2. NONREDUCTION IN PAY WHILE FEDERAL EMPLOYEE IS PERFORMING ACTIVE SERVICE IN THE UNIFORMED SERVICES.

(a) IN GENERAL.—Subchapter IV of chapter 55 of title 5, United States Code, is amended by adding at the end the following:

''§ 5538. Nonreduction in pay while serving in the uniformed services

''(a) An employee who is absent from a position of employment with the Federal Government in order to perform service in the uniformed services for a period of more than 90 days shall be entitled to receive, for each pay period described in subsection (b), an amount equal to the amount by which—

''(1) the amount of basic pay which would otherwise have been payable to such employee for such pay period if such employee's civilian employment with the Government had not been interrupted by that service, exceeds (if at all)

''(2) the amount of pay and allowances which (as determined under subsection (d))—

''(A) is payable to such employee for that service; and

''(B) is allocable to such pay period.

''(b)(1) Amounts under this section shall be payable with respect to each pay period (which would otherwise apply if the employee's civilian employment had not been interrupted)—

''(A) during which such employee is entitled to reemployment rights under chapter 43 of title 38 with respect to the position from which such employee is absent (as referred to in subsection (a)); and

''(B) for which such employee does not otherwise receive basic pay (including by taking any annual, military, or other paid leave) to which such employee is entitled by virtue of such employee's civilian employment with the Government.

''(2) For purposes of this section, the period during which an employee is entitled to reemployment rights under chapter 43 of title 38—

''(A) shall be determined disregarding the provisions of section 4312(d) of title 38; and

''(B) shall include any period of time specified in section 4312(e) of title 38 within which an employee may report or apply for employment or reemployment following completion of service in the uniformed services.

''(c) Any amount payable under this section to an employee shall be paid—

''(1) by such employee's employing agency;

''(2) from the appropriation or fund which would be used to pay the employee if such employee were in a pay status; and

''(3) to the extent practicable, at the same time and in the same manner as would basic pay if such employee's civilian employment had not been interrupted.

''(d) The Office of Personnel Management shall, in consultation with Secretary of Defense, prescribe any regulations necessary to carry out the preceding provisions of this section.

''(e)(1) The head of each agency referred to in section 2302(a)(2)(C)(ii) shall, in consultation with the Office, prescribe procedures to ensure that the rights under this section apply to the employees of such agency.

''(2) The Administrator of the Federal Aviation Administration shall, in consultation with the Office, prescribe procedures to ensure that the rights under this section apply to the employees of that agency.

''(f) For purposes of this section—

''(1) the terms 'employee', 'Federal Government', and 'uniformed services' have the same respective meanings as given in section 4303 of title 38;

''(2) the term 'service in the uniformed services' has the meaning given that term in section 4303 of title 38 and includes duty performed by a member of the National Guard under section 502(f) of title 32 at the direction of the Secretary of the Army or Secretary of the Air Force;

''(3) the term 'employing agency', as used with respect to an employee entitled to any payments under this section, means the agency or other entity of the Government (including an agency referred to in section 2302(a)(2)(C)(ii)) with respect to which such employee has reemployment rights under chapter 43 of title 38; and

''(4) the term 'basic pay' includes any amount payable under section 5304.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 55 of title 5, United States Code, is amended by inserting after the item relating to section 5537 the following:

''5538. Nonreduction in pay while serving in the uniformed services or National Guard''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to pay periods (as described in section 5538(b) of title 5, United States Code, as added by this section) beginning on or after September 11, 2001.

SEC. 3. READY RESERVE-NATIONAL GUARD EMPLOYEE CREDIT ADDED TO GENERAL BUSINESS CREDIT.

(a) READY RESERVE-NATIONAL GUARD CREDIT.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business-related credits) is amended by adding at the end the following:

''SEC. 45J. READY RESERVE-NATIONAL GUARD EMPLOYEE CREDIT.

''(a) GENERAL RULE.—For purposes of section 38, the Ready Reserve-National Guard employee credit determined under this section for any taxable year is an amount equal to 50 percent of the actual compensation amount for such taxable year.

''(b) DEFINITION OF ACTUAL COMPENSATION AMOUNT.—For purposes of this section, the term 'actual compensation amount' means the amount of compensation paid or incurred by an employer with respect to a Ready Reserve-National Guard employee on any day during a taxable year when the employee was absent from employment for the purpose of performing qualified active duty.

''(c) LIMITATION.—No credit shall be allowed with respect to a Ready Reserve-National Guard employee who performs qualified active duty on any day on which the employee was not scheduled to work (for reason other than to participate in qualified active duty).

''(d) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED ACTIVE DUTY.—The term 'qualified active duty' means—

''(A) active duty, other than the training duty specified in section 10147 of title 10, United States Code (relating to training requirements for the Ready Reserve), or section 502(a) of title 32, United States Code (relating to required drills and field exercises for the National Guard), in connection with which an employee is entitled to reemployment rights and other benefits or to a leave of absence from employment under chapter 43 of title 38, United States Code, and

''(B) hospitalization incident to such duty.

''(2) COMPENSATION.—The term 'compensation' means any remuneration for employment, whether in cash or in kind, which is paid or incurred by a taxpayer and which is deductible from the taxpayer's gross income under section 162(a)(1).

''(3) READY RESERVE-NATIONAL GUARD EMPLOYEE.—The term 'Ready Reserve-National Guard employee' means an employee who is a member of the Ready Reserve of a reserve component of an Armed Force of the United States as described in sections 10142 and 10101 of title 10, United States Code.

''(4) CERTAIN RULES TO APPLY.—Rules similar to the rules of section 52 shall apply.

''(e) PORTION OF CREDIT MADE REFUNDABLE.—

''(1) IN GENERAL.—In the case of an eligible employer of a Ready Reserve-National Guard employee, the aggregate credits allowed to a taxpayer under subpart C shall be increased by the lesser of—

''(A) the credit which would be allowed under this section without regard to this subsection and the limitation under section 38(c), or

''(B) the amount by which the aggregate amount of credits allowed by this subpart (determined without regard to this subsection) would increase if the limitation imposed by section 38(c) for any taxable year were increased by the amount of employer payroll taxes imposed on the taxpayer during the calendar year in which the taxable year begins.

The amount of the credit allowed under this subsection shall not be treated as a credit allowed under this subpart and shall reduce the amount of the credit otherwise allowable under subsection (a) without regard to section 38(c).

''(2) ELIGIBLE EMPLOYER.—For purposes of this subsection, the term 'eligible employer' means an employer which is a State or local government or subdivision thereof.

''(3) EMPLOYER PAYROLL TAXES.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'employer payroll taxes' means the taxes imposed by—

''(i) section 3111(b), and

''(ii) sections 3211(a) and 3221(a) (determined at a rate equal to the rate under section 3111(b)).

''(B) SPECIAL RULE.—A rule similar to the rule of section 24(d)(2)(C) shall apply for purposes of subparagraph (A).''.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of

such Code (relating to general business credit) is amended by striking ''plus'' at the end of paragraph (18), by striking the period at the end of paragraph (19) and inserting '', plus'', and by adding at the end the following:

''(20) the Ready Reserve-National Guard employee credit determined under section 45J(a).''.

(c) DENIAL OF DOUBLE BENEFIT.—Section 280C(a) (relating to rule for employment credits) is amended by inserting ''45J(a),'' after ''45A(a),''.

(d) CONFORMING AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 45I the following:

''Sec. 45J. Ready Reserve-National Guard employee credit.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 4. READY RESERVE-NATIONAL GUARD REPLACEMENT EMPLOYEE CREDIT.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to foreign tax credit, etc.) is amended by adding after section 30A the following new section:

''SEC. 30B. READY RESERVE-NATIONAL GUARD REPLACEMENT EMPLOYEE CREDIT.

''(a) ALLOWANCE OF CREDIT.—

''(1) IN GENERAL.—In the case of an eligible taxpayer, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year the sum of the employment credits for each qualified replacement employee under this section.

''(2) EMPLOYMENT CREDIT.—The employment credit with respect to a qualified replacement employee of the taxpayer for any taxable year is equal to 50 percent of the lesser of—

''(A) the individual's qualified compensation attributable to service rendered as a qualified replacement employee, or

''(B) $12,000.

''(b) QUALIFIED COMPENSATION.—The term 'qualified compensation' means—

''(1) compensation which is normally contingent on the qualified replacement employee's presence for work and which is deductible from the taxpayer's gross income under section 162(a)(1),

''(2) compensation which is not characterized by the taxpayer as vacation or holiday pay, or as sick leave or pay, or as any other form of pay for a nonspecific leave of absence, and

''(3) group health plan costs (if any) with respect to the qualified replacement employee.

''(c) QUALIFIED REPLACEMENT EMPLOYEE.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified replacement employee' means an individual who is hired to replace a Ready Reserve-National Guard employee or a Ready Reserve-National Guard self-employed taxpayer, but only with respect to the period during which—

''(A) such Ready Reserve-National Guard employee is receiving an actual compensation amount (as defined in section 45J(b)) from the employee's employer and is participating in qualified active duty, including time spent in travel status, or

''(B) such Ready Reserve-National Guard self-employed taxpayer is participating in such qualified active duty.

''(2) READY RESERVE-NATIONAL GUARD EMPLOYEE.—The term 'Ready Reserve-National Guard employee' has the meaning given such term by section 45J(d)(3).

''(3) READY RESERVE-NATIONAL GUARD SELF-EMPLOYED TAXPAYER.—The term 'Ready Reserve-National Guard self-employed taxpayer' means a taxpayer who—

''(A) has net earnings from self-employment (as defined in section 1402(a)) for the taxable year, and

''(B) is a member of the Ready Reserve of a reserve component of an Armed Force of the United States as described in section 10142 and 10101 of title 10, United States Code.

''(d) COORDINATION WITH OTHER CREDITS.—The amount of credit otherwise allowable under sections 51(a) and 1396(a) with respect to any employee shall be reduced by the credit allowed by this section with respect to such employee.

''(e) LIMITATIONS.—

''(1) APPLICATION WITH OTHER CREDITS.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess (if any) of—

''(A) the regular tax for the taxable year reduced by the sum of the credits allowable under subpart A and sections 27, 29, and 30, over

''(B) the tentative minimum tax for the taxable year.

''(2) DISALLOWANCE FOR FAILURE TO COMPLY WITH EMPLOYMENT OR REEMPLOYMENT RIGHTS OF MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES.—No credit shall be allowed under subsection (a) to a taxpayer for—

''(A) any taxable year, beginning after the date of the enactment of this section, in which the taxpayer is under a final order, judgment, or other process issued or required by a district court of the United States under section 4323 of title 38 of the United States Code with respect to a violation of chapter 43 of such title, and

''(B) the 2 succeeding taxable years.

''(f) GENERAL DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) ELIGIBLE TAXPAYER.—The term 'eligible taxpayer' means a small business employer or a Ready Reserve-National Guard self-employed taxpayer.

''(2) SMALL BUSINESS EMPLOYER.—

''(A) IN GENERAL.—The term 'small business employer' means, with respect to any taxable year, any employer who employed an average of 50 or fewer employees on business days during such taxable year.

''(B) CONTROLLED GROUPS.—For purposes of subparagraph (A), all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as a single employer.

''(3) QUALIFIED ACTIVE DUTY.—The term 'qualified active duty' has the meaning given such term by section 45J(d)(1).

''(4) SPECIAL RULES FOR CERTAIN MANUFACTURERS.—

''(A) IN GENERAL.—In the case of any qualified manufacturer—

''(i) subsection (a)(2)(B) shall be applied by substituting '$20,000' for '$12,000', and

''(ii) paragraph (2)(A) of this subsection shall be applied by substituting '100' for '50'.

''(B) QUALIFIED MANUFACTURER.—For purposes of this paragraph, the term 'qualified manufacturer' means any person if—

''(i) the primary business of such person is classified in sector 31, 32, or 33 of the North American Industrial Classification System, and

''(ii) all of such person's facilities which are used for production in such business are located in the United States.

''(5) CARRYBACK AND CARRYFORWARD ALLOWED.—

''(A) IN GENERAL.—If the credit allowable under subsection (a) for a taxable year exceeds the amount of the limitation under subsection (e)(1) for such taxable year (in this paragraph referred to as the 'unused credit year'), such excess shall be a credit carryback to each of the 3 taxable years preceding the unused credit year and a credit carryforward to each of the 20 taxable years following the unused credit year.

''(B) RULES.—Rules similar to the rules of section 39 shall apply with respect to the credit carryback and credit carryforward under subparagraph (A).

''(6) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (c), (d), and (e) of section 52 shall apply.''.

(b) NO DEDUCTION FOR COMPENSATION TAKEN INTO ACCOUNT FOR CREDIT.—Section 280C(a) of the Internal Revenue Code of 1986 (relating to rule for employment credits), as amended by this Act, is amended—

(1) by inserting ''or compensation'' after ''salaries'', and

(2) by inserting ''30B,'' before ''45A(a),''.

(c) CONFORMING AMENDMENT.—Section 55(c)(2) of the Internal Revenue Code of 1986 is amended by inserting ''30B(e)(1),'' after ''30(b)(3),''.

(d) CLERICAL AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding after the item relating to section 30A the following new item:

''Sec. 30B. Credit for replacement of activated military reservists.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 5. INCOME TAX WITHHOLDING ON DIFFERENTIAL WAGE PAYMENTS.

(a) IN GENERAL.—Section 3401 of the Internal Revenue Code of 1986 (relating to definitions) is amended by adding at the end the following new subsection:

''(i) DIFFERENTIAL WAGE PAYMENTS TO ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.—

''(1) IN GENERAL.—For purposes of subsection (a), any differential wage payment shall be treated as a payment of wages by the employer to the employee.

''(2) DIFFERENTIAL WAGE PAYMENT.—For purposes of paragraph (1), the term 'differential wage payment' means any payment which—

''(A) is made by an employer to an individual with respect to any period during which the individual is performing service in the uniformed services while on active duty for a period of more than 30 days, and

''(B) represents all or a portion of the wages the individual would have received from the employer if the individual were performing service for the employer.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to remuneration paid after December 31, 2004.

SEC. 6. TREATMENT OF DIFFERENTIAL WAGE PAYMENTS FOR RETIREMENT PLAN PURPOSES.

(a) PENSION PLANS.—

(1) IN GENERAL.—Section 414(u) of the Internal Revenue Code of 1986 (relating to special rules relating to veterans' reemployment rights under USERRA) is amended by adding at the end the following new paragraph:

''(11) TREATMENT OF DIFFERENTIAL WAGE PAYMENTS.—

''(A) IN GENERAL.—Except as provided in this paragraph, for purposes of applying this title to a retirement plan to which this subsection applies—

''(i) an individual receiving a differential wage payment shall be treated as an employee of the employer making the payment,

''(ii) the differential wage payment shall be treated as compensation, and

''(iii) the plan shall not be treated as failing to meet the requirements of any provision described in paragraph (1)(C) by reason of any contribution which is based on the differential wage payment.

''(B) SPECIAL RULE FOR DISTRIBUTIONS.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A)(i), for purposes of section 401(k)(2)(B)(i)(I), 403(b)(7)(A)(ii), 403(b)(11)(A), or 457(d)(1)(A)(ii), an individual shall be treated as having been severed from employment during any period the individual is performing service in the uniformed services described in section 3401(i)(2)(A).

''(ii) LIMITATION.—If an individual elects to receive a distribution by reason of clause (i), the plan shall provide that the individual may not make an elective deferral or employee contribution during the 6-month period beginning on the date of the distribution.

''(C) NONDISCRIMINATION REQUIREMENT.—Subparagraph (A)(iii) shall apply only if all employees of an employer performing service in the uniformed services described in section 3401(i)(2)(A) are entitled to receive differential wage payments on reasonably equivalent terms and, if eligible to participate in a retirement plan maintained by the employer, to make contributions based on the payments. For purposes of applying this subparagraph, the provisions of paragraphs (3), (4), and (5), of section 410(b) shall apply.

''(D) DIFFERENTIAL WAGE PAYMENT.—For purposes of this paragraph, the term 'differential wage payment' has the meaning given such term by section 3401(i)(2).''.

(2) CONFORMING AMENDMENT.—The heading for section 414(u) of such Code is amended by inserting ''AND TO DIFFERENTIAL WAGE PAYMENTS TO MEMBERS ON ACTIVE DUTY'' after ''USERRA''.

(b) DIFFERENTIAL WAGE PAYMENTS TREATED AS COMPENSATION FOR INDIVIDUAL RETIREMENT PLANS.—Section 219(f)(1) of the Internal Revenue Code of 1986 (defining compensation) is amended by adding at the end the following new sentence: ''The term 'compensation' includes any differential wage payment (as defined in section 3401(i)(2)).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2004.

(d) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any plan or annuity contract amendment—

(A) such plan or contract shall be treated as being operated in accordance with the terms of the plan or contract during the period described in paragraph (2)(B)(i), and

(B) except as provided by the Secretary of the Treasury, such plan shall not fail to meet the requirements of the Internal Revenue Code of 1986 or the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(2) AMENDMENTS TO WHICH SECTION APPLIES.—

(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

(i) pursuant to any amendment made by this section, and

(ii) on or before the last day of the first plan year beginning on or after January 1, 2007.

(B) CONDITIONS.—This subsection shall not apply to any plan or annuity contract amendment unless—

(i) during the period beginning on the date the amendment described in subparagraph (A)(i) takes effect and ending on the date described in subparagraph (A)(ii) (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect, and

(ii) such plan or contract amendment applies retroactively for such period.

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. SMITH, Mr. LEAHY, Ms. COLLINS, Mr. LIEBERMAN, Ms. SNOWE, Mr. WYDEN, Mr. JEFFORDS, Mr. SCHUMER, Mr. CHAFEE, Mr. AKAKA, Mr. ENSIGN, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Ms. CANTWELL, Mrs. CLINTON, Mr. COLEMAN, Mr. CORZINE, Mr. DAYTON, Mr. DODD, Mr. DURBIN, Mrs. FEINSTEIN, Mr. HARKIN, Mr. INOUYE, Mr. JOHNSON, Mr. KERRY, Ms. LANDRIEU, Mr. LEVIN, Mrs. LINCOLN, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. OBAMA, Mr. REED, Mr. SALAZAR, Mr. SARBANES, Ms. STABENOW, Mr. LAUTENBERG, Mr. PRYOR, and Mr. ROCKEFELLER):

S. 1145. A bill to provide Federal assistance to States and local jurisdictions to prosecute hate crimes; to the Committee on the Judiciary.

Mr. KENNEDY. Mr. President, hate crimes are a violation of everything our country stands for. They send the poisonous message that some Americans deserve to be victimized solely because of who they are. They're basically acts of domestic terrorism. Hate crimes have an impact far greater than the impact on their individual victim. They're crimes against entire communities, against the whole Nation, and against the fundamental ideals on which America was founded.

The vast majority of Congress agrees. Last year, Senator SMITH and I offered the same measure. The Senate passed it as an amendment to the Defense Authorization Bill by a nearly 2–1 bi-partisan vote of 65–33. By a vote of 213–186, the House instructed its conferees to support it in the conference report on the bill. Unfortunately, House leaders insisted that the provision be dropped in conference. This week, Senator SMITH and I are introducing the identical bill.

The provision is supported by a broad coalition of law enforcement and civil rights groups, including the National Sheriff's Association, the International Association of Chiefs of Police, the Anti-Defamation League, and the National Center for Victims of Crime, and I'm optimistic the bill would have the same broad support it did before. Those who commit hate crimes prey on the vulnerable and terrorize them, because they can't protect themselves. If our Nation stands for anything, it's to protect the vulnerable.

We know that hate crimes are a serious problem that continues to plague us. According to FBI statistics, over 9,000 people were victims of hate crimes reported in the United States in 2003. That's almost 25 people victimized a day, every day, based on their race, religion, sexual orientation, ethnic background, or disability. Sadly, these F.B.I. statistics show only part of the problem, because many hate crimes go unreported. The Southern Poverty Law Center, a nonprofit organization that monitors hate groups and extremist activity, estimates that the actual number of hate crimes committed in the United States each year is closer to 50,000.

Congress can't ignore the problem. Our bill will strengthen the ability of Federal, State, and local governments to investigate and prosecute these vicious and senseless crimes. Current Federal law, obviously isn't adequate to protect our citizens.

It contains excessive restrictions requiring proof that victims were attacked because they were engaged in certain ''federally protected activities.'' It doesn't include violence committed because of person's sexual orientation, gender, or disability. It covers only hate crimes based on race, religion, or ethnic background.

The federally protected activity requirement is outdated, unwise, and unnecessary. In June 2003, three men saw 6 Latino teenagers in a family restaurant on Long Island. The teenagers, 3 boys and 3 girls, between 13–15 years old, knew each other from church and baseball teams. They were there together to celebrate the birthday of one of the girls, whose parents made her take her 13 year old sister along as ''chaperone.'' A parent dropped them all off in his mini-van and promised to pick them up after dinner and a movie. But, moments after leaving, he received a panicked phone call from one of the children, telling him they'd been attacked.

As the group entered the restaurant, three men were leaving the bar, after drinking there for hours. For no apparent reason, they assaulted the teenagers, pummeling one boy and severing a tendon in his hand with a sharp weapon. During the attack, the men screamed racial slurs and one identified himself as a skinhead. The children, who had never experienced anything like this, have been traumatized ever since.

Two of the defendants were tried under current Federal law for committing a hate crime and were acquitted. The Jurors said they acquitted them because the government had not proved the attack took place because the victims were engaged in a federally protected activity—using the restaurant.

The bill we introduce today eliminates the federally protected activity requirement. Under this bill, these defendants who walked out of the front door of the courthouse free that day would almost certainly have left in handcuffs through a different door.

The bill also recognizes that hate crimes are committed against people because of their sexual orientation, their gender, and their disability. Current Federal law didn't protect gay campers in Honolulu from attempted murder when their tents were doused

with a flammable liquid and set on fire because they were gay.

It didn't protect Brandon Teena, in Humboldt, NE who was raped and beaten by two male friends when they discovered that he was living as a male but was anatomically female. The local sheriff refused to arrest the offenders, and they later shot and stabbed Brandon to death.

Current law did not protect a 23-year-old mentally disabled man in Port Monmouth, New Jersey who was kidnapped by 9 men and women and tortured for three hours before being dumped in the woods because he was disabled.

Our bill will close all these flagrant loopholes. In addition to removing the federally protected activity requirement and expanding the class of protected people:

The bill protects State interests with a strict certification procedure that requires the Federal Government to consult with local officials before bringing a Federal case.

It offers Federal assistance to help State and local law enforcement investigate and prosecute hate crimes in any of the categories.

It offers training grants for local law enforcement.

It amends the Federal Hate Crime Statistics Act to add gender to the existing categories of race, religion, ethnic background, sexual orientation, and disability.

A strong Federal role in prosecuting hate crimes is essential for practical and symbolic reasons. In practical terms, the bill will have a real world impact on actual criminal investigations and prosecutions by State and Federal officials.

The presence or absence of the ''federally protected activity'' requirement frequently determines whether state and local resources must be used to prosecute these crimes or whether the Federal Government can bring its full weight to bear on the case.

Hate crime investigations tend to be expensive, requiring considerable law enforcement legwork and extensive use of investigative grand juries. State officials regularly seek federal assistance in bringing hate crime offenders to justice under current law. This bill expands the opportunity for the Justice Department to provide that support.

Our bill fully respects the primary role of State and local law enforcement in responding to violent crime. The vast majority of hate crimes will continue to be prosecuted at the state and local level. The bill authorizes the Justice Department to assist state and local authorities in hate crimes cases, it authorizes Federal prosecutions only when a State does not have jurisdiction, or when it asks the Federal Government to take jurisdiction, or when it fails to act against hate-motivated violence.

In other words, the bill establishes an appropriate back-up for State and local law enforcement to deal with hate crimes in cases where states request assistance, or cases that would not otherwise be effectively investigated and prosecuted.

The symbolic value of the bill is equally important. Hate crimes target whole communities, not just individuals. They are intended to send messages of fear that extend beyond the moment and beyond the individual victim of the attack. Attacking people because they are gay, or African-American, or Jewish, or any other criteria in the bill is bigotry at its worst. Hate crimes are designed to de-humanize and diminish, and we must say loud and clear to those inclined to commit them that they'll go to prison if they do.

The vast majority of us in Congress recognized the importance of making that statement last year. This year, we can make the statement even louder, by turning this bill into law.

Mr. SMITH. Mr. President, as I have done so many times before, I rise today to speak about the need for hate crimes legislation and to introduce the Local Law Enforcement Enhancement Act of 2005. I first sponsored this bill with my colleague, Senator KENNEDY, in 1999 and again in 2001 and 2003.

In the Senate, this legislation passed as an amendment to the Commerce, Justice, State appropriations bill in 1999 and the Defense Department authorization bill in 2000 and 2004, but removed in conference in each case. In 2003, it was introduced as an amendment to the Foreign Relations Authorization Act, but did not pass due to a procedural vote. Clearly, hate crimes legislation has strong support in the Senate.

Senator KENNEDY and I are reintroducing this bill again today because the need for Federal hate crimes legislation is greater than ever. The high prevalence of hate crimes is staggering. Every day there is another America that is attacked or even murdered in an act solely motivated by hate.

Hate crimes tear at the very fabric of our Nation by intimidating entire groups of Americans and creating fear across communities. No one in America should be victimized because of who they are, how they look, or what religion they worship. And the Federal Government should be able to come to the aid of those who have been wronged and protect victims.

Since 1969, Federal law has permitted prosecution of hate crimes motivated by race, religion, national origin, or color, if the victim was engaging in one of six ''Federally protected'' activities. It has become clear that the statue needs to be amended—and that is what our legislation does. Our legislation would expand on current laws to encompass sexual orientation, gender and disability. It would enable Federal prosecutors to pursue hate crimes cases where local authorities often lack the resources or the ability to prosecute such crimes.

Nobel laureate Eli Wiesel once said: ''To hate is to deny another person's humanity.'' As a Nation that serves as the beacon of justice, freedom and liberty everywhere, we simply cannot tolerate violence against our own citizens based on their race, color, religion, or national origin. No matter how far the United States has come and the progress we have made in protecting American's civil rights, much work remains. We cannot fight terror abroad and bow down to terror at home.

This legislation is a symbol that can become substance. As I have often said, the law is a teacher, and we should teach our fellow Americans that bigotry will not be tolerated. Our government must have the ability to persuade, to pursue, and to prosecute when hate is the motive of violence against another American, no matter their race, sexual orientation, religion, disability, or gender. By changing the law, I truly believe we can change hearts and minds as well.

I urge my colleagues to help me to change the hearts and minds and to make it widely known that we live in a society and a country that does not tolerate those who impose on the civil rights of others simply because they are different.

This year, Congress needs to act. I look forward to President Bush signing this legislation into law.

By Mrs. BOXER:

S. 1146. A bill to require the Federal Trade Commission to monitor and investigate gasoline prices under certain circumstances; to the Committee on Commerce, Science, and Transportation.

Mrs. BOXER. Mr. President, in March 2000, I introduced legislation to deal with the high price of gasoline. At the time, the price of gasoline had reached a startlingly high $2.15 per gallon in California. Today, gasoline prices on average in California are $2.43 per gallon, 13 percent higher. The problem is getting worse, not better, and so today I am reintroducing my bill to control the manipulation of gasoline prices.

We have heard that higher gasoline prices are due solely to higher crude oil prices. I just do not buy it.

According to the U.S. Energy Information Administration, from January 17 through April 11, the cost of crude oil rose 10.8 percent. During the same time period, the average retail price of gasoline in the United States rose 24.9 percent. Something is not right.

Look at the profits that are being pocketed by the big oil companies. Compared to the same time last year, oil companies' first-quarter profits are dramatically higher.

Look at the number of mergers and acquisitions in the industry over the past several months. The continued consolidation only reduces competition and increases energy costs.

Look at the refiners that may be taking plants off-line at will for ''routine

maintenance,'' which is reminiscent of the electricity crisis when generators took their plants off-line for ''routine maintenance'' in order to artificially increase prices.

My legislation will shed light on manipulation and hopefully curtail it.

The bill requires the Federal Trade Commission to automatically investigate the gasoline market for manipulation anytime average gasoline prices increase in any State by 20 percent in a period of 3 months or less and remain at that level for 7 days or more.

Market manipulation would include, but it is not limited to, collusion or the creation of artificial shortages such as unnecessarily taking refineries off-line. In determining the trigger, the gasoline price used would be the Energy Information Agency's weekly pricing of regular grade gasoline. A report on the FTC's investigation would be due to Congress 14 days after the price trigger.

Under the bill, the FTC would be required within 2 weeks of issuing the report to hold a public meeting to discuss the findings. If the finings indicate that there is market manipulation, then the FTC would work with the State's attorney general to determine the penalties.

If the findings indicate that there is no market manipulation, then the U.S. Department of Energy must officially decide, within 2 weeks, the Strategic Petroleum Reserve should be used in order to ease prices and stabilize supply.

We need to deter market manipulation. Otherwise, we risk serious price gouging with no accountability to consumers. My legislation offers a reasonable standard for an investigation and a reasonable time frame in which to complete that investigation. I believe the threat of these investigations and the public light that would be shed on the system will keep gasoline prices down.

I urge my colleagues to cosponsor this bill.

By Mr. ROCKEFELLER (for himself, Ms. SNOWE, Mr. BAUCUS, Mr. BURNS, Mr. SCHUMER, Mr. BUNNING, and Ms. CANTWELL):

S. 1147. A bill to amend the Internal Revenue Code of 1986 to provide for the expensing of broadband Internet access expenditures, and for other purposes; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, I am introducing legislation that would accelerate the deployment of advanced broadband internet access technologies in rural and underserved regions. This bipartisan legislation is very similar to bills that I have introduced in the last several Congresses. I want to thank Senators SNOWE, BAUCUS, BURNS, SCHUMER, CANTWELL, and BUNNING for cosponsoring this bill.

The convergence of computing and communications has fundamentally and forever changed the way Americans live and work. Individuals, businesses, schools, libraries, hospitals, and many others share information through computer networks. We shop online. Some of us work at home, or in other locations, using networked computers to interact with our colleagues and associates. Distance learning and telemedicine provide important services in remote locations. In our personal lives we look to our networked computers for entertainment and to communicate with family and friends. These trends are accelerating dramatically.

A decade ago, telephone-based low-bandwidth services met most of our limited data communications needs. Today this technology is obsolete. Most businesses and many individuals find that they require the ability to transmit information much faster, using what is commonly known as broadband communications. Several technologies compete to provide customers with broadband communications. Among the most prominent are optical fiber, wireless, digital-subscriber lines, cable modems, power line transmission, and satellites.

Indeed, as the need for faster services compounds, the technologies must be improved and even the definition of broadband communications must be revised and updated. The now-obsolete telephone-based systems transmit data at up to 56 thousand bits per second. Today, internet service providers commonly install first generation broadband systems that transmit data at rates between 256 thousand bits per second and 4 million bits per second. But we can now see clearly that these current-generation systems will be superseded by second-generation systems, already being installed in a few areas, which operate at data rates of up to 30 million bits per second. In other countries, services that transmit and receive data at 100 million bits per second are already available to individuals. Some industry experts predict that within 5 to 10 years there will be a substantial demand for systems that operate at 1 billion bits per second.

Despite the industry downturn over the past few years, America's telecommunications providers are working to make higher speed communications more widely available. Progress is fastest, and the business case for investment is most attractive, in affluent urban and suburban areas, especially newly developing areas. Rural areas are less fortunate. Low population densities, rugged terrain, and other factors make these areas difficult and expensive to serve. Similarly, the business case for providers to invest in underserved areas, mostly low income areas, is generally weak.

As was the case with electric power and telephone systems in the 20th century, financial incentives will be necessary to assure the extension of broadband communications infrastructure into rural and underserved regions. These incentives will also provide a substantial benefit to the American economy. In the same way that extending electric power systems into rural areas stimulated a new demand for electric appliances and other products, the wider availability of broadband communications will stimulate electronic commerce and new commercial services.

For my State of West Virginia, and other rural and low income States, the availability of advanced communications systems will allow residents to participate in the 21st century economy and have access to the economic and cultural benefits of urban living while retaining their cherished rural values and lifestyles.

The consequences of failing to act are serious. Businesses in infrastructure-rich regions will prosper at the expense of those in rural and underserved regions. New businesses will locate where the information infrastructure is strong. The migration of jobs to urban and affluent areas will accelerate and tax revenue in rural and underserved areas will continue to decline. Residents of West Virginia and other rural states will continue to be at an economic and educational disadvantage. The ''digital divide'' will widen and the gap between ''have'' and ''have-not'' regions will expand.

Decisions on how this country chooses to deploy information technology have the power to fundamentally transform the future of rural America. I firmly believe, and I am sure this view is shared by many of my colleagues, that rural communities deserve the same opportunities as their wealthier urban and suburban counterparts. We must make a commitment to them now, while there is still time, that their communications infrastructure will not always be a generation or more behind that of urban and suburban areas.

My bill would provide incentives for broadband deployment by allowing providers, under certain conditions, to treat their investments in broadband technologies as current-tax-year expenses. Under my legislation, the incentives provided by this bill would be differentiated to favor investments in technologies that will continue to meet communications needs further into the future.

Half of investments in systems that permit data to be received at rates of 1.0 million bits per second and transmitted at rates of 128 thousand bits per second would qualify. This is a substantial incentive to provide residents of rural and underserved areas the capabilities already enjoyed by individuals and businesses in urban and suburban areas.

Investments in systems that permit data to be received at 22 million bits per second and transmitted at 5 million bits per second would fully qualify. This more powerful incentive challenges internet service providers to provide the capabilities that they have already begun to introduce in urban and suburban areas. Forward-looking

providers will use this opportunity to invest in technologies that can be upgraded further as the demand grows.

Americans believe strongly in equal opportunity. This bill is just one part of an effort to make sure that all Americans have equal access to modern communications systems and the opportunities that those systems are bringing in the 21st century.

I hope that the Members of this body will support this important legislation.

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. 1147

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

SECTION 1. EXPENSING OF BROADBAND INTERNET ACCESS EXPENDITURES.

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to itemized deductions for individuals and corporations) is amended by inserting after section 190 the following new section:

"SEC. 191. BROADBAND EXPENDITURES.

''(a) TREATMENT OF EXPENDITURES.—

''(1) IN GENERAL.—A taxpayer may elect to treat any qualified broadband expenditure which is paid or incurred by the taxpayer as an expense which is not chargeable to capital account. Any expenditure which is so treated shall be allowed as a deduction.

''(2) ELECTION.—An election under paragraph (1) shall be made at such time and in such manner as the Secretary may prescribe by regulation.

''(b) QUALIFIED BROADBAND EXPENDITURES.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified broadband expenditure' means, with respect to any taxable year, any direct or indirect costs incurred after the date of the enactment of this Act and before the date which is 10 years after such date and properly taken into account with respect to—

''(A) the purchase or installation of qualified equipment (including any upgrades thereto), and

''(B) the connection of such qualified equipment to any qualified subscriber.

''(2) CERTAIN SATELLITE EXPENDITURES EXCLUDED.—Such term shall not include any costs incurred with respect to the launching of any satellite equipment.

''(3) LEASED EQUIPMENT.—Such term shall include so much of the purchase price paid by the lessor of qualified equipment subject to a lease described in subsection (c)(2)(B) as is attributable to expenditures incurred by the lessee which would otherwise be described in paragraph (1).

''(4) LIMITATION WITH REGARD TO CURRENT GENERATION BROADBAND SERVICES.—Only 50 percent of the amounts taken into account under paragraph (1) with respect to qualified equipment through which current generation broadband services are provided shall be treated as qualified broadband expenditures.

''(c) WHEN EXPENDITURES TAKEN INTO ACCOUNT.—For purposes of this section—

''(1) IN GENERAL.—Qualified broadband expenditures with respect to qualified equipment shall be taken into account with respect to the first taxable year in which—

''(A) current generation broadband services are provided through such equipment to qualified subscribers, or

''(B) next generation broadband services are provided through such equipment to qualified subscribers.

''(2) LIMITATION.—

''(A) IN GENERAL.—Qualified expenditures shall be taken into account under paragraph (1) only with respect to qualified equipment—

''(i) the original use of which commences with the taxpayer, and

''(ii) which is placed in service, after the date of the enactment of this Act.

''(B) SALE-LEASEBACKS.—For purposes of subparagraph (A), if property—

''(i) is originally placed in service after the date of the enactment of this Act by any person, and

''(ii) sold and leased back by such person within 3 months after the date such property was originally placed in service,

such property shall be treated as originally placed in service not earlier than the date on which such property is used under the leaseback referred to in clause (ii).

''(d) SPECIAL ALLOCATION RULES.—

''(1) CURRENT GENERATION BROADBAND SERVICES.—For purposes of determining the amount of qualified broadband expenditures under subsection (a)(1) with respect to qualified equipment through which current generation broadband services are provided, if the qualified equipment is capable of serving both qualified subscribers and other subscribers, the qualified broadband expenditures shall be multiplied by a fraction—

''(A) the numerator of which is the sum of the number of potential qualified subscribers within the rural areas and the underserved areas which the equipment is capable of serving with current generation broadband services, and

''(B) the denominator of which is the total potential subscriber population of the area which the equipment is capable of serving with current generation broadband services.

''(2) NEXT GENERATION BROADBAND SERVICES.—For purposes of determining the amount of qualified broadband expenditures under subsection (a)(1) with respect to qualified equipment through which next generation broadband services are provided, if the qualified equipment is capable of serving both qualified subscribers and other subscribers, the qualified expenditures shall be multiplied by a fraction—

''(A) the numerator of which is the sum of—

''(i) the number of potential qualified subscribers within the rural areas and underserved areas, plus

''(ii) the number of potential qualified subscribers within the area consisting only of residential subscribers not described in clause (i),

which the equipment is capable of serving with next generation broadband services, and

''(B) the denominator of which is the total potential subscriber population of the area which the equipment is capable of serving with next generation broadband services.

''(e) DEFINITIONS.—For purposes of this section—

''(1) ANTENNA.—The term 'antenna' means any device used to transmit or receive signals through the electromagnetic spectrum, including satellite equipment.

''(2) CABLE OPERATOR.—The term 'cable operator' has the meaning given such term by section 602(5) of the Communications Act of 1934 (47 U.S.C. 522(5)).

''(3) COMMERCIAL MOBILE SERVICE CARRIER.—The term 'commercial mobile service carrier' means any person authorized to provide commercial mobile radio service as defined in section 20.3 of title 47, Code of Federal Regulations.

''(4) CURRENT GENERATION BROADBAND SERVICE.—The term 'current generation broadband service' means the transmission of signals at a rate of at least 1,000,000 bits per second to the subscriber and at least 128,000 bits per second from the subscriber.

''(5) MULTIPLEXING OR DEMULTIPLEXING.—The term 'multiplexing' means the transmission of 2 or more signals over a single channel, and the term 'demultiplexing' means the separation of 2 or more signals previously combined by compatible multiplexing equipment.

''(6) NEXT GENERATION BROADBAND SERVICE.—The term 'next generation broadband service' means the transmission of signals at a rate of at least 22,000,000 bits per second to the subscriber and at least 5,000,000 bits per second from the subscriber.

''(7) NONRESIDENTIAL SUBSCRIBER.—The term 'nonresidential subscriber' means any person who purchases broadband services which are delivered to the permanent place of business of such person.

''(8) OPEN VIDEO SYSTEM OPERATOR.—The term 'open video system operator' means any person authorized to provide service under section 653 of the Communications Act of 1934 (47 U.S.C. 573).

''(9) OTHER WIRELESS CARRIER.—The term 'other wireless carrier' means any person (other than a telecommunications carrier, commercial mobile service carrier, cable operator, open video system operator, or satellite carrier) providing current generation broadband services or next generation broadband service to subscribers through the radio transmission of energy.

''(10) PACKET SWITCHING.—The term 'packet switching' means controlling or routing the path of any digitized transmission signal which is assembled into packets or cells.

''(11) PROVIDER.—The term 'provider' means, with respect to any qualified equipment—

''(A) a cable operator,

''(B) a commercial mobile service carrier,

''(C) an open video system operator,

''(D) a satellite carrier,

''(E) a telecommunications carrier, or

''(F) any other wireless carrier,

providing current generation broadband services or next generation broadband services to subscribers through such qualified equipment.

''(12) PROVISION OF SERVICES.—A provider shall be treated as providing services to 1 or more subscribers if—

''(A) such a subscriber has been passed by the provider's equipment and can be connected to such equipment for a standard connection fee,

''(B) the provider is physically able to deliver current generation broadband services or next generation broadband services, as applicable, to such a subscriber without making more than an insignificant investment with respect to such subscriber,

''(C) the provider has made reasonable efforts to make such subscribers aware of the availability of such services,

''(D) such services have been purchased by 1 or more such subscribers, and

''(E) such services are made available to such subscribers at average prices comparable to those at which the provider makes available similar services in any areas in which the provider makes available such services.

''(13) QUALIFIED EQUIPMENT.—

''(A) IN GENERAL.—The term 'qualified equipment' means equipment which provides current generation broadband services or next generation broadband services—

''(i) at least a majority of the time during periods of maximum demand to each subscriber who is utilizing such services, and

''(ii) in a manner substantially the same as such services are provided by the provider to subscribers through equipment with respect to which no deduction is allowed under subsection (a)(1).

''(B) ONLY CERTAIN INVESTMENT TAKEN INTO ACCOUNT.—Except as provided in subparagraph (C) or (D), equipment shall be taken into account under subparagraph (A) only to the extent it—

''(i) extends from the last point of switching to the outside of the unit, building, dwelling, or office owned or leased by a subscriber in the case of a telecommunications carrier,

''(ii) extends from the customer side of the mobile telephone switching office to a transmission/receive antenna (including such antenna) owned or leased by a subscriber in the case of a commercial mobile service carrier,

''(iii) extends from the customer side of the headend to the outside of the unit, building, dwelling, or office owned or leased by a subscriber in the case of a cable operator or open video system operator, or

''(iv) extends from a transmission/receive antenna (including such antenna) which transmits and receives signals to or from multiple subscribers, to a transmission/receive antenna (including such antenna) on the outside of the unit, building, dwelling, or office owned or leased by a subscriber in the case of a satellite carrier or other wireless carrier, unless such other wireless carrier is also a telecommunications carrier.

''(C) PACKET SWITCHING EQUIPMENT.—Packet switching equipment, regardless of location, shall be taken into account under subparagraph (A) only if it is deployed in connection with equipment described in subparagraph (B) and is uniquely designed to perform the function of packet switching for current generation broadband services or next generation broadband services, but only if such packet switching is the last in a series of such functions performed in the transmission of a signal to a subscriber or the first in a series of such functions performed in the transmission of a signal from a subscriber.

''(D) MULTIPLEXING AND DEMULTIPLEXING EQUIPMENT.—Multiplexing and demultiplexing equipment shall be taken into account under subparagraph (A) only to the extent it is deployed in connection with equipment described in subparagraph (B) and is uniquely designed to perform the function of multiplexing and demultiplexing packets or cells of data and making associated application adaptions, but only if such multiplexing or demultiplexing equipment is located between packet switching equipment described in subparagraph (C) and the subscriber's premises.

''(14) QUALIFIED SUBSCRIBER.—The term 'qualified subscriber' means—

''(A) with respect to the provision of current generation broadband services—

''(i) any nonresidential subscriber maintaining a permanent place of business in a rural area or underserved area, or

''(ii) any residential subscriber residing in a dwelling located in a rural area or underserved area which is not a saturated market, and

''(B) with respect to the provision of next generation broadband services—

''(i) any nonresidential subscriber maintaining a permanent place of business in a rural area or underserved area, or

''(ii) any residential subscriber.

''(15) RESIDENTIAL SUBSCRIBER.—The term 'residential subscriber' means any individual who purchases broadband services which are delivered to such individual's dwelling.

''(16) RURAL AREA.—The term 'rural area' means any census tract which—

''(A) is not within 10 miles of any incorporated or census designated place containing more than 25,000 people, and

''(B) is not within a county or county equivalent which has an overall population density of more than 500 people per square mile of land.

''(17) RURAL SUBSCRIBER.—The term 'rural subscriber' means any residential subscriber residing in a dwelling located in a rural area or nonresidential subscriber maintaining a permanent place of business located in a rural area.

''(18) SATELLITE CARRIER.—The term 'satellite carrier' means any person using the facilities of a satellite or satellite service licensed by the Federal Communications Commission and operating in the Fixed-Satellite Service under part 25 of title 47 of the Code of Federal Regulations or the Direct Broadcast Satellite Service under part 100 of title 47 of such Code to establish and operate a channel of communications for distribution of signals, and owning or leasing a capacity or service on a satellite in order to provide such point-to-multipoint distribution.

''(19) SATURATED MARKET.—The term 'saturated market' means any census tract in which, as of the date of the enactment of this section—

''(A) current generation broadband services have been provided by a single provider to 85 percent or more of the total number of potential residential subscribers residing in dwellings located within such census tract, and

''(B) such services can be utilized—

''(i) at least a majority of the time during periods of maximum demand by each such subscriber who is utilizing such services, and

''(ii) in a manner substantially the same as such services are provided by the provider to subscribers through equipment with respect to which no deduction is allowed under subsection (a)(1).

''(20) SUBSCRIBER.—The term 'subscriber' means any person who purchases current generation broadband services or next generation broadband services.

''(21) TELECOMMUNICATIONS CARRIER.—The term 'telecommunications carrier' has the meaning given such term by section 3(44) of the Communications Act of 1934 (47 U.S.C. 153(44)), but—

''(A) includes all members of an affiliated group of which a telecommunications carrier is a member, and

''(B) does not include a commercial mobile service carrier.

''(22) TOTAL POTENTIAL SUBSCRIBER POPULATION.—The term 'total potential subscriber population' means, with respect to any area and based on the most recent census data, the total number of potential residential subscribers residing in dwellings located in such area and potential nonresidential subscribers maintaining permanent places of business located in such area.

''(23) UNDERSERVED AREA.—The term 'underserved area' means—

''(A) any census tract which is located in—

''(i) an empowerment zone or enterprise community designated under section 1391, or

''(ii) the District of Columbia Enterprise Zone established under section 1400, or

''(B) any census tract—

''(i) the poverty level of which is at least 30 percent (based on the most recent census data), and

''(ii) the median family income of which does not exceed—

''(I) in the case of a census tract located in a metropolitan statistical area, 70 percent of the greater of the metropolitan area median family income or the statewide median family income, and

''(II) in the case of a census tract located in a nonmetropolitan statistical area, 70 percent of the nonmetropolitan statewide median family income.

''(24) UNDERSERVED SUBSCRIBER.—The term 'underserved subscriber' means any residential subscriber residing in a dwelling located in an underserved area or nonresidential subscriber maintaining a permanent place of business located in an underserved area.

''(f) SPECIAL RULES.—

''(1) PROPERTY USED OUTSIDE THE UNITED STATES, ETC., NOT QUALIFIED.—No expenditures shall be taken into account under subsection (a)(1) with respect to the portion of the cost of any property referred to in section 50(b) or with respect to the portion of the cost of any property specified in an election under section 179.

''(2) BASIS REDUCTION.—

''(A) IN GENERAL.—For purposes of this title, the basis of any property shall be reduced by the portion of the cost of such property taken into account under subsection (a)(1).

''(B) ORDINARY INCOME RECAPTURE.—For purposes of section 1245, the amount of the deduction allowable under subsection (a)(1) with respect to any property which is of a character subject to the allowance for depreciation shall be treated as a deduction allowed for depreciation under section 167.

''(3) COORDINATION WITH SECTION 38.—No credit shall be allowed under section 38 with respect to any amount for which a deduction is allowed under subsection (a)(1).''.

(b) SPECIAL RULE FOR MUTUAL OR COOPERATIVE TELEPHONE COMPANIES.—Section 512(b) of the Internal Revenue Code of 1986 (relating to modifications) is amended by adding at the end the following new paragraph:

''(18) SPECIAL RULE FOR MUTUAL OR COOPERATIVE TELEPHONE COMPANIES.—A mutual or cooperative telephone company which for the taxable year satisfies the requirements of section 501(c)(12)(A) may elect to reduce its unrelated business taxable income for such year, if any, by an amount that does not exceed the qualified broadband expenditures which would be taken into account under section 191 for such year by such company if such company was not exempt from taxation. Any amount which is allowed as a deduction under this paragraph shall not be allowed as a deduction under section 191 and the basis of any property to which this paragraph applies shall be reduced under section 1016(a)(32).''.

(c) CONFORMING AMENDMENTS.—

(1) Section 263(a)(1) of the Internal Revenue Code of 1986 (relating to capital expenditures) is amended by striking ''or'' at the end of subparagraph (H), by striking the period at the end of subparagraph (I) and inserting '', or'', and by adding at the end the following new subparagraph:

''(J) expenditures for which a deduction is allowed under section 191.''.

(2) Section 1016(a) of such Code is amended by striking ''and'' at the end of paragraph (30), by striking the period at the end of paragraph (31) and inserting '', and'', and by adding at the end the following new paragraph:

''(32) to the extent provided in section 191(f)(2).''.

(3) The table of sections for part VI of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 190 the following new item:

''Sec. 191. Broadband expenditures.''.

(d) DESIGNATION OF CENSUS TRACTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall, not later than 90 days after the date of the enactment of this Act, designate and publish those census tracts meeting the criteria described in paragraphs (16), (22), and (23) of section 191(e) of the Internal Revenue Code of 1986 (as added by this section). In making such designations, the Secretary of the Treasury shall consult with such other departments and agencies as the Secretary determines appropriate.

(2) SATURATED MARKET.—

(A) IN GENERAL.—For purposes of designating and publishing those census tracts meeting the criteria described in subsection (e)(19) of such section 191—

(i) the Secretary of the Treasury shall prescribe not later than 30 days after the date of the enactment of this Act the form upon which any provider which takes the position that it meets such criteria with respect to any census tract shall submit a list of such census tracts (and any other information required by the Secretary) not later than 60 days after the date of the publication of such form, and

(ii) the Secretary of the Treasury shall publish an aggregate list of such census tracts and the applicable providers not later than 30 days after the last date such submissions are allowed under clause (i).

(B) NO SUBSEQUENT LISTS REQUIRED.—The Secretary of the Treasury shall not be required to publish any list of census tracts meeting such criteria subsequent to the list described in subparagraph (A)(ii).

(e) OTHER REGULATORY MATTERS.—

(1) PROHIBITION.—No Federal or State agency or instrumentality shall adopt regulations or ratemaking procedures that would have the effect of eliminating or reducing any deduction or portion thereof allowed under section 191 of the Internal Revenue Code of 1986 (as added by this section) or otherwise subverting the purpose of this section.

(2) TREASURY REGULATORY AUTHORITY.—It is the intent of Congress in providing the election to deduct qualified broadband expenditures under section 191 of the Internal Revenue Code of 1986 (as added by this section) to provide incentives for the purchase, installation, and connection of equipment and facilities offering expanded broadband access to the Internet for users in certain low income and rural areas of the United States, as well as to residential users nationwide, in a manner that maintains competitive neutrality among the various classes of providers of broadband services. Accordingly, the Secretary of the Treasury shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of section 191 of such Code, including—

(A) regulations to determine how and when a taxpayer that incurs qualified broadband expenditures satisfies the requirements of section 191 of such Code to provide broadband services, and

(B) regulations describing the information, records, and data taxpayers are required to provide the Secretary to substantiate compliance with the requirements of section 191 of such Code.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures incurred after the date of the enactment of this Act.

By Ms. MIKULSKI (for herself, Ms. STABENOW, Mr. BINGAMAN, Mrs. MURRAY, Mr. CORZINE, Mr. JOHNSON, and Mr. INOUYE):

S. 1148. A bill to amend title XVIII of the Social Security Act to permit direct payment under the medicare program for clinical social worker services provided to residents of skilled nursing facilities; to the Committee on Finance.

Ms. MIKULSKI. Mr. President, in honor of Older Americans' Mental Health Week, I rise today to introduce the Clinical Social Work Medicare Equity Act of 2005. I am proud to sponsor this legislation that will ensure that clinical social workers can receive Medicare reimbursements for the mental health services they provide in skilled nursing facilities. Under the current system, social workers may not be paid for services they provide. Psychologists and psychiatrists, who provide similar counseling, are able to separately bill Medicare for their services. Congressmen STARK and LEACH are introducing a companion bill today in the House of Representatives.

Since my first days in Congress, I have been fighting to protect and strengthen the safety of our Nation's seniors. Making sure that seniors have access to quality, affordable mental health care is an important part of this fight. I know that millions of seniors do not have access to, or are not receiving, the mental health services they urgently need. Nearly 6 million seniors are affected by depression, but only one-tenth ever gets treated. According to the American Psychiatric Association, up to 25 percent of the elderly population in the United States suffers from significant symptoms of mental illness and among nursing home residents the prevalence is as high as 80 percent. These mental disorders, which include severe depression and debilitating anxiety, interfere with the person's ability to carryout activities of daily living and adversely affect their quality of life. Furthermore, older people have a 20 percent suicide rate, the highest of any age group. Every year nearly 6,000 older Americans kill themselves. This is unacceptable and must be addressed.

As a former social worker, I understand the role that social workers play in the overall care of patients and seniors. This bill protects patients across the country and ensures that seniors living in underserved urban and rural areas, where clinical social workers are often the only available option for mental health care, continue to receive the treatment they need. Clinical social workers, much like psychologists and psychiatrists, treat and diagnose mental illnesses. In fact, clinical social workers are the primary mental health providers for nursing home residents and also seniors residing in rural environments. But unlike other mental health providers, clinical social workers cannot bill directly for the important services they provide to their patients. Protecting seniors' access to clinical social workers can help make sure that our most vulnerable citizens get the quality, affordable mental health care they need and deserve. This bill will correct this inequity and make sure clinical social workers get the payments and respect they deserve.

Before the Balanced Budget Act of 1997, clinical social workers billed Medicare Part B directly for mental health services provided in nursing facilities to each patient they served. Under the Prospective Payment System, services provided by clinical social workers are lumped, or ''bundled,'' along with the services of other health care providers for the purposes of billing and payments. Psychologists and psychiatrists, who provide similar counseling, were exempted from this system and continue to bill Medicare directly. This bill would exempt clinical social workers, like their mental health colleagues, from the prospective payment system, and would make sure that clinical social workers are paid for the services they provide to patients in skilled nursing facilities. The Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act addressed some of these concerns, but this legislation would remove the final barrier to ensuring that clinical social workers are treated fairly and equitably for the care they provide.

This bill is about more than paperwork and payment procedures. This billis about equal access to Medicare payments for the equal and important work done by clinical social workers. It is about making sure our Nation's most vulnerable citizens have access to quality, affordable mental health care. The overarching goal we should be striving to achieve for our seniors is an overall improved quality of life. Without clinical social workers, many nursing home residents may never get the counseling they need when faced with a life threatening illness or the loss of a loved one. I think we can do better by our Nation's seniors, and I'm fighting to make sure we do.

The Clinical Social Work Medicare Equity Act of 2005 is strongly supported by the National Association of Social Workers and the Association for Geriatric Psychiatry. I also want to thank Senators STABENOW, BINGAMAN, MURRAY, CORZINE, JOHNSON, and INOUYE for their cosponsorship of this bill. I look forward to working with my colleagues to enact this important legislation.

Mr. President, I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

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

NATIONAL ASSOCIATION OF SOCIAL WORKERS—POLITICAL ACTION FOR CANDIDATE ELECTION,

Washington, DC, May 25, 2005.

Senator BARBARA MIKULSKI,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR MIKULSKI: I am writing on behalf of the National Association of Social Workers (NASW), the largest professional social work organization with over 153,000 members nationwide. NASW promotes, develops, and protects the affective practice of social work and social workers. NASW also seeks to enhance the well being of individuals, families, and communities through its work, service, and advocacy.

NASW strongly supports the Clinical Social Work Medicare Equity Act of 2005, which will end the unfair treatment of clinical social workers under the Medicare Part B Prospective Payment System (PPS) for Skilled Nursing Facilities (SNFs).

Section 4432 of the Balanced Budget Act of 1997 authorized the creation of the PPS, under which the cost of a variety of daily services provided to SNF patients is bundled into a single amount. Prior to PPS, a separate Medicare Part B claim was filed by the

provider for each individual service rendered to a patient. Congress made this change in an attempt to capitate the rapidly rising costs of additional patient services delivered by Medicare providers to SNF patients, with the precise target being physical, occupational, and speech-language therapy services. However, Congress recognized that some services, such as mental health and anesthesia, are best provided on an individual basis rather than as part of the bundle of services. Thus, the following types of providers are specifically excluded from the PPS: physicians, clinical psychologists, certified nurse-midwives, and certified registered nurse anesthetists. Unfortunately, due to an unintentional oversight during the drafting process, clinical social workers were not listed among the aforementioned providers in the legislation.

In 1996, Department of Health and Human Services Inspector General June Gibbs Brown published a report entitled ''Mental Health Services in Nursing Facilities''. The purpose of the report was to describe the types of mental health services provided in nursing facilities and identify potential vulnerabilities in the mental health services covered by Medicare. One critical finding of the report was 70% of nursing home respondents stated that permitting clinical social workers and clinical psychologists to bill independently had a beneficial effect on the provision of mental health services in nursing facilities. The Clinical Social Work Medicare Equity will maintain this beneficial effect on SNF patients by ensuring the continuation of direct Medicare billing by clinical social workers for mental health services rendered to SNF patients.

Your efforts on behalf of mental health patients and professional social workers nationwide are greatly appreciated by our members. We thank you for your strong interest in and commitment to this important issue as demonstrated by your sponsorship of the Clinical Social Work Medicare Equity Act. NASW looks forward to working with you on this and future issues of mutual concern.

Sincerely,

DAVID DEMPSEY,
Manager, Government Relations and PACE.

AMERICAN ASSOCIATION FOR GERIATRIC PSYCHIATRY,
Bethesda, MD, May 25, 2005.

Hon. BARBARA MIKULSKI,
U.S. Senate,
Washington, DC.

DEAR SENATOR MIKULSKI: On behalf of the American Association for Geriatric Psychiatry (AAGP), I am writing to endorse the ''Clinical Social Work Medicare Equity Act of 2005.''

AAGP is a professional membership organization dedicated to promoting the mental health and well-being of older people and improving the care of those with late-life mental disorders. AAGP's membership consists of 2,000 geriatric psychiatrists, as well as other health professionals who focus on the mental health problems faced by senior citizens.

This legislation would permit direct payment under the Medicare program for clinical social worker services provided to residents of skilled nursing facilities. The numbers of mental health professionals available to treat older adults, including residents of nursing homes, are already inadequate, and as the baby boom generation ages, the needs will only increase. Clinical social workers constitute a crucial component of the team of mental health professionals who are able to deliver this care, and assuring that they are able to bill for their services in the same way as psychiatrists and psychologists is not only fair but also necessary if nursing home residents are to have access to the mental health care they need.

AAGP commends you for your introduction of this important legislation, and we look forward to working with you towards its enactment.

Sincerely,

CHRISTINE M. de VRIES,
Executive Director.

S. 1148

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 ''Clinical Social Work Medicare Equity Act of 2005''.

SEC. 2. PERMITTING DIRECT PAYMENT UNDER THE MEDICARE PROGRAM FOR CLINICAL SOCIAL WORKER SERVICES PROVIDED TO RESIDENTS OF SKILLED NURSING FACILITIES.

(a) IN GENERAL.—Section 1888(e)(2)(A)(ii) of the Social Security Act (42 U.S.C. 1395yy(e)(2)(A)(ii)) is amended by inserting ''clinical social worker services,'' after ''qualified psychologist services,''.

(b) CONFORMING AMENDMENT.—Section 1861(hh)(2) of the Social Security Act (42 U.S.C. 1395x(hh)(2)) is amended by striking ''and other than services furnished to an inpatient of a skilled nursing facility which the facility is required to provide as a requirement for participation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to items and services furnished on or after the date that regulations relating to payment for physicians' services for calendar year 2005 take effect, but in no case later than the first day of the third month beginning after the date of the enactment of this Act.

By Mr. ISAKSON (for himself and Mr. KENNEDY):

S. 1149. A bill to amend the Federal Employees' Compensation Act to cover services provided to injured Federal workers by physician assistants and nurse practitioners, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. ISAKSON. Mr. President, I am pleased to rise and join Senator KENNEDY in introducing the Improving Access to Workers' Compensation for Injured Federal Workers Act.

One of Congress's biggest challenges year in and year out is providing access to affordable quality healthcare for the American people. Today, I am pleased to announce that Senator KENNEDY and I have found an opportunity to provide injured Federal workers with a better system of reimbursable healthcare for their workers compensation claims.

Physicians assistants and nurse practitioners are vital contributors to our healthcare system. Together, they provide economical quality medical care to the American people. Unfortunately, however, they are currently not recognized in the current FECA statute. When Federal workers' compensation claims are signed by NPs or PAs, the Federal Government denies these claims. With the introduction of this bill, Senator KENNEDY and I want to correct this hurdle to economical medical care.

The need for this straightforward legislation is clear. In some rural area health clinics, NPs and PAs are the only full-time providers of medical care. Likewise, NPs and PAs may be the only healthcare professionals on-site after hours at local clinics.

These professions are regulated by all States and are covered providers within Medicare, Tri-Care, and nearly all private insurance plans. Indeed, many Federal workers already regularly receive medical care from NPs and PAs through their Federal Employee Health Benefits Plan. NPs and PAs are also employed by the Federal Government, including the Department of Veterans Affairs, Department of State, Department of Defense, and the Public and Indian Health Services. In fact, most State workers' compensation programs cover NPs and PAs as reimbursable providers.

Again, I thank Senator KENNEDY for his cooperation in ensuring cost-effective quality medical care is available to injured Federal workers.

Mr. KENNEDY. Mr. President, today, with my distinguished colleague Senator ISAKSON, I am pleased to introduce the Improving Access to Workers' Compensation for Injured Federal Workers Act.

Our federal employees serve the American public. Day in and day out, they keep our homeland secure, protect our environment, and oversee and care for those in need. They ensure the safety of our food and our medicines, deliver our daily mail, and undertake countless other duties that, while they sometimes go unnoticed, should never be taken for granted.

More than two-and-a-half million of these workers are covered by the Federal Employees' Compensation Act (FECA). In addition to compensating workers for lost wages, FECA provides medical treatment to Federal workers injured on the job, to help them return to health and to work quickly.

FECA is an effective and fair compensation system. This bill will make it even better by expanding it to cover services provided by nurse practitioners and physician assistants. This will protect many workers who are now without access to needed care when a job-related injury strikes.

Nurse practitioners and physicians' assistants play growing role in medical care, with more than 100,000 nurse practitioners and 46,000 physicians' assistants across the country. They provide crucial services—diagnosing and treating illnesses, ordering and interpreting diagnostic and laboratory tests and educating and counseling patients and families. In many States they can also prescribe medications.

Nurse practitioners and physicians' assistants provide these top quality services in a cost-effective way. The Department of Health and Human Services reports that an office visit to see a nurse practitioner costs 10 percent to 40 percent less than comparable services from a physician, and the Bureau of Labor Statistics calls physicians' assistants ''cost-effective and

productive members of the healthcare team.''

While their impact is felt throughout our nation, these care providers play a particularly important role in rural and low-income urban areas, which are often underserved by doctors. In fact, in some rural areas, an injured Federal worker may be required to travel more than one-hundred miles to see a physician and receive care that is covered under FECA. This bill would expand Federal workers' service options to include physicians' assistants or nurse practitioners who are more likely to be located nearby.

I urge my colleagues to join me in supporting this bill and recognizing the invaluable work done by our Federal employees and the high-quality cost-effective care provided by nurse practitioners and physicians' assistants.

By Mrs. CLINTON:

S. 1150. A bill to increase the security of radiation sources, and for other purposes; to the Committee on Environment and Public Works.

Mrs. CLINTON. Mr. President, I rise to discuss the Dirty Bomb Prevention Act of 2005, which I am introducing today in the Senate, and Congressman MARKEY is introducing in the House.

Since September 11, we have increased our focus on dirty bombs, and rightly so.

Most Americans are not aware of how common this radioactive material is in our country. Often we think of warheads or rods used in nuclear reactors. However, we use less radioactive materials in positive ways in our hospitals, research laboratories, food irradiation plants, oil drilling facilities, airport runway lighting, and even in smoke detectors.

And although these materials have beneficial uses, the fact is that some of them, in the hands of a terrorist, could be used to make a dirty bomb that could be used to contaminate a wide area in New York City or in many other places across the country.

According to the Federation of American Scientists, ''material that could easily be lost or stolen from U.S. research institutions and commercial sites could contaminate tens of city blocks at a level that would require prompt evacuation . . . Areas as large as tens of square miles could be contaminated at levels that exceed recommended civilian exposure limits. ''

Even if such contamination caused by a dirty bomb did not pose severe health threats, efforts to determine the extent of contamination and clean it up would be both expensive and disruptive.

And we know that radiation sources are numerous in the United States. The Nuclear Regulatory Commission (NRC) reports that about 157,000 general and specific licenses have been issued authorizing the use of radioactive materials for industrial, medical, and other uses. About 1.8 million devices containing radioactive sources have been distributed under these licenses.

And we know that some of these sources get lost or stolen. A 2003 GAO report found that since 1998, there have been more than 1,300 incidents where radiation sources were lost, stolen or abandoned.

While not all of these sources and incidents present potential dirty bomb threats, it's clear that we need to do a better job.

This legislation fills in remaining gaps to enable the U.S. to more effectively control radiation sources.

First, the bill would give the Nuclear Regulatory Commission the authority and the mandate to control Radium-226 and other naturally occurring radioactive materials that for historical reasons have remained outside of federal control.

Radium-226 is of particular concern, as it is on the list of radiation sources that the United States has agreed to control as part of adhering to the International Atomic Energy Agency Code of Conduct on the Safety and Security of Radioactive Sources.

Radium-226 was used in medicine, starting early in the 20th century. Its use increased until the 1950s, when there were more than 5,000 radium users in the U.S. Since then, its use declined, and we don't have a good handle on what is left out there. Because it is naturally occurring, it has stayed out federal regulatory net. So we need to give the NRC the authority to go out and get control of it.

Second, the bill requires the NRC to develop within 6 months of enactment a ''cradle-to-grave'' tracking system to ensure that we know where radiation sources of concern are at all times. That's just common sense, and if FedEx can do it, I think we ought to be able to do it for materials that could be used in a dirty bomb.

Third, the bill requires the establishment of import and export controls for radiation sources. This is obvious—we need to know what's coming and going as part of our efforts to control these materials.

These 3 provisions are fundamental steps that we know we need to take today to reduce the risk that radioactive materials will fall into the wrong hands.

But the bill also looks forward in several ways.

First, the bill requires an inter-agency task force on radiation source protection to make periodic recommendations to Congress and the NRC about the safety and security of radiation sources. That way we will know how we're doing, and what we need to do in the future.

Second, the bill requires a National Academy of Sciences study of whether some current industrial uses of radiation sources could be replaced with non-radioactive or less dangerous radioactive materials. As I stated early on, there are many beneficial and necessary uses of radioactive materials, such as in medicine.

But there are some cases where use of radioactive materials can be replaced with newer technologies. Just to give one example, some steel mills have been replacing nuclear process gauges with other technologies.

By exploring other opportunities to reduce the use of radioactive materials where possible and appropriate, we can shrink the pool of radioactive materials that are available to make a dirty bomb in the future.

So I hope we can take action on this legislation soon. Here in the Senate I will be working with my colleagues to see whether we can include this legislation in a nuclear plant security bill that the committee will be marking up in June.

I ask unanimous consent that the text of bill be printed in the RECORD.

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

S. 1150

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 ''Dirty Bomb Prevention Act''.

SEC. 2. RADIATION SOURCE PROTECTION.

(a) AMENDMENT.—Chapter 14 of the Atomic Energy Act of 1954 (42 U.S.C. 2201 et seq.) is amended by adding at the end the following new section:

''SEC. 170C. RADIATION SOURCE PROTECTION. —

''a. NUCLEAR REGULATORY COMMISSION APPROVAL.—Not later than 180 days after the date of enactment of this section, the Nuclear Regulatory Commission shall issue regulations prohibiting a person from—

''(1) exporting a radiation source unless the Nuclear Regulatory Commission has specifically found, with respect to that export, that—

''(A) the appropriate regulatory agency in the recipient country—

''(i) has been informed of the proposed export; and

''(ii) has determined that the proposed export will be made in accordance with the recipient nation's laws and regulations;

''(B) the recipient nation has the appropriate technical and administrative capability, resources, and regulatory structure to ensure that the radiation source will be managed in a safe and secure manner; and

''(C) the person exporting the radiation source has made arrangements to retake possession of it when the recipient is no longer using it;

''(2) importing a radiation source unless the Nuclear Regulatory Commission has specifically found, with respect to that import, that—

''(A) the proposed recipient is authorized under law to receive the shipment; and

''(B) the shipment will be made in accordance with all applicable Federal and State laws and regulations; and

''(3) selling or otherwise transferring ownership of a radiation source unless the Nuclear Regulatory Commission has specifically found, with respect to that sale or transfer, that—

''(A) the proposed recipient is authorized under law to receive the radiation source; and

''(B) the transfer will be made in accordance with all applicable Federal and State laws and regulations.

''b. TRACKING SYSTEM.—Not later than 180 days after the date of enactment of this section, the Nuclear Regulatory Commission

shall issue regulations establishing a mandatory tracking system for all radiation sources in the United States. Such system shall—

''(1) enable the identification of each radiation source by serial number or other unique identifier;

''(2) require reporting within 24 hours of any change of geographic location or ownership of a radiation source, including any change of geographic location that occurs while the radiation source is being transported;

''(3) require reporting within 24 hours of any loss of control of or accountability for a radiation source; and

''(4) provide for reporting through a secure Internet connection.

''c. PENALTY.—Each violation of regulations issued under subsection a. or b. shall be punishable by a civil penalty of up to $1,000,000.

''d. NATIONAL ACADEMY OF SCIENCES STUDY.—Not later than 60 days after the date of enactment of this section, the Nuclear Regulatory Commission shall enter into an arrangement with the National Academy of Sciences for a study of industrial, research, and commercial uses for radiation sources. The study shall review the current uses for radiation sources, identifying industrial or other processes that utilize radiation sources that could be replaced with economically and technically equivalent (or improved) processes that do not require the use of radiation sources, or that can be used with radiation sources that would pose a lesser risk to public health and safety in the event of an accident or attack involving the radiation source. The Nuclear Regulatory Commission shall transmit the results of the study to Congress not later than 24 months after the date of enactment of this section.

''e. COMMISSION ACTIONS.—Not later than 60 days after receipt by Congress and the President of a report required under subsection f.(3)(B), the Nuclear Regulatory Commission, in accordance with the recommendations of the task force, shall take any appropriate actions, including commencing revision of its system for licensing radiation sources, and shall take necessary steps to ensure that States that have entered into an agreement under section 274 b. establish compatible programs in a timely manner.

''f. TASK FORCE ON RADIATION SOURCE PROTECTION AND SECURITY.—

''(1) ESTABLISHMENT.—There is hereby established a task force on radiation source protection and security.

''(2) MEMBERSHIP.—The task force shall be headed by the Chairman of the Nuclear Regulatory Commission or the Chairman's designee. Its members shall be the following:

''(A) The Secretary of Homeland Security or the Secretary's designee.

''(B) The Secretary of Defense or the Secretary's designee.

''(C) The Secretary of Energy or the Secretary's designee.

''(D) The Secretary of Transportation or the Secretary's designee.

''(E) The Attorney General or the Attorney General's designee.

''(F) The Secretary of State or the Secretary's designee.

''(G) The Director of National Intelligence or the Director's designee.

''(H) The Director of the Central Intelligence Agency or the Director's designee.

''(I) The Director of the Federal Emergency Management Agency or the Director's designee.

''(J) The Director of the Federal Bureau of Investigation or the Director's designee.

''(3) DUTIES.—

''(A) IN GENERAL.—The task force, in consultation with other State, Federal, and local agencies and appropriate members of the public, after public notice and an opportunity for public comment, shall evaluate and provide recommendations to ensure the security of radiation sources from potential terrorist threats, including acts of sabotage, theft, or use of such radiation sources in a radiological dispersal device.

''(B) RECOMMENDATIONS TO CONGRESS AND THE PRESIDENT.—Not later than 1 year after the date of enactment of this section, and not less than once every 3 years thereafter, the task force shall submit a report to Congress and to the President, in unclassified form with a classified annex if necessary, providing recommendations, including recommendations for appropriate regulatory and legislative changes, for—

''(i) a list of additional radiation sources that should be required to be secured under this Act, based on their potential attractiveness to terrorists and the extent of the threat to public health and safety, taking into account radiation source radioactivity levels, dispersability, chemical and material form, and, for radiopharmaceuticals, the availability of these substances to physicians and patients whose medical treatments relies on them, and other factors as appropriate;

''(ii) the establishment of or modifications to a national system for recovery of radiation sources that have been lost or stolen;

''(iii) the storage of radiation sources not currently in use in a safe and secure manner;

''(iv) modification to the national tracking system for radiation sources;

''(v) the establishment of or modifications to a national system to impose fees to be collected from users of radiation sources, to be refunded when the radiation sources are properly disposed of, or any other method to ensure the proper disposal of radiation sources;

''(vi) any modifications to export controls on radiation sources necessary to ensure that foreign recipients of radiation sources are able and willing to control United States-origin radiation sources in the same manner as United States recipients;

''(vii) whether alternative technologies are available that can perform some or all of the functions currently performed by devices or processes that employ radiation sources, and if so, the establishment of appropriate regulations and incentives for the replacement of such devices or processes with alternative technologies in order to reduce the number of radiation sources in the United States, or with radiation sources that would pose a lesser risk to public health and safety in the event of an accident or attack involving the radiation source; and

''(viii) the creation of or modifications to procedures for improving the security of radiation sources in use, transportation, and storage, which may include periodic Nuclear Regulatory Commission audits or inspections to ensure that radiation sources are properly secured and can be fully accounted for, Nuclear Regulatory Commission evaluation of security measures, increased fines for violations of Nuclear Regulatory Commission regulations relating to security and safety measures applicable to licensees who possess radiation sources, criminal and security background checks for certain individuals with access to radiation sources (including individuals involved with transporting radiation sources), assurances of the physical security of facilities that contain radiation sources (including facilities used to temporarily store radiation sources being transported), requirements and a mechanism for effective and timely exchanges of information regarding the results of such criminal and security background checks between the Nuclear Regulatory Commission and States with which the Commission has entered into an agreement under section 274 b., and the screening of shipments to facilities particularly at risk for sabotage of radiation sources to ensure that they do not contain explosives.

''g. DEFINITION.—For purposes of this section, the term 'radiation source' means any sealed or unsealed source whose activity levels are within Category 1, Category 2, or Category 3 as defined under the Code of Conduct on the Safety and Security of Radioactive Sources, approved by the Board of Governors of the International Atomic Energy Agency on September 8, 2003.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections of the Atomic Energy Act of 1954 is amended by adding at the end of the items relating to chapter 14 the following new items:

''Sec. 170B. Uranium supply

''Sec. 170C. Radiation source protection''.

SEC. 3. TREATMENT OF ACCELERATOR-PRODUCED AND OTHER RADIOACTIVE MATERIAL AS BY-PRODUCT MATERIAL.

(a) DEFINITION OF BYPRODUCT MATERIAL.—Section 11 e. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)) is amended—

(1) by striking ''means (1) any radioactive'' and inserting ''means—

''(1) any radioactive'';

(2) by striking ''material, and (2) the tailings'' and inserting ''material;

''(2) the tailings''; and

(3) by striking ''content.'' and inserting ''content;

''(3)(A) any discrete source of radium that is produced, extracted, or converted after extraction, before, on, or after the date of enactment of this paragraph for use in commercial, medical, or research activity; or

''(B) any material that—

''(i) has been made radioactive by use of a particle accelerator; and

''(ii) is produced, extracted, or converted after extraction, before, on, or after the date of enactment of this paragraph for use in commercial, medical, or research activity; and

''(4) any discrete source of naturally occurring radioactive material, other than source material, that—

''(A) has been removed from the natural environment and has been concentrated to levels greater than that found in the natural environment due to human activities; and

''(B) before, on, or after the date of enactment of this paragraph, is extracted or converted after extraction for use in commercial, medical, or research activity.''.

(b) AGREEMENTS.—Section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) byproduct materials (as defined in section 11 e.);'';

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(c) REGULATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Nuclear Regulatory Commission, after consultation with States and other stakeholders, shall promulgate final regulations as the Commission considers necessary to implement this Act and the amendments made by this Act. Such regulations shall include a definition of the term ''discrete'' for purposes of paragraphs (3) and (4) of section 11 e. of the Atomic Energy Act of 1954 (as added by subsection (a)) that is designed to ensure that byproduct material is controlled in a manner consistent with other materials that pose the same threat to public health and safety and the common defense and security.

(2) COOPERATION.—The Commission shall cooperate with the States in formulating the regulations under paragraph (1), and to the extent practicable shall use existing State consensus standards.

(3) TRANSITION.—To ensure an orderly transition of regulatory authority with respect to byproduct material as defined in paragraphs (3) and (4) of section 11 e. of the Atomic Energy Act of 1954 (as added by subsection (a)), the regulations promulgated under paragraph (1) shall include a transition plan, developed in coordination with States, for—

(A) States that have not, before such plan is issued, entered into an agreement with the Commission under section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)); and

(B) States that have entered into such an agreement with the Commission, including, in the case of a State that has entered into such an agreement and has certified that it has an existing State program for licensing of the byproduct material defined in paragraphs (3) and (4) of section 11 e. of the Atomic Energy Act of 1954 (as added by subsection (a)) that is adequate to protect public health and safety, provision for assumption by the State of regulatory responsibility for such byproduct material through an administrative process that—

(i) provides interim provisional recognition of an existing State program for licensing the byproduct material until adoption of an amended agreement under section 274 b.; and

(ii) requires that the byproduct material is included in the periodic reviews of the State programs for adequacy and compatibility required under section 274 j.(1).

(4) AVAILABILITY OF RADIOPHARMACEUTICALS.—In its promulgation of final rules under paragraph (1), the Commission shall consider the impact on the availability of radiopharmaceuticals to the physicians and patients whose medical treatment relies on them.

(d) WASTE DISPOSAL.—

(1) IN GENERAL.—Section 81 of the Atomic Energy Act of 1954 (42 U.S.C. 2111) is amended by adding at the end the following: ''Byproduct material may only be transferred to and disposed of in a disposal facility licensed by the Commission, if the disposal facility meets the licensing requirements of the Commission and is adequate to protect public health and safety, or a disposal facility licensed by a State that has entered into an agreement with the Commission under section 274 b., if the disposal facility meets requirements of the State that are compatible with the licensing requirements of the Commission and is adequate to protect public health and safety.''.

(2) BYPRODUCT MATERIAL NOT CONSIDERED LOW-LEVEL RADIOACTIVE WASTE.—Section 2(9) of the Low-Level Radioactive Waste Policy Act (42 U.S.C. 2021b(9)) is amended by adding after subparagraph (B) the following:

''Such term shall not include byproduct material as defined in paragraphs (3) and (4) of section 11 e. of the Atomic Energy Act of 1954.''.

(e) EFFECTIVE DATE.—Subsections (a), (b), and (d) shall take effect 1 year after the date of enactment of this Act.

SEC. 4. RADIATION SOURCES CONTROLLED BY DEPARTMENT OF ENERGY.

(a) NUCLEAR FUEL.—

(1) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress a report accounting for the location and status of all nuclear fuel that has been exported by the Federal Government.

(2) REACQUISITION.—

(A) IN GENERAL.—The Secretary of Energy shall, to the maximum extent practicable, reacquire nuclear fuel described in paragraph (1) for disposal, giving highest priority to nuclear fuel that is—

(i) in a location that is not secure; or

(ii) in a country that does not have sufficient resources to either properly dispose of the nuclear fuel or return the nuclear fuel to the United States for disposal.

(B) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Energy $50,000,000 for each of the fiscal years 2006 through 2010 for carrying out subparagraph (A).

(b) RADIATION SOURCES AND SEALED SOURCES OF PLUTONIUM.—

(1) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress a report accounting for the location and status of all radiation sources (as defined in section 170C(g) of the Atomic Energy Act of 1954, as added by section 1 of this Act) and sealed sources of plutonium weighing more than 1 gram that have been exported by the Federal Government.

(2) REACQUISITION.—

(A) IN GENERAL.—The Secretary of Energy shall, to the maximum extent practicable, reacquire radiation sources and sealed sources of plutonium described in paragraph (1) for disposal that are—

(i) in a location that is not secure; or

(ii) in a country that does not have sufficient resources to either properly dispose of the radiation sources and sealed sources of plutonium or return the radiation sources and sealed sources of plutonium to the United States for disposal.

(B) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Energy $30,000,000 for each of the fiscal years 2006 through 2010 for carrying out subparagraph (A).

By Mr. MCCAIN (for himself and Mr. LIEBERMAN):

S. 1151. A bill to provide for a program to accelerate the reduction of greenhouse gas emissions in the United States by establishing a market-driven system of greenhouse gas tradeable allowances, to limit greenhouse gas emissions in the United States and reduce dependence upon foreign oil, to support the deployment of new climate change-related technologies, and ensure benefits to consumers; to the Committee on Environment and Public Works.

Mr. MCCAIN. Mr. President, I am pleased to join with Senator LIEBERMAN today in introducing an amended version of the Climate Stewardship Act, which we introduced in February.

The legislation we submit today incorporates the provisions of S. 342, the Climate Stewardship Act of 2005, in its entirety, along with a new comprehensive title regarding the development and deployment of climate change reduction technologies. This new title, when combined with the ''cap and trade'' provisions of the previously introduced bill, will promote the commercialization of technologies that can significantly reduce greenhouse gas emissions, mitigate the impacts of climate change, and increase the Nation's energy independence. And, it will help to keep America at the cutting edge of innovation where the jobs and trade opportunities of the new economy are to be found.

In fact, the ''cap and trade'' provisions and the new technology title are complementary parts of a comprehensive program that will allow us to usher in an new energy era, an era of responsible and innovative energy production and use that will yield enormous environmental, economic, and diplomatic benefits. The ''cap and trade'' portion provides the economic driver for existing and new technologies capable of supplying reliable and clean energy and making the best use of America's available energy resources. Because of the multiple benefits promised by this comprehensive program, we expect that the new bill will attract additional support for the vital purposes of the Climate Stewardship Act. We simply need the political will to match the public's concern about climate change, the economic interests of business and consumers, and American technological ingenuity and expertise.

Our comprehensive bill sets forth a sound course toward a productive, secure, and clean energy future. Its provisions are based on the important efforts undertaken by academia, Government, and business over the past decade to determine the best ways and means towards This energy future. Most of these studies have shared two common findings. First, significant reductions in greenhouse gases—well beyond the modest goals of our bill—are feasible over the next 10 to 20 years using technologies available today. Second, the most important technological deployment opportunities to reduce emissions over the next two decades lie with energy efficient technologies and renewable energy sources, including solar, wind, and biofuels. For example, in the electric power sector, which accounts for one-third of U.S. emissions, major pollution reductions can be achieved by improving the efficiency of existing fossil fuel plants, adding new reactors designs for nuclear power, expanding use of renewable power sources, and significantly reducing electricity demand with the use of energy-saving technologies currently available to residential and commercial consumers. These clean technologies need to be promoted and that is what spurs our action today.

Before describing the details of this legislation, I think it is important to talk about what has occurred since the Senate vote on this issue in October 2003. For example, the scientific evidence of human-induced climate change has grown even more abundant. But just since February of this year, when I highlighted the results of the Arctic Climate Impact Assessment, even more startling evidence about the Arctic region has been revealed. In a recent Congressional briefing, Dr. Robert Corell, chair of Arctic Climate Impact Assessment, presented recent data indicating that climate change in the Arctic is occurring more rapidly than previously thought. Annual average arctic temperatures have increased at

twice the rate of global temperatures over the past several decades, with some regions increasing by five to ten times the global average.

The latest observations show Alaska's 2004 June–July–August mean temperature to be nearly 5 degrees Fahrenheit, 2.8 degrees Celsius, above the 1971–2000 historic mean, and permafrost temperature increasing enough to cause it to start melting. Dr. Corell said the Greenland ice sheet is melting more rapidly than thought even 5 years ago, and that the climate models indicate that warming over Greenland is likely to be up to three times the global average, with warming projected to be in the range of 5 to 11 degrees Fahrenheit, 3 to 6 degrees Celsius, which will most certainly lead to sea-level rise. These are remarkable new scientific findings.

It isn't surprising that just this past Tuesday, indigenous leaders from Arctic regions called on the European Union to do more to fight global warming and to consider giving aid to their peoples, saying their way of life is at risk. Global warming is said to be causing the arrival in the far north of mosquitoes bearing infectious diseases. And in Scandinavia, more frequent rains in the winter are causing sheets of ice to develop on top of snow, causing animals to die of hunger because they cannot reach the grass underneath.

> We are not asking for sympathy, said Larisa Abrutina of the Russian Association of Indigenous Peoples of the North. We are asking each country in the world to examine if it is truly doing its part to slow climate change.

The efforts taking place globally to address climate change have gained even greater prominence. For example, British Prime Minister Tony Blair has made climate change one of his top two issues during his Presidency of the G8. Mr. Blair's commitment to addressing climate change should be commended. He has chosen to take action and not to hide behind the uncertainties that the science community will soon resolve. The Prime Minister made it clear in a January speech at World Economic Forum in Davos as to his intentions when he said:

> . . . if America wants the rest of the world to be a part of the agenda it has set, it must be a part of their agenda too.

The top two issues that Prime Minister Blair has chosen to deal with are climate change and poverty in Africa. It is interesting to note that a recent article in the New York Times highlighted the connection between the two issues. The article highlights that a 50-year-long drying trend is likely to continue and appears to be tightly linked to substantial warming of the Indian Ocean. According to Dr. James Hurrell, a scientist at the National Center for Atmospheric Research:

> . . . the Indian Oceans shows very clear and dramatic warming into the future, which means more and more drought for southern Africa. It is consistent with what we would expect from an increase in greenhouse gases.

It appears that Mr. Blair's two priorities are quickly becoming one enormous challenge.

In its September 2004 issue, The National Geographic devotes 74 pages laying out in great detail the necessity of tackling our planet's problem of global warming. In an introductory piece, Editor-in-Chief Bill Allen described just how important he thinks this particular series of articles is:

> Why would I publish articles that make people angry enough to stop subscribing? That's easy. These three stories cover subjects that are too important to ignore. From Antarctica to Alaska to Bangladesh, a global warming trend is altering habitats, with devastating ecological and economic effects. . . This isn't science fiction or a Hollywood movie. We're not going to show you waves swamping the Statue of Liberty. But we are going to take you all over the world to show you the hard truth as scientists see it. I can live with some canceled memberships. I'd have a harder time looking at myself in the mirror if I didn't bring you the biggest story in geography today.

The articles highlight many interesting facts. Dr. Lonnie Thompson of Ohio State University collects ice cores from glaciers around the world, including the famed snows of Kilimanjaro, which could vanish in 15 years. According to Dr. Thompson, ''What glaciers are telling us, is that it is now warmer than it has been in the past 2,000 years over vast areas of the planet.'' Many of the ice cores he has in his freezer may soon contain the only remains of the glaciers from which they came from.

Highlighted quotes from the articles include: Things that normally happen in geologic time are happening during the span of a human lifetime. The future breakdown of the thermohaline circulation remains a disturbing possibility. More than a hundred million people worldwide live within 3 feet of mean sea level. At some point, as temperatures continue to rise, species will have no room to run. The natural cycles of interdependent creatures may fall out of sync. We will have a better idea of the actual changes in 30 years. But it is going to be a very different world.

Global warming demands urgent action on all fronts, and we have an obligation to promote the technologies that can help us meet the challenge. Our aim has never been simply to introduce climate stewardship legislation. Rather our purpose is to have legislation enacted to begin to address the urgent global warming crisis that is upon us. This effort cannot be about political expediency. It must be about practical realities and addressing the most pressing issue facing not only our nation, but the world. We believe that our legislation offers practical and effective solutions and we urge each members careful consideration and support.

I will include for the Record a more detailed description of the various components of the new technology title. However, I do want to describe some of the key provisions designed to enhance innovation and commercialization in key areas. These include zero and low greenhouse gas emitting power generation, such as nuclear, coal gasification, solar and other renewables, geological carbon sequestration, and biofuels:

The bill directs the Secretary of Commerce, through the former Technology Administration, which would be renamed the Innovation Administration, to develop and implement new policies that foster technological innovation to address global warming. These new directives include: developing and implementing strategic plans to promote technological innovation; identifying and removing barriers to the research, development, and commercialization of key technologies; prioritizing and maximizing key federal R&D programs to aid innovation; (establishing public/private partnerships to meet vital innovation goals; and promoting national infrastructure and educational initiatives that support innovation objectives.

It also authorizes the Secretary of Energy to establish public/private partnerships to promote the commercialization of climate change technologies by working with industry to advance the design and demonstration of zero and low emission technologies in the transportation and electric generation sectors. Specifically, the Secretary would be authorized to partner with industry to share the cost, 50/50, of ''first-of-a-kind'' designs for advanced coal, nuclear energy, solar and biofuels. Moreover, each time that a utility builds a plant based on the ''first-of-a-kind engineering'' design authorized by this bill, a ''royalty'' type payment will be paid by the utility to reimburse the original amount provided by the Government.

After the detail design phase is complete, the Secretary would be able to provide loans or loan guarantees, Up to 80 percent, for the construction of these new designs including three nuclear plant designs certified by the NRC that would produce zero greenhouse gas emissions; three advanced coal gasification plants with carbon capture and storage that make use of our abundant coal resources while storing carbon emissions underground; three large scale solar energy plants to begin to tap the enormous potential of this completely clean energy source; and three large scale facilities to produce the clean, efficient, and plentiful biofuel of the future—cellulosic ethanol.

The loan program will be administered by a Climate Technology Financing Board, whose membership will include the Secretary of Energy, a representative from the Climate Change Credit Corporation, as would be created in the bill, and others with pertinent expertise. Once each plant is operational, the private partner will be obligated to pay back these loans from the government, as is the case with any construction loan.

I think it is important to be very clear about this ambitious, but necessary, technology title. We intend that much, if not all, of the costs of the demonstration initiatives, along with the loan program, will be financed by the early sale of emission allowances through the Climate Change Credit Corporation under the cap and trade program, so that industry and the market will foot much of the bill, not the taxpayers. And, as I already mentioned, the bill requires that any Federal money used to build plants will be repaid by the utility when the plant becomes operational.

Finally, the bill contains a mechanism requiring utilities to pay reimbursement ''royalties'' as they build plants based on zero and low emission designs created with Federal assistance. These funding provisions are more fair and certain than requiring taxpayers to cover the entire costs of these programs and depending upon future appropriations. But there will be some costs involved. That is why it is important to weigh these expenditures against the staggering cost of inaction on global warming. I think we will find more than a justified cost-benefit outcome.

In addition to promoting new or underutilized technologies, the bill also includes a provision to aid in the deployment of available and efficient energy technologies. This would be accomplished through a ''reverse auction'' provision, which would establish a cost effective and proven mechanism for Federal procurement and incentives. Providers' ''bids'' would be evaluated by the Secretary on their ability to reduce, eliminate, or sequester greenhouse gas emissions.

The ''reverse auction'' program would be funded initially by the taxpayers but eventually would be funded by the proceeds from the annual auction of tradeable allowances conducted by the Climate Change Credit Corporation under the cap and trade program.

I want to clarify that this bill doesn't propose to dictate to industry what is economically prudent for their particular operations. Rather, it provides a basis for the selection and implementation of their own market-based solutions, using a flexible emissions trading system model that has successfully reduced acid rain pollution under the Clean Air Act at a fraction of anticipated costs—less than 10 percent of the costs that some had predicted when the legislation was enacted. That successful model can and must be used to address this urgent and growing global warming crisis.

The ''cap and trade'' approach to emission management is a method endorsed by Congress and free-market proponents for over 15 years after it was first applied to sulfur dioxide pollution. Applying the same model to carbon dioxide and other greenhouse gases is a matter of good policy and simple, common sense. It is an approach endorsed by industry leaders such as Jeffrey Immelt, CEO of General Electric, one of the largest companies in the U.S.

Moreover, using the proven market principles that underlie cap and trade will harness American ingenuity and innovation and do more to spur the innovation and commercialization of advanced environmental technologies than any system of previous energy-bill style subsidies that Congress can devise.

Three decades of assorted energy bills prove that while subsidies to promote alternative energy technologies may sometimes help, alone they are not transformational. In the 1970s, Americans were waiting in line for limited supplies of high priced gasoline. We created a Department of Energy to help us find a better way. Yet today, 30 years later, we remain wedded to fossil fuels, economically beholden to the Middle East and we continue to alter the makeup of the upper atmosphere with the ever-increasing volume of greenhouse gas emissions. Our dividend is continued energy dependence and global warming that places our nation and the globe at enormous environmental and economic risk. Not a very good deal.

Cap and trade is the transformational mechanism for reducing carbon dioxide emissions, protecting the global environment, diversifying the Nation's energy mix, advancing our economy, and spurring the development and deployment of new and improved technologies that can do the job. It is indispensable to the task before us.

The Climate Stewardship and Innovation Act does not prescribe the exact formula by which allowances will be allocated under a cap and trade system. This should be determined administratively through a process developed with great care to achieve the principles and purposes of the Act. This includes assuring that high emitting utilities have ample incentives to clean up and can make emission reductions economically and that low emitting utilities are treated justly and recognized for their efficiency. Getting this balance right will not be easy, but it can and must be done.

The fact remains that, if enacted, the bill's emission cap will not go into effect for another 5 years. In the interim there is much that the country can and should do to promote the most environmentally and economically promising technologies. This includes removing unnecessary barriers to commercialization of new technologies so that new plants, products, and processes can move more efficiently from design and development, to demonstration and, ultimately, to the marketplace. Again, without cap and trade, these efforts will pale, but the new technology title we propose will work hand in glove with the emission cap and trade system to meet our objectives.

As I mentioned, the new title contains a host of measures to promote the commercialization of zero and low-emission electric generation technologies, including nuclear, clean coal, solar and other renewable energies, and biofuels.

I want to take some time to address the bill's nuclear provisions. Although these provisions are only part of the comprehensive technology package, I am sure they will be the focus of much attention.

I know that some of our friends in the environmental community maintain strong objections to nuclear energy, even though it supplies nearly 20 percent of the electricity generated in the U.S. and much higher proportions in places such as France, Belgium, Sweden and Switzerland—countries that aren't exactly known for their environmental disregard. But the fact is, nuclear is clean, producing zero emissions, while the burning of fossil fuels to generate electricity produces approximately 33 percent of the greenhouse gases accumulating in the atmosphere, and is a major contributor to air pollution affecting our communities

The idea that nuclear power should play no role in our energy mix is an unsustainable position, particularly given the urgency and magnitude of the threat posed by global warming which most regard as the greatest environmental threat to the planet.

The International Energy Agency estimates that the world's energy consumption is expected to rise over 65 percent within the next 15 years. If the demand for electricity is met using traditional coal-fired power plants, not only will we fail to reduce carbon emissions as necessary, the level of carbon in the atmosphere will skyrocket, intensifying the greenhouse effect and the global warming it produces.

As nuclear plants are decommissioned, the percentage of U.S. electricity produced by this zero emission technology will actually decline. Therefore, at a minimum, we must make efforts to maintain nuclear energy's level of contribution, so that this capacity is not replaced with higher emitting alternatives. I, for one, believe it can and should play an even greater role, not because I have some inordinate love affair with splitting the atom, but for the very simple reason that we must support sustainable, zero-emission alternatives such as nuclear if we are serious about addressing the problem of global warming.

I would like to submit for the record a piece written by Nicholas Kristof of the New York Times. Mr. Kristof made the following observation: ''It's increasingly clear that the biggest environmental threat we face is actually global warming and that leads to a corollary: nuclear energy is green.'' He goes on to quote James Lovelock, a British scientist who created the Gaia principle that holds the earth is a self-regulating organism. He quoted Mr. Lovelock as follows:

I am a Green, and I entreat my friends in the movement to drop their wrongheaded objection to nuclear energy. Every year that we continue burning carbon makes it worse for our descendents. Only one immediately available source does not cause global warming, and that is nuclear energy.

I have always been and will remain a committed supporter of solar and renewable energy. Renewables hold great promise, and, indeed, the technology title contains equally strong incentives in their favor. But today solar and renewables account for only about 3 percent our energy mix. We have a long way to go, and that is one of the objectives of this legislation—to help promote these energy technologies.

I want to stress nothing in this title alters, in any way, the responsibilities and authorities of the Nuclear Regulatory Commission. Safety and security will remain, as they should, paramount in the citing, design, construction and operation of nuclear power plants. And the winnowing effect of the free market, as it should, will still determine which technologies succeed or fail in the market place. But the idea that a zero-emission technology such as nuclear has little or no place in our energy mix is just as antiquated, out-of-step and counter-productive as our continued dependence on fossil fuels. Should it prevail, our climate stewardship and clean air goals will be virtually impossible to meet.

The environmental benefit of nuclear energy is exactly why during his tenure, my friend, Morris Udall, one of the greatest environmental champions the United States has ever known, sponsored legislation in the House, as I did in the Senate, to develop a standardized nuclear reactor that would maximize safety, security, and efficiency. The Department of Energy has done much of the work called for by that legislation. Now it is time for the logical next steps. The new title of this legislation promotes these steps by authorizing Federal partnership to develop first of a kind engineering for the latest reactor designs, and then to construct three demonstration plants. Once the demonstration has been made, free-market competition will take it from there. And the bill provides similar partnership mechanisms for the other clean technologies, so we are in no way favoring one technology over another.

No doubt, some people will object to the idea of the Federal Government playing any role in helping demonstrate and commercialize new and beneficial nuclear designs. I have spent 20 years in this body fighting for the responsible use of taxpayer dollars and against porkbarrel spending and corporate welfare. I will continue to do so.

The fact remains that fossil fuels have been subsidized for many decades at levels that can scarcely be calculated. The enormous economic costs of damage caused by air pollution and greenhouse gas emissions to the environment and human health are not factored into the price of power produced by fossil-fueled technologies. Yet it is a cost that we all bear, too often in terms of ill-health and diminished quality of life. That is simply a matter of fact.

It is also inescapable that the ability to ''externalize'' these costs places clean competitors at a great disadvantage. Based on that fact, and in light of the enormous environmental and economic risk posed by global warming, I believe that providing zero and low emission technologies such as nuclear a boost into the market place where they can compete, and either sink or swim, is responsible public policy, and a matter of simple public necessity, particularly, as we enact a cap on carbon emissions.

The Navy has operated nuclear powered submarine for more than 50 years and has an impressive safety and performance record. The Naval Reactors program has demonstrated that nuclear power can be done safely. One of the underpinning of its safety record is the approach used in its reactor designs, which is to learn and build upon previous designs. Unfortunately for the commercial nuclear industry, they have not had the opportunity to use such an approach since the industry has not been able to build a reactor in over the past 25 years. This lapse in construction has led us to where we are today with the industry's aging infrastructure. As we have learned from other industries, this in itself represents a great risk to public safety.

I want to close my comments on the nuclear provisions with two thoughts. A recent article in Technology Review seems particularly pertinent to those with reservations about nuclear power. It stated:

> The best way for doubters to control a new technology is to embrace it, lest it remain in the hands of the enthusiasts.

This is particularly sage advice because, frankly, the facts make it inescapably clear—those who are serious about the problem of global warming are serious about finding a solution. And the rule of nuclear energy which has no emissions has to be given due consideration.

Mr. President, don't simply take my word regarding the magnitude of the global warming problem. Consider the National Academy of Sciences which reported in 2001 that:

> Greenhouse gases are accumulating in the Earth's atmosphere as a result of human activities, causing surface air temperatures and subsurface ocean temperatures to rise. Temperatures are, in fact, rising. The changes observed over the last several decades are likely mostly due to human activities. . . .

Also consider the warning on NASA's website which states:

> With the possible exception of another world war, a giant asteroid, or an incurable plague, global warming may be the single largest threat to our planet.

Consider the words of the EPA that

> Rising global temperatures are expected to raise sea level, and change precipitation and other local climate conditions. Changing regional climate could alter forest, crop yields and water supplies. . . .

And, let's consider the views of President Bush's Science Advisor, Dr. John Marburger who says that,

> Global warming exists, an we have to do something about it, and what we have to do about it is reduce carbon dioxide.

Again, the chief science advisor to the President of the United States says that global warming exists, and what we have to do about it is to reduce carbon dioxide.

The road ahead on climate change is a difficult and challenging one. However, with the appropriate investments in technology and the innovation process, we can and will prevail. Innovation and technology have helped us face many of our national challenges in the past, and can be equally important in this latest global challenge.

Advocates of the status quo seem to suggest that we do nothing, or next to nothing, about global warming because we don't know how bad the problem might become, and many of the worst effects of climate change are expected to occur in the future. This attitude reflects a selfish, live-for-today attitude unworthy of a great nation, and thankfully, not one practiced by preceding generations of Americans who devoted themselves to securing a bright and prosperous tomorrow for future generations, not just their own.

When looking back at Earth from space, the astronauts of Apollo 11 could see features such as the Great Wall of China and forest fires dotting the globe. They were moved by how small, solitary and fragile the earth looked from space. Our small, solitary and fragile planet is the only one we have and the United States of America is privileged to lead in all areas bearing on the advance of mankind. And lead again, we must, Mr. President. It is our privilege and sacred obligation as Americans.

I ask unanimous consent an editorial from the New York Times be printed in the RECORD.

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

[From the New York Times, Apr. 12, 2005]

NUCLEAR POWER HAS BECOME A GREEN SOURCE OF ENERGY

(By Nicholas Kristof)

If only one thing used to be crystal clear to any environmentalist, it was that nuclear energy was the deadliest threat this planet faced. That's why Dick Gregory pledged at a huge antinuke demonstration in 1979 that he would eat no solid food until all U.S. nuclear plants were shut down.

Gregory may be getting hungry.

But it's time for the rest of us to drop that hostility to nuclear power. It's increasingly clear that the biggest environmental threat we face is actually global warming, and that leads to a corollary: Nuclear energy is green.

Nuclear power, in contrast to other sources, produces no greenhouse gases. President Bush's overall environmental policy gives me the shivers, but he's right to push ahead for nuclear energy. There haven't been any successful orders for new nuclear plants since 1973, but several proposals for new plants are now moving ahead—and that's good for the world we live in.

Global energy demand will rise 60 percent during the next 25 years, according to the International Energy Agency, and nuclear power is the cleanest and best bet to fill that gap.

Solar power is a disappointment, still accounting for only about one-fifth of 1 percent of the nation's electricity and costing about five times as much as other sources. Wind is promising because its costs have fallen 80 percent, but it suffers from one big problem: Wind doesn't blow all the time. It's difficult to rely on a source that comes and goes.

In contrast, nuclear energy already makes up 20 percent of America's power, not to mention 75 percent of France's. A sensible energy plan must encourage conservation—far more than Bush's plans do—and promote things like hybrid vehicles and hydrogen fuel cells. But for now, nuclear power is the only source that doesn't contribute to global warming and that can quickly become a mainstay of the grid.

Is it safe? No, not entirely. Three Mile Island and Chernobyl demonstrated that, and there are also risks from terrorists.

Then again, the world now has a half-century of experience with nuclear power plants, 440 of them around the world, and they have proved safer so far than the alternatives. America's biggest power source is now coal, which kills about 25,000 people a year through soot in the air.

To put it another way, nuclear energy seems much safer than our dependency on coal, which kills more than 60 people every day.

Moreover, nuclear technology has become far safer through the years. The future may belong to pebble-bed reactors, a new design that promises to be both highly efficient and incapable of a meltdown.

Radioactive wastes are a challenge. But burdening future generations with nuclear wastes in deep shafts is probably more reasonable than burdening them with a warmer world in which Manhattan is under water.

Right now, the only significant U.S. source of electricity that does not involve carbon emissions is hydropower. But salmon runs have declined so much that we should be ripping out dams, not adding more.

What killed nuclear power in the past was cold economics. Major studies at MIT and elsewhere show that nuclear power is still a bit more expensive than new coal or natural gas plants, but in the same ballpark if fossil fuel prices rise. And if a $200-per-ton tax were imposed on carbon emissions, nuclear energy would become cheaper than coal from new plants.

So it's time to welcome nuclear energy as green (though not to subsidize it with direct handouts, as the nuclear industry would like). Indeed, some environmentalists are already climbing onboard. For example, the National Commission on Energy Policy, a privately financed effort involving environmentalists, academics and industry representatives, issued a report in December that favors new nuclear plants.

One of the most eloquent advocates of nuclear energy is James Lovelock, the British scientist who created the Gaia hypothesis, which holds that Earth is, in effect, a self-regulating organism.

''I am a Green, and I entreat my friends in the movement to drop their wrongheaded objection to nuclear energy,'' Lovelock writes, adding: ''Every year that we continue burning carbon makes it worse for our descendents. Only one immediately available source does not cause global warming, and that is nuclear energy.''

Mr. LIEBERMAN. Mr. President, I rise today with my friend and colleague Senator JOHN MCCAIN to introduce a second version of our Climate Stewardship Act with improvements—the Climate Stewardship AND Innovation Act (CSIA).

In the computer age, we might call this Climate Stewardship 2.0. In this new version we take the time-tested strengths of the Climate Stewardship Act—like the emissions cap and trade program—and add new features to spur innovation and lead us into a 21st Century energy economy that prizes zero- or low-carbon emission technologies.

And we do all this with market-driven programs that will promote a competition for efficient technologies and that don't drain the federal budget.

Let me start with the basics.

Climate change is real and its costs to the economy will be devastating if we don't act.

Consider this very real example: 184 Alaskan coastal villages already need to be relocated because their land and infrastructure are being destroyed by advancing seas and warmer temperatures that are melting the permafrost.

It will cost more than $100 million to relocate just one of these towns.

What would be the price if we needed to do the same for New Orleans, Miami, or Santa Cruz, California?

SwissRe, North America's leading reinsurer, projects that climate driven disasters could cost global financial centers more than $150 billion per year within the next ten years.

The original Climate Stewardship Act asked the American people and businesses to reduce their carbon emissions to 2000 levels—which were quite close to today's levels by the end of the decade.

All we are saying is ''Don't make the problem worse! Do no further harm.''

Our proposal—then and now—will reduce carbon emissions by putting a price on them with a cap and trade policy similar to the one used so successfully in the Clean Air Act of 1990 which reduced acid rain.

Simply put, a business that doesn't reach its emissions target can buy emissions credits from those under the target.

And, by the way, at the time we debated the acid rain program, industry estimated it would cost $1,000 a ton to comply and would ruin the economy. Today those emissions credits sell for between $100 and $200 a ton.

America's innovators found a way to make it work for the economy and the environment—twin challenges that can and must move together in concert, not conflict.

Because ''cap-and-trade'' creates a price for greenhouse emissions, it exposes the true cost of burning fossil fuels and will drive investment toward lower-emitting technologies.

If we are going to meet the challenge of climate change, while making sure that our economy remains strong, we need a program that gives business and industry both a push and pull.

The push will come from requiring business and industry to cut their greenhouse gas pollution; the pull from giving them incentives to innovate, along with financial support for bringing the best innovations forward.

There are many actions we can take today to meet the targets set in our original bill, ranging from increasing the efficiency of our operations, to boosting the use of renewable energy, for which so many states are now admirably pushing. But to advance beyond this goal and maintain emissions reductions in the future with a growing economy, we will need to push both innovation and the deployment of climate friendly technologies that already exist.

While we're on the subject of technology and investment, I want to be sure that everybody sees that our emissions trading market itself will unleash a multi-billion dollar flow of capital into technology and innovation. Our opponents insist that everybody see the emissions reduction requirements of this bill as costs. The truth is that these so-called costs are vital investment flows necessary to bring about innovation, invention and technological change in an era where our climate, our economy and even our national security depend on our ability to wean ourselves from our dependence on oil, so much of which is imported from unstable regions in the world.

Because technological change and innovation are so important for both climate change and energy independence, our bill creates a dedicated public sector mechanism for ensuring that some of that investment flow is directed at the technologies we need—including, for example, biofuels and clean ways of burning coal, to name just two examples from a potentially open-ended menu of climate-friendly technology choices.

The new bill we are introducing today helps assure that the most important and efficient technological alternatives are supported. We do not pick winners or losers. That's for the market to do. Our bill is technology neutral, but does make sure that if there are barriers to developing or using new technologies, the resources are available to knock those barriers down.

This bill provides support for first-of-its-kind innovation or early-adoption of new energy technologies with minimal cost to the federal budget.

Instead of turning to the taxpayer, our bill uses a self-funding mechanism by empowering the Secretary of Energy to use some of the money generated through the purchase of emissions credits, funneled through a new public corporation our bill creates, to help bring innovations to market. And this is not small change. It is a substantial multibillion dollar contribution every year.

Mr. President, this kind of public sector support has many encouraging precedents.

From the telegraph to the Internet, it was the timely intervention of the

federal government that helped bring new technologies to market.

And, if we don't help bring these new low-carbon or zero-carbon technologies to market, we will be buying them from the nations that do.

We only need look at the popular hybrid cars—low-emitting vehicles that consumers have shown they want by the long waiting lists that exist to buy them. And then remember that American manufacturers must license this technology from Japan.

Our bill also ensures that assistance is provided to help with the transition to new technology and energy production with programs to reduce consumer costs, to help dislocated workers and communities, and to substantially support the deployment of climate friendly technology and energy production.

We also know that some regions—like my State of Connecticut—and businesses like DuPont, BP, and Kodak have already acted pro actively and are working to reduce emissions on their own. We commend these actions. Even more important, our bill ensures that credit will be given to them for their good work.

Just a few months ago, the head of the international panel on climate change, Dr. R. Pachauri, said that ''we are already at a dangerous point when it comes to global warming. . . . Immediate and very deep cuts in greenhouse gases are needed if humanity is to survive.''

Let me repeat those last words, ''If humanity is to survive.''

When I quoted Dr. Pachauri on this floor in February, I reminded the Senate that the Bush Administration lobbied heavily for Dr. Pachauri's appointment to the IPCC leadership because it considered him a more cautious and pragmatic scientist.

I quote him today because his warning words are so clear and strong.

Global warming is truly one of the great challenges of our age—a challenge where the Heavens and the Earth meet.

It is a challenge of Biblical proportions—to meet God's call in Corinthians to be ''stewards'' of His mysteries—and in Genesis to go forth and ''replenish the earth'' to both work and guard the garden.

If we don't take these simple steps now—steps that are well within both our technological and financial grasp—the generations to come will rightfully look back at us with scorn and ask why we acted so selfishly . . . why we cared only for our own short-term profits and comforts . . . and why we left them a world environment in danger. We must act on our vision of a better future, a future that is most definitely within our reach.

That is what Senator MCCAIN and I are convinced our CSIA will do.

We put forth this innovation and technology proposal to start a conversation here in the Senate with colleagues whose support we need to get to a majority, and to provide some ideas for how to accelerate and build a climate friendly future. We hope that our colleagues will join us in this conversation so we can put forth—and pass—the best proposal possible.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. SMITH, and Ms. COLLINS):

S. 1152. A bill to amend title XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the Medicare Program; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce the Medicare Mental Health Copayment Equity Act of 2005 with my colleagues, Senator JOHN KERRY, Senator GORDON SMITH, and Senator SUSAN COLLINS.

Briefly, our bill would correct a serious disparity in Medicare payment policy for mental health treatment. Medicare beneficiaries typically pay 20 percent of the cost of covered outpatient services, including doctor's visits, as a ''copayment'' or coinsurance, and Medicare pays the remaining 80 percent. But Medicare law imposes a special limitation for outpatient mental health services which requires patients to pay a much higher copayment, 50 percent. As a result, Medicare beneficiaries pay two and a half times as much—50 percent coinsurance—for treatment of any mental disorders.

Our bill will eliminate the disparity in payment by reducing this discriminatory copayment over a 6-year period, starting in 2006, from the current 50 percent to the standard 20 percent. This means that, in 2012, patients seeking outpatient treatment for mental illness will pay the same 20 percent copayment that is required of Medicare patients today who receive outpatient treatment for other illnesses. The goal of our bill is ultimately to achieve ''copayment equity'' for Medicare mental health services.

Let me give an example of the current disparity in copayments. If a Medicare patient sees a doctor in an office for treatment of cancer, heart disease, or the flu, the patient must pay 20 percent of the fee for the visit. But if a Medicare patient sees a psychiatrist, psychologist, social worker, or other professional in an office for treatment of depression, schizophrenia, or any other type of mental illness, the patient must pay 50 percent of the fee. What sense does this make?

Indeed, our bill has a larger purpose, to help end an outdated distinction—between treatment of physical and mental disorders—and to ensure that Medicare beneficiaries have equal access to treatment for all their health conditions. Perhaps this disparity would not matter so much if mental disorders were less prevalent. But the Surgeon General has told us otherwise.

A landmark report of the Surgeon General in 1999 emphasized the importance of access to treatment for mental disorders. The Surgeon General found that mental illness was a leading cause—second only to cardiovascular diseases—of otherwise healthy years of life lost to premature death or disability. The Surgeon General found that the occurrence of mental illness among older adults is widespread, with a substantial portion of the population aged 55 and older—almost 20 percent—experiencing specific disorders that are not a part of ''normal'' aging.

Older Americans also have the highest rate of suicide in the country, and the risk of suicide increases with age. In fact, in the State of Maine, the suicide rate for seniors is three times as high as the rate for adolescents. It is not surprising, therefore, to find that untreated depression among the elderly has substantially increased their risk of death by suicide.

Another sad irony involves individuals with disabilities. Medicare is often viewed as health insurance for people over age 65 but it also provides health insurance for those with severe disabilities. The single most frequent cause of disability for both Social Security and Medicare benefits is mental disorders—affecting almost 1.4 million of 6 million Americans who receive Social Security disability benefits. Yet, Medicare pays far less for the critical mental health services needed by these beneficiaries than it does for medical treatment for their physical disabilities.

However, the good news is that, today, there are increasingly effective treatments for mental illness. The majority of people with mental disorders who receive proper treatment can lead productive lives. Congress should remove disincentives that inhibit access to mental health services so that those seeking treatment for these disorders do not have to face financial barriers to care. It is time to remove stigmas and overcome the lack of understanding of mental disorders by equalizing Medicare copayment requirements for mental health services.

I urge my colleagues to join with me and bring Medicare payment policy into the 21st century.

I would also like to submit letters from the American Psychiatric Association and the Mental Health Liaison Group, 36 national organizations supporting this legislation, and I ask unanimous consent that these letters of support be printed in the RECORD.

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

AMERICAN PSYCHIATRIC ASSOCIATION,
Arlington, VA, May 26, 2005.

Hon. OLYMPIA SNOWE,
U.S. Senate,
Washington, DC.

Hon. JOHN KERRY,
U.S. Senate,
Washington, DC.

DEAR SENATOR SNOWE AND SENATOR KERRY: Later today you will receive a letter, initiated by the American Psychiatric Association, from some 35 members of the Mental Health Liaison Group (MHLG) thanking you for your leadership in again introducing legislation to phase out Medicare's discriminatory 50 percent coinsurance.

We are of course a cosigner of the MHLG letter, but I wanted to add my own personal thanks for your tireless efforts to end 40 years of discrimination against patients seeking outpatient mental health services under Medicare Part B. It should be simply unacceptable to compel such patients to pay 50 percent of the cost of their care out of their own pockets. The real ''winners'' under your legislation are patients.

I also wish to specifically acknowledge the hard work and dedication of Sue Walden, Heather Mizeur, and Aaron Jenkins of your staffs. You are each extremely well served by their efforts.

Sincerely,

JAMES H. SCULLY, Jr.,
Medical Director.

MENTAL HEALTH LIAISON GROUP,
Washington, DC, May 26, 2005.

Hon. OLYMPIA SNOWE,
Russell Senate Office Building,
Washington, DC.

Hon. JOHN KERRY,
Russell Senate Office Building,
Washington, DC.

DEAR SENATORS SNOWE AND KERRY: The undersigned organizations in the Mental Health Liaison Group, representing patients, health professionals and family members, are pleased to support your legislation, the Medicare Mental Health Copayment Equity Act. Under your legislation, Medicare's historic discriminatory 50 percent coinsurance for outpatient mental health care would be reduced over six years to 20 percent, bringing the coinsurance into line with that required of Medicare beneficiaries for other Part B services.

Simply put, current law discriminates against Medicare beneficiaries who seek treatment for mental illness. This affects elderly and non-elderly Medicare beneficiaries alike when they seek mental health care. According to the 1999 U.S. Surgeon General's report on mental health, almost 20 percent of elderly individuals have some type of mental disorder uncommon in typical aging. In addition, elderly individuals have the highest rate of suicide in the U.S., often the result of depression. The Surgeon General's report states, ''Late-life depression is particularly costly because of the excess disability that it causes and its deleterious interaction with physical health. Older primary care patients with depression visit the doctor and emergency rooms more often, use more medication, incur higher outpatient charges, and stay longer at the hospital.''

The 50 percent coinsurance requirement also is unfair to the non-elderly disabled Medicare population. Because many of these individuals have severe mental illnesses combined with low incomes and high medical expenses, a 50 percent coinsurance obligation is a serious patient burden. For elderly and non-elderly Medicare beneficiaries alike, Medicare is a critical source of care. Your legislation to ensure that Medicare beneficiaries needing mental health care incur only the same cost-sharing obligations as required of all other Medicare patients would end the statutory discrimination against Medicare beneficiaries seeking treatment for mental disorders.

Thank you for your leadership in addressing this important issue for the nation's 40 million Medicare patients.

Sincerely,

Alliance for Children and Families; American Academy of Child and Adolescent Psychiatry; American Association for Geriatric Psychiatry; American Association of Children's Residential Centers; American Association of Pastoral Counselors; American Association of Practicing Psychiatrists; American Group Psychotherapy Association; American Managed Behavioral Healthcare Association; American Mental Health Counselors Association; American Occupational Therapy Association; American Psychiatric Association; American Psychiatric Nurses Association.

American Psychoanalytic Association; American Psychological Association; American Psychotherapy Association; Anxiety Disorders Association of America; Association for the Advancement of Psychology; Association for Ambulatory Behavioral Healthcare; Bazelon Center for Mental Health Law; Children and Adults with Attention-Deficit/Hyperactivity Disorder; Clinical Social Work Federation; Clinical Social Work Guild; Depression and Bipolar Support Alliance; Eating Disorders Coalition for Research, Policy & Action.

Ensuring Solutions to Alcohol Problems; International Society of Psychiatric-Mental Health Nurses; NAADAC, The Association for Addiction Professionals; National Alliance for the Mentally Ill; National Association for Children's Behavioral Health; National Association for Rural Mental Health; National Association of Anorexia Nervosa and Associated Disorders (ANAD); National Association of Mental Health Planning & Advisory Councils; National Association of Protection and Advocacy Systems; National Association of Psychiatric Health Systems; National Mental Health Association; and Suicide Prevention Action Network USA.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 1154. A bill to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. COLLINS. Mr. President, I rise today to introduce the Acadia National Park Improvement Act of 2005. This legislation takes important steps to ensure the long-term health of one of America's most beloved national parks. It would increase the land acquisition ceiling at Acadia by $10 million; facilitate an off-site intermodal transportation center for the Island Explorer bus system; and extend the Acadia National Park Advisory Commission.

In 1986, Congress enacted legislation designating the boundary of Acadia National Park. However, many private lands were contained within the permanent authorized boundary. Congress authorized the Park to spend $9.1 million to acquire those lands from willing sellers only. While all of that money has now been spent, rising land prices have prevented the money from going as far as Congress originally intended.

There are over 100 private tracts left within the official park boundary. Nearly 20 of these tracts are currently available from willing sellers, but the park does not have the funds to purchase them. My legislation would authorize an additional $10 million to help acquire these lands. Since these lands already fall within the congressionally authorized boundary, this effort would ''fill in the holes'' at Acadia, rather than enlarging the park.

My legislation will also facilitate the development of an intermodal transportation center as part of the Island Explorer bus system. The Island Explorer has been extremely successful over its first 5 years. These low-emission propane-powered vehicles have carried more than 1.5 million riders since 1999. In doing so, they removed 424,000 vehicles from the park and reduced pollution by 24 tons.

Unfortunately, the system lacks a central parking and bus boarding area. As a result, day use visitors do not have ready access to the Island Explorer. My legislation would authorize the Secretary of the Interior to provide assistance in the planning, construction, and operation of an intermodal transportation center in Trenton, ME. This center will include parking for day users, a visitor orientation facility highlighting park and regional points of interest, a bus boarding area, and a bus maintenance garage. This center, which will be built in partnership with the Federal Highway Administration, U.S. Department of Transportation, Maine Department of Transportation, and other partners, will reduce traffic congestion, preserve park resources and the visitor experience, and ensure a vibrant tourist economy.

Finally, my legislation would extend the 16-member Acadia National Park Advisory Commission for an additional 20-year period. This commission was created by Congress in 1986 and is currently due to expire in 2006. That would be a mistake. The commission consists of three Federal representatives, three State representatives, four representatives from local towns on Mount Desert Island, three from adjacent mainland communities, and three from adjacent offshore islands. These representatives have provided invaluable advice relating to the management and development of the Park. The commission has proven its worth many times over and deserves to be extended for an additional 20 years.

Acadia National Park is a true gem of the Maine coastline. The park is one of Maine's most popular tourist destinations, with nearly 3 million visitors every year. While unsurpassed in beauty, the park's ecosystem is also very fragile. Unless we are careful, we risk substantial harm to the very place that Mainers and Americans hold so dear.

In 11 years, Acadia will be 100 years old. Age has brought both increasing popularity and greater pressures. By providing an extra $10 million to protect sensitive lands, expanding the highly successful Island Explorer transportation system, and extending the Acadia National Park Advisory Commission, this legislation will help make the park stronger and healthier than ever on the occasion of its centennial anniversary.

Ms. SNOWE. Mr. President, I rise today to offer my cosponsorship to the Acadia National Park Improvement Act of 2005. For those of you who have not had the good fortune to visit one of the crown jewels in the National Park system, Acadia National Park, the first national park established east of the

Mississippi, is located on the rugged coast of Maine, encompassing over 47,000 acres that follow the shoreline, go up mountains of sheer granite, dotted with numerous lakes and ponds, diverse habitats that create striking scenery and make the park a haven for wildlife and plants. This past Earth Day was celebrated by one of my staff members along with devotees of the Park on the South Ridge Trail of Cadillac Mountain, the highest point on the U.S. Atlantic coast, on the same ground where the Wabanaki Indians walked over 6,000 years ago. They called the surrounding Mount Desert Island Pemetic, ''the sloping land''.

Acadia National Park certainly covers a land of contrast and diversity, with a variety of freshwater, estuarine, forest and intertidal resources and is one of the most visited Parks in the national park system, and rightfully so, as it offers magnificent views from Cadillac Mountain that sweep down 1,530 feet to the rocky coast and ocean below. Besides its natural beauty, the Park brings in $130 million a year into the State's economy.

It is because of the great beauty of the Park and its scenic views that I have continued my efforts to achieve cleaner air for the area and for the entire State. The pristine Park is, unfortunately, a good example of how the State is affected by dirty air that blows in from away, estimated to be around 80 percent, that is affecting both the air we breathe and our ability to enjoy the natural beauty of the 47,000 acres of the Park.

I am a devoted fan of the Island Explorer bus system, whose clean propane-powered vehicles offer visitors and residents free transportation to hiking trails, the unique carriage roads, the island beaches and for in-town shopping. It is estimated that the Island Explorer buses took the place of an estimated 300,000 vehicles during the last four years, and prevented the release of 24 tons of nitrogen oxide and volatile organic compounds from car exhaust. I understand that other national parks are considering using the positive benefits of the Island Explorer system as a transportation model for parks all around the country. A great deal of thanks should go to the surrounding towns and to L.L. Bean for financing this successful system that helps to make the air cleaner and adds to our enjoyment of the activities the Park provides.

The legislation introduced today will help the Park in three specific areas; one, it will help the Park by extending the Acadia National Park Advisory Commission for 20 years giving local residents the opportunity for input into the management of the Park; two, it will increase the authorized ceiling for land acquisition funding by $10 million to $28 million to realize the sharp rise in real estate prices so that properties from willing sellers within the Park's boundaries can be included into the Park; and, three, the legislation will allow the Park to locate an intermodal center outside of park boundaries off of Mt. Desert Island to give even more assistance to the one road entering and exiting the Park by alleviating auto traffic to and on the island and to achieve cleaner air.

I will continue to take actions for additions within the Park boundaries, for local input into the management process, for a better public transportation system for the Island that will create a healthier environment, and better support the Park's ecological protections. I look forward to continue working with the people of Mt. Desert Island, the Park's Supervisor, and the Friends of Acadia, a devoted, independent philanthropy that has raised $15 million in private endowments for the Park, on issues important to all of us for the preservation of the beautiful landscape, the ocean's coastline, and for environmental improvements in Acadia National Park, the very place where the first light of day shines on our glorious Nation.

By Mr. BROWNBACK (for himself, Mr. ALEXANDER, Mr. ALLARD, Mr. BUNNING, Mr. CHAMBLISS, Mr. COBURN, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. ENSIGN, Mr. ENZI, Mr. GRAHAM, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. MCCAIN, Mr. SANTORUM, Mr. SESSIONS, Mr. SUNUNU, Mr. TALENT and Mr. THUNE):

S. 1155. A bill to establish a commission to conduct a comprehensive review of Federal agencies and programs and to recommend the elimination or realignment of duplicative, wasteful, or outdated functions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. BROWNBACK. Mr. President, I rise today to introduce the Commission on the Accountability and Review of Federal Agencies, CARFA, Act with over 20 original cosponsors.

This is an important measure that I have been developing and advocating over the past few years. CARFA's premise is simple: Members of Congress need a tool that will help them use taxpayer dollars more efficiently.

Members of Congress need a tool like CARFA because the special interest in keeping a program alive is almost always more powerful than the general interest to realign or even end a Federal program.

A good example of this is tobacco. While there is a general interest in discouraging smoking—and while we spend many taxpayer dollars to this end—there is also strong special interest pressure to keep taxpayer tobacco subsidies alive. Thus, the Federal Government both subsidizes and discourages tobacco.

CARFA is the tool that would give members a chance to advance the general interest. CARFA would take all Federal Government agencies and programs—both discretionary and entitlement—and put them under the review of a bipartisan commission. Members of the commission would be appointed by both majority and minority leaders in both House of Congress and by the President.

The commission would review Federal agencies and programs in order to present draft legislation to the Congress that would realign or eliminate duplicative, wasteful, inefficient, outdated, irrelevant, or failed agencies and programs.

Each House of Congress would get one vote on the draft legislation—up or down—without amendment.

CARFA would create a new approach to increase the efficiency of the Federal Government by giving the general interest a stronger voice in the system. For example, there might be a program that is important to my home State of Kansas that would be cut by the proposed legislation, but I only get one vote and there are a variety of other programs that I really do think need to be eliminated.

Since I only have one vote, I can justify voting for the measure when I go back home by showing to my constituents that there were a number of other programs that needed to be realigned or cut. Thus, CARFA makes the overall goal of balancing the Federal budget more achievable.

We need CARFA now more than ever. The Federal Government spends $2,292,000,000 per year on discretionary and mandatory spending. That is a lot of money. My Kansas constituents often say: ''I don't mind paying my taxes, but make sure my hard-earned money is well spent.'' At a time when Federal spending is at an all time high, topping $20,000 per household, we owe our constituents the accountability that would result from CARFA.

Last year, we had a bipartisan hearing on CARFA, at which all witnesses supported the CARFA concept. We have incorporated some of the suggestions made at that hearing, and I believe this year's version of CARFA is even better.

I am pleased that the Senate is already on record supporting the CARFA concept through Section 502 of this year's budget resolution, and it is my hope that we will be able to work with leadership to see CARFA become a reality this year.

By Mr. HATCH:

S. 1156. A bill to amend the Internal Revenue Code of 1986 to extend the credit period for electricity produced from renewable resources at certain facilities, to extend the credit for electricity produced from certain renewable resources, and for other purposes; to the Committee on Finance.

Mr. HATCH. Mr. President, I rise today to introduce a bill, S. 1156, to extend and enhance a provision in the Internal Revenue Code that gives tax incentives for the production of electricity from renewable resources.

The legislation I am introducing today is central to our Nation's goal of achieving energy independence, which is at the heart of the energy bill that will soon be considered by the Senate. The Committee on Energy and Natural Resources has included in its energy bill a renewable energy title that directs the Federal Government ''to the extent economically feasible and technically practicable'' to implement programs that will produce at least 7.5 percent of the electricity from renewable sources by 2013.

The Senate Committee on Finance, on which I serve, will soon consider an energy tax bill to complement the bill from the Energy and Natural Resources Committee. The legislation I am introducing today is designed to provide incentives to help us reach this level of renewable energy production.

Specifically, my bill would amend the Internal Revenue Code to extend the Section 45 production tax credit for electricity produced from renewable resources for facilities placed in service before January 1, 2011, pursuant to a written binding contract in effect on December 31, 2007. This extension is designed to take into account the extended length of time it takes for many renewable energy facilities, particularly geothermal facilities, to be built.

In addition, my bill would provide for a 10-year credit period for all renewable energy sources covered by this tax credit. Current law allows a 10-year credit period for certain renewable sources, such as wind, but only a 5-year credit period for other renewable sources, such as geothermal. This results in an uneven playing field under current law that tilts investors toward certain renewable energy resources over others. This represents poor energy policy and it represents poor tax policy.

I believe this disparity in credit periods undermines the development of all of our renewable energy resources and thereby inhibits our goal of energy independence. This legislation would equalize the tax credit period for all renewable resources and even up the playing field.

I would like my colleagues to know more about the importance of our Nation's vast supply of geothermal energy resources. Geothermal is a clean, renewable energy resource that presently contributes over 2,718 megawatts to the U.S. energy supply. Renewable energy, excluding hydroelectric, makes up 2 percent of U.S. energy consumption; of that 2 percent, geothermal energy accounts for .44 percent, solar .06 percent and wind 1 percent. Geothermal technology is used in commercial, industrial and residential application in 26 States.

However, geothermal energy generation has not been fully exploited. According to the U.S. Department of Energy, there is almost 25,000 megawatts of undeveloped geothermal energy production potential in the United States. This is enough power to serve more than 22 million homes. Furthermore, this is an energy source that is not subject to the price and supply volatility of fossil fuels. Our energy policy should not overlook this potential or sell short its potential.

My home State of Utah has an abundance of high and low temperature geothermal resources that this bill would allow to be economically developed. For example, a new 36 megawatt geothermal plant near Cove Fort, UT, is scheduled to be under construction by the spring of 2006 with completion expected by the end of 2007. Without this legislation, it is unlikely that this plant, as well as others around the Nation, would be able to be built. That would be very unfortunate.

The area around Cove Fort has one of the largest, proven geothermal resources in the Nation. There are 3,000 contiguous acres of leased land associated with the project now on the drawing boards. At 2,000 feet underground, the geothermal resource there is relatively shallow and is considered by most geologic experts to be one of the largest underground hot water reservoirs in North America. A leading geothermal engineering company recently issued a report indicating that the Cove Fort hot water resource can support and sustain power production in excess of 100 megawatts.

Utah is but one State with geothermal resources that can help lead our Nation toward energy independence. Other States with considerable geothermal resources include Nevada, California, Montana, Washington, Oregon, Idaho, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Arizona, New Mexico, Texas, Pennsylvania, West Virginia, Louisiana, Hawaii, and Kansas. We need to get the process of developing these resources started, and the bill I am introducing today would make sure that happens.

This legislation would provide the necessary boost to the development of our geothermal energy resources as well as all other renewable energy resources available to our Nation. I urge my colleagues to join me by cosponsoring this bill.

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

S. 1156

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

SECTION 1. EXTENSION AND MODIFICATION OF CREDIT FOR PRODUCING ELECTRICITY FROM RENEWABLE RESOURCES.

(a) EXTENSION OF CREDIT PERIOD FOR ELECTRICITY PRODUCED AT CERTAIN FACILITIES.—Subparagraph (B) of section 45(b)(4) of the Internal Revenue Code of 1986 is amended to read as follows:

''(B) CREDIT PERIOD.—In the case of any facility described in subsection (d)(3)(A)(ii) placed in service before October 22, 2004, the 5-year period beginning on October 22, 2004, shall be substituted for the 10-year period in subsection (a)(2)(A)(ii).''.

(b) EXTENSION OF CREDIT.—Subsection (d) of section 45 of the Internal Revenue Code of 1986 (relating to qualified facilities) is amended by striking ''January 1, 2006'' each place it appears and inserting ''January 1, 2008''.

(c) BINDING CONTRACTS FOR FACILITIES.—Subsection (d) of section 45 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''For purposes of this subsection, a facility shall be treated as placed in service before January 1, 2008, if such facility is placed in service before January 1, 2011, pursuant to a written binding contract in effect on December 31, 2007, and at all times thereafter before such facility is placed in service.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to electricity produced and sold after the date of the enactment of this Act, in taxable years ending after such date.

(2) SUBSECTION (a).—The amendment made by subsection (a) shall apply to electricity produced and sold after December 31, 2004, in taxable years ending after such date.

By Mr. KENNEDY (for himself, Mr. AKAKA, and Mr. LAUTENBERG):

S. 1158. A bill to impose a 6-month moratorium on terminations of certain plans instituted under section 4042 of the Employee Retirement Income Security Act of 1974 in cases in which reorganization of contributing sponsors is sought in bankruptcy or insolvency proceedings; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, the bill we are introducing today is urgently needed to protect the pension benefits of workers across America.

A decent retirement in today's world depends on Social Security, private pensions, and private savings. But today's working families find their retirement severely threatened. President Bush wants to privatize Social Security. Private savings are at an all-time low, and now private pensions are in great jeopardy, too.

This challenge has been brought home all too clearly by United Airlines' recent announcement that it intends to end its pension plans and turn them over to the Pension Benefit Guaranty Corporation. The pensions of over 120,000 workers are at stake. Over $3 billion in their benefits are not guaranteed by the corporation, and the future pensions they have been promised will be lost as well.

These hard-working Americans include thousands of flight attendants like Patrice Anderson, who have made only a modest wage throughout their working lives and for whom ''the possible loss of hundreds of dollars a month in old age changes a dignified retirement into a subsistence-level retirement.''

The loss is particularly painful because so many of the employees have accepted lower pay or given back wages and other benefits in order to keep their pension plans. Marilyn King of California worked for United for 25 years. She says: ''I used to be proud of working for United. Now, I am embarrassed and angry. I am angry that we

took 25 percent in pay cuts, that we gave other concessions; and then our COO and CEO get their bonuses and perks.''

We have heard from families and workers across the country. In Massachusetts, Kevin Creighan and his wife Cathy Hampton in Lynn have spent a lifetime with United, ''working hard, earning a living, and all along expecting a pension.'' They hoped to retire in 7 years, with a combined 70 years of loyal service between them. Now, if they want the retirement they were promised by the United Airlines pension plan, they will have to work for an additional 15 years.

George Raymond of Arizona retired at the age of 60 after 38 years. He writes that because of this pension termination, he will not be able to afford his medical bills. Richard Myer of California retired after 32 years as a United pilot, and now he has to go back to work and sell his home to support his children and his elderly father-in-law.

Americans who work hard and play by the rules should not be victimized by these broken promises. No wonder they feel betrayed. They share the view of Robert Lamica of Virginia, who says, ''I kept my promise to United for 36 years by working in rain, snow, heat, and whatever else nature would throw our way . . . My back and knees have been destroyed along with my ability to get another job . . . We need not be left on the curb just because United can.''

These loyal men and women cannot turn back the clock and make different decisions. But Congress can stop that clock and reach a fair solution.

This legislation we are introducing will prevent bankrupt companies from abandoning their pension plans for the next 6 months.

Our action will also ease the growing threat to all defined benefit pension plans. The Pension Benefit Guaranty Corporation estimates that if it takes over the remaining airline defined benefit pension plans, 90 percent of the claims it must cover will come from airline companies or steel companies, even though such plans include only 5 percent of the employees covered by the corporation. The legislation will buy time for us to develop real solutions for the serious problems of these ailing industries.

I urge my colleagues to join me in support of this bill. We owe it to all these hard working Americans whose retirement has been put at risk.

By Mr. HATCH (for himself, Mr. BAUCUS, Mr. SMITH, Mr. SCHUMER, Mr. CRAPO, Mr. LOTT, Mr. KYL, and Mrs. LINCOLN):

S. 1159. A bill to amend the Internal Revenue Code of 1986 to permanently extend the subpart F exemption for active financing; to the Committee on Finance.

Mr. HATCH. Mr. President, I rise today to introduce a bill, S. 1159, to make permanent a provision under subpart F of the Internal Revenue Code regarding active financial services income earned abroad. I am joined in this effort by my colleagues Senators BAUCUS, SMITH, SCHUMER, CRAPO, LOTT, KYL, and LINCOLN. Under current law, the provision will expire at the end of next year.

This legislation would ensure that U.S. financial services firms and U.S. manufacturing companies with financial services operations are subject to U.S. tax on income from their active overseas financial services operations only when such earnings are sent home to the U.S. parent company. As my colleagues know, this is the treatment provided under the U.S. tax law for other active business income earned overseas. Our legislation simply extends, on a permanent basis, the expiring provision that ensures this same treatment for the financial services industry.

The permanent extension of this provision is critically important in today's global marketplace. Over the last few years, the financial services industry has seen technological and global changes that have altered the very nature of the way these corporations do business, both here and abroad. The U.S. financial industry is a worldwide leader that plays a pivotal role in maintaining confidence in the international marketplace and positively contributes to the U.S. international trade balance. We believe it is essential that our tax laws not impose anti-competitive burdens on this important U.S. industry.

If we allow the active financial services provision to lapse, U.S. companies would have to pay both local tax and current U.S. tax on the financial services income they generate overseas. While some of this double taxation is often alleviated by the foreign tax credit, we all know that this system works imperfectly. The result is that U.S. firms end up with a cost that is not borne by their European and Asian competitors, because companies based in these areas do not face current home country taxation on financial services income. In an industry where companies compete on price and a few basis points can mean the difference between getting the business or losing it to a competitor, the imposition of this additional tax cost on U.S.-based companies would translate into a competitive disadvantage for U.S. companies and a competitive advantage for their foreign counterparts. Given the thousands of U.S. jobs at stake, many of them in Utah, we do not believe our tax policy should allow this to happen.

While this provision may seem far removed from the average Utahn or the average American, I can assure you that this is not true. For example, the Salt Lake City area serves as the headquarters location for the banking operations of American Express Centurion Bank and American Express Bank, FSB, which are important parts of the worldwide American Express Card system. Salt Lake City is also the headquarters of American Express Travelers Cheques, with its Utah facility servicing Travelers Cheques clients on a worldwide basis. Thousands of Utahns are employed by these companies.

These businesses are tied to the international marketplace through the competitive strength of the American Express global franchise. For American Express and other U.S. companies to compete on par with their foreign competitors, the U.S. tax rules need to provide fair and equitable treatment of their overseas operations. To the extent foreign competitors can take business away from U.S. firms because of an uneven playing field, U.S. jobs are at risk.

The bill we are introducing today would provide equitable and consistent tax treatment for this important component of our economy. Making this provision permanent would provide American companies much-needed stability. The current provision has been renewed several times, most recently for 5 years in the Job Creation and Worker Assistance Act of 2002. Our ''on-again, off-again'' habit of extensions prevents U.S.-based firms from competing fully in the global marketplace by interfering with their ability to make business decisions and plan on a long-term basis. The permanent extension of this subpart F provision would ensure that the U.S. financial services industry is on a competitive footing with their foreign-based competitors and would provide tax treatment that is consistent with the tax treatment accorded other U.S. businesses.

The Congress and the administration took an important step toward modernizing our international tax rules with the enactment of the American Jobs Creation Act of 2004. The legislation we introduce today furthers that act's goals of ensuring that American firms can compete in the 21st century economy.

I urge my colleagues to support this important bill and ask 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. 1159

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

SECTION 1. PERMANENT EXTENSION OF SUBPART F EXEMPTION FOR ACTIVE FINANCING.

(a) IN GENERAL.—Section 954(h)(9) of the Internal Revenue Code of 1986 is amended by striking ''and before January 1, 2007,''.

(b) CONFORMING AMENDMENTS.—Section 953(e)(10) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and before January 1, 2007,'', and

(2) by striking the second sentence thereof.

Mr. BAUCUS. Mr. President, today I am pleased to join my friend and colleague, Senator HATCH, in introducing legislation to make permanent the subpart F provision for active financial serviced income earned abroad.

The legislation we are filing today is identical to a bill we filed in the 107th Congress. Since then, this exemption has been temporarily extended but that will expire at the end of next year. This exemption ensures that the active financial services income earned abroad by U.S. financial services companies, or U.S. manufacturing firms with a financial service operation, is not subject to U.S. tax until that income is brought home to the U.S. parent company.

By making this provision permanent, our legislation will put the U.S. financial services industry on an equal footing with its foreign-based competitors, which do not face current home country taxation on active financial services income. I will tell my colleagues that this bill is about jobs in Montana, and in each of our States. In fact, one of these competitive U.S. financial services companies employs hundreds of Montanans in Great Falls alone, so the health of that company is critically important to my constituents.

American financial services companies successfully compete in world financial markets. We need to make sure, however, that the U.S. tax rules do not change that situation and make them less competitive in the world arena. This legislation will extend a provision that I believe preserves the international competitiveness of U.S.-based financial service companies, including finance and credit companies, commercial banks, securities firms, and insurance companies. This provision also contains appropriate safeguards to ensure that only truly active businesses benefit.

As my colleagues have heard year after year, the active financial services provision is critically important in today's global economy. Our U.S. financial services industry is a global leader playing a pivotal role in maintaining confidence in the international marketplace. It is a fiercely competitive business. And U.S.-based companies would surely be disadvantaged with an additional tax burden if we allow this exemption to lapse. Through our network of trade treaties, we have made tremendous progress in gaining access to new foreign markets for this industry in recent years. Our tax laws should complement, rather than undermine, this effort.

The temporary nature of the active financial services provision, like other expiring provisions, denies U.S. companies the stability enjoyed by their foreign competitors. It is time to make permanent this subpart F active financial services provision in order to allow U.S. business companies to make business decisions on a long-term basis. I ask my colleagues to join us in supporting this legislation, providing consistent, equitable, and stable tax treatment for the U.S. financial services industry.

By Mr. WYDEN (for himself and Mr. SUNUNU):

S. 1128. A bill to amend title XIX of the Social Security Act to provide for increased rebates under the medicaid program for prescription drugs that are directly advertised to consumers, to require other Federal programs purchasing or reimbursing for such drugs to establish payment and reimbursement mechanisms that reduce the costs of those drugs, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Madam President, the cost of medicine is a matter of concern to every Senator. Today, Senator SUNUNU and I have introduced legislation to take a fresh approach to holding down the cost of medicines in our country. Under our bipartisan legislation, the Federal Government would pay less for pharmaceuticals that are advertise when the Federal Government buys those medicines for Medicaid, the Veterans' Administration, the Department of Defense, and the Public Health Service.

One can barely turn on the television or open a magazine these days without getting the hard sale on a hot new medicine. There is no doubt that medical science is making miracles for our citizens who need help with their health. For that, we are, of course, grateful. But the advent of advertising for prescription drugs presents pitfalls as well, not just for patients but for every American taxpayer.

Senator SUNUNU and I introduced our legislation today because as the marketing gets savvier, the Federal Government needs to get smarter and contain costs wherever possible for these popular and expensive drugs. The fresh approach that Senator SUNUNU and I unveil today will amp up the Government's purchasing power on prescription drugs that are advertised directly to consumers. The Pharmaceutical Advertising and Prudent Purchasing Act will reduce drug costs for the beneficiaries of Medicaid and other Federal programs. It will ease the burden on States struggling to stretch their health care dollars through Medicaid, and it will lower the overall costs for taxpayers footing the bill for these advertised drugs.

When a drug company figures the price of a pill, it passes along the advertising costs to consumers. Right now, Medicare and Medicaid pay that cost like any other consumer. But it is time to take the advertising costs out of the equation for taxpayer funded programs. The Federal Government, of course, gives drug companies a tax break for advertising which, of course, every other American company gets for its business expenses. There is no need for a double subsidy. There is a need for more prudent purchasing of prescription drugs by the Federal Government. If that is going to happen, the changes in the pharmaceutical market that have been caused by the explosion of advertising cannot be ignored any longer.

I do not have to tell our colleagues that drug advertising in the United States is an immense and growing industry. The Wall Street Journal reported last week that the pharmaceutical industry spent nearly $4.5 billion on advertising to consumers. The penetration of this advertising may be more than most people realize. A recent Kaiser Family Foundation poll found that 90 percent of Americans had seen or heard an advertisement for prescription drugs. Today, more and more Americans can go to their doctor and ask to have a medication they have seen advertised on TV, in a magazine, on the radio or on the Internet. Of course, that is what is happening.

There is a proven direct connection between the advertising of drugs and a big uptick in the rate of prescriptions written for them. Take a look at the 10 most advertised drugs in the United States. That is 2003, and I would guess that few Americans would say they have not heard of any of these drugs.

On each of these drugs, at least $100 million was spent in 2003 alone on direct consumer advertising. The advertising works. A study published in the April issue of the Journal of the American Medical Association demonstrates the link. Researchers sent actors to doctors' offices to complain of mild depression. Those who mentioned seeing an ad were five times more likely to get a prescription for an antidepressant as those who simply described their supposed symptoms without talking about a drug ad they had seen. It is no wonder the heavily advertised drugs make up most of the top 10 medicines prescribed under Federal health programs like Medicare, Medicaid, and others. Take a look.

These are the 10 drugs on which Medicare spends the most total money for outpatient care. Nine are advised directly to consumers.

Here are the 10 drugs on which Medicaid spends the most money. Four of the ten are advised directly to consumers. The next 4 drugs, Nos. 11 through 14, are advertised as well. It is the view of Senator SUNUNU and I that the Federal Government is one consumer that does not need to receive advertising from the drug companies.

The Federal Government is buying medicine for a lot of people with a limited pool of funds. It is vital to get a handle now on the connection between advertising and increased sales and to insist on more prudent purchasing.

Our legislation does just that. It makes the Government a more prudent purchaser in a straightforward way. It will require Medicaid and other vital programs under Health and Human Services and the Veterans' Administration to get a discount that cuts out the advertising costs figured in each pill. In Medicaid, this would be done by adjustments in the Medicaid rebate program. That is an existing program that requires a pricing agreement between drug manufacturers and the Federal Government for any drug to be sold through the Medicaid program.

The Health and Human Services Secretary and the VA Secretary will also

be able to negotiate reduced prices for other Federal programs such as the Public Health Service, programs administered by the Indian Health Service, the Department of Veterans Affairs, the Department of Defense and the Defense Health Program.

This is smart and effective spending. It ends the spending of taxpayer dollars to fund advertising that has already received a tax break. It is a commonsense step, the kind of common sense that is all too uncommon when the Federal Government buys drugs.

Our legislation will address another issue that speaks both to the taxpayers' interests and the health of patients in these programs. When advertised drugs are purchased, it is not enough to make sure the price is right, although that is important. It is vital the drug is right for the patient's particular problem. Taxpayer dollars should buy drugs that will work best for patients by a doctor's best judgment. Just because a patient recognizes a drug's name enough to request it from their provider does not mean it is the best medicine.

More and more drug companies are treating doctors as a middleman they wish to skip. They make a lot more money if patients, without medical degrees, are encouraged to start writing their own prescriptions, whether the drug is the right one or not. Medicare, Medicaid, and other Federal programs have a charge to keep for their patients and a trust to maintain with American taxpayers. They should not be exploited financially by the pharmaceutical ''flavor of the month.''

I close by expressing my thanks to the Senator from New Hampshire. This is a bipartisan approach that is going to hold down the cost of medicine for taxpayers in our country. It will be a benefit to beneficiaries certainly at a time when the Medicaid Commission is trying to find responsible savings. We ensure that we take the time to study how this approach would work for other programs such as Medicare. And because I see my friend in the Chamber, I will wrap up simply by saying that it is time to take out a sharp pencil and eliminate the hidden costs for taxpayers from advertised drugs.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SUNUNU. Madam President, I am pleased to join Senator WYDEN in the introduction of this legislation, which is a good-faith effort to try to find that fresh approach Senator WYDEN talked about, a fresh approach to deal with costs in health care, specifically in those areas where the Federal Government is directly purchasing pharmaceuticals: in the VA, where we have a very large direct purchase program that exists today, and within Medicaid, where both the Federal Government and the States are directly involved in purchasing and negotiating the pricing of drugs.

We are focusing on direct-to-consumer advertising. This is an area where activity and cost have exploded over the last 6 or 7 years. Since 1997, when the Federal Government changed the regulations associated with direct-to-consumer advertising, we have seen advertising outlays for pharmaceuticals go from a little bit over $1 billion to nearly $5 billion per year this year. Those costs, as any costs would be, are passed on to consumers. In the case of these programs where the Federal Government is purchasing the pharmaceuticals in the VA and in Medicaid, that means that the cost, the impact, is disproportionately felt by the taxpayer.

This is an effort to try to find a way to reduce those costs, to give the Federal Government the power to make a distinction, as they negotiate prices—to make a distinction between those drugs that are advertised directly to consumers or marketed directly to consumers and those that are not, and to provide discounts to those companies or those drugs that avoid the additional costs of advertising.

This advertising, as I say, is expensive. The cost is passed on to taxpayers in these particular programs. I think there are also a lot of questions about the value that a flood of advertising might provide.

We have all been inundated by different types of advertisement, on TV or in magazines. It is costly, as I mentioned, but it also carries with it some risk of overutilization; of, in some cases, encouraging or leading consumers to believe that they need or would benefit by a particular medicine when it is not necessarily the best approach for them.

In some cases it is clear this advertising has been used to drive consumers away from lower priced generic drugs. I think this is one of the most problematic areas, and that has been seen and discussed at some length in the States, in their Medicaid programs.

This legislation presents an opportunity to get our hands around the cost issue, to fund some important studies, to take a closer look at questions of overutilization and the substitution I described. It represents a good start, I think, opening the debate with this discussion about dealing directly with health care costs in areas of the Federal Government as the principal purchaser.

There may be other options. In fact, Senator WYDEN and I talked about a few other approaches that are not included in this legislation. I think I can speak for the Senator from Oregon when I say we look forward to talking to our colleagues about other ideas that might be out there. We look forward to sharing ideas and information with producers themselves who, I hope, are willing to look at ways to help save the consumers money, help save taxpayers money, and help deal with direct-to-consumer advertising in a more responsible way.

We are going to do a Medicaid bill this year in the Senate. While we also deal with some issues at HHS and the VA in this bill, certainly the costs associated with Medicaid and our recommendations with regard to Medicaid are a central part of the bill. I will work with Senator WYDEN and any of my interested colleagues to try to include and capture some of these ideas in Medicaid legislation this year.

It is a great opportunity to look at the issue of health costs and drug costs in a fresh way, in a different way. I very much appreciate the work Senator WYDEN has done in helping to craft this legislation and his willingness to lend his strong support, as a longstanding and more senior Member than I, as a member of the Senate Finance Committee, and as a Member of the Senate on the other side of the aisle.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 157—CONGRATULATING CARRIE UNDERWOOD FOR WINNING THE ''AMERICAN IDOL'' TELEVISION PROGRAM AND THANKING HER FOR BEING A POSITIVE ROLE MODEL

Mr. COBURN (for himself and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 157

Whereas Carrie Underwood was born in Muskogee, Oklahoma, on March 10, 1983, but Checotah, Oklahoma, lays complete claim to her as a native;

Whereas Carrie's parents are Stephen and Carole Underwood of the Onapa area of Oklahoma;

Whereas Carrie has two older sisters, Shanna Underwood Means, who teaches in Liberty Mounds, Oklahoma, and Stephanie Underwood Shelton, who teaches in Arkhoma, Oklahoma;

Whereas Carrie has delighted the residents of Checotah with her singing since her elementary school days;

Whereas during high school, Carrie sang in the Checotah High School's award winning chorus and excited audiences every year at the Robbin Emerson Memorial Talent Show, which raises money for scholarships;

Whereas Carrie was often kind enough to sing the National Anthem at high school basketball games;

Whereas Carrie excelled academically in high school and was the salutatorian of her 2001 Checotah High School graduating class;

Whereas Carrie began attending Northeastern State University after high school, where she is a senior majoring in mass communications with an emphasis in journalism;

Whereas Carrie performed for 2 years in Northeastern's Downtown Country Show in Tahlequah, Oklahoma;

Whereas Carrie auditioned in August 2004, in St. Louis, Missouri, for the ''American Idol'' television show;

Whereas Carrie was named to the top 24 on ''American Idol'' in mid-February 2005, and has been in Hollywood, California, performing weekly since;

Whereas although people in Checotah and Oklahoma are extremely proud of Carrie's phenomenal talent, they are even more proud of the kind of young person she has always been; and

Whereas Carrie Underwood is intelligent, kind, and considerate—undoubtedly one of

the finest young women anyone will ever meet: Now, therefore, be it

Resolved, That the Senate—

(1) takes great pride in congratulating Carrie Underwood of Checotah, Oklahoma, for winning the television program ''American Idol''; and

(2) thanks Carrie Underwood for being a positive public role model and representing Oklahoma so superbly before an audience of millions of television viewers in this nation and around the world.

SENATE RESOLUTION 158—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD DESIGNATE THE WEEK BEGINNING SEPTEMBER 11, 2005, AS ''NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK''

Mr. GRAHAM (for himself, Mr. ALLARD, Mr. ALLEN, Mr. BAYH, Mr. BUNNING, Mr. CHAMBLISS, Mr. COCHRAN, Mr. DEMINT, Mr. DEWINE, Mrs. DOLE, Mr. DODD, Mr. DURBIN, Mrs. HUTCHISON, Mr. ISAKSON, Mr. KERRY, Ms. LANDRIEU, Mr. LOTT, Ms. MIKULSKI, Mr. SANTORUM, Mr. SESSIONS, Mr. SPECTER, Mr. TALENT, Mr. VOINOVICH, Mr. SCHUMER, Mr. BROWNBACK, Mr. OBAMA, and Mr. BURR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 158

Whereas there are 105 historically Black colleges and universities in the United States;

Whereas historically Black colleges and universities provide the quality education essential to full participation in a complex, highly technological society;

Whereas historically Black colleges and universities have a rich heritage and have played a prominent role in the history of the United States;

Whereas historically Black colleges and universities have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of historically Black colleges and universities are deserving of national recognition: Now, therefore, be it

Resolved,

SECTION 1. DESIGNATION OF NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the President should designate the week beginning September 11, 2005, as ''National Historically Black Colleges and Universities Week''.

(b) PROCLAMATION.—The Senate requests the President to issue a proclamation—

(1) designating the week beginning September 11, 2005, as ''National Historically Black Colleges and Universities Week''; and

(2) calling on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for historically Black colleges and universities in the United States.

SENATE RESOLUTION 159—RECOGNIZING THE 50TH ANNIVERSARY OF THE OKLAHOMA INDEPENDENT PETROLEUM ASSOCIATION AND ITS MEMBERS VITAL CONTRIBUTION TO THE OIL AND GAS INDUSTRY OF THE UNITED STATES

Mr. INHOFE (for himself and Mr. COBURN) submitted the following resolution; which was considered and agreed to:

S. RES. 159

Whereas the Oklahoma Independent Petroleum Association was founded and incorporated in the State of Oklahoma on January 13, 1955;

Whereas the Oklahoma Independent Petroleum Association was founded by independent oil and natural gas producers, and its membership is still comprised of independent producers, both large and small;

Whereas the founders of the Oklahoma Independent Petroleum Association possessed the leadership and vision to establish a unified voice for independent crude oil and natural gas producers;

Whereas the Oklahoma Independent Petroleum Association is the largest oil and gas advocacy group in the State, representing over 1,500 member companies in the crude oil and natural gas exploration and production industry and affiliated businesses;

Whereas the mission of the Oklahoma Independent Petroleum Association is to enhance and protect the ability of independent oil and natural gas producers in Oklahoma to conduct their business and to ensure energy supply;

Whereas the Oklahoma Independent Petroleum Association is a rarity in State oil and gas associations, with a full-time governmental affairs specialist and a full-time regulatory affairs specialist working with agencies that regulate the oil and gas industry;

Whereas the Oklahoma Independent Petroleum Association is a proactive and diverse organization striving to provide a broad range of services to its members and the industry it supports;

Whereas the leaders of the Oklahoma Independent Petroleum Association have worked successfully on behalf of Oklahoma independent producers on State and national issues, advocating for State and national governmental policies that protect and enhance the ability of Oklahoma independent producers to do business; and

Whereas the Oklahoma Independent Petroleum Association will continue to look toward the future by forging alliances within the oil and gas industry and with other organizations devoted to a more prosperous Oklahoma: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 50th anniversary of the Oklahoma Independent Petroleum Association;

(2) congratulates the Oklahoma Independent Petroleum Association for its 50-year history of contributions to the oil and gas industry of Oklahoma and the United States;

(3) recognizes that the Oklahoma Independent Petroleum Association has been and will continue to be an invaluable asset in developing and promoting the oil and gas industry in the United States; and

(4) directs the Secretary of the Senate to transmit a copy of this resolution to the Oklahoma Independent Petroleum Association as an expression of appreciation and for public display at the 50th annual meeting of the Oklahoma Independent Petroleum Association.

SENATE CONCURRENT RESOLUTION 39—TO EXPRESS THE SENSE OF CONGRESS ON THE PURPLE HEART

Mrs. CLINTON (for herself and Mr. HAGEL) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 39

Whereas the Purple Heart is the oldest military decoration in the world in present use;

Whereas the Purple Heart is awarded in the name of the President of the United States to members of the Armed Forces who are wounded in conflict with an enemy force or are wounded while held by an enemy force as prisoners of war, and posthumously to the next of kin of members of the Armed Forces who are killed in conflict with an enemy force or who die of a wound received in conflict with an enemy force;

Whereas the Purple Heart was established on August 7, 1782, during the Revolutionary War, when General George Washington issued an order establishing the Honorary Badge of Distinction, otherwise known as the Badge of Military Merit;

Whereas the award of the Purple Heart ceased with the end of the Revolutionary War, but was revived in 1932, the 200th anniversary of George Washington's birth, out of respect for his memory and military achievements; and

Whereas National Purple Heart Recognition Day is a fitting tribute to George Washington and to the more than 1,535,000 recipients of the Purple Heart, approximately 550,000 of whom are still living: Now, therefore, be it

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

(1) supports the goals and ideals of National Purple Heart Recognition Day;

(2) encourages all people of the United States to learn about the history of the Purple Heart and to honor its recipients; and

(3) requests that the President issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate support for people who have been awarded the Purple Heart.

SENATE CONCURRENT RESOLUTION 40—RECOGNIZING AND COMMENDING THE PRESIDENT AND THE GOVERNMENTS OF OTHER COUNTRIES THAT HAVE PARTICIPATED IN THE PROLIFERATION SECURITY INITIATIVE FOR THE HISTORIC EFFORTS AND SUCCESSES OF THE PROLIFERATION SECURITY INITIATIVE IN REDUCING THE THREAT POSED BY ILLICIT TRAFFICKING IN WEAPONS OF MASS DESTRUCTION, THEIR MEANS OF DELIVERY, AND RELATED MATERIALS, ON THE OCCASION OF THE SECOND ANNIVERSARY OF THE ESTABLISHMENT OF THE PROLIFERATION SECURITY INITIATIVE

Mr. LUGAR submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 40

Whereas, on May 31, 2003, at Wawel Royal Castle, Krakow, Poland, President George W. Bush declared that ''today I announce a new

effort to fight proliferation called the Proliferation Security Initiative. The United States and a number of our close allies, including Poland, have begun working on new agreements to search planes and ships carrying suspect cargo and to seize illegal weapons or missile technologies. Over time, we will extend this partnership as broadly as possible to keep the world's most destructive weapons away from our shores and out of the hands of our common enemies'';

Whereas, since May 2003, more than 60 countries have indicated their support for the Proliferation Security Initiative;

Whereas, in September 2003, 11 countries agreed to and published the Proliferation Security Initiative Statement of Interdiction Principles, which, among other things, identifies specific steps for effectively interdicting shipments of weapons of mass destruction, their means of delivery, and related materials and for preventing proliferation facilitators, brokers, and middlemen from engaging in this deadly trade;

Whereas the Proliferation Security Initiative has led to the negotiation of bilateral ship boarding agreements designed to facilitate the interdiction of weapons of mass destruction, their means of delivery, and related materials, including agreements with the Governments of Panama, Liberia, and the Marshall Islands;

Whereas, United Nations Security Council Resolution 1540, proposed by President Bush and adopted unanimously by the Security Council on April 28, 2004, calls on all countries to take cooperative action to prevent trafficking in weapons of mass destruction, their means of delivery, and related materials;

Whereas the actions of the United States and its Proliferation Security Initiative partners Germany and Italy contributed to the interdiction of the ship ''BBC China'', a commercial ship carrying centrifuge components for Libya's illicit nuclear program, en route to Tripoli, and also contributed to the constructive decision made by the Government of Libya on December 19, 2003, to acknowledge its illegal weapons of mass destruction programs and its agreement to eliminate its weapons of mass destruction and long-range missile programs and rejoin the international community by eliminating all elements of its chemical and nuclear weapons programs, declaring all nuclear materials and activities to the International Atomic Energy Agency (IAEA), eliminating ballistic missiles with a range greater than 300 kilometers with payloads of 500 or more kilograms, accepting international inspections to ensure Libya's complete adherence to the Nuclear Non-proliferation Treaty, signing the Additional Protocol, eliminating all chemical weapons stocks and munitions and acceding to the Chemical Weapons Convention, and allowing immediate inspections and monitoring to verify all of these actions;

Whereas the Report of the United Nations Secretary-General's High Level Panel on Threats, Challenges, and Changes finds that ''[r]ecent experience of the activities of the A.Q. Khan network has demonstrated the need for and the value of measures taken to interdict the illicit and clandestine trade in components for nuclear programs'';

Whereas the same Report also welcomes ''the voluntary Proliferation Security Initiative, under which more and more states are cooperating to prevent illicit trafficking in nuclear, biological and chemical weapons'';

Whereas, acknowledging that existing nonproliferation agreements and export control regimes are necessary but no longer sufficient, the Secretary-General of the United Nations has stated: ''I applaud the efforts of the Proliferation Security Initiative to fill a gap in our defenses'';

Whereas the United States and many of its Proliferation Security Initiative partners have conducted 14 ground, air, maritime, and tabletop interdiction exercises over the last 2 years, beginning with the Australian-led exercise Pacific Protector in September 2003; and

Whereas multiple countries have now participated in and observed air, land, and sea interdiction training exercises, in particular the October 2004 Team Samurai exercise, in which Japan, the United States, Australia, and France contributed operational assets and Canada, Cambodia, Germany, Greece, Italy, the Netherlands, New Zealand, Norway, Philippines, Poland, Portugal, Russia, Singapore, Spain, Sweden, Thailand, Turkey, and the United Kingdom participated as observers, and most recently in Exercise Ninfa '05, a joint maritime and ground interdiction exercise led by Portugal: Now, therefore be it

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

(1) the President is to be commended on the occasion of the second anniversary of the creation of the Proliferation Security Initiative for its broadening membership, increasing international support, and successful operational training and exercises;

(2) all the governments of countries coordinating and cooperating in intelligence sharing, training exercises, and legal agreements with the United States under the Proliferation Security Initiative, in particular the meetings of the PSI Operational Experts Group, are to be commended for their support in the global effort to prevent the proliferation of weapons of mass destruction, their means of delivery, and related materials;

(3) the Proliferation Security Initiative constitutes an important tool for coordinating diplomatic, law enforcement, customs, intelligence, and military capabilities against the illicit trade in weapons of mass destruction, their means of delivery, and related materials;

(4) all countries must work together, particularly under the auspices of the committee established pursuant to operative paragraph 4 of United Nations Security Council Resolution 1540, popularly called the ''1540 Committee'', to further the implementation of the provisions of Resolution 1540 relating to the international legal bases for continued, aggressive enforcement of all agreements, treaties, and regimes that aim through interdiction activities to end the illicit trade in weapons of mass destruction, their means of delivery, and related materials;

(5) the governments of all responsible countries should endorse the PSI Statement of Interdiction Principles and cooperate actively to interdict and disrupt illicit trade in weapons of mass destruction, their means of delivery, and related materials; and

(6) as evidenced in the historic December 19, 2003, decision of Libya to acknowledge and convert or dismantle its illegal weapons of mass destruction programs, the Proliferation Security Initiative can provide significantly enhanced enforcement of and adherence to the Treaty on the Non-proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the ''Nuclear Non-Proliferation Treaty''), the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, with Annexes, done at Paris January 13, 1993, and entered into force April 29, 1997 (commonly known as the ''Chemical Weapons Convention''), the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, done at Washington, London, and Moscow April 10, 1972, and entered into force March 26, 1975 (commonly known as the ''Biological Weapons Convention''), the safeguards system of the International Atomic Energy Agency, and the commitments and control lists of the Missile Technology Control Regime, the Australia Group, and the Nuclear Suppliers Group.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 26, 2005, at 10 a.m., to conduct a hearing on ''The Report to the Congress on International Economic and Exchange Rate Policies.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ENSIGN. 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 Thursday, May 26, at 9:30 a.m., to consider comprehensive energy legislation.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 26, 2005, at 10:30 a.m., to hold a hearing on nominations.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 26, 2005, at 2:30 p.m., to hold a hearing on nominations.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Thursday, May 26, 2005 at 10 a.m. in SD–430.

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

COMMITTEE ON THE JUDICIARY

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, May 26, 2005, at 9:30 a.m. in Dirksen Room 226.

Agenda

I. Nominations Terrence W. Boyle, II, to be U.S. Circuit Judge for the Fourth Circuit; Brett M. Kavanaugh, to be U.S. Circuit Judge for the District of Columbia; Richard Griffin, to be U.S. Circuit Court Judge for the Sixth Circuit; David McKeague, to be U.S. Circuit Court Judge for the Sixth Circuit; Paul Clement, to be Solicitor General of the United States; Anthony Jerome Jenkins, to be U.S. Attorney for the

District of the Virgin Islands; Stephen Joseph Murphy III, to be U.S. Attorney for the Eastern District of Michigan; Gretchen C.F. Shappert, to be U.S. Attorney for the Western District of North Carolina; Rachel Brand, to be an Assistant Attorney General for the Office of Legal Policy; Alice S. Fisher, to be an Assistant Attorney General for the Criminal Division; and Regina B. Schofield, to be an Assistant Attorney General for the Office of Justice Programs.

II. Bills: S. 852, A bill to Create a Fair and Efficient System to Resolve Claims of Victims for Bodily Injury Caused by Asbestos Exposure, and for Other Purposes. [SPECTER, LEAHY, HATCH, FEINSTEIN, GRASSLEY, DEWINE, GRAHAM].

III. Matters: Senate Judiciary Committee Rules.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. ENSIGN. Mr. President, I ask unanimous consent that The Committee on Veterans' Affairs be authorized to meet during The session of The Senate on Thursday, May 26, 2005, for a committee hearing titled ''Battling The Backlog: Challenges Facing The VA Claims Adjudication and Appeal Process''.

The hearing will take place in Room 418 of the Russell Senate Office Building at 2 p.m.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. ENSIGN. Mr. President, I ask unanimous consent that The Permanent Subcommittee on Investigations be authorized to meet on Thursday, May 26, 2005, at 9 a.m., for a hearing entitled ''The Container Security Initiative and The Customs-Trade Partnership Against Terrorism: Securing The Global Supply Chain or Trojan Horse?''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. ENSIGN. Mr. President, I ask unanimous consent, pursuant to Rule 26.5(a) of The Standing Rules of The Senate, that The Select Committee on Intelligence be authorized to meet after conclusion of the first two hours after the meeting of The Senate commences on May 26, 2005.

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

SUBCOMMITTEE ON AVIATION

Mr. ENSIGN. Mr. President, I ask unanimous consent that The Subcommittee on Aviation be authorized to meet on Thursday, May 26, 2005, at 10 a.m. on Aviation Capacity and Congestion Challenges-Summer 2005 and Future Demand.

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

SUBCOMMITTEE ON CLEAN AIR, CLIMATE CHANGE, AND NUCLEAR SAFETY

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Climate Change, and Nuclear Safety be authorized to meet on Thursday, May 26, 2005 at 9 a.m. to conduct an oversight hearing on the Nuclear Regulatory Commission.

The hearing will be held in SD 406.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Thursday, May 26, 2005, at 2:30 p.m., for a hearing regarding ''An Assessment of Federal Funding for Private Research and Development.''

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

SUBCOMMITTEE ON IMMIGRATION, BORDER SECURITY AND CITIZENSHIP

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Subcommittee on Immigration, Border Security and Citizenship be authorized to meet to conduct a hearing on ''The Need for Comprehensive Immigration Reform: Serving Our National Economy'' on Thursday, May 26, 2005, at 2:30 p.m. in SD–226.

Witness List

Panel I: The Honorable Steven Law, Deputy Secretary, U.S. Department of Labor, Washington, DC.

Panel II: Tom Donahue, President and CEO, U.S. Chamber of Commerce, Washington, DC; Dan Griswold, Director of the Center for Trade Policy Studies, The CATO Institute, Washington, DC; and Douglas S. Massey, Ph.D., Professor, Princeton University, Princeton, NJ.

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

PRIVILEGE OF THE FLOOR

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Rexon Ryu with Senator HAGEL's staff be granted the privilege of the floor during today's session.

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

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mr. FRIST. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Represenatives:

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 3) entitled ''An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes,'' and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. FRIST. Mr. President, I move that the Senate insist on its amendment, agree to the request for a conference, and the Chair appoint conferees, with a ratio of 16 to 14, with the names submitted at the desk.

The motion was agreed to, and the Presiding Officer appointed Mr. INHOFE, Mr. WARNER, Mr. BOND, Mr. VOINOVICH, Mr. CHAFEE, Ms. MURKOWSKI, Mr. THUNE, Mr. DEMINT, Mr. ISAKSON, Mr. VITTER, Mr. GRASSLEY, Mr. HATCH, Mr. SHELBY, Mr. ALLARD, Mr. STEVENS, Mr. LOTT, Mr. JEFFORDS, Mr. BAUCUS, Mr. LIEBERMAN, Mrs. BOXER, Mr. CARPER, Mrs. CLINTON, Mr. LAUTENBERG, Mr. OBAMA, Mr. CONRAD, Mr. INOUYE, Mr. ROCKEFELLER, Mr. SARBANES, Mr. REED, Mr. JOHNSON conferees on the part of the Senate.

SMALL BUSINESS ACT

Ms. SNOWE. Mr. President, I rise today to address the consideration of H.R. 3, the Highway bill, in conference between the Senate and the House, and to engage the majority leader and Chairman INHOFE in a colloquy. It has come to my attention that the version of H.R. 3 passed by the House contains changes to the Small Business Act, which is under the exclusive jurisdiction of the small business committees in both chambers. Section 1821 of H.R. 3 as passed by the House would extend the benefits of the Historically Underutilized Business, HUBZone, program to non-metropolitan areas designated as Difficult Development Areas, DDAs, by the Secretary of Housing and Urban Development, but only if these DDAs are located in states and territories outside the continental United States. The HUBZone program exists to generate market-based development solutions in economically distressed areas by providing federal contracting advantages to small businesses which locate in HUBZones and employ HUB Zone residents.

The HUBZone contracting program is codified in the Small Business Act and is administered by the Office of Government Contracting and Business Development of the Small Business Administration. While the HUBZone provision was not included in the Senate version of H.R. 3, had the provision in the House bill proceeded through the Senate committee process, I would have certainly exercised my prerogatives as the Committee Chair.

Although I am not requesting a formal appointment as a conferee, I would like to ask my distinguished colleagues, the majority leader and the chairman of the Senate Committee on Environment and Public Works, to commit that no change to the Small Business Act or any program relating to the SBA will be negotiated or agreed to in the Highway bill conference without my consent as the Chair of the Senate Committee on Small Business and Entrepreneurship.

Mr. FRIST. The Senator from Maine, the distinguished chair of the Small Business Committee, is correct that while the vast majority of the Highway bill does not concern the Small Business Act or the Small Business Administration, the Highway bill conferees should secure the consent of the Chair of the Senate committee on Small Business and Entrepreneurship before making any changes to legislation or programs within that committee's jurisdiction.

Mr. INHOFE. I am grateful to the chair of the Small Business Committee for her concern about the interests of small business. As chairman of the Senate Environment and Public Works Committee and the manager of the Highway bill on the part of the Senate, I agree that the Senate conferees on the Highway bill will secure the Senate Small Business Committee's consent before negotiating or agreeing to any changes to the Small Business Act or to any program relating to the Small Business Administration.

Ms. SNOWE. I thank Chairman INHOFE and the majority leader for their commitment and support.

EXECUTIVE SESSION

NOMINATION OF JANICE R. BROWN TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar No. 72, the nomination of Janice R. Brown to be U.S. Circuit Judge for the DC Circuit.

The legislative clerk read the nomination of Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit.

CLOTURE MOTION

Mr. FRIST. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the cloture motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 72, the nomination of Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit.

Bill Frist, Arlen Specter, Trent Lott, Lamar Alexander, Jon Kyl, Jim Talent, Wayne Allard, Richard G. Lugar, John Ensign, C.S. Bond, Norm Coleman, Saxby Chambliss, James Inhofe, Mel Martinez, Jim DeMint, George Allen, Kay Bailey Hutchison, John Cornyn.

NOMINATION OF WILLIAM H. PRYOR TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH DISTRICT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Executive Calendar No. 100, the nomination of William Pryor, of Alabama, to be U.S. Circuit Judge for the Eleventh Circuit.

The legislative clerk read the nomination of William H. Pryor, of Alabama, to be United States Circuit Judge for the Eleventh District.

CLOTURE MOTION

Mr. FRIST. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the cloture motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 100, William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Bill Frist, Craig Thomas, Richard Burr, Pat Roberts, Mitch McConnell, Jeff Sessions, Wayne Allard, Jon Kyl, Richard G. Lugar, Jim DeMint, David Vitter, Richard Shelby, Lindsey Graham, John Ensign, Pete Domenici, Bob Bennett, George Allen.

Mr. FRIST. Mr. President, I ask unanimous consent that the live quorum with respect to both cloture votes be waived.

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

NOMINATION OF ROBERT JOSEPH TO BE UNDER SECRETARY OF STATE

Mr. FRIST. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of Robert Joseph, PN 301, to be Under Secretary of State for Arms Control and International Security; provided further that the Senate proceed to its consideration, the nomination be confirmed, the motion to reconsider be laid upon the table, and the President be immediately notified of the Senate's action.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

Robert Joseph, of Virginia, to be Under Secretary of State for Arms Control and International Security.

JOINT REFERRAL

Mr. FRIST. Mr. President, I ask unanimous consent that the nomination of Israel Hernandez, of Texas, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, received on Thursday, May 26, 2005, be jointly referred to the Committee on Commerce, Science, and Transportation and the Committee on Banking, Housing, and Urban Affairs.

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

EXECUTIVE CALENDAR

NOMINATIONS DISCHARGED

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to consider the following nominations on today's Executive Calendar: Nos. 104, 105, 106 through 111, 112, with the exception of BG Rita Broadway, 0473, Nos. 113, 114, with the exception of COL Donald M. Bradshaw, 5796, Nos. 115 through 132, 133, 134, 135, 136, and all nominations on the Secretary's desk. I further ask unanimous consent that the Commerce Committee be discharged from further consideration of Coast Guard nominations lists, PN 236 and PN 527, and a NOAA list, PN 452; provided further that the Senate proceed to their consideration, the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, and the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF EDUCATION

Raymond Simon, of Arkansas, to be Deputy Secretary of Education.

DEPARTMENT OF DEFENSE

Kenneth J. Kreig, of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Kathleen D. Close, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Charles E. Croom, Jr., 0000

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Benjamin J. Spraggins, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Ronald E. Keys, 0000

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Benjamin C. Freakley, 0000

The following named Army National Guard of the United States officer for appointment as Director, Army National Guard and for appointment to the grade indicated under title 10, U.S.C., section 10506:

To be lieutenant general

Maj. Gen. Clyde A. Vaughn, 0000

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Brigadier General William H. Johnson, 0000
Brigadier General Dennis E. Lutz, 0000

To be brigadier general

Colonel William H. Gerety, 0000
Colonel William D. Frink, Jr., 0000
Colonel Geoffrey A. Freeman, 0000
Colonel Stuart M. Dyer, 0000
Colonel Paul E. Crandall, 0000
Colonel Lie-Ping Chang, 0000

To be major general

Brigadier General Bruce E. Zukauskas, 0000
Brigadier General William Terpeluk,0000
Brigadier General Robert A. Pollmann, 0000

To be brigadier general

Colonel Richard A. Stone, 0000
Colonel Steven W. Smith, 0000
Colonel Eldon P. Regua, 0000
Colonel Bert K. Mizusawa, 0000
Colonel Charles D. Luckey, 0000
Colonel Douglas E. Lee, 0000
Colonel Dempsey D. Kee, 0000
Colonel Jeffrey A. Jacobs, 0000
Colonel George R. Harris, 0000
Colonel Margaret C. Wilmoth, 0000
Colonel Robin B. Umberg, 0000

To be major general

Brigadier General Larry Knightner, 0000
Brigadier General David L. Evans, 0000
Brigadier General Bruce A. Casella, 0000

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Neil Dial, 0000

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. David A. Rubenstein, 0000
Col. James K. Gilman, 0000

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John W. Bergman, 0000

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Robert R. Blackman, Jr., 0000

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Vice Adm. Gary Roughead, 0000

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Captain William R. Burke, 0000
Captain Nevin P. Carr, Jr., 0000
Captain Philip H. Cullom, 0000
Captain Mark I. Fox, 0000
Captain William D. French, 0000
Captain Michael S. Frick, 0000
Captain Timothy M. Giardina, 0000
Captain Robert S. Harward, Jr., 0000
Captain William H. Hilarides, 0000
Captain Daniel P. Holloway, 0000
Captain Douglas J. McAneny, 0000
Captain Terence E. McKnight, 0000
Captain John W. Miller, 0000
Captain Michael S. Obryan, 0000
Captain Frank C. Pandolfe, 0000
Captain David L. Philman, 0000
Captain Brian C. Prindle, 0000
Captain Donald P. Quinn, 0000
Captain William E. Shannon, III, 0000
Captain James A. Symonds, 0000
Captain Stephen S. Voetsch, 0000
Captain James P. Wisecup, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Alan S. Thompson, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Nancy J. Lescavage, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Jeffrey A. Brooks, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Robert B. Murrett, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Victor C. See, Jr., 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C. section 624:

To be rear admiral (lower half)

Capt. Christine M. Bruzek-Kohler

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C. section 624:

To be rear admiral (lower half)

Capt. Mark W. Balmert, 0000

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C. section 624:

To be rear admiral (lower half)

Capt. Raymond E. Berube, 0000
Capt. John J. Prendegast, III, 0000

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C. section 624:

To be rear admiral (lower half)

Capt. Kevin M. McCoy, 0000
Capt. William D. Rodriguez, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C. section 624:

To be rear admiral

Rear Adm. (lh) David J. Venlet, 0000

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C. section 624:

To be rear admiral

Rear Adm. (lh) Bruce W. Clingan, 0000
Rear Adm. (lh) Derwood C. Curtis, 0000
Rear Adm. (lh) Peter H. Daly, 0000
Rear Adm. (lh) Kenneth W. Deutsch, 0000
Rear Adm. (lh) Mark T. Emerson, 0000
Rear Adm. (lh) Jeffrey L. Fowler, 0000
Rear Adm. (lh) Garry E. Hall, 0000
Rear Adm. (lh) Leendert R. Hering, Sr., 0000
Rear Adm. (lh) Alan B. Hicks, 0000
Rear Adm. (lh) Stephen E. Johnson, 0000
Rear Adm. (lh) Carl V. Mauney, 0000
Rear Adm. (lh) Bernard J. McCullough, III
Rear Adm. (lh) Michael Miller, 0000
Rear Adm. (lh) Allen G. Myers, 0000
Rear Adm. (lh) Joseph A. Walsh, 0000
Rear Adm. (lh) Melvin G. Williams, Jr., 0000
Rear Adm. (lh) James A. Winnefeld, Jr., 0000

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C. section 12203:

To be rear admiral (lower half)

Capt. Carol M. Pottenger, 0000

The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C. section 12203:

To be rear admiral (lower half)

Capt. Nathan E. Jones, 0000

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C. section 12203:

To be rear admiral (lower half)

Capt. Albert Garcia, III, 0000

BARRY GOLDWATER SCHOLARSHIP & EXCELLENCE IN EDUCATION FOUNDATION

Charles P. Ruch, of South Dakota, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2010.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Harry Robinson, Jr., of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2008. (Reappointment)

NATIONAL MUSEUM AND LIBRARY SERVICES BOARD

Kin Wang, of California, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009. (Reappointment)

POSTAL RATE COMMISSION

Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission for a term expiring October 14, 2010. (Reappointment)

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN311 AIR FORCE nominations (445) beginning DONNELLE E. ADAMS, and ending DANIEL J. ZALEWSKI, which nominations were received by the Senate and appeared in the Congressional Record of March 14, 2005.

PN499 AIR FORCE nomination of Michael E. Van Valkenburg, which was received by the Senate and appeared in the Congressional Record of May 9, 2005.

IN THE ARMY

PN222 ARMY nominations (12) beginning ROBERT D. BOWMAN, and ending THERESA M. SULLIVAN, which nominations were received by the Senate and appeared in the Congressional Record of February 15, 2005.

PN500 ARMY nominations (75) beginning CATHERINE D. SCHOONOVER, and ending VINCENT M. YZNAGA, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2005.

IN THE NAVY

PN435 NAVY nominations (35) beginning JOEL P. BERNARD, and ending MARC K.

WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of April 21, 2005.

IN THE COAST GUARD

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C., section 271:

To be rear admiral

Rear Adm. (lh) Larry L. Hereth, 0000
Rear Adm. (lh) Robert J. Papp, 0000
Rear Adm. (lh) Clifford I. Pearson, 0000
Rear Adm. (lh) James C. Van Sice, 0000

The following named individual for appointment as a permanent regular officer in the United States Coast Guard in the grade indicated under Title 14, U.S.C., section 211:

To be lieutenant commander

Kathryn C. Dunbar, 0000

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subject to qualifications provided by law, the following permanent appointment to the grades indicated in the National Oceanic and Atmospheric Administration.

To be lieutenant

Daniel J Price
Stephen Z Kroening
Jessica S Kondel
Shannon M Ristau
Nicole S Lambert
Chadwick A Brown
Nicole D Colasacco
Chad M Cary
Jennifer E Pralgo
Sean D Cimilluca
Charles J Yoos III
Keith A Golden
Shawn Maddock
William D Whitmore
Douglas E MacIntyre
Sarah L Dunsford
Sarah K Mrozek
Joshua D Bauman

To be lieutenant (junior grade)

Michael C Davidson
David E Fischman
Silas M Ayers
Paul A Householder
Nicola Samuelson
Patrick L Murphy
Colin D Little
Lean A Harman
Jason R Mansour
Michael J Stevenson
Briana J Welton
Abigail S Higgins
Brent J Pounds
Amanda L Goeller
Sarah E Jackson
Timothy D Salisbury
Benjamin S Sniffen
Mark A Blankenship
Fionna J Matheson
Jonathan E Taylor
Andrew P Halbach
Nathan S Priester
William I Wells
Sarah K Jones
Stephen P Barry

NOMINATIONS DISCHARGED

Mr. FRIST. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of the following nominations:

Victoria Nuland, PN 511, permanent representative on the Council of NATO; John Tefft, PN 523, Ambassador to Georgia; David Wilkins, PN–455, Ambassador to Canada; William Eaton, PN–503, Ambassador to Republic of Panama; James Derham, PN–480, Ambassador to Guatemala; Paul Trivelli, PN–509, Ambassador to Republic of Nicaragua; Linda Jewell, PN–522, Ambassador to Republic of Ecuador; Sean Ian McCormack, PN–351, Assistant Secretary of State; provided further that the Senate proceed to their consideration en bloc, the nominations be confirmed, that the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF STATE

Victoria Nuland, of Connecticut, a Career Member of the Senior Foreign Services, Class of Minister-Counselor, to be Permanent Representative of the United States of America on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

John F. Tefft, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Georgia.

David Horton Wilkins, of South Carolina, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

William Alan Eaton, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Panama.

James M. Derham, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guatemala.

Paul A. Trivelli, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nicaragua.

Linda Jewell, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador.

Sean Ian McCormack, of the District of Columbia, to be an Assistant Secretary of State (Public Affairs).

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

PROVIDING FOR CONDITIONAL RECESS OR ADJOURNMENT OF BOTH HOUSES OF CONGRESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of H. Con. Res. 167, the adjournment resolution, which is at the desk. I further ask consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 167) was agreed to, as follows:

H. CON. RES. 167

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, May 26, 2005, or Friday, May 27, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, June 7, 2005, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, May 26, 2005, or Friday, May 27, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, June 6, 2005, or Tuesday, June 7, 2005, or until such other time on either of those days as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

AUTHORIZATION TO MAKE APPOINTMENTS

Mr. FRIST. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law and by concurrent action of the two Houses or by order of the Senate.

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

SIGNING AUTHORIZATION

Mr. FRIST. I ask unanimous consent that during the adjournment of the Senate, the majority leader, majority whip, and senior Senator from Virginia be authorized to sign duly enrolled bills or joint resolutions.

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

AUTHORITY FOR COMMITTEES TO REPORT

Mr. FRIST. I ask unanimous consent that notwithstanding the Senate's adjournment, committees be authorized to report legislative and executive matters on June 1 from 10 a.m. to 12 noon.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of majority and minority leaders of the Senate and Speaker minority leader of the House of Representatives, pursuant to section 301 of Public Law 104–1, as amended by Public Law 108–349, announces the joint redesignation of the following individual, as Chair of the Board of Directors of the Office of Compliance: Susan S. Robfogel of New York.

The Chair, on behalf of the majority and minority leaders of the Senate and the Speaker and minority leader of the House of Representatives, pursuant to section 301 of Public Law 104–1, as amended by Public Law 108–349, announces the joint reappointment of the following individual as members of the Board of Directors of the Office of Compliance: Barbara L. Camens of the District of Columbia and Roberta L. Holzwarth of Illinois.

DESIGNATING THE ''ROBERT M. LA FOLLETTE, SR., POST OFFICE BUILDING''

Mr. FRIST. I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 1760 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1760) to designate the facility of the United States Postal Service located at 215 Martin Luther King, Jr., Boulevard in Madison, Wisconsin, as the ''Robert M. La Follette, Sr., Post Office Building.''

There being no objection, the Senate proceeded to consider the bill.

Mr. KOHL. Mr. President, I rise today in support of H.R. 1760, which would name a Post Office in Madison, WI as the ''Robert M. La Follette, Sr. Post Office Building.'' This passage of this legislation is timely, coming shortly before what would have been La Follette's 150th birthday next month.

Robert La Follette was born into a farming family in Primrose, WI, on June 14, 1855. After graduating from the University of Wisconsin in Madison, he served as the District Attorney for Dane County. He would go on to serve the State of Wisconsin as a Congressman, the Governor, and a U.S. Senator. Throughout his career, he fought on behalf of the people, not the politics. He truly embodied the ''fighting'' spirit of the people of Wisconsin.

As Governor, La Follette instituted direct primary elections, allowing the people to choose their representatives, rather than having the party leaders chose them. His reform efforts in the State, and his excellent speaking style, placed him in the national spotlight. In 1906, La Follette joined the U.S. Senate, where he would remain until his death in 1925.

It was as a U.S. Senator that La Follette truly launched a national progressive movement. He protested the corruption of government and the influence of large corporations on political leaders. He argued in favor of women's suffrage, worker's rights and racial equality. He fought for economic and social reform to remove power from the few and place it in the hands of the many.

La Follette's fighting spirit and drive for reform have prevented him from falling out of the Naion's consciousness. Nowhere is this truer than in Wisconsin, the State he served so tirelessly for more than 30 years. His legacy is alive in the people of Wisconsin, who so often embody his pioneering spirit of reform. His legacy is alive in the United States Senate, where we continue to fight for honesty in politics. For all these reasons, I urge my colleague to join me in support of H.R. 1760, to commemorate the legacy, and celebrate the life of Robert ''Fighting Bob'' La Follette.

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 1760) was read the third time and passed.

50TH ANNIVERSARY OF THE OKLAHOMA INDEPENDENT PETROLEUM ASSOCIATION

Mr. FRIST. I ask unanimous consent the Senate now proceed to the consideration of S. Res. 159, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 159) recognizing the 50th anniversary of the Oklahoma Independent Petroleum Association and its members' vital contribution to the oil and gas industry of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. INHOFE. Mr. President, today I rise in support of this resolution recognizing the Oklahoma Independent Petroleum Association on its 50th anniversary and also recognizing its members' vital contribution to the oil and gas industry of the United States.

The Oklahoma Independent Petroleum Association—OIPA—was founded by Roy Woods on January 13, 1955. Roy Woods and other founders possessed the leadership and vision to establish a unified voice for independent crude oil and natural gas producers.

The founders were independent oil and natural gas producers, and its membership still comprises independents, both large and small.

OIPA is my State's largest oil and gas advocacy group, representing over 1,500 member companies in the crude oil and natural gas exploration/production industry, as well as affiliated businesses. OIPA is also a member of the Independent Petroleum Association of America.

OIPA's mission is to enhance and protect the ability of Oklahoma's independent oil and natural gas producers to conduct their business and to ensure a strong energy supply.

OIPA is a proactive and diverse organization striving to provide a broad range of services to its members and the industry it supports.

OIPA has worked successfully on behalf of Oklahoma independent producers on State and national issues, advocating for State and national governmental policies that protect and enhance the Oklahoma independent producers' ability to do business.

Most recently, I have worked with OIPA in the introduction of the Natural Gas Production Act of 2005—S. 926, which I introduced, that would extend section 29 to include natural gas produced from depths below 15,000 feet. This bill is strongly supported by OIPA members and I thank them for their support.

The Oklahoma Independent Petroleum Association has been and will continue to be an invaluable asset in developing and promoting the oil and gas industry in the United States.

I am introducing this resolution as an expression of my appreciation. I congratulate the Oklahoma Independent Petroleum Association for its 50-year history and its contributions to the oil and gas industry in Oklahoma and the United States.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table en bloc, and any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 159) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 159

Whereas the Oklahoma Independent Petroleum Association was founded and incorporated in the State of Oklahoma on January 13, 1955;

Whereas the Oklahoma Independent Petroleum Association was founded by independent oil and natural gas producers, and its membership is still comprised of independent producers, both large and small;

Whereas the founders of the Oklahoma Independent Petroleum Association possessed the leadership and vision to establish a unified voice for independent crude oil and natural gas producers;

Whereas the Oklahoma Independent Petroleum Association is the largest oil and gas advocacy group in the State, representing over 1,500 member companies in the crude oil and natural gas exploration and production industry and affiliated businesses;

Whereas the mission of the Oklahoma Independent Petroleum Association is to enhance and protect the ability of independent oil and natural gas producers in Oklahoma to conduct their business and to ensure energy supply;

Whereas the Oklahoma Independent Petroleum Association is a rarity in State oil and

gas associations, with a full-time governmental affairs specialist and a full-time regulatory affairs specialist working with agencies that regulate the oil and gas industry;

Whereas the Oklahoma Independent Petroleum Association is a proactive and diverse organization striving to provide a broad range of services to its members and the industry it supports;

Whereas the leaders of the Oklahoma Independent Petroleum Association have worked successfully on behalf of Oklahoma independent producers on State and national issues, advocating for State and national governmental policies that protect and enhance the ability of Oklahoma independent producers to do business; and

Whereas the Oklahoma Independent Petroleum Association will continue to look toward the future by forging alliances within the oil and gas industry and with other organizations devoted to a more prosperous Oklahoma: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 50th anniversary of the Oklahoma Independent Petroleum Association;

(2) congratulates the Oklahoma Independent Petroleum Association for its 50-year history of contributions to the oil and gas industry of Oklahoma and the United States;

(3) recognizes that the Oklahoma Independent Petroleum Association has been and will continue to be an invaluable asset in developing and promoting the oil and gas industry in the United States; and

(4) directs the Secretary of the Senate to transmit a copy of this resolution to the Oklahoma Independent Petroleum Association as an expression of appreciation and for public display at the 50th annual meeting of the Oklahoma Independent Petroleum Association.

MEASURE PLACED ON THE CALENDAR—S. 1127

Mr. FRIST. I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1127) to require the Secretary of Defense to submit to Congress all documentation related to the Secretary's recommendations for the 2005 round of defense base closure and realignment.

Mr. FRIST. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

MEASURE READ THE FIRST TIME—H.R. 810

Mr. FRIST. Mr. President, I understand there is a bill at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will please report.

The legislative clerk read as follows:

A bill (H.R. 810) to amend the Public Service Act to provide for human embryonic stem cell research.

Mr. FRIST. I now ask for its second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. The bill will be read for the second time on the next legislative day.

ORDERS FOR MONDAY, JUNE 6, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2 p.m. on Monday, June 6. I further ask that following the morning 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 return to executive session to resume consideration of the nomination of Janice Rogers Brown to be United States Circuit Judge for the DC Court of Appeals; I further ask consent that the vote invoking cloture on the Brown nomination occur at 12 noon on Tuesday, June 7.

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

PROGRAM

Mr. FRIST. Mr. President, on Monday, June 6, the Senate will return from the Memorial Day recess and resume consideration of the nomination of Janice Rogers Brown for the DC Circuit. There will be no rollcall votes on June 6, but Senators are encouraged to come to the floor that day to speak on the Brown nomination.

As a reminder, cloture was just filed on the Brown nomination and the nomination of William Pryor to the Eleventh Circuit. Thus, we will vote on the cloture motion with respect to the Brown nomination on Tuesday, June 7, at noon.

Given the agreement reached this week, I expect cloture to be invoked and hope that we can proceed to the confirmation vote on Judge Brown early Tuesday afternoon. I also would like to remind my colleagues that we have time agreements with respect to the nominations of Griffith, McKeague, and Griffin to the circuit courts, as well. It is my intention to move to these nominations at an early time, as well.

Finally, since we were unable to finish our work on the Bolton nomination to be ambassador to the United Nations, we will revisit this issue following the break, as well.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THANKING THE PAGES

Mr. FRIST. Mr. President, we are going to be out in just a couple minutes, but I want to take the opportunity, before closing, to thank the pages, who are sitting here before me, for all the tremendous work they do. It is very rare that we have the opportunity to thank them publicly, and I want to take that opportunity right now.

They are here from early in the morning, and they are here tonight at 9 o'clock. It is a little bit after 9 right now. I will slip out, and they will still be here cleaning up and getting things in order.

They do a tremendous job, the pages, representing really most parts of the country, and I want to say thank you on behalf of the Democratic leader, the Republican leader, and both sides of the aisle.

SPENDING TIME IN HOME STATES

Mr. FRIST. We will be going on recess here for about 8 days, a much-needed recess for many people. A recess means we, for the most part, go back to our home States and spend time with people. So we all look forward to that opportunity to get back and travel around the country and get outside of Washington, DC, and listen very directly to the American people.

ADJOURNMENT UNTIL MONDAY, JUNE 6, 2005, AT 2 P.M.

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the provisions of H. Con. Res. 167.

There being no objection, the Senate, at 9:02 p.m., adjourned until Monday, June 6, 2005, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate May 26, 2005:

DEPARTMENT OF DEFENSE

WILLIAM ANDERSON, OF CONNECTICUT, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE NELSON F. GIBBS.

DEPARTMENT OF AGRICULTURE

RICHARD A. RAYMOND, OF NEBRASKA, TO BE UNDER SECRETARY OF AGRICULTURE FOR FOOD SAFETY, VICE ELSA A. MURANO, RESIGNED.

DEPARTMENT OF THE TREASURY

RANDAL QUARLES, OF UTAH, TO BE AN UNDER SECRETARY OF THE TREASURY, VICE BRIAN CARLTON ROSEBORO.

DEPARTMENT OF COMMERCE

ISRAEL HERNANDEZ, OF TEXAS, TO BE ASSISTANT SECRETARY OF COMMERCE AND DIRECTOR GENERAL OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE, VICE RHONDA KEENUM.

DEPARTMENT OF THE TREASURY

PHILIP D. MORRISON, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE PAMELA F. OLSON, RESIGNED.

DEPARTMENT OF STATE

RONALD E. NEUMANN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF AFGHANISTAN.

GREGORY L. SCHULTE, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE VIENNA OFFICE OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

INTERNATIONAL ATOMIC ENERGY AGENCY

GREGORY L. SCHULTE, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO

THE INTERNATIONAL ATOMIC ENERGY AGENCY, WITH THE RANK OF AMBASSADOR.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C SECTIONS 624 AND 531:

To Be Major

BRIAN F. * ABELL, 0000
SEAN P. ABELL, 0000
BRENT F. * ADAMS, 0000
DEANA C. * ADAMS, 0000
MATTHEW C. J. ADAMS, 0000
JODY A. * ADDISON, 0000
BRIAN P. AFFLERBAUGH, 0000
EDWARD L. * AGUILAR, 0000
MATTHEW C. AHNER, 0000
STEWART R. * AITKENCADE, 0000
IVAN AKERMAN, 0000
GEOFFREY A. * AKERS, 0000
ARTURO * ALAIZA, JR., 0000
PATRICK M. * ALBRITTON, 0000
BRIAN C. * ALEXANDER, 0000
CHRISTOPHER M. * ALEXANDER, 0000
JEFFREY D. ALEXANDER, 0000
JOSEPH B. * ALFORD, 0000
ALBERT P. * ALLARD, 0000
GARY L. ALLEN, JR., 0000
JASON N. ALLEN, 0000
JEFFREY T. ALLISON, 0000
MICHAEL P. ALLISON, 0000
CLARK L. ALLRED, 0000
KEVIN D. ALLRED, 0000
DAVID P. * ALLSOP, 0000
ALAN S. * ALSOP, 0000
JUAN A. ALVAREZ, 0000
JUSTIN C. * AMANN, 0000
DAVID R. AMAYA, 0000
MARY K. * AMBROSE, 0000
DANIEL G. AMEGIN, 0000
CHRISTOPHER R. AMRHEIN, 0000
ANTHONY J. * ANDERSON, 0000
CYNTHIA G. * ANDERSON, 0000
DAVID R. * ANDERSON, 0000
JEREMY S. * ANDERSON, 0000
KRISHAAN G. * ANDERSON, 0000
PONG K. * ANDERSON, 0000
SCOTT W. * ANDERSON, 0000
SHERRI M. * ANDERSON, 0000
STEVEN C. ANDERSON, 0000
TANYA J. * ANDERSON, 0000
JAMES M. * ANDES, 0000
JOHN G. * ANDRADE, 0000
SHAWN E. ANGER, 0000
RICHARD D. * ANTON, 0000
NICHOLAS G. ANTONOPULOS, 0000
JOSEPH M. * APPEL, 0000
RICHARD L. * APPLE, 0000
MORSHE D. * ARAUJO, 0000
CLAUDE M. * ARCHAMBAULT, 0000
ALEXANDER M. ARCHIBALD III, 0000
EARL ARDALES, 0000
GARTH J. * AREVALO, 0000
BRADLEY J. * ARMSTRONG, 0000
CHARLES C. * ARMSTRONG, 0000
MICHAEL C. * ARNDT, 0000
MATTHEW B. * ARNOLD, 0000
JUAN C. * ARROYOGARCIA, 0000
MICHAEL J. ARTELLI, 0000
PAUL B. * ASHLEY, 0000
MICHAEL * ASTAHOFF, 0000
FREDERICK H. * ATWATER III, 0000
ROBERT J. * AUGUGLIARO, 0000
WILLIAM L. * AUSTIN, 0000
ELIZABETH A. * AUTREY, 0000
JON C. * AUTREY, 0000
NELSON * AVILA, JR., 0000
JASON B. AVRAM, 0000
MATTHEW L. AYRES, 0000
ANTHONY D. BABCOCK, 0000
LISLE H. BABCOCK, 0000
STEVEN N. * BABCOCK, 0000
SVEN A. * BACKLUND, 0000
CHRISTOPHER A. BACON, 0000
JENNIFER N. * BACON, 0000
DANTE C. BADIA, 0000
WILLIAM F. * BAGBY, 0000
BRAD C. * BAILEY, 0000
KAREN * BAILEY, 0000
JASON E. * BAKER, 0000
PAUL D. BAKER, 0000
TRACY T. * BAKER, 0000
BRIAN K. BAKSHAS, 0000
DARRYL D. * BALDEOSINGH, 0000
ARNOLD C. * BALDOZA, 0000
HEATHER M. * BALDWIN, 0000
JERRY B. * BANCROFT, JR., 0000
GREGORY D. * BANFIELD, 0000
MICHAEL S. * BANZET, 0000
JOHN E. * BAQUET, 0000
CHRISTOPHER T. BARBER, 0000
JOSE B. * BARENG, 0000
JAMES C. * BARGER, 0000
WILLIE R. * BARKER, 0000
EUGENE * BARLOW, JR., 0000
DANIELLE L. * BARNES, 0000
GREGORY D. * BARNETT, 0000
RYAN R. BARNEY, 0000
ANTHONY R. BARRETT, 0000
BARRINGTON M. * BARRETT, 0000
ROBERT M. * BARRY, JR., 0000
CLAYTON B. BARTELS, 0000
BRENDAN C. * BARTLETT, 0000
JEFFREY L. * BARTLETT, 0000
JAMES EARL * BASS, 0000
BRIAN R. BAUDE, 0000
MATTHEW R. * BAUGHER, 0000
MICHAEL A. * BAYER, 0000
KEVIN A. BAYLIS, 0000
BRADLEY A. * BEABOUT, 0000
LAURA H. * BEALES, 0000
DANIEL J. * BEARD, 0000
VIDA V. * BEARD, 0000
OMAR E. * BECERRIL, 0000
CHARLES E. * BECKER, 0000
TARA B. BEEDLE, 0000
KEVIN R. BEEKER, 0000
MATTHEW R. * BEER, 0000
JEFFREY A. BEERS, 0000
TIMOTHY E. BEERS, 0000
DANIEL J. BEGIN, 0000
LEE A. * BEIERMANN, 0000
MICHAEL E. * BELKO, 0000
BRIAN T. BELL, 0000
GREGORY C. * BELL, 0000
JOHN J. BELL, 0000
NICHOLAS A. * BELL, 0000
TIMOTHY D. * BELL, 0000
JONATHAN B. BELLCASE, 0000
EUGENIO J. * BELTRAN, 0000
DIANE C. * BENAVIDEZ, 0000
JOHN D. * BENEDICT, 0000
MICHAEL L. BENNETT, 0000
KEVIN C. * BENTLEY, 0000
GARY W. * BENTON, 0000
WILLIAM A. * BERCK, 0000
CHRISTOPHER C. * BERG, 0000
TIMOTHY M. * BERGMAN, 0000
TAMARA L. * BERGTHOLDT, 0000
PETER E. * BERMES, 0000
SCOTT D. * BERNDT, 0000
WILLIAM L. * BERNHARD, 0000
FREDERICK S. BERRIAN, 0000
RAYMOND J. * BESSON, 0000
JAMES A. * BEYER, 0000
DANNY R. * BIAS, 0000
TIMOTHY J. BICE, JR., 0000
THOMAS * BICKERSTAFF, 0000
ERIK D. BIEBIGHAUSER, 0000
JACQUELINE M. * BIEKER, 0000
SEKOU T. * BILLINGS, 0000
MATTHEW E. * BILTON, 0000
PAUL R. BIRCH, 0000
ROBERT L. * BIRCHUM, 0000
GORDON N. * BIRDSALL, 0000
MICHAEL B. BIRDWELL, 0000
ROGER C. * BISHOP, JR., 0000
JOHN C. * BISSELL, 0000
JOEL R. * BIUS, 0000
JENNIFER L. BIVENS, 0000
KIM D. * BLACK, 0000
RICHARD M. * BLACK, 0000
MARK J. * BLACKMAN, JR., 0000
ALLEN P. * BLANCHFIELD, 0000
JOSEPH O. * BLAND, 0000
KEITH H. * BLAND, 0000
WILLIAM B. * BLAUSER, 0000
LIZA O. *BLECHER, 0000
JOHN J. *BLEIL, 0000
DAVID A. *BLITCH, 0000
DEREK S. BLOUGH, 0000
MARK A. *BLUMKE, 0000
JAMES W. BODNAR, 0000
THOMAS T. *BODNAR, 0000
KYLE J. BOECKMAN, 0000
ELIZABETH C. BOEHM, 0000
JOHN M. BOEHM, 0000
STEVEN G. *BOGSTIE, 0000
KENNETH R. BOILLOT, 0000
CLINTON L. *BOIT, 0000
PATRICK B. BOLAND, 0000
RHETT CAMERON *BOLDENOW, 0000
TIMOTHY J. *BOLEN, 0000
SEAN P. BOLES, 0000
ELIZABETH A. *BOLL, 0000
SCOTT B. *BONZER, 0000
RONALD K. *BOOKER, 0000
BRENT W. BORCHERS, 0000
RALPH E. *BORDNER III, 0000
DAVID M. *BORGESON, 0000
ARTHUR W. *BOTTIGLIERI, 0000
RICHARD L. *BOURQUIN, 0000
JASON E. *BOUSQUET, 0000
BERNADETTE P. *BOWMAN, 0000
STEVEN K. *BOWMAN, 0000
DENISE N. *BOYD, 0000
IAN T. *BOYD, 0000
MARTIN F. *BRABHAM, 0000
MICHAEL K. *BRADFIELD, 0000
SEAN A. BRADLEY, 0000
WILLIAM S. *BRADLEY, 0000
JOHN *BRADY, 0000
KATHY K. *BRADY, 0000
WARREN B. *BRAINARD, 0000
EDWARD P. *BRANSON, 0000
JAMES P. BRASSELL, 0000
CECILIA S. BRAWNER, 0000
DOUGLAS T. *BRAY, 0000
JED T. *BREDEMUS, 0000
CHARLES R. *BREDFIELD, 0000
THOMAS M. BREEN, 0000
RAYMOND J. *BRENNAN, 0000
TYR RICHARD *BRENNER, 0000
CHRISTOPHER A. BRIDGES, 0000
KENNETH K. *BRIDGES, 0000
ROBERT T. *BRIDGES, 0000
SIDNEY J. *BRIDGES, 0000
SCOTT E. BRIESE, 0000
MICHAEL J. *BRIGGS, 0000
RONALD S. *BRIGHT, 0000
DANIEL S. BRINGS, 0000
EARL J. *BRINSON, 0000
JOEL L. *BRISKE, 0000
JAMES T. *BROADDUS, 0000
LARRY R. BROADWELL, JR., 0000
DOUGLAS F. BROCK, 0000
BRIAN E. *BROEKEMEIER, 0000
LAMETRA F. *BROOKS, 0000
MATTHEW R. BROOKS, 0000
DEBORAH L. *BROSTEK, 0000
BARRY W. *BROWN, 0000
CARLOS J. *BROWN, 0000
DARRYL V. D. BROWN, JR., 0000
MICHAEL R. *BROWN, 0000
RENARDO M. BROWN, 0000
CRISTOFER V. *BROWNING, 0000
CURTUS L. *BROWNING, 0000
JASON E. *BROWNING, 0000
MATTHEW A. BRUHN, 0000
MELINDA W. *BRUNER, 0000
DONALD R. BRUNK, 0000
BYRON T. BRUNSON, 0000
SANORA F. *BRUNSON, 0000
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JONATHAN C. BUFFINGTON, 0000
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ARVIN J. *BULLOCK, 0000
TIMOTHY D. BUNNELL, 0000
ANN MARIE *BUNTON, 0000
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MELINDA A. *BURKHART, 0000
LANCE C. *BURNETT, 0000
CURTIS W. BURNEY, 0000
HARRY M. *BURNS, 0000
STEVEN J. *BURNS, 0000
BRIAN E. BURR, 0000
KELLY D. *BURT, 0000
JOHN S. *BURTOFT, 0000
HENRI J. *BUSQUE, 0000
JASON M. BUSS, 0000
WALTER A. *BUSTELO, 0000
ROBERT V. *BUTKOVICH, 0000
MATTHEW J. *BUTLER, 0000
STEVEN M. *BUTLER, 0000
TODD C. *BUTLER, 0000
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HOWARD E. *BYRD, JR., 0000
EDWARD P. *BYRNE, 0000
JENNIFER A. CABALLERO, 0000
MICHAEL R. CABRAL, 0000
GABRIEL *CABRERA, 0000
BRYAN J. CAHILL, 0000
REGINA LOUISE *CAIN, 0000
MAURIZIO D. CALABRESE, 0000
BRADY D. *CALDWELL, 0000
MATTHEW D. CALHOUN, 0000
CHRISTOPHER J. *CALLIS, 0000
MICHAEL A. CALVARESI, 0000
BRIAN C. *CAMPBELL, 0000
JACOB T. CAMPBELL, 0000
KATHLEEN M. CAMPBELL, 0000
SHAWN W. *CAMPBELL, 0000
THOMAS W. *CAMPBELL, 0000
JEFFREY A. CANNON, 0000
NORMAN J. CANNON, 0000
RALPH T. CANNON, 0000
EDWARD K. *CANTRELL, 0000
ANTHONY J. CAPARELLA, 0000
JOSEPH M. CAPASSO, 0000
SHAY R. CAPEHART, 0000
JOHN T. *CARANTA III, 0000
STAN E. *CARDER, 0000
KRISTA K. *CARLOS, 0000
PAUL K. CARLTON III, 0000
KENNIS D. *CARMICHAEL, 0000
STEPHEN V. *CAROCCI, 0000
CAMERON W. CAROOM, 0000
CLINTON D. *CARPENTER, 0000
SEAN M. *CARPENTER, 0000
STEPHEN M. CARR, 0000
ALLAN A. *CARREIRO, 0000
CARLOS *CARRILLO, 0000
JENISE M. *CARROLL, 0000
JUSTIN M. *CARROLL, 0000
RAFAEL D. *CARROLL, 0000
SCOTT G. *CARROLL, 0000
CHRISTOPHER C. *CARTER, 0000
IVORY D. *CARTER, 0000
WILLIAM J. *CARTER, 0000
JONATHAN D. CARY, 0000
MICHAEL B. CASEY, 0000
CLINTON L. *CASH, 0000
JOSEPH J. *CASSIDY II, 0000
DAVID M. *CASSTEVENS, 0000
ANNE M. *CATINO, 0000
DEIRDRE C. CATLIN, 0000
GREGORY A. *CAUDLE, 0000
PAUL S. *CAZIER, 0000
ROBERT A. *CERA, 0000
MARSHA W. *CERVANTEZ, 0000
MICHAEL A. CERVANTEZ, 0000
WILL C. CHAFFEE IV, 0000
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JAMES D. *CHALIFOUX, 0000
ROBERT W. *CHAMBERS, 0000
ROBERT E. *CHAMPION, 0000
JASON S. *CHANDLER, 0000
JOHN C. *CHAPMAN, 0000
JOSEPH *CHARGUALAF, 0000

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RONALD J. CHASTAIN, 0000
MICHAEL R. *CHATAGNIER, 0000
EDWARD P. *CHATTERS IV, 0000
KEITH N. *CHAURET, 0000
MICHAEL G. *CHAVIS, 0000
RONALD E. CHEATHAM, 0000
RAYMOND A. CHEHY, JR., 0000
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JON E. *CHESSER II, 0000
TROY W. *CHEVALIER, 0000
NATHAN A. CHINE, 0000
WAYNE M. CHITMON, 0000
JOHN S. *CHOBERKA, JR., 0000
MICHAEL L. *CHONG, 0000
JOHN A. CHRIST, 0000
JENNY M. *CHRISTIAN, 0000
BRADLEY D. *CHRISTIANSEN, 0000
REGGIE A. *CHRISTIANSON, 0000
WILLIAM V. *CHUDKO, 0000
LORNE E. *CHUI, 0000
WILLIAM R. *CHURCH, 0000
LISA A. *CICCARELLI, 0000
DAVID J. CIESIELSKI, 0000
MICHAEL T. CLANCY, 0000
AARON W. *CLARK, 0000
ANDREW M. *CLARK, 0000
CHRISTOPHER F. *CLARK, 0000
CHRISTOPHER R. CLARK, 0000
KEVIN S. *CLARK, 0000
LYNELLE A. *CLARK, 0000
TABETHA J. *CLARK, 0000
TAD D. CLARK, 0000
WILL CLARK, 0000
WILLIAM M. *CLARKE, 0000
ELIZABETH A. CLAY, 0000
SPENCER E. *CLEAVELAND, 0000
PAUL P. *CLEMANS, 0000
DOMINIC P. CLEMENTZ, 0000
NATHAN D. *CLEMMER, 0000
LEVITICOUS C. *CLEVELAND, 0000
SARAH U. *CLEVELAND, 0000
SCOTT A. * CLYMAN, 0000
THOMAS F. * COAKLEY, 0000
TOM G. * COATE, 0000
GREGORY M. * COATES, 0000
BRUCE C. * COFFE, 0000
MARK D. * COGGINS, 0000
CAROLYN C. COLEMAN, 0000
LADONNA WYATT * COLEMAN, 0000
LAMONT A. * COLEMAN, 0000
LESTER G. * COLES, JR., 0000
CHARLES W. COLLIER, 0000
JOANNA L. * COLLINS, 0000
PERSIVIA * COLLINS II, 0000
STERLING V. * COLLINS, 0000
BRIAN A. * COLLORD, 0000
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THEODORE E. CONKLIN, JR., 0000
JAMES A. CONLEY, 0000
MICHAEL E. CONLEY, 0000
NATHAN G. * CONNELL, 0000
DANIEL A. * CONNELLY, 0000
RYAN C. * CONNER, 0000
TERENCE J. * CONNOLLY, 0000
DANIEL E. * COOK, 0000
GERALD M. COOK, 0000
HEATHER A. * COOK, 0000
JOSEPH COOK, 0000
KENNETH R. * COOK, 0000
TODD W. COOK, 0000
TRYON J. * COOK, 0000
JASON C. COOKE, 0000
JASIN R. COOLEY, 0000
DAVID L. * COOPER, 0000
PHILIP J. * COOPER, 0000
DAX CORNELIUS, 0000
JOSHUA J. * CORNER, 0000
JASON E. * CORROTHERS, 0000
DAVID A. * CORTEZ, 0000
LARRY M. * CORZINE, 0000
GERALD C. * COTTRILL, 0000
BARRY W. COUCH, 0000
JOHN R. * COUSINS, 0000
SHAWN C. COVAULT, 0000
WILLIAM K. * COWHERD, 0000
AARON S. * COWLEY, 0000
JOHN R. * COX, JR., 0000
STEPHEN B. * COX, 0000
JOHN A. * COY, 0000
JOHN C. COYLE, 0000
ERIK C. COYNE, 0000
RYAN M. * COYNE, 0000
TRACY L. COYNE, 0000
PETER N. * CRABTREE, 0000
DONNA L. B. CRAIN, 0000
DIALLO O. CREAL, 0000
DEWAYNE J. CREAMER, 0000
MICHAEL A. * CREIGHTON, 0000
BRIAN H. CRISMORE, 0000
KEVIN R. * CROCCO, 0000
RYAN L. * CROCKETTE, 0000
JOHN M. * CRONIN, 0000
THOMAS C. * CROSSON, 0000
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KEVIN E. * CUBSTEAD, 0000
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CHRISTOPHER A. CULLENBINE, 0000
KRISTIN S. CUMMINGS, 0000
TIMOTHY W. CUMMINS, 0000
JAMES H. CUNNINGHAM III, 0000
JEFFREY M. CUNNINGHAM, 0000
JOHN D. * CUNNINGHAM, 0000
MELISSA S. CUNNINGHAM, 0000
WILLIAM M. * CURLIN, 0000
JAYSON A. * CURRIER, 0000
MACK W. * CURRY II, 0000
TYREL J. * CURRY, 0000
MELANIE K. * CURTIS, 0000
LIBORIO L. * CURTO, 0000
KENNETH T. CUSHING, 0000
WILLIAM R. * CUSICK, 0000
VINCENT E. CYRAN, 0000
MARTIN T. DAACK, JR., 0000
SARAH D. * DAHL, 0000
VON A. * DAILEY, 0000
STEPHEN G. DAMICO, 0000
PASCAL * DANET, 0000
PATRICK E. * DANIEL, 0000
CALVIN E. DANIELS, JR., 0000
HUMPHREY * DANIELS III, 0000
KIMBERLY A. * DANIELS, 0000
TIMOTHY B. * DANN, 0000
MICHAEL W. * DARWIN, 0000
RENEE D. * DAUGHTRY, 0000
JOHN C. DAVIDSON, 0000
JEFFREY W. DAVIES, 0000
BRIAN S. * DAVIS, 0000
PAUL E. * DAVIS, JR., 0000
ROBERT D. DAVIS, 0000
RONDELL C. * DAVIS, 0000
RUSSELL O. DAVIS, 0000
SCOTT F. * DAVIS, 0000
THOMAS P. DAVIS, 0000
JENNA M. * DAVISRICHARDSON, 0000
NATHAN R. DAWN, 0000
RICHARD E. * DAY, 0000
CHAD S. * DEAL, 0000
ALAN R. * DEAN, 0000
SARA B. * DEAVER, 0000
CRAIG * DEBONI, 0000
MICHAEL D. DEE, 0000
EDUARDO * DEFENDINI, 0000
MARK W. DEGIRONIMO, 0000
ROBERT M. * DEGREGORIO, 0000
ROBERT A. * DEKA, 0000
JASON R. * DELAMATER, 0000
DIANA N. * DELATORRE, 0000
ROBIN L. * DELAVEGA, 0000
PHILIP B. * DELVECCHIO, 0000
ERIC R. DELWICHE, 0000
HOED AART W. * DEN III, 0000
NATHAN R. * DENNES, 0000
NADINE A. * DENNIS, 0000
JASON A. * DENSLEY, 0000
THOMAS A. DENT, 0000
KEITH A. DERBENWICK, 0000
DANIEL W. * DETZI, 0000
JOHAN A. DEUTSCHER, 0000
ROBERT J. * DEVENS, 0000
NICHOLAS S. * DEVEREAUX, 0000
JEFFERSON D. * DEVINE, JR., 0000
RONNIE V. * DEVLIN, 0000
SCOT A. * DEWERTH, 0000
ERIN * DICK, 0000
MICHAEL J. * DIDIO, 0000
JEFFREY M. DILL, 0000
LAURA KELLY * DINUZZO, 0000
DOUGLAS J. DISTASO, 0000
JODY L. * DIXON, 0000
KIPLING B. DIXON, 0000
MATTHEW CHRISTOPHER * DIXON, 0000
PATRICE R. * DIXON, 0000
MINH C. * DO, 0000
THANG T. * DOAN, 0000
JAMES M. * DOBBS, 0000
RICHARD R. DODGE, 0000
CHRISTOPHER Y. * DOGUET, 0000
EDGAR M. DOMINGUEZ, 0000
ROBERT M. * DOMINGUEZ, 0000
MICHAEL R. DONAGHY, 0000
JAMES B. * DONKIN, 0000
JEFFREY A. * DONNELL, 0000
JOEL A. * DOPSON, 0000
SHERARD C. * DORROH, 0000
ANCIE E. * DOTSON III, 0000
REBECCA SUE DOTY, 0000
CHRISTOPHER F. DOUGHERTY, 0000
MATTHEW A. * DOUGLAS, 0000
ENRIQUE DOVALO, JR., 0000
DARCENE R. * DOWLING, 0000
KEVIN S. DOWLING, 0000
JONATHAN G. DOWNING, 0000
NATHANIEL S. DOWNING, 0000
BRADLEY C. DOWNS, 0000
THEODORE R. * DOWNS, 0000
DAVID T. * DOZIER, 0000
MICHAEL R. DROWLEY, 0000
DARON J. DROWN, 0000
ALLEN E. DUCKWORTH, 0000
ANTHONY W. DUDLEY, 0000
EMORY H. * DUEITT, JR., 0000
NOLAN J. * DUFFIN, 0000
CHRISTOPHER J. * DUFFLEY, 0000
STEPHEN T. DUJMOVIC, 0000
JAMES S. * DUKE, 0000
CRAIG L. DUMAS, 0000
HEATHER M. * DUNLAP, 0000
RONALD E. * DUNLAP III, 0000
AARON M. * DUNN, 0000
GRETA M. DUNN, 0000
LAFE M. * DUNN, 0000
BLAKE T. * DUNNEGAN, 0000
PAUL L. * DUPUIS, 0000
LAURA E. * DURR, 0000
SCOTT A. * DUTKUS, 0000
RICHARD E. DWYER, 0000
DAMON C. DYKES, 0000
HARRY R. DYSON, 0000
MATTHEW E. * EAKINS, 0000
LARRY L. * EARICK, 0000
EVAN C. * EAST, 0000
MARTY W. * EASTER, 0000
DOUGLAS D. EATON, 0000
BRYAN T. * EBERHARDT, 0000
BRIAN A. * EBERLING, 0000
KENNETH R. * EBI, 0000
DANIEL J. * EBRECHT, 0000
KRISTOPHER J. ECKER, 0000
JAMES G. * EDDLEMAN, JR., 0000
JARRETT E. * EDGE, 0000
DARREN M. * EDMONDS, 0000
ADAM L. EDWARDS, 0000
ANTHONY J. * EDWARDS, 0000
DAVID W. EDWARDS, 0000
MICHAEL C. * EDWARDS, 0000
ROBERT V. * EDWARDS, 0000
TRAVIS L. EDWARDS, 0000
JON E. * EGENBERGER, 0000
CLINTON W. * EICHELBERGER, 0000
CAREY N. * EICHHORST, 0000
GARY J. EILERS, 0000
SCOTT DJ *EISINGER, 0000
KERRE E. ELLIS, 0000
MICHAEL K. EMBREE, 0000
EDUARDO E. *EMMANUELLI, 0000
MATTHEW K. *ENCE, 0000
ROARK D. *ENDLICH, 0000
JASON D. *ENGLE, 0000
HARRY A. *EPPERSON III, 0000
OLIVER D. ERICKSON, 0000
MARIO J. ESCALANTE, 0000
LORNE E. *ESHELMAN, 0000
MATTHEW J. ESKER, 0000
THOMAS P. *ESSER, 0000
RAYMUNDO *ESTRADA, JR., 0000
ALDWIN V. *ESTRELLADO, 0000
MATTHEW C. ESTREM, 0000
DAVID A. *EVANS, 0000
SAMUEL E. *EVANS III, 0000
TIMOTHY J. EVERETT, 0000
JAMES S. *EVRIDGE, 0000
WILSHELIA S. *EZELL, 0000
ERIC S. *FAJARDO, 0000
FRED A. *FALGIANO, 0000
ROBERT L. *FARKAS, 0000
DAVID E. *FARLEY, 0000
BRIAN J. *FARMER, 0000
JARED A. FARR, 0000
PATRICK J. FARRELL, 0000
ADAM MICHAEL *FAULKNER, 0000
CHRISTIAN D. *FAUST, 0000
ERIC D. *FEIL, 0000
CRISTINA CAMERON *FEKKES, 0000
MICHAEL J. FELLONA, 0000
AMANDA M. FELLOWS, 0000
RANDALL E. *FELTNER, 0000
KEVIN A. *FERCHAK, 0000
TIMOTHY W. FERENSCHAK, 0000
DAVID A. FERGUSON, 0000
JAMES J. *FERN, 0000
MANUEL *FERNANDEZ, 0000
DIANNE E. *FERRARINI, 0000
MICHAEL A. *FERRARIO, 0000
DAVID L. FERRIS, 0000
CHRISTOPHER R. FERRY, 0000
SHYLON C. *FERRY, 0000
DANIEL M. FESLER, 0000
TODD L. *FINE, 0000
STEVEN A. FINO, 0000
JACK D. FISCHER, 0000
CATHERINE J. *FISHER, 0000
DAVID B. *FISHER, 0000
SCOTT A. *FISHER, 0000
SHAWN D. *FISHER, 0000
MICHAEL B. *FITZPATRICK, 0000
JOHN R. *FLEMING, JR., 0000
LEIGH A. *FLETCHER, 0000
ADAM C. FLOOD, 0000
CLARENCE L. *FLORY, JR., 0000
STEVEN J. *FOLDS, 0000
MORRIS M. FONTENOT, JR., 0000
ROUVEN M. FORBES, 0000
JOHN T. *FORINO, 0000
KRISTI L. FORINO, 0000
ROBERT A. FORINO, 0000
GREGORY S. *FORMANSKI, 0000
SCOTT W. *FORN, 0000
CHARLES D. *FORRESTAL, 0000
GREGORY D. *FOX, 0000
KIMBERLY E. *FOX, 0000
STEFANIE M. FOX, 0000
GALO A. *FRANCO, 0000
STEPHEN P. FRANK, 0000
ALBERT E. *FRANKE IV, 0000
DAVID M. *FRANKLIN, 0000
JEFFREY G. *FRANTZ, 0000
RICHARD C. *FREEMAN, 0000
WILLIAM C. FREEMAN, 0000
ROYCE C. *FRENGLE, 0000
JESSE J. FRIEDEL, 0000
KEITH D. *FRIEDMAN, 0000
MARK A. *FRIEND, 0000
ROY L. *FRIERSON II, 0000
JOHN C. FRIZZELL, JR., 0000
LEAH R. *FRY, 0000
WILLIAM F. FRY, 0000
WILLIAM J. FRY, 0000
ROBERT J. *FUDGE, 0000
ROY L. FULLER III, 0000
DOUGLAS E. *GAETA, 0000
DARRICK V. GALACGAC, 0000
JOSEPH K. GALLAHAN, JR., 0000
ROGER D. *GALLAN, JR., 0000
OSCAR L. *GALLEGOS, JR., 0000
GEORGE T. GALLOWAY, 0000
ALEJANDRO *GARCIA, JR., 0000
BRADLEY E. J. GARCIA, 0000
JUAN F. *GARCIA, 0000

BRIAN W. *GARINO, 0000
STEPHEN D. *GARMON, 0000
ELLIS E. GARNER, 0000
TIMOTHY T. *GARRETSON, 0000
SOLOMON M. GARRETT IV, 0000
JOHN A. *GARZA, 0000
JAMES P. GATCH, 0000
TOMMY M. GATES III, 0000
EMIL D. *GAWARAN, 0000
FREDERICK K. *GEARHART, 0000
THEODORE W. GEASLEY, 0000
PHILIP M. *GEELHOOD, 0000
DAVID L. *GEHRICH, 0000
MARK W. GEHRINGER, 0000
MATTHEW J. *GEHRKE, 0000
ALLEN J. *GEISLER, 0000
ALLEN A. *GEIST, 0000
TRAVIS N. *GEORGE, 0000
CHRISTOPHER J. GERMANN, 0000
JOHN M. GERST, 0000
OMMID J. *GHAEMMAGHAMI, 0000
DANIEL R. *GIACOMAZZA, 0000
KEITH E. *GIBELING, 0000
JAY S. GIBSON, 0000
LORI N. *GIBSON, 0000
MATTHEW P. GIESE, 0000
TY S. *GILBERT, 0000
ALFRED C. *GILES, JR., 0000
CECILIO A. *GILL, 0000
DANIEL P. GILLEN, 0000
ROBERT W. *GILLILAND, 0000
DANIEL E. GITHENS, 0000
ANTONIO GIUSTINO, 0000
RICHARD J. *GLADON, 0000
TED D. GLASCO, 0000
CHARLES G. *GLASSCOCK, 0000
SEAN M. *GODFREY, 0000
MICHAEL L. *GOERINGER, 0000
JEFFREY L. GOGGIN, 0000
MARTIN J. *GOLDEN, 0000
CHAD R. GOLDIZEN, 0000
JONATHAN S. *GOMES, 0000
JULIO M. *GOMEZ, 0000
PAUL J. GOMEZ, JR., 0000
JOHN F. GONZALES, 0000
ANTONIO J. *GONZALEZ, 0000
MARC A. *GONZALEZ, 0000
ALLEN W. *GOODWIN, 0000
JASON C. GOODWIN, 0000
ROBERTA B. GOODWIN, 0000
DAVID J. *GORDON, 0000
KEVIN P. *GORDON, 0000
RUSSELL J. GORECKI, 0000
CASSIE M. *GORR, 0000
STEVEN M. GORSKI, 0000
FREDRICK D. *GOW, 0000
PAUL G. GRADDON, 0000
JILL M. *GRADY, 0000
JEFFREY C. *GRAHAM, 0000
LOREN R. *GRAHAM, 0000
STEPHEN A. GRAHAM, JR., 0000
MARION *GRANT, 0000
BRIAN J. GRASKY, 0000
AMY L. GRAVELEY, 0000
ERIC M. *GRAVES, 0000
DWAYNE A. *GRAY, 0000
ELTON R. *GRAY, 0000
AARON R. *GREAVER, 0000
DEMETRIUS R. *GREEN, 0000
TYLER S. *GREEN, 0000
LANNY B. *GREENBAUM, JR., 0000
PETER A. *GREENBURG, 0000
NOLAND T. GREENE, 0000
RICHARD M. GREENE, 0000
ROBERT T. *GREENLEE, 0000
TRENT A. GREENWELL, 0000
JASON B. *GREGGA, 0000
LYDIA K. GREGORITSCH, 0000
DONALD J. GREGSON, 0000
JAMES R. *GRESIS, 0000
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ANDREW C. *GRIFFIN, 0000
PAUL R. *GRIFFIN, 0000
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TERRENCE R. *GRIMM, 0000
MARK C. *GRUNSKY, 0000
JOSEPH C. GUECK, 0000
MATTHEW S. GUENTHER, 0000
CAMILO GUERRERO, 0000
JULIO *GUERRERO, 0000
EMMANUEL V. *GUEVARRA, 0000
RYAN J. *GULDEN, 0000
GARRETT L. GULISH, 0000
KEITH D. GURNICK, 0000
JOEL D. *GUSSY, 0000
YASHUA WILLIAM *GUSTAFSON, 0000
JOSE A. *GUTIERREZ, 0000
BRIAN C. GWINNUP, 0000
DAVID A. *GWISDALLA, 0000
PHILIP LUTHER *HAAR, 0000
ALEXANDER J. HADDAD, 0000
ADRIAN C. *HAGEMAN, 0000
SEAN W. *HAGLUND, 0000
ALLISON M. HAHN, 0000
BRIAN S. *HAINES, 0000
DAX R. *HAIR, 0000
MARKUS P. *HALBRITTER, 0000
DEDE S. *HALFHILL, 0000
CLARK D. *HALL, 0000
DAVID S. *HALL, 0000
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RYAN C. HALL, 0000
SARAH L. *HALL, 0000
HUGH G. * HAMILTON III, 0000
JOHNNY L. * HAMILTON, 0000
JENNIFER HAMMERSTEDT, 0000
JAMES K. * HAMMOND, 0000
JAMES R. * HANAMEAN, JR., 0000
WILLIAM J. * HANBY, JR., 0000
JOHN S. * HANCOCK, 0000
JUSTIN A. HANSEN, 0000
HUGH S. * HANSENS, 0000
JEREMY R. * HANSON, 0000
JOHN D. * HARBOUR, 0000
JAMES E. * HARBUCK, 0000
JOHN M. HARDEE, 0000
EDWARD J. HARDER, 0000
NICHOLAS S. * HARDMAN, 0000
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AGGA L. HAREN, 0000
STEVEN L. * HAREN, 0000
GRANT M. * HARGROVE, 0000
JAMES B. * HARLOW, 0000
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JOSE T. * HARRIS, 0000
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BILLY E. * HASSELL, 0000
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ERIC J. * HEIGEL, 0000
PAUL R. HEITMEYER, JR., 0000
THOMAS B. * HELMS, 0000
JOEL W. * HEMPHILL, 0000
ELIZABETH M. * HENDERSON, 0000
JULIE D. * HENDERSON, 0000
MICHAEL R. HENDERSON, 0000
PHILIP G. * HENDERSON, JR., 0000
TIAA E. HENDERSON, 0000
STEVEN D. HENDRICKS, 0000
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TODD A. * HENNINGER, 0000
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KEITH G. * HEPLER, JR., 0000
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KENNETH B. * HERNDON, 0000
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CHAD L. * HEYEN, 0000
MICHAEL J. * HICKS, 0000
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ROLAND K. HILLIER, JR., 0000
BRENT R. HIMES, 0000
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TAMMY S. * HINSKTON, 0000
ADISA A. * HINTON, 0000
BRIAN E. * HIPPEL, 0000
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ANDREW R. HODGES, 0000
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ROBERT J. HOERITZ, JR., 0000
ERIK K. HOFFMAN, 0000
LISA L. * HOFFMAN, 0000
SCOTT R. * HOFFMAN, 0000
GREGORY G. * HOFFMANN, 0000
RONALD P. * HOFFMEYER, 0000
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CHRISTOPHER M. * HOGUE, 0000
DAWN Q. HOKAJ, 0000
MARIA C. HOLBROOK, 0000
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GARY T. * HONSINGER, 0000
BRYAN K. * HOOPER, 0000
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LANCE A. * HOPPER, 0000
RORY T. * HORAN, 0000
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ALLEN J. HORSENS, 0000
MICHAEL L. * HORSEY, 0000
ROBERT A. * HORTON, 0000
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CATHERINE J. * HOWARD, 0000
FRANCIS F. HOWARD, JR., 0000
JOSEPH M. HOWARD, 0000
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TRICIA S. * HOWE, 0000
JOHN P. * HOWELL, 0000
ERIC J. * HOWLAND, 0000
ERIC D. * HRESKO, 0000
MERNA H. H. HSU, 0000
VICTOR P. * HUBENKO, JR., 0000
DAVID A. * HUBER, 0000
JAMES J. * HUBERT, 0000
ODARO J. * HUCKSTEP, 0000
LERON D. HUDGINS, 0000
GERALD J. * HUERTA, 0000
BRYAN R. HUFFMAN, 0000
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MICHAEL G. * HUNSBERGER, 0000
DON R. * HUNT, 0000
ANGELA F. * HUNTER, 0000
EMILY E. * HUNTER, 0000
MATTHEW R. HUNTER, 0000
JOSEPH A. * HURD, 0000
STACY J. * HUSER, 0000
CHRISTOPHER G. HUTCHINS, 0000
JEREMY J. * HUTCHINS, 0000
KENGI A. * HUTCHINS, 0000
JARED J. HUTCHINSON, 0000
VERONICA J. HUTFLES, 0000
DAVID B. * HUXSOLL, 0000
TIMOTHY L. HYER, 0000
STEPHEN J. * HYLAND, 0000
RICHARD W. * HYMAN, 0000
LATEEF M. * HYNSON, 0000
JAVIER M. IBARRA, 0000
ANN M. IGL, 0000
CHADWICK D. IGL, 0000
RYAN J. * INMAN, 0000
DEREK G. * INNARELLI, 0000
AMY L. IRELAND, 0000
DAVID J. IRVIN, JR., 0000
PAUL A. ISRAEL, 0000
DAVID T. * ISUE, 0000
NATHAN L. * IVEN, 0000
CLAYTON K. * IZUMI, 0000
ZIGMUND W. JACKIM, 0000
BENJI B. * JACKSON, 0000
FORREST W. * JACKSON, 0000
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WILLIAM B. * JACKSON, 0000
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CODY J. * JACOBS, 0000
CHRISTOPHER V. * JAMES, 0000
STEPHEN E. * JAMES, 0000
MATTHEW A. * JAMISON, 0000
KEITH E. * JANSA, 0000
MICHAEL F. * JARRELLS, 0000
JEFFREY C. * JARRY, 0000
ETIENNE P. * JEANJACQUES III, 0000
PAUL HENRI * JEANNEL, 0000
DERRICK W. JEE, 0000
JENNIFER R. * JEFFRIES, 0000
DEREK C. * JENKINS, 0000
RANDY N. * JENKINS, 0000
JEREMY M. JENNESS, 0000
REGINA S. * JENNINGS, 0000
SHAWN J. * JENSEN, 0000
DONALD J. * JENTGENS, JR., 0000
ANTONIO D. JESURUN, 0000
MICHAEL S. * JETT, 0000
DEREK D. * JEWELL, 0000
JACQUE M. JOFFRION, 0000
CHRISTOPHER T. JOHANNSSEN, 0000
CRISTINA * JOHNS, 0000
CHRISTOPHER A. * JOHNSON, 0000
DAVID C. * JOHNSON, 0000
DEDAN Y. * JOHNSON, 0000
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GEORGE W. * JOHNSON, JR., 0000
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LAURA E. *JOHNSON, 0000
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KEITH W. JONES, 0000
STEPHEN R. JONES, 0000
TERRENCE M. JOYCE, 0000
JASON M. JULIANA, 0000
ERIC L. JURGENSEN, 0000
ANDREA M. *JUSTICE, 0000
REGINALD W. *KABBAN, 0000
SCOTT L. *KADAR, 0000
BLAIR I. KAISER, 0000
CHRISTOPHER P. *KAISER, 0000
JAMES E. KAJDASZ, 0000
JON J. KALBERER, 0000
JONATHAN E. *KARNES, 0000
JASON B. *KARREN, 0000
LAWRENCE C. *KARVER, JR., 0000
CHAD C. KASCHAK, 0000

DEREK J. KECK, 0000
MICHAEL A. *KEEFE, 0000
DON C. *KEEN, 0000
KEVIN A. KEENE, 0000
ERIKA D. *KELLEY, 0000
MARY F. *KELLYHORNING, 0000
JOHN P. *KELLY, 0000
ROBERT H. KELLY, 0000
CHARLES O. *KELM, 0000
BURL E. *KELTON III, 0000
FRANK J. *KENNEDY, 0000
WILLIAM T. *KENNEDY, 0000
JOHN A. KENT IV, 0000
KRISTEN L. KENT, 0000
SEAN C. G. *KERN, 0000
JEFFREY W. *KERNEKLIAN, 0000
DENISE A. *KERR, 0000
JOHN R. *KERR, 0000
G. SUNDRI K. *KHALSA, 0000
MUHAMMAD S. *KHAN, 0000
SHAYNE K. KIEFER, 0000
STEPHEN R. *KIFER, 0000
DWAYNE R. *KILLEBREW, 0000
EDWIN J. *KILPATRICK, 0000
THOMAS A. *KILROY, 0000
ANGELA Y. *KIM, 0000
LARRY D. *KIMBRELL, JR., 0000
CAROL J. *KINCH, 0000
BRETT A. KING, 0000
CHRISTOPHER J. *KING, 0000
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HOWARD D. *KING, 0000
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LUTHER L. *KING, 0000
ROBERT E. *KING, JR., 0000
JEFF C. *KINGSLEY, 0000
SHANE L. *KINKAID, 0000
GEORGE B. *KINNEY III, 0000
JAMES B. *KINNIBURGH, 0000
AARON M. *KINSER, 0000
JASON T. *KIRBY, 0000
STEVEN M. *KIRCHMYER, 0000
PAUL H. *KIRK, 0000
WESLEY D. *KIRK, 0000
DONALD R. *KIRKLAND, JR., 0000
DAVID C. *KIRKMAN, 0000
CARYN L. *KIRKPATRICK, 0000
ROBERT C. *KITCHEN, 0000
ERIK A. KJELLBERG, 0000
PAUL E. KLADITIS, 0000
ANTHONY A. *KLEIGER, 0000
COLIN A. *KNAPP, 0000
CHRISTOPHER W. *KNAUF, 0000
THOMAS A. *KNOWLES, 0000
TRICIA H. *KOBBERDAHL, 0000
JAY C. *KOELB, 0000
ILA L. *KOLB, 0000
KYLE F. *KOLSTI, 0000
PAUL P. *KONYHA III, 0000
KEITH J. *KOSNIC, 0000
MATTHEW H. KOUCHOUKOS, 0000
NATHAN L. *KOWALSKI, 0000
STOSH *KOWALSKI, 0000
KEVIN D. KOZUCH, 0000
JUSTIN R. *KRAFT, 0000
MICHAEL S. *KRAUSS, 0000
KURT F. KREMSER, 0000
VINCENT M. KREPPS, 0000
RYAN R. *KRIETSCH, 0000
ANDREA D. *KRINGLE, 0000
JENNIFER M. *KROLIKOWSKI, 0000
CHRISTOPHER L. KROSSCHELL, 0000
LISA *KRUGER, 0000
JAY F. *KUCKO, 0000
TERENCE Y. KUDO, 0000
THOMAS M. *KUHN, JR., 0000
TIMOTHY A. *KUNTZ, 0000
DEE B. *KUNZLER, 0000
REGINALD J. *KUO, 0000
MAFWA M. *KUVIBIDILA, 0000
MICHAEL A. *KWASNOSKI, 0000
JEFFREY D. *KWOK, 0000
ALICE V. *LA MERE, 0000
KRISTOFER S. *LABOWSKI, 0000
EILEEN M. *LABRECQUE, 0000
STEPHEN R. *LACH, 0000
CHRISTOPHER K. LACOUTURE, 0000
GYORGY *LACZKO, 0000
DARIN A. LADD, 0000
JOEL A. LAFLEUR, 0000
ELVIRA Y. LAFORTUNE, 0000
EDWARD J. *LAGERMAN, 0000
CHARLES S. *LAING, 0000
JEFFREY T. *LAKEY, 0000
DAT V. *LAM, 0000
ANTHONY *LAMAR, 0000
ROBERT C. LANDIS, JR., 0000
JOSHUA A. *LANE, 0000
SHAWN T. LANE, 0000
RANDOLPH N. *LANGER, 0000
TAMMIELI *LANGLEY, 0000
CHRISTOPHER M. LANIER, 0000
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CHRISTOPHER E. LANTAGNE, 0000
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STEVEN K. *LANZ, 0000
CHARLES W. *LAPPE, 0000
CLEMENTE E. LARA, JR., 0000
JON E. *LARSEN, 0000
ERIC C. LARSON, 0000
GREGORY M. LASSERE, 0000
TISHA L. *LATHAN, 0000
DALE A. *LATHROP, 0000
MIKKO R. *LAVALLEY, 0000
PATRICK J. LAVERTY, 0000
SEAN M. *LAVIGNE, 0000
CHARLIE L. LAW, 0000
TIMOTHY R. *LAWRENCE, 0000
ANTHONY W. *LEARNED, 0000
DAVID A. LEE, 0000
GAIL MARIE *LEE, 0000
MUN K. *LEE, 0000
WILLIAM M. LEE, JR., 0000
WINSTON S. W. *LEE, 0000
ROBERT S. *LEEDS, JR., 0000
CHRISTINE FALAVOL *LEGAWIEC, 0000
PHILLIP A. *LEGG, 0000
BRIAN A. *LEIBUNDGUTH, 0000
TRAVIS K. LEIGHTON, 0000
PATRICK E. *LEMIEUX, 0000
JUSTIN A. *LEMIRE, 0000
MATTHEW J. LENGEL, 0000
MICHAEL A. LENHART, 0000
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STEVE J. *LEVE, 0000
CICELY R. LEVINGSTON, 0000
BRIAN C. *LEWIS, 0000
NIKO S. LEWIS, 0000
AMAR Q. LIANG, 0000
EDWARD J. *LIBERMAN, 0000
ROBERT A. *LIGHT, 0000
GAR J. *LIGHTNER, 0000
KENJI *LIGON, 0000
JOANNA L. *LIMBACHER, 0000
DALE D. *LINAFELTER, 0000
DEREK M. LINCOLN, 0000
TODD M. LINDELL, 0000
STEVEN C. *LINDMARK, 0000
GREGORY A. *LINDSEY, 0000
JASON E. *LINDSEY, 0000
JOHN F. *LINGELBACH, 0000
RYAN A. LINK, 0000
MATTHEW D. LINNELL, 0000
LOREEN L. *LISLE, 0000
ZACHARY J. *LISTER, 0000
GRAHAM *LITTLE, 0000
VINCENT R. *LITTRELL, 0000
IAN C. *LIVINGSTON, 0000
STUART A. *LLOYD, 0000
STEVEN W. LO, 0000
MICHAEL S. LOCK, 0000
MATTHEW E. *LOCKWOOD, 0000
JOHN D. *LOFTIS, 0000
RYAN W. LOGAN, 0000
SCOTT W. LOGAN, 0000
GEOFFREY E. LOHMILLER, 0000
JASON D. *LOLLAR, 0000
ROBERT C. *LOMURRO, 0000
PATRICK V. LONG, 0000
ROY P. *LONGLEY, 0000
JAMES PHILIP *LONIER, 0000
DAVID R. *LOPEZ, 0000
SCOTT E. LORENZ, 0000
JASON J. *LOSCHINSKEY, 0000
ANDY K. LOVING, 0000
DANIEL A. *LOVING, 0000
BRIAN C. *LOW, 0000
TERRALUS J. *LOWE, 0000
KRISTI LOWENTHAL, 0000
DEVEN J. *LOWMAN, 0000
SAMUEL R. *LOWRANCE, 0000
THOMAS E. *LOYD III, 0000
ANGEL L. *LOZADA, 0000
CHRISTOPHER L. LUCAS, 0000
MICHAEL W. *LUCAS, 0000
STEPHEN J. LUCAS, 0000
DANIEL L. LUCE, 0000
JOHN R. LUDINGTON III, 0000
GEORGE C. * LUGO, 0000
ANTHONY A. * LUJAN, 0000
KEVIN K. * LUKA, 0000
MARK H. * LUNARDI, 0000
BLAKE T. * LUNSFORD, 0000
RYAN S. * LUTHER, 0000
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DARCY C. LYDAY, 0000
SEAN H. * LYNCH, 0000
WILLIAM J. LYNCH, 0000
ARMAND D. LYONS, 0000
JENNIFER A. MACEDA, 0000
ERIC G. MACK, 0000
JAMES A. * MACKENNA, 0000
BRIAN P. * MACKEY, 0000
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DONALD R. * MACLEOD III, 0000
JOSEPH A. * MACRI, 0000
CURTIS J. MADELEY, 0000
RAYMOND A. * MADRID, 0000
LESLIE A. * MAHER, 0000
APRIL D. * MAJOR, 0000
NICOLE M. E. MALACHOWSKI, 0000
DAVID N. * MALAKOFF, 0000
MARK A. MALAN, 0000
TIMOTHY A. * MALCHOW, 0000
MICHAEL E. MALLEY, 0000
CHRISTOPHER L. MALLORY, 0000
JOHN ALLEN * MALPASS, 0000
TRENTON J. * MALY, 0000
FRANCHESCA J. MALZAHN, 0000
PAUL A. MANCINELLI, 0000
JOHN G. MANGAN, 0000
ELGIN B. * MANIGO, 0000
MICHAEL P. MANION, 0000
KIDD J. * MANVILLE, 0000
MATTHEW A. * MARANO, 0000
STEVEN R. * MARIN, 0000
DANIEL L. MARINE, 0000
CRAIG A. * MARION, 0000
GAVIN P. MARKS, 0000
RICHARD M. * MARNIN, JR., 0000
RYAN P. * MARR, 0000
EDWARD W. MARSH, 0000
LETITIA A. C. * MARSH, 0000
RICHARD A. MARSH, 0000
EDWARD E. * MARSHALL, 0000
JAMES E. * MARSHALL, 0000
JOHN A. * MARTIN, 0000
MARGARET C. MARTIN, 0000
MARK L. * MARTIN, 0000
SEAN P. MARTIN, 0000
MARTIN A. MARTINEZ III, 0000
MICHAEL A. MARTINEZ, 0000
SARAH E. MARTINEZ, 0000
JOSEPH A. * MARTUCCI, 0000
GREGORY A. * MARTY, 0000
JACQUELINE S. * MARTYNDOW, 0000
MARK A. * MARUS, 0000
JOSHUA O. MASKOVICH, 0000
JESSICA A. * MASSEY, 0000
LEE A. * MASZTAK, 0000
RAY P. * MATHERNE, 0000
STEPHEN B. MATTHEWS, 0000
RYAN P. MATTSON, 0000
ROBERT E. * MAXWELL, JR., 0000
CHRISTOPHER C. * MAY, 0000
CHRISTOPHER J. * MAY, 0000
DAVID W. * MAY, 0000
MATTHEW L. * MAY, 0000
MICHAEL A. * MAYO, 0000
SCOTT H. MAYTAN, 0000
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KEVIN J. * MCADOO, 0000
DENISE A. * MCALLISTER, 0000
JAMES G. * MCARTHUR, 0000
TRACI ANN * MCCABE, 0000
WILLIAM C. * MCCALLUM, 0000
GARY M. * MCCARRA, 0000
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ALAN P. MCCRACKEN, 0000
BRIAN MCCRAY, 0000
WILLIAM J. MCCRINK III, 0000
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LYNN E. * MCDONALD, 0000
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JOHN D. * MCELROY, 0000
CHAD V. MCGARRY, 0000
MATTHEW J. MCGARRY, 0000
JEFFREY L. * MCGAW, 0000
ELLIS D. * MCGEE, 0000
DAVID J. * MCGINN, 0000
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DIONNE L. MCGLOTHIN, 0000
KEVIN J. MCGOWAN, 0000
JOHN P. * MCGREGOR, 0000
CHARLES M. * MCHUGH, 0000
THOMAS C. MCINTYRE, 0000
MARK L. * MCKAMEY, 0000
SEAN A. * MCKAY, 0000
DERRY S. MCKINNEY, 0000
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MATTHEW R. * MCLAUGHLIN, 0000
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MARK R. * MCLOUTH, 0000
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ANDRE A. MCMILLIAN, 0000
SONYA A. H. * MCMULLEN, 0000
SEAN K. * MCMURRAY, 0000
BRIDGET M. MCNAMARA, 0000
BARRETT L. * MCQUEARY, 0000
ANDREW L. MCWHORTER, 0000
BRIAN E. * MEAD, 0000
JEFFREY MEADE, 0000
ANDREW J. * MEADOR, 0000
THOMAS M. MEER, 0000
EDUARDO C. MEIDUNAS, 0000
DAVID C. MEIER, 0000
MARK L. MEIER, 0000
DAVID C. * MEISSEN, 0000
GEORGE E. * MELLIZA, 0000
WILLIAM K. * MELVIN, 0000
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ANDREW J. * MERKLE, 0000
MICHAEL L. * MERRITT, 0000
STEPHEN A. * MERROW, 0000
DAVID S. MERTENS, 0000
AARON P. * METZ, 0000
CHARLES J. METZGAR, 0000
JILL M. * METZGER, 0000
TIMOTHY J. * MEWES, 0000
JOSHUA W. * MEYER, 0000
ERIC A. MICAI, 0000
STEPHEN A. * MICHAEL, 0000
WILLIAM T. * MICHAEL, 0000
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GLEN A. * MINGEE, 0000
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SCOTT A. * MINTON, 0000
JEANNETTE E. * MISMAS, 0000
CHRISTOPHER L. MITCHELL, 0000
ERIC A. MITCHELL, 0000
ROBERT K. * MITCHELL, 0000
MARK W. MITCHUM, 0000
JOHN S. MIZELL, 0000
MATTHEW R. * MODARELLI, 0000
PATRICK B. * MONAHAN, 0000
ERIC T. * MONICO, 0000
BRIAN R. * MONTGOMERY, 0000
RUBEN A. * MONTOYA, 0000
ERIC R. * MOOMEY, 0000
ARGIE S. * MOORE, 0000
BRANDON M. * MOORE, 0000
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JEFFREY L. * MOORE, 0000
TIMOTHY J. * MOORE, 0000
TODD M. MOORE, 0000
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VASHON D. * MOORE, 0000
ERIC P. MORAES, 0000
MARCELO MORALES, 0000
IAN P. MORENO, 0000
BENJAMIN J. * MORGAN, 0000
CHAD M. MORGAN, 0000
HOWARD J. * MORGAN, 0000
JONATHAN J. * MORGAN, 0000
SHAWN D. MORGENSTERN, 0000
RICHARD N. * MORNEAU, 0000
BARRETT L. * MORRIS, 0000
LANNY J. * MORRIS, 0000
MADISON L. MORRIS, 0000
MICHAEL D. * MORRISON, 0000
SCOTT A. MORRISON, 0000
DAVID R. * MORROW, 0000
JOHN A. MORSE, JR., 0000
KEVIN S. * MORTENSEN, 0000
DARRYL E. * MOSLEY, 0000
KALE M. MOSLEY, 0000
ERIC J. *MOTTICE, 0000
WILLIAM K. *MOUNTCASTLE, 0000
ERIC A. MULERT, 0000
CARL R. *MULLEN II, 0000
ANTHONY J. *MULLINAX, 0000
DAVID A. *MUNDRICK, 0000
ALAN J. *MUNDY, 0000
SANTOS O. *MUNOZ, 0000
JAMES R. *MUNROE, 0000
ELIZABETH A. *MURCHISON, 0000
JORDAN E. *MURPHY, 0000
JULIA A. *MURRAY, 0000
MARK W. MURRAY, 0000
SEAN C. *MURRAY, 0000
JOSEPH A. MUSACCHIA, 0000
THOMAS M. *MUSTICO, 0000
PATRICIA A. *MUTH, 0000
HARRY D. *MYERS, 0000
MICHAEL M. NACHSHEN, 0000
STACEY N. *NADER, 0000
WADITH S. *NADER, 0000
VINOD D. NAGA, 0000
SCOTT J. *NAHRGANG, 0000
KEVIN R. *NALETTE, 0000
RICHARD J. *NAMETH, 0000
ANDRES R. *NAZARIO, 0000
LATIMER B. NEAL IV, 0000
MOLLIE A. *NEAL, 0000
MONROE *NEAL, JR., 0000
ROBERT S. *NEIPER, 0000
ERIC B. NELSON, 0000
MARK R. *NELSON, 0000
PETER M. *NELSON, 0000
RAYMOND P. *NELSON, 0000
WILLIAM C. *NELSON, JR., 0000
CHRISTOPHER J. NEMETH, 0000
SHELLY C. *NENTWIG, 0000
JENNIFER L. *NEVIUS, 0000
MARK J. *NEWBILL, 0000
NEAL NEWELL III, 0000
JULIE S. *NEWLIN, 0000
MICHAEL S. NEWSOM, 0000
JEFFERY B. *NEWTON, 0000
STEWART H. *NEWTON, 0000
BACH X. *NGUYEN, 0000
JAMES P. *NICHOL, 0000
PAUL S. *NICHOLS, 0000
JAMES B. *NICHOLSON, JR., 0000
MATTHEW J. NICHOLSON, 0000
DANIEL S. NIELSEN, JR., 0000
BETTY LOU *NIESET, 0000
JEFFREY M. *NISHIKAWA, JR., 0000
PAUL W. *NIX, 0000
TERI R. *NOFFSINGER, 0000
DAVID J. *NOLAN, 0000
JONATHAN P. NOLAN, 0000
BRIAN D. *NOPPER, 0000
MARCUS J. *NORTH, 0000
BOBBY L. NORTHERN, JR., 0000
PETER M. *NORTON, 0000
JOHN M. *NOTTESTAD, 0000
TAMMIE L. *NOTTESTAD, 0000
RYAN M. NOVAK, 0000
DAVID B. *NOVY, 0000
ABEL S. *NUNEZ, 0000
JOHN G. *NYGAARD, 0000
RANDY P. OAKLAND, 0000
LESTER N. *OBERG III, 0000
KIMBERLY A. OBERST, 0000
PATRICK H. *OBRIEN, 0000
THOMAS A. OBROCHTA, 0000
PATRICK J. OBRUBA, 0000
NICHOLAS J. *ODELL, JR., 0000
JEFFERSON JAMES *ODONNELL, 0000
RYAN J. *OGAN, 0000
SCOTT A. OGLEDZINSKI, 0000
THEODORE G. *OGLESBEE, 0000
GREGORY T. *OGOREK, 0000
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DANIEL JL *OLMSTEAD, 0000
PETER F. *OLSEN, 0000
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SHERWOOD L. *OLSON, 0000
DEREK J. OMALLEY, 0000
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JEFFRY S. *ONAN, 0000
DAVID R. *ONEIL, 0000
TRACY L. *ONUFER, 0000
ARVID E. *OPRY, 0000
JOHN T. ORCHARD, JR., 0000
TRACY L. *ORFIELD, 0000
KENYON S. *ORME, 0000
ROBIN E. ORTH, 0000
JILL H. *ORTIZ, 0000
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OLIVO VILMA E. ORTIZ, 0000
VERNON L. *OSBORNE, 0000
PATRICK M. *OSULLIVAN, 0000
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JULIAN L. PACHECO, 0000
MARC L. *PACKLER, 0000
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JEFFERY R. *PAGET, 0000
KARIE K. *PAHIA, 0000
PAUL E. *PAIM, 0000
STEPHEN C. PAINE, 0000
DARREN A. PALADINO, 0000
BRIAN K. *PALERMO, 0000
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JOSEPH M. *PANKEY, 0000
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CHARLES N. *PARADA, 0000
CEASAR M. *PARAZO, 0000
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MARCO J. PARZYCH, 0000
CHAD P. *PATE, 0000
MARK A. *PATOKA, 0000
JARED B. *PATRICK, 0000
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JAMES G. *PATTERSON, 0000
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TARA J. *PATTERSON, 0000
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CARRIE G. PEDERSEN, 0000
JAMES D. PEDERSEN, 0000
DAVID L. *PEEK, 0000
PAUL E. *PENDLETON, 0000
DEVIN R. *PEPPER, 0000
THOMAS M. *PERALTA, 0000
DAVID D. *PEREZ, 0000
RITA C. PEREZ, 0000
RICHARD A. *PERRON, JR., 0000
DEBRA A. *PERRY, 0000
MICHAEL J. *PERRY, 0000
JERALD K. *PERRYMAN, 0000
TIMOTHY E. *PERTUIS, 0000
JOSEPH P. PESTANA, 0000
BRIAN A. PETE, 0000
ELISA BETH JOHNSEN *PETERS, 0000
CORBETT M. *PETERSON, 0000
LANCE E. *PETERSON, 0000
EDWARD F. PETKA, JR., 0000
MATTHEW W. *PETRO, 0000
ORVAL E. *PHELPS, 0000
BRIAN K. *PHILLIPPY, 0000
BRIAN S. *PHILLIPS, 0000
CRAIG J. PHILLIPS, 0000
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KENNETH R. *PICHA, 0000
ALLEN A. PICHON, 0000
MICHAEL S. *PINKSTAFF, 0000
STEPHEN P. PIRNER, 0000
CURTIS L. PITTS, 0000
JOSEPH B. *PITZER, 0000
JAMISON F. *PIXLEY, 0000
MATTHEW R. *PIXLEY, 0000
JON E. PLASTERER II, 0000
WILLIAM C. *POLSON, 0000
JAMES J. *POND, 0000
HANS M. *POOLE, 0000
JAI R. POPE, 0000
SERGIO A. *PORRES, 0000
JASON B. PORTER, 0000
RYAN D. PORTERFIELD, 0000
WILLIAM S. POTEET, 0000
GREGORY T. POUND, 0000
MICHAEL P. *PREMO, 0000
MICHAEL D. *PRESNAR, 0000
GINA L. *PREVETT, 0000
STEVEN C. *PRIEST, 0000
MARCUS C. PRINCE, 0000
ANTHONY J. PRINCIPI, 0000
PHILIP D. *PRINCIPI, 0000
CAMERON S. PRINGLE, 0000
ELBERT R. *PRINGLE II, 0000
MICHAEL J. *PRODELINE, 0000
MARK P. PRODEN, 0000
CHRISTOPHER T. *PROTT, 0000
SCOTT C. *PUKAY, 0000
CRAIG A. PUNCHES, 0000
DONALD D. *PURDY, 0000
MATTHEW D. *PURSIFULL, 0000
ERIN P. PYLE, 0000
ADAM M. *QUALE, 0000
JEREMY D. QUATACKER, 0000
JASON M. *QUIGLEY, 0000
MARCIA L. *QUIGLEY, 0000
PAUL R. *QUIGLEY, 0000
MICHAEL J. *QUIJANO, 0000
MARC A. *QUILLEN, 0000
JOSEPH A. *QUINN, 0000
LOUIS *QUINN, 0000
ARISTOTLE H. *RABANAL, 0000
MICHAEL E. *RADLE, 0000
GARY B. RAFNSON, 0000
JUNAID M. *RAHMAN, 0000
NICOLE D. *RAHMER, 0000
ANDREA K. RAMBAROSE, 0000
MARC J. *RAPHAEL, 0000
BRANDON L. RASMUSSEN, 0000
REID F. RASMUSSEN, 0000
STEVEN A. *RASPET, 0000
SEAN M. RASSAS, 0000
CHRISTOPHER R. RATIGAN, 0000
BRETT A. RAWALD, 0000
SAMANTHA D. *RAY, 0000
TOMMY L. *RAY, 0000
KIRK L. REAGAN, 0000
THOMAS W. *REAGAN, JR., 0000
DAVID R. *REASLAND, JR., 0000
TIMOTHY E. *REBURN, 0000
JOHN H. *REDFIELD, 0000
JONATHAN B. *REED, 0000
NICHOLAS J. REED, 0000
EVETTE *REES, 0000
MICHAEL T. REESE, 0000
THOMAS J. *REGEN, 0000
RICHARD F. *REICH, JR., 0000
ANDREW L. *REID, 0000
GERARD J. *REIDY, 0000
CURTIS P. *REINHART, 0000
THOMAS G. *RENWICK, 0000
RANDY M. *RESCH, 0000
AARON R. *RESSLER, 0000
JONATHAN A. REYES, 0000
GONZALO REYNA, 0000
SILVANO E. *REYNOSO, JR., 0000
KIMBERLY P. *RHOADES, 0000
PAUL D. G. RIBEIRO, 0000
CHARLES A. *RICE, 0000
MICHAEL R. *RICH, 0000
DANIEL R. *RICHARDS, JR., 0000
KENNETH G. *RICHARDS, 0000
STEVEN L. *RICHARDS, 0000
BLAKE E. RICHARDSON, 0000
STEVEN E. *RICKENBACHER, 0000
JAMES W. *RICKMAN, 0000
BRIAN L. *RICO, 0000
DALE A. RIEDEL, 0000
ROBERT B. *RIEGEL, 0000
KIRK L. *RIGGS, 0000
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MICHAEL P. RILEY, 0000
STEPHEN E. *RINEHART, 0000
GLENN A. RINEHEART, 0000
MATTHEW G. RIPPEN, 0000
KEVIN *RIPPLE, 0000
PATRICK A. *RITCHIE, JR., 0000
KATE RITZEL, 0000
SCOTT M. *RITZEL, 0000
ANTHONY A. RIVERA, 0000
FRANCISCO *RIVERA, 0000
JUAN CARLOS *RIVERA, 0000
CHAD ROBBINS, 0000
THOMAS R. *ROBBINS, 0000
TODD A. ROBBINS, 0000
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MICHAEL F. *ROBOHN, 0000
KEITH P. *ROCKOW, 0000
ROMULO R. *RODAS, 0000
FRANCISCO E. *RODRIGUEZ, 0000
DANIEL A. *ROESCH, 0000
DARRELL T. *ROGERS, 0000
MICHAEL S. *ROONEY, 0000
JEFFREY T. *ROSA, 0000
MIGUEL *ROSALES, JR., 0000
RUSSELL B. ROSLEWSKI, 0000

STEVEN M. ROSS, 0000
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MARLYCE K. *ROTH, 0000
SCOTT A. ROTHERMEL, 0000
BARNABUS M. *ROUNDTREE, 0000
BRYAN J. *ROUNDTREE, 0000
ANDY H. ROWE, 0000
MATTHEW C. *ROWLAND, 0000
JAMES W. ROY III, 0000
GIULIANO J. *RUBINI, 0000
JASON B. RUDD, 0000
WENDY B. *RUFFNER, 0000
RICHARD D. *RUIZ, 0000
TODD D. *RUPRIGHT, 0000
RADOSLAW RUSEK, 0000
MEG E. *RUSSELL, 0000
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RODNEY M. RUSSELL II, 0000
MICHAEL W. *RYAN, 0000
RICHARD L. *RYNEARSON, 0000
SHANE C. *SAARI, 0000
F. TERRANCE SAFFORLD, 0000
JOEL W. SAFRANEK, 0000
BRIAN DARNELL *SALLEY, 0000
JUSTIN P. *SALTER, 0000
ASSAD *SAMAD, 0000
CHARLES S. SAMMONS, 0000
BURNETT JOHN G. SAMUEL, 0000
JUAN S. SANCHEZ, 0000
RODERICK I. *SANTULAN, 0000
FREDERICK M. *SAPP, 0000
JOHN C. SAPP, 0000
GINO *SARCOMO, 0000
ANTHONY J. *SARICA, 0000
JON M. *SAUL, 0000
BRIAN D. *SAVAGE, JR., 0000
ERIC D. *SAWALL, 0000
IQBAL A. *SAYEED, 0000
TIMOTHY D. SCARBOROUGH, 0000
LAWRENCE J. *SCHAD, JR., 0000
JASON A. *SCHAFER, 0000
MATTHEW E. SCHEXNYDER, 0000
DEREK F. SCHIN, 0000
SHANE W. *SCHLEUSNER, 0000
JOHN L. *SCHLUTER, JR., 0000
DONALD W. SCHMIDT, 0000
JEFFREY G. SCHMIDT, 0000
LEAH C. SCHMIDT, 0000
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ROBERT J. SCHMOLDT, 0000
ANNA MARIE SCHNEIDER, 0000
JOSEPH J. *SCHNEIDER, 0000
IAN G. *SCHNELLER, 0000
ANDREW L. SCHOEN, 0000
MEGAN M. *SCHOEPF, 0000
SIEGFRIED *SCHOEPF, 0000
KARL R. SCHRADER, 0000
STEVEN M. *SCHRADER, 0000
CHAD W. SCHRECENGOST, 0000
STEVEN P. *SCHREFFLER, 0000
FRANK B. SCHREIBER, 0000
JEFFREY T. SCHREINER, 0000
MARC A. *SCHUESSLER, 0000
TODD S. *SCHUG, 0000
TIMOTHY M. SCHWAMB, 0000
GEORGE N. SCHWARTZ, 0000
BONNIE L. *SCHWARTZKOPF, 0000
RANDALL T. SCOGGINS, 0000
SIMON M. *SCOGGINS, 0000
JASON C. *SCOTT, 0000
JENIPHER E. *SCOTT, 0000
WENDY L. *SEAMAN, 0000
TERRY A. *SEARS, JR., 0000
STANLEY H. *SEBASTIAN, 0000
CHRISTOPHER T. *SEBORA, 0000
GEORGE H. SEBREN, JR., 0000
KRISTIN RONDEAU *SEHNEM, 0000
KURT C. SELKO, 0000
ERIK M. SELL, 0000
LORNE V. *SERPA, 0000
ALBERT *SETO, 0000
DAVID A. *SETTJE, 0000
CHARLES F. *SEYMOUR, 0000
DOUGLAS G. SEYMOUR, 0000
JEFFREY R. *SGARLATA, 0000
DOUGLAS B. SHAFFER, 0000
KIRK M. *SHAFFER, 0000
BRADLEY D. *SHANK, 0000
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CHARLES L. *SHAW, 0000
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NEAL B. *SHEERAN, 0000
AMANDA M. *SHEETS, 0000
JOHN J. *SHEETS, 0000
PHILLIP L. *SHEIRICH, 0000
BRYAN J. SHELTON, 0000
NORMAN F. *SHELTON II, 0000
ROBERT A. *SHELTON, 0000
KEITH L. *SHEPHERD, 0000
CHRISTOPHER J. SHEPPARD, 0000
JOHN A. *SHERMAN, 0000
WHITNEY A. *SHERRILL, 0000
RICHARD N. SHERROW, 0000
GEORGE L. *SHERWOOD, JR., 0000
VICTOR O. SHIRLEY, JR., 0000
ADAM J. *SHIRRIFF, 0000
DEBRA E. *SHOCK, 0000
BRYAN F. SHUMWAY, 0000
KENNETH A. *SIERRA, 0000
KEVIN O. SILKNITTER, 0000
BRYCE A. SILVER, 0000
ADAM G. *SILVERMAN, 0000
CRAIG R. SIMMONS, 0000
MATTHEW R. SIMMONS, 0000
LUKE A. SIMON, 0000
JAMES A. SIMONDS, 0000
ROBERT M. SIMPSON, 0000
CHRISTOPHER J. SIMS, 0000
CLARENCE G. *SINGLETON, JR., 0000
MICHAEL A. SINKS, 0000
ADAM R. SITLER, 0000
BRIAN C. * SITLER, 0000
VINCENT RICHARD * SIWICKI, 0000
WILLIAM T. SKEETERS, 0000
DALE B. * SKINNER, 0000
ROXANNE R. SKINNER, 0000
MARK W. SLATON, 0000
DANNY A. * SLIFER, 0000
JEREMY C. * SLOGER, 0000
SABINE * SLOVER, 0000
DAVID P. * SLYE, 0000
JOHN P. SMAIL, 0000
CRAIG M. * SMALLS, 0000
MICHAEL S. * SMID, 0000
BRYAN J. * SMITH, 0000
DAN W. * SMITH, 0000
DOUGLAS C. * SMITH, 0000
GORDON B. SMITH, 0000
JESSE C. SMITH, 0000
JIMMY L. * SMITH, 0000
LAVINIA * SMITH, 0000
MICHAEL Z. * SMITH, JR., 0000
RANDY M. * SMITH II, 0000
SAMUEL D. * SMITH, 0000
SAMUEL J. * SMITH, 0000
SCOTT W. SMITH, 0000
STEVEN M. * SMITH, 0000
SUSANA C. * SMITH, 0000
TAMARA A. SMITH, 0000
KEVIN M. * SMOOT, 0000
CHRISTOPHER S. * SNODGRASS, 0000
JOSHUA D. * SNODGRASS, 0000
CHRIS H. SNYDER, 0000
GREGORY D. SODERSTROM, 0000
JORGE E. * SOLARES, 0000
JIMMY R. * SOLES, JR., 0000
PATRICK SAMUEL * SOLLAMI, 0000
ROBERTO SOMARRIBA, 0000
CADE R. * SONNICHSEN, 0000
PAUL P. * SONSTEIN, 0000
MARK J. * SORAPURU, 0000
JONATHAN J. * SORBET, 0000
MATTHEW L. SORIA, 0000
STEVEN J. * SOTO, 0000
BRETT D. * SOWELL, 0000
WILLIAM K. * SPARKS, JR., 0000
MACKJAN H. SPENCER, 0000
JOHN A. * SPERO, 0000
CHARLES S. * SPICER II, 0000
CHRISTOHER J. SPINELLI, 0000
STEPHANIE * SPOSATOJOHNSON, 0000
SEAN S. * SPRADLIN, 0000
CORBAN D. SPRAKER, 0000
KIRSTEN A. SPRAKER, 0000
KEITH M. * SPUDIC, 0000
BRANDON L. STADEL, 0000
JOSHUA L. * STAHL, 0000
CURTIS J. STAMAND, 0000
MYRON O. STAMPS, 0000
BRUCE B. * STANSBURY, 0000
BENJAMIN J. STAPERA, 0000
SHANNAN M. * STARLING, 0000
MICHAEL S. STARR, 0000
MICHAEL K. * STEDMAN, 0000
PATRICK J. * STEEN, 0000
ROUVEN J. N. STEEVES, 0000
KYLE D. * STEINFADT, 0000
THOMAS R. STEMARIE, 0000
ARTHUR J. * STENGELL, JR., 0000
JULIAN D. STEPHENS, 0000
KATRINA COMPTON * STEPHENS, 0000
PATRICK R. * STEPHENS, 0000
JOHN D. * STEPHENSON, 0000
DOUGLAS W. * STERRITT, 0000
DAVID L. * STEVENS, 0000
KELLEY C. STEVENS, 0000
RANDY L. * STEVENS, 0000
JOHN R. STEVENSON, 0000
DEMETRIUS R. STEWART, 0000
SCOTT D. STEWART, 0000
JEFFREY P. * STIFT, 0000
JASON B. STINCHCOMB, 0000
HUGH B. STMARTIN, JR., 0000
DAVID J. STOCK, 0000
JEFFREY D. STOCKWELL, 0000
PHILIP L. STODICK, 0000
DANIEL J. * STONER, 0000
CHRISTOPHER M. STOPPEL, 0000
JOYCE R. STORM, 0000
DANIEL D. * STOUT, 0000
JEFFERY T. STRICKER, 0000
DAVID C. * STRINGER, 0000
BRIAN R. STUART, 0000
DEREK S. * STUART, 0000
TIMOTHY J. * STUART, 0000
BRIAN M. * STUMPE, 0000
JENNIFER A. * SUAREZ, 0000
JESUS G. * SUAREZ, 0000
NOELIA * SUAREZ, 0000
GREGORY * SUBERO, 0000
ERIC D. * SUCIU, 0000
AMY I. * SUFAK, 0000
EDWARD M. * SULINSKI, 0000
CHRISTOPHER M. SULLIVAN, 0000
TODD W. * SULLIVAN, 0000
BRADLEY R. * SUMTER, 0000
WILLIAM P. * SURREY, 0000
RYAN J. SUTTLEMYRE, 0000
DUSTIN G. * SUTTON, 0000
JEFFREY S. SUTTON, 0000
RICHARD P. * SWANK, 0000
SCOTT A. * SWARTSFAGER, 0000
BRETT J. * SWEETMAN, 0000
DAVID C. * SWENSON, 0000
BRIAN M. SWYT, 0000
HAZEL C. * SYNCO, 0000
JOSEPH B. SZUCS, 0000
PETER A. * TACY III, 0000
ERIC J. * TALCOTT, 0000
RANDLE W. TANKERSLEY, 0000
CHARLES S. TAPP II, 0000
RICHARD W. * TARBOX, 0000
DANIEL T. * TARLETON, 0000
CHRISTOPHER S. * TARRANT, 0000
ROY F. * TARTARO, 0000
TREVOR S. * TASIN, 0000
RASHONE J. * TATE, 0000
DAVID T. * TATRO, 0000
AARON T. TAYLOR, 0000
ANGELA G. * TAYLOR, 0000
CHARLES M. * TAYLOR, 0000
DAMON D. * TAYLOR, 0000
DONYE J. TAYLOR, 0000
JONATHAN B. TAYLOR, 0000
KATRINA A. TAYLOR, 0000
NEIL P. * TAYLOR, 0000
RALPH E. * TAYLOR, JR., 0000
JAMES L. * TECHAM, 0000
JASON A. TELLEZ, 0000
KRISTEN A. * TEMPLET, 0000
MONA A. TENORIO, 0000
JASON B. TERRY, 0000
CHAD R. * TESKE, 0000
CARL P. * TESTA, 0000
BRIAN C. * THILL, 0000
BRIAN G. THOMAS, 0000
DAVID L. * THOMAS, 0000
DEREK E. THOMAS, 0000
DON R. * THOMAS, 0000
JOHN M. THOMAS, 0000
MICHAEL D. THOMAS, 0000
MICHAEL T. * THOMAS, 0000
NEIL B. * THOMAS, JR., 0000
PATRICIA * THOMAS, 0000
CHRISTOPHER R. THOMPSON, 0000
JAMES W. * THOMPSON, 0000
JOHN B. THOMPSON, 0000
KEVIN C. * THOMPSON, 0000
SCOTT J. * THOMPSON, 0000
ROY D. * THRAILKILL, 0000
CHRISTOPHER C. * THROWER, 0000
MATTHEW A. TIEMAN, 0000
DAVID M. * TIFFORD, JR., 0000
RICHARD J. * TIMMERMANN, 0000
JUSTIN K. * TINDAL, 0000
JASON W. * TORGERSON, 0000
RONALD L. * TOUGAW, JR., 0000
MATTHEW J. TRACY, 0000
RAYMOND J. * TRAMPOSCH, 0000
KASANDRA T. * TRAWEEK, 0000
DEVIN S. TRAYNOR, 0000
JAMES D. TREADWELL III, 0000
JAMES A. * TREVINO, 0000
VINH G. * TRINH, 0000
HENRY H. * TRIPLETT III, 0000
ERIC D. * TRISMEN, 0000
TIMOTHY E. * TROGDON, 0000
GARY S. * TROY, 0000
MATTHEW P. * TRUMBLE, 0000
MATTHEW F. TUCKER, 0000
RANDY L. * TULLIS, 0000
JASON T. * TURNER, 0000
JOBIE S. TURNER, 0000
MICHAEL S. * TURNER, 0000
SCOTT J. TURNER, 0000
SCOTT R. * TWESME, 0000
BRIAN J. TYLER, 0000
ROBERT C. * TYLS, 0000
MICHAEL C. UFFELMAN, 0000
JAMES D. * UPCHURCH, 0000
OREN K. * UPTON, 0000
VLADIMIR * URBANCEK, 0000
KEVIN N. * VACCARI, 0000
LINDA M. * VADNAIS, 0000
JOHN F. * VAN STEENBURGH, 0000
JOHNNIE A. VANCE, 0000
LARRY D. * VANCE, 0000
MARK J. * VANDERKINTER, 0000
ALEXIS * VANGELDER, 0000
TIMOTHY J. * VANHOESEN, 0000
CHRISTOPHER L. VANHOOF, 0000
MICHAEL T. * VANONE, 0000
JAMES G. * VAP, 0000
JOSE V. * VARELA, 0000
JOHN E. VARGAS, JR., 0000
KELLY L. * VARITZ, 0000
MICHAEL W. VARNER, 0000
BRIAN E. * VAUGHN, 0000
JAY D. * VAUGHN, 0000
JERMAINE E. * VAUGHNS, 0000
GILBERTO R. * VAZQUEZ, 0000
ENRICO W. * VENDITTI, JR., 0000
DAVID G. * VERNAL, 0000
DAVID J. VETTER, 0000
JEREMY S. VICKERS, 0000
SCOTT A. VICKERY, 0000
JOHN R. * VICKREY, 0000
MARCOS A. * VIGIL, 0000
JAIME * VILLA, 0000
WILLIAM M. * VILLEGAS II, 0000
JAMES T. * VINSON, 0000
HARMEN P. * VISSER, 0000
PETER D. VITT, 0000
DAVID R. * VOLLMER, 0000
CHRISTOPHER A. * VORSE, 0000
NORMAN P. VUCHETICH, 0000
MICHAEL N. * WADDLE, 0000
PATRICK E. * WAGMAN, 0000
DAWN R. WAGNER, 0000

JAMES M. WALKER, 0000
KEVIN P. * WALKER, 0000
SCOTT W. WALKER, 0000
DAVID B. * WALL, 0000
DANIEL P. WALLS, 0000
STEPHEN R. * WALMSLEY, 0000
MARK R. * WALSH, 0000
ANDREW J. WALTER, 0000
DANNY L. * WALTERS, JR., 0000
JAMES T. * WANDMACHER, 0000
JEFFREY B. WARD, 0000
WILLIAM N. WARD, 0000
DEAN C. * WARDELL, 0000
JAMES W. * WARF III, 0000
BRETT A. WARING, 0000
JEFFREY B. * WARNER, 0000
TIFFANY J. WARNKE, 0000
DALIAN A. * WASHINGTON, 0000
THOMAS A. * WASHINGTON, 0000
DONNA E. * WATSON, 0000
FRANK W. WATSON, JR., 0000
KAREN M. * WATSON, 0000
JEREMY R. WATTS, 0000
JILL VAN ESS WATTS, 0000
MATTHEW W. WEAVER, 0000
GREGORY S. * WEBB, 0000
PAUL T. * WEBSTER, 0000
CURTIS L. * WEEKS, 0000
JOHN K. WEIGLE, 0000
BRENT E. WEISNER, 0000
WADE R. * WEISS, 0000
JOHN A. WELLMAN, 0000
CHRISTOPHER M. * WELLS, 0000
MATHEW C. WENTHE, 0000
TODD H. * WENTZLAFF, 0000
SCOTT J. * WEST, 0000
BRENT P. * WESTBROOK, 0000
THOMAS C. * WESTBROOK, 0000
KARL D. * WESTERLUND, 0000
WILLIAM D. * WESTFAHL, 0000
CHRISTOPHER D. * WESTON, 0000
DAVID S. * WESTOVER, JR., 0000
DERRICK R. * WHEELDON, 0000
JON S. WHEELER, JR., 0000
ROBERT E. * WHETZEL, 0000
MARC A. * WHIRLEDGE, 0000
CHRISTOPHER P. * WHITE, 0000
CURTIS C. * WHITE, 0000
SEAN P. * WHITE, 0000
TARA E. * WHITE, 0000
TODD G. * WHITE, 0000
MICHAEL F. * WHITEHEAD, JR., 0000
MICHAEL D. * WHITING, 0000
ARTHUR E. * WICKBERG, 0000
JOSHUA M. WIELAND, 0000
JUSTIN B. WIELAND, 0000
ALAN J. WIGDAHL, 0000
BRIAN J. WIGTON, 0000
DAMIAN O. * WILBORNE, 0000
TIMOTHY W. * WILCOX, 0000
TIMOTHY T. WILDAY, 0000
ANDREW C. WILES, 0000
BRANDON L. WILKERSON, 0000
WESTON L. * WILKINSON, 0000
CHRISTINA L. * WILLARD, 0000
ADRIENNE L. WILLIAMS, 0000
ANTHONY D. * WILLIAMS, 0000
CHRISTOPHER J. WILLIAMS, 0000
DARIN C. * WILLIAMS, 0000
DARRELL L. * WILLIAMS, 0000
IKE H. WILLIAMS, 0000
JASON T. * WILLIAMS, 0000
JOSEPH * WILLIAMS, JR., 0000
KINAMO J. WILLIAMS, 0000
PAUL D. * WILLIAMS, 0000
SEAN * WILLIAMS, 0000
TREVOR L. * WILLIAMS, 0000
WENDY E. * WILLIAMS, 0000
ROBERT A. WILLIAMSON, 0000
PAUL B. WILLINGHAM, 0000
DANIELLE L. * WILLIS, 0000
BRIAN L. WILLITS, 0000
JAMES M. WILMER, 0000
DEMETRIUS M. * WILSON, 0000
MARK S. * WILSON, 0000
WALTER J. WILSON, 0000
WILLIAM H. * WILSON, 0000
TROY H. * WINCAPAW, 0000
DAVID J. WINEBRENER, 0000
TROY E. * WING, 0000
CHARLES K. * WINN, 0000
PATRICK C. * WINSTEAD, 0000
MARK R. * WISHER, 0000
KELLY N. * WITCHER, 0000
ERIC J. * WITTENDORFER, 0000
CHRISTIAN S. WOHLWEND, 0000
BRANDON C. WOOD, 0000
JASON K. * WOOD, 0000
TRACY A. * WOODARD, 0000
MICHELE J. * WOODCOCK, 0000
BRINT A. * WOODRUFF, 0000
SARAH E. * WOODS, 0000
THADDEUS R. WOODS, 0000
SHANNON J. * WOODWORTH, 0000
GREGORY W. * WOOSLEY, 0000
ADAM R. * WORDEN, 0000
JASON C. WORLEY, 0000
BRIAN W. * WORTHINGTON, 0000
TIMOTHY K. * WOZNIAK, 0000
ANDREW R. * WRIGHT, 0000
JEFFREY C. * WRIGHT, 0000
PARKER H. WRIGHT, 0000
JAYSON M. * WRONA, 0000
TODD A. WYDRA, 0000
BRUCE L. * WYKES, 0000
GEORGE R. WYSE, 0000
CHRISTOPHER T. * YANE, 0000
GERALD T. YAP, 0000
ERIC * YARRELL, 0000
JARED C. * YARRINGTON, 0000
ARCHER M. YATES, JR., 0000
BART P. * YATES, 0000
KEVIN A. YATES, 0000
MICHAEL * YATES, 0000
ANGELIC L. * YBARRABELTRAN, 0000
THOMAS E. * YEAGER, 0000
MARK T. YETMAN, JR., 0000
MICHAEL S. YI, 0000
SHAYNE R. YORTON, 0000
BRIAN G. * YOUNG, 0000
CONSTANCE H. YOUNG, 0000
DAVID W. * YUNT, 0000
PAUL A. * ZACKRISON, 0000
JEREMY P. * ZADEL, 0000
VINCENT ZALESKI, 0000
JONATHAN E. * ZALL, 0000
JASON P. * ZENCUCH, 0000
CHRIS W. * ZENTNER, 0000
KRISTIAN J. * ZHEA, 0000
JAMES M. * ZICK, 0000
MATTHEW W. * ZIMMERMAN, 0000
MICHAEL S. * ZIMMERMAN, 0000
BRANISLAV B. * ZIVOJINOVIC, 0000
JACOB A. ZOCHERT, 0000
BRIAN K. ZOELLNER, 0000
BRIAN D. ZULLO, 0000
DEBORAH L. P. * ZUNIGA, 0000
RAY A. * ZUNIGA, 0000

Confirmations

Executive nominations confirmed by the Senate: Thursday, May 26, 2005

DEPARTMENT OF EDUCATION

RAYMOND SIMON, OF ARKANSAS, TO BE DEPUTY SECRETARY OF EDUCATION.

DEPARTMENT OF DEFENSE

KENNETH J. KRIEG, OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS.

BARRY GOLDWATER SCHOLARSHIP & EXCELLENCE IN EDUCATION FOUNDATION

CHARLES P. RUCH, OF SOUTH DAKOTA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING AUGUST 11, 2010.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

HARRY ROBINSON, JR., OF TEXAS, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2008.

NATIONAL MUSEUM AND LIBRARY SERVICES BOARD

KIM WANG, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2009.

POSTAL RATE COMMISSION

TONY HAMMOND, OF VIRGINIA, TO BE A COMMISSIONER OF THE POSTAL RATE COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2010.

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.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral

REAR ADM. (IH) LARRY L. HERETH
REAR ADM. (IH) ROBERT J. PAPP
REAR ADM. (IH) CLIFFORD I. PEARSON
REAR ADM. (IH) JAMES C. VAN SICE

DEPARTMENT OF STATE

ROBERT JOSEPH, OF VIRGINIA, TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY.

SEAN IAN MCCORMACK, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (PUBLIC AFFAIRS).

DAVID HORTON WILKINS, OF SOUTH CAROLINA, TO BE AMBASSADOR TO CANADA.

JAMES M. DERHAM, OF VIRGINIA, TO BE AMBASSADOR TO THE REPUBLIC OF GUATEMALA.

WILLIAM ALAN EATON, OF VIRGINIA, TO BE AMBASSADOR TO THE REPUBLIC OF PANAMA.

PAUL A. TRIVELLI, OF VIRGINIA, TO BE AMBASSADOR TO THE REPUBLIC OF NICARAGUA.

VICTORIA NULAND, OF CONNECTICUT, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE COUNCIL OF THE NORTH ATLANTIC TREATY ORGANIZATION, WITH THE RANK AND STATUS OF AMBASSADOR.

LINDA JEWELL, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR TO THE REPUBLIC OF ECUADOR.

JOHN F. TEFFT, OF VIRGINIA, TO BE AMBASSADOR TO GEORGIA.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. KATHLEEN D. CLOSE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHARLES E. CROOM, JR.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. BENJAMIN J. SPRAGGINS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. RONALD E. KEYS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. BENJAMIN C. FREAKLEY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT AS DIRECTOR, ARMY NATIONAL GUARD AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 10506:

To be lieutenant general

MAJ. GEN. CLYDE A. VAUGHN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL BRUCE A. CASELLA
BRIGADIER GENERAL DAVID L. EVANS
BRIGADIER GENERAL WILLIAM H. JOHNSON
BRIGADIER GENERAL LARRY KNIGHTNER
BRIGADIER GENERAL DENNIS E. LUTZ
BRIGADIER GENERAL ROBERT A. POLLMANN
BRIGADIER GENERAL WILLIAM TERPELUK
BRIGADIER GENERAL BRUCE E. ZUKAUSKAS

To be brigadier general

COLONEL LIE-PING CHANG
COLONEL PAUL E. CRANDALL
COLONEL STUART M. DYER
COLONEL GEOFFREY A. FREEMAN
COLONEL WILLIAM D. FRINK, JR.
COLONEL WILLIAM H. GERETY
COLONEL GEORGE R. HARRIS
COLONEL JEFFREY A. JACOBS
COLONEL DEMPSEY D. KEE
COLONEL DOUGLAS E. LEE
COLONEL CHARLES D. LUCKEY
COLONEL BERT K. MIZUSAWA
COLONEL ELDON P. REGUA
COLONEL STEVEN W. SMITH
COLONEL RICHARD A. STONE
COLONEL ROBIN B. UMBERG
COLONEL MARGARET C. WILMOTH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. NEIL DIAL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES K. GILMAN
COL. DAVID A. RUBENSTEIN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN W. BERGMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT R. BLACKMAN, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. GARY ROUGHEAD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPTAIN WILLIAM R. BURKE
CAPTAIN NEVIN P. CARR, JR.
CAPTAIN PHILIP H. CULLOM
CAPTAIN MARK I. FOX
CAPTAIN WILLIAM D. FRENCH
CAPTAIN MICHAEL S. FRICK
CAPTAIN TIMOTHY M. GIARDINA
CAPTAIN ROBERT S. HARWARD, JR.
CAPTAIN WILLIAM H. HILARIDES
CAPTAIN DANIEL P. HOLLOWAY
CAPTAIN DOUGLAS J. MCANENY
CAPTAIN TERENCE E. MCKNIGHT
CAPTAIN JOHN W. MILLER
CAPTAIN MICHAEL S. OBRYAN
CAPTAIN FRANK C. PANDOLFE
CAPTAIN DAVID L. PHILMAN
CAPTAIN BRIAN C. PRINDLE
CAPTAIN DONALD P. QUINN
CAPTAIN WILLIAM E. SHANNON III
CAPTAIN JAMES A. SYMONDS
CAPTAIN STEPHEN S. VOETSCH
CAPTAIN JAMES P. WISECUP

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) ALAN S. THOMPSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) NANCY J. LESCAVAGE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JEFFREY A. BROOKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) ROBERT B. MURRETT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. VICTOR C. SEE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. CHRISTINE M. BRUZEK-KOHLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. MARK W. BALMERT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. RAYMOND E. BERUBE
CAPT. JOHN J. PRENDERGAST III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. KEVIN M. MCCOY
CAPT. WILLIAM D. RODRIGUEZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DAVID J. VENLET

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) BRUCE W. CLINGAN
REAR ADM. (LH) DERWOOD C. CURTIS
REAR ADM. (LH) PETER H. DALY
REAR ADM. (LH) KENNETH W. DEUTSCH
REAR ADM. (LH) MARK T. EMERSON
REAR ADM. (LH) JEFFREY L. FOWLER
REAR ADM. (LH) GARRY E. HALL
REAR ADM. (LH) LEENDERT R. HERING, SR.
REAR ADM. (LH) ALAN B. HICKS
REAR ADM. (LH) STEPHEN E. JOHNSON
REAR ADM. (LH) CARL V. MAUNEY
REAR ADM. (LH) BERNARD J. MCCULLOUGH III
REAR ADM. (LH) MICHAEL H. MILLER
REAR ADM. (LH) ALLEN G. MYERS
REAR ADM. (LH) JOSEPH A. WALSH
REAR ADM. (LH) MELVIN G. WILLIAMS, JR.
REAR ADM. (LH) JAMES A. WINNEFELD, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. CAROL M. POTTENGER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. NATHAN E. JONES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203

To be rear admiral (lower half)

CAPT. ALBERT GARCIA III

IN THE COAST GUARD

COAST GUARD NOMINATION OF KATHRYN C. DUNBAR TO BE LIEUTENANT COMMANDER.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH DANIEL J. PRICE AND ENDING WITH STEPHEN P. BARRY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 25, 2005.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH DONNELL E. ADAMS AND ENDING WITH DANIEL J. ZALEWSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 14, 2005.

AIR FORCE NOMINATION OF MICHAEL E. VAN VALKENBURG TO BE COLONEL.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH ROBERT D. BOWMAN AND ENDING WITH THERESA M. SULLIVAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 15, 2005.

ARMY NOMINATIONS BEGINNING WITH CATHERINE D. SCHOONOVER AND ENDING WITH VINCENT M. YZNAGA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2005.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH JOEL P. BERNARD AND ENDING WITH MARC K. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 21, 2005.

EXTENSIONS OF REMARKS

CONGRESSIONAL CAUCUS FOR WOMEN'S ISSUES RECOGNIZES FORCE MASTER CHIEF KAREN H. O'CONNOR

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today on behalf of Congresswomen BROWN-WAITE, SOLIS, CAPPS and the entire Congressional Caucus for Women's Issues to recognize the 8th Annual Women in the Military Wreath Laying Ceremony hosted by the Caucus at Arlington National Cemetery. The purpose of this event is to honor our nation's servicewomen and female veterans for their courage and achievements, and to remember women who have died in service to the United States.

Today, we have the opportunity to recognize five outstanding female servicewomen, one selected from each branch of the military. These women serve their respective branches with honor, dignity, and courage. These highly decorated leaders chose to defend our freedom and embody the spirit of those that served before them.

From the United States Navy, we will honor Force Master Chief Karen H. O'Connor, who currently serves at the Commander, Naval Surface Force, U.S. Pacific Fleet representing 40,000 enlisted sailors.

Force Master Chief O'Connor has served the Navy in a variety of duty station and capacities such as Command Master Chief in the USS BONHOMME RICHARD (LHD 6), completing an accelerated deployment in support of Operation ENDURING FREEDOM in 2002 and then deploying 14 months early in support of Operation IRAQI FREEDOM in January 2003. During this tour Bonhomme Richard received two Battle ''E'' awards and two consecutive Edward F. Ney awards for Food Service Excellence.

Force Master Chief O'Connor has repeatedly demonstrated outstanding performance, leadership, and devotion to the U.S. Navy as is evidenced by the numerous personal awards she has received such as the Defense Meritorious Service Medal, Meritorious Service Medal, and various campaign and service awards.

Force Master Chief O'Connor continues to distinguish herself as an invaluable leader in the Navy, and it is a honor for each Member of the Congressional Caucus for Women's Issues to recognize the courage and commitment of Force Master Chief O'Connor and all women in the military.

WINNER OF LABOR'S ''COMMUNITY SERVICES AWARD'': BAKERS LOCAL 315

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FILNER. Mr. Speaker, today I honor Bakers Local 315—recognized with the ''Outstanding Community Services Award'' by the San Diego-Imperial Counties Labor Council, AFL–CIO.

Chartered on December 12, 1936, Bakers Local 315 is 500 members strong. Deborah Lacey Zuelsdorf has been Secretary-Treasurer for ten years. Under her leadership and that of the Executive Board, the Bakers have been honored for their work with union companies and have received countless outstanding community service awards. The Bakers work with Bimbo USA, Interstate Brands Corporation, Vons In Store Bakeries, and the San Diego Bread Company.

During the holidays, members work an extra shift and then the union bakeries donate what they have prepared directly to the Holiday Food Distribution. These breads and baked goods, made by the caring hands of the Bakers, help make the holidays a little better for union families experiencing lean financial times.

That is why we also honor and recognize Bakers Local 315, for their hard dedication to the community and for earning this year's ''Community Services Award'' by the San Diego-Imperial Counties Labor Council, AFL–CIO.

RECOGNIZING SHELBY COUNTY VETERANS ON MEMORIAL DAY 2005

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mrs. BLACKBURN. Mr. Speaker, this Memorial Day all of us should take time to recognize the service of those who've fought and died for this country.

I want to take a moment to recognize the veterans of Shelby County, Tennessee who served our country so well over the past century.

More than 1,500 Shelby County residents gave their lives for this country from World War II to the Iraq War, and we should never forget their sacrifice.

I would like to specifically recognize Mr. Vernon McGarity of Bartlett, Tennessee. Mr. McGarity is a World War II veteran who earned our Nation's highest military award, the Medal of Honor.

Mr. McGarity exemplifies the dedication and sacrifice of all of our Shelby County veterans.

It is because they fought that we are free. God Bless America's veterans.

MEMORIAL DAY

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. UDALL of Colorado. Mr. Speaker, soon we will all return to our Congressional districts for the Memorial Day weekend. So I'd like to take a moment today to recognize the heroes of wars past and the heroes of our current military operations in Iraq and Afghanistan.

Just two days ago, Fort Carson's 3rd Armored Cavalry Regiment honored four more of its dead—Sgt. Stephen Saxton, Spec. Ricky Rockholt, Pfc. Joseph Knott, and Pfc. Robert Murray, Jr. Fort Carson has lost 120 soldiers since the war began.

And Colorado lost another son in Baghdad earlier this month. Former Marine and Louisville firefighter Todd James Venette was remembered at a memorial service last weekend. He died after his security company convoy was hit by two cars carrying explosives.

The loved ones of these brave soldiers and others who have died serving in Iraq and Afghanistan must live with their losses every minute of every day. We share their grief and remember this Memorial Day and every day the sacrifices of these young soldiers who have volunteered in service to their country.

These points were well made in today's editorial in the Denver Post, which I am attaching for the benefit of my colleagues.

[From the Denver Post, May 26, 2005]

RESPECT FOR HEROES IN IRAQ

In recent months, much attention has been drawn to accusations of misconduct in Iraq, and Fort Carson has seen its share of legal proceedings.

But on Tuesday a tearful ceremony reminded us of the sacrifices of so many soldiers who were doing things right.

More than 700 mourners attended a memorial service for four ''brave rifles'' killed in Iraq, while others stood outside in a thunderstorm to pay their respects. Sgt. Stephen Saxton, 24; Spec. Ricky Rockholt, 29; Pfc. Joseph Knott, 21; and Pfc. Robert Murray Jr., 21. All were members of Fort Carson's 3rd Armored Cavalry Regiment.

Comrades and loved ones shared thoughts about the young soldiers. ''I thought it was very fitting that it was raining during the service,'' said Pamela Knott of Yuma, Ariz., whose son was killed in April. ''It sounds silly, but at times you think, 'Oh, those are the angels crying, not just for Joseph but for all the lost soldiers.' ''

In all, 120 soldiers from Fort Carson units have died since the war began. Since troops returned to Iraq in the winter and spring, eight soldiers have been lost to the 3rd ACR and two from the 43rd Area Support Group.

All told, about a dozen current or former Fort Carson soldiers have been accused of wrongdoing in Iraq. One court-martial has been held, with a conviction for assault against three Iraqi detainees, and others may be coming up.

For now, as Memorial Day approaches, upcoming proceedings are being drowned out by solemn rifle volleys for those who died too young, doing their duty.

COMMERCE CITY COMMUNITY HEALTH SERVICES RECEIVES HERO IN HEALTH AWARD

HON. BOB BEAUPREZ

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. BEAUPREZ. Mr. Speaker, I rise today to pay tribute to the hard work and dedication of a health care organization in my district, Commerce City Community Health Services.

Earlier this month, Anthem Blue Cross and Blue Shield awarded the 2005 Hero in Health Award to Commerce City Community Health Services (CHS). CHS has provided free and/or reduced cost services to uninsured and underinsured youth in Adams County, Colorado for over 20 years.

Anthem Blue Cross and Blue Shield conceived the Hero in Health Award in 2001 as a way to recognize and reward those organizations that exemplify an authentic commitment to serving underinsured and uninsured individuals. Additionally, the Hero in Health Award heightens awareness for issues of healthcare access and affordability. In 2003, the field of eligible organizations was narrowed to clinics that provide services to the underinsured and uninsured.

CHS is a non-profit, 501(c) 3 organization that provides low-cost, high-quality primary and preventive health care services. CHS was initially funded in 1979 by the Robert Wood Johnson Foundation as a demonstration site for the National School Health Project and was one of the first school-based health centers in the country. Colorado Association of School-Based Health Care recognized CHS recently as the oldest, operational school-based center in the state.

CHS has a community-based center and school-based centers. The community-based center is part of the Adams County High School campus. Health care services are provided for children and adolescents, birth to 21 years old. The health care services include physical exams, medical screenings, immunizations, acute care for the diagnosis and treatment for minor illnesses, infections and injuries, management of chronic health conditions, routine lab work, well/sick infant care, nutrition and weight control counseling, and health education.

Again, Mr. Speaker, I want to thank the fine men and women of Commerce City Community Health Services. It is the best kind of community organization, fulfilling needs in the community others have not and continuously evolving to address changing demands. They serve a tremendous purpose in Adams County and I am very proud to be able to congratulate them for receiving the Hero in Health Award.

IN HONOR OF DR. PETER SMITH

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FARR. Mr. Speaker, I rise today to honor a dear friend and former member of this House, Dr. Peter Smith. Peter represented the State of Vermont in the House between 1989 and 1993. He built a reputation during his time here as an insightful, effective, and respected member. Peter exemplifies the spirit of respect and comity that is so often missing in current House business.

In 1994, Peter moved to my Central California District to become the founding President of the newly created California State University Monterey Bay (CSUMB). CSUMB is a remarkable institution that has been carved out in the heart of the former Fort Ord, the largest military base closure in the US to date. While many of us on the Central Coast have played a part in the genesis and growth of CSUMB, nobody has put a more decisive stamp than Peter Smith on the thriving institution that CSUMB has become. What started in 1994 with 650 students gathered in a cluster of run down Army barracks had blossomed into a top flight University with a growing campus of newly constructed and restored buildings and 3,500 students. That's a record of which to be proud.

Born in Boston, Massachusetts in 1945, Peter received a B.A. from Princeton and, two years later, he earned a M.A. in Teaching from Harvard University. In 1984 he received a Doctorate in Education, also from Harvard University, In 1970, Peter founded the Community College of Vermont, and served as its first president until 1978. In 1980, he served as a Vermont State Senator, and from 1982 until 1986 he served as Vermont's Lieutenant Governor.

Peter has devoted his life to improving the educational process, for the citizens of both Vermont and of the United Sates, and has received a number of awards for his achievements. One of his greatest awards is the National Council of Community Service and Continuing Education's Man of the Year award, which he received in 1976. In 1978, the University of Vermont College of Education and Social Services gave him their highest award for his contributions to elementary, secondary, and post secondary education in the State of Vermont. The Fund for the Improvement of Post-secondary Education and the Carnegie Corporation of New York awarded him a Mina Shaughnessy Fellowship grant in 1980. The grant allowed him to interview sixty adults across the country for his book about adult learning beyond school, Your Hidden Credentials. Last year he published groundbreaking book titled The Quiet Crisis: How Higher Education is Failing America where he argues that higher education as a whole is not organized to truly educate its students.

Peter is now leaving CSUMB to take on the reins at UNESCO where he will become the first American to hold the post of Assistant Director General for Education. The UN leadership chose him after a worldwide search of candidates. Peter takes up his post in Paris, France, next month. We are sorry to see Peter and his wonderful wife, Sally, leave the Central Coast. But the Central Coast's loss will be the global community's gain. From his new perch, Peter will use the skill and wisdom that so enriched the CSUMB community and improve the future for millions of world's citizens.

Mr. Speaker, I know I speak for the whole House when I offer our former colleague our sincerest thanks for his service to date and best wishes for his tasks ahead.

CONGRESSIONAL CAUCUS FOR WOMEN'S ISSUES RECOGNIZES MASTER SERGEANT SUSAN M. PIASECKI

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today on behalf of Congresswomen BROWN-WAITE, SOLIS, CAPPS and the entire Congressional Caucus for Women's Issues to recognize the 8th Annual Women in the Military Wreath Laying Ceremony hosted by the Caucus at Arlington National Cemetery. The purpose of this event is to honor our nation's servicewomen and female veterans for their courage and achievements, and to remember women who have died in service to the United States.

Today, we have the opportunity to recognize five outstanding female servicewomen, one selected from each branch of the military. These women serve their respective branches with honor, dignity, and courage. These highly decorated leaders chose to defend our freedom and embody the spirit of those that served before them.

From the United States Air Force, we will honor Master Sergeant Susan M. Piasecki, who currently is assigned to the 305th Civil Engineer Squadron (CES), McGuire Air Force Base, New Jersey, as First Sergeant.

Master Sergeant Piasecki has repeatedly demonstrated outstanding performance, leadership, and devotion to the U.S. Air Force as is evidenced by the honors and decorations she has received. In April 2005, she was honored as a nominee for Air Mobility Command's 12 Outstanding Airmen of the Year in the First Sergeant Category. Her decorations include the Air Force Meritorious Service Medal, the Air Force Commendation Medal with four Oak Leaf Clusters, and the Air Force Achievement Medal with one Oak Leaf Cluster.

Master Sergeant Piasecki continues to distinguish herself as an invaluable leader in the Air Force, and it is an honor for each Member of the Congressional Caucus for Women's Issues to recognize the courage and commitment of Master Sergeant Piasecki and all women in the military.

WINNER OF LABOR'S ''COMMUNITY SERVICES AWARD''—TEAMSTERS LOCAL 36

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FILNER. Mr. Speaker, today I honor Teamsters Local 36—recognized with the ''Community Services Award'' by the San Diego-Imperial Counties Labor Council, AFL–CIO.

Teamsters Local 36 was chartered in 1946 and was originally founded as a building material and construction local. The charter was changed in 1980 to read Building Materials, Construction, Industrial, Professional and Technical Employees.

In 1981, Teamsters built their own building and moved to their current location on Mercury Street in the heart of Kearny Mesa. This

building is named in honor of their former Secretary-Treasurer, John S. Lyons. This hard-working, dedicated and diverse organization can always be depended upon.

Their members volunteer for every food drive by working at the Margaret Sellers Post Office and routing the food from outlying Post Offices to the Food Bank. Each and every December, the Teamsters show up, complete with holiday cheer, pick up and deliver all the food to make the annual Holiday Food Distribution a success.

They are always present, making a contribution to the people of San Diego and promoting the good name of Labor. That is why we honor and recognize Teamsters Local 36, one of the finest organizations in San Diego and Imperial County, as the recipient of the "Community Services Award"!

RECOGNIZING DEDICATION OF WILLIAMSON COUNTY MONUMENT IN FRANKLIN ON MEMORIAL DAY 2005

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mrs. BLACKBURN. Mr. Speaker, Memorial Day is one of those occasions where all Americans can come together for a common purpose—to honor and thank those who've sacrificed in order to keep us free.

It is my privilege to recognize the veterans from Williamson County, Tennessee who served our country over the past century. Nearly 165 veterans from Williamson County died defending America during World War I, World War II, the Korean War and the Viet Nam War. All of us recognize how fortunate we are for having had men and women like them fighting to preserve our freedom.

On Monday, May 30, 2005, Williamson County will dedicate a monument in Franklin, Tennessee, to honor these men and women. I hope all Tennesseans will take time this Memorial Day to remember those who've sacrificed so much for America. God Bless.

THE LIFE OF EVA "MARR" BOWMAN

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. UDALL of Colorado. Mr. Speaker, on May 7, the Bowman family and Colorado lost a great treasure. Eva "Marr" Bowman died at age 93, a life-long resident of Wray, Colorado.

My sympathies go to her grandson Michael Bowman, who was extremely close to his grandmother. Michael is a tireless advocate of renewable energy and of Colorado's rural communities and is a key proponent of the 25x25 proposal dedicated to producing 25 percent of America's energy needs from our agricultural sector by the year 2025.

Marr Bowman supported Mike in his efforts. She donated $200,000 to the Wray, Colorado school district to install a wind turbine that will supply all of the school's electricity and 25 percent of the electricity for the town. Her donation has already set an important precedent in Colorado, demonstrating what dedicated communities can do to help rural economic development and maintain farming as a way of life.

I honored Marr Bowman at the Environmental and Clean Energy Inaugural Ball earlier this year for her contributions to Colorado's rural communities and to renewable energy. I noted at the Ball: "Without your generous contribution of seed money for the wind turbine project, further grant money would not be an option. Wray is fortunate to have committed members of the community like you who have the foresight and patience to envision a project and see it through." Even though she won't be in Wray to see the wind turbine operational next month—or to attend her 75th high school reunion—I am glad she knew of our gratitude for her commitment and dedication to her community, to Colorado, and to renewable energy.

Marr Bowman's was a life well lived. She will be missed.

For the benefit of my colleagues, I have attached Mrs. Bowman's obituary from the Denver Post.

FARM WIFE A POWERFUL FORCE

(By Virginia Culver)

Eva "Marr" Bowman was a farm wife who lived all her life on Colorado's plains—but that didn't mean she wasn't up on the latest environmental issues.

Bowman, who died Saturday at age 93, left $200,000 to the Wray school district as seed money to install a wind turbine that will supply all of the school's electricity and 25 percent of the electricity for the town.

By selling the electricity to the town, the school district will make $180,000 a year, said Bowman's grandson, Michael Bowman, of Wray.

"We'd hoped she would still be alive to see the wind turbine operational next month, her 75th high school class reunion," he said.

In her letter to the school board about the gift, Eva Bowman said, "There is no greater gift we can give our children than that of a sound education."

Her nephew and others have raised most of the rest of the total—$1.8 million—for the turbine.

Marr Bowman, as everyone called her, was a fixture in Wray, where she sat at her own table every morning for coffee in the local cafe.

Despite the hard work of cooking, cleaning, raising children and helping with the farm, Marr Bowman was not a complainer.

"In fact, she was the most upbeat person I ever knew," said Michael Bowman.

But, sometimes, she did remark, "Anyone who thought those were the good old days didn't actually live through them."

Marr Bowman and her husband toughed out the Depression, but they and their good friends, Dale and Martha Whomble, had to wait some time before they could buy new cars.

After discussing it one evening, the couples decided on a stopgap measure: They would trade cars, so at least each couple would have a different car.

In addition to her family, Marr Bowman's other great love was bowling, which she did for decades at the Purple Sage Bowling Alley. After it was destroyed in a 1970s tornado, she and her friends had to drive to other towns to bowl.

Eva Peterson was born June 13, 1911, in Holyoke and graduated from Laird High School, east of Wray.

She met Ralph Bowman, a local farm boy, at Olive Lake, a resort area near Wray that had a dance hall and skating rink. "It was a hotbed of activity in those days," MIchael Bowman said.

Eva Peterson and Ralph Bowman married May 16, 1931, and started their life together with gifts of a pig and a cow, which their families had given them. He died in January 2004.

In addition to her grandson, Marr Bowman is survived by two daughters, Jean Brophy of Wray and Jerry Baird of Pasadena, CA; a son, Jack Bowman of Wray; 10 grandchildren; 22 great-grandchildren; her sister, Madge Barber of Burlington; and an "adopted" grandson, Etienne Lagabrielle of France.

BRIGHTON RECEIVES ECONOMIC DEVELOPMENT AWARD

HON. BOB BEAUPREZ

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. BEAUPREZ. Mr. Speaker, I rise today to congratulate the City of Brighton, Colorado, for recently being named by the Economic Developers' Council of Colorado (EDCC) as the recipient of the Large Community of the Year award for 2004. The EDCC presents their annual achievement awards that recognize outstanding achievement in economic development by honoring individuals, businesses and communities throughout the State of Colorado.

The City of Brighton was honored to receive this award which is presented to a community over 20,000 in population that demonstrates support for economic development through an organized economic development program and strong leadership.

Mr. Speaker, as we look at a few of the many successes the City has been able to accomplish recently, there is no doubt that they are well deserving of this award.

The City provided an incentive package valued at nearly $8.2 million for a new Adams County campus for County services. This campus will not only retain jobs for Brighton but will also ensure that Brighton remains the County Seat.

Brighton found funding, without any state support, for the roundabouts at the intersection of U.S. 85 and State Highway 7, which is a major highway intersection to downtown Brighton. The City has also been forward thinking in contributions on their part to make the FasTracks public transit program become a reality in Brighton.

In 2004 the City broke ground on a 14-acre entertainment/retail development, the Brighton Pavilions. This project is a unique public/private partnership between the City, the Brighton Urban Renewal Authority, Brighton Economic Development Corporation, Carlson-Parkhi, LLC and RTD. It is the first Transit Oriented Development in the state based on a bus transit park-n-ride, and a public/private endeavor and is a "model" project for the Denver metro area. Further, this partnership helped the City receive the Adams County Economic Development 2004 Regional Partnership Award.

On the issue of water, which is so vital to communities in Colorado, Brighton has made great strides in making water purchases during 2004 and has aligned itself with other regional communities to provide water solutions in and out of its community. The first water augmentation storage lake was completed and filled in 2004.

Mr. Speaker, what's equally important to many Brighton residents is that the City has been able to accomplish all of this while still retaining its small town atmosphere that makes it so attractive by opening six new neighborhood parks last year.

Mr. Speaker, I am pleased to congratulate Brighton's Mayor, Jan Pawlowski, and all the citizens of the City for Brighton's recognition as the Large Community of the Year. It is only appropriate that the entire State acknowledge the City's efforts and achievements.

IN HONOR OF KSBW'S THIRD CONSECUTIVE USC ANNENBERG WALTER CRONKITE AWARD FOR EXCELLENCE IN TELEVISION POLITICAL JOURNALISM

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FARR. Mr. Speaker, I rise today to honor and recognize the achievements of a news channel local to my congressional district. KSBW, as part of the Hearst-Argyle Television Inc., received the Walter Cronkite Award for Excellence in Television Political Journalism for the third consecutive year this past March.

Frequently we hear that quality, unbiased journalism is a thing of the past. However, KSBW and Hearst-Argyle Television Inc. prove the critics wrong. The Walter Cronkite Award for Excellence in Television Political Journalism is an award that recognizes the importance of good, unbiased political journalism. That some of the best minds in journalism would agree that KSBW and Hearst-Argyle Television Inc. deserve this award 3 years in a row is a testament to this station's high quality and merit.

This continued commitment to excellence in journalism serves as a model for all news organizations. I would also like to commend Mr. Joe Heston, President and General Manager of KSBW, for his management, vision, and interest in the community. Mr. Speaker, I hope that my colleagues will join me in honoring KSBW and Hearst Argyle Television Inc.'s achievements and wish them continued success.

CONGRESSIONAL CAUCUS FOR WOMEN'S ISSUES RECOGNIZES SERGEANT MAJOR RAMONA D. COOK

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today on behalf of Congresswomen BROWN-WAITE, SOLIS, CAPPS and the entire Congressional Caucus for Women's Issues to recognize the 8th Annual Women in the Military Wreath Laying Ceremony hosted by the Caucus at Arlington National Cemetery. The Purpose of this event is to honor our Nation's servicewomen and female veterans for their courage and achievements, and to remember women who have died in service to the United States.

Today we have the opportunity to recognize five outstanding female servicewomen, one selected from each branch of the military. These women serve their respective branches with honor, dignity, and courage. These highly decorated leaders chose to defend our freedom and embody the spirit of those that served before them.

From the United States Marine Corps, we will honor Sergeant Major Ramona D. Cook who was deployed to Kuwait in February 2003, to join her unit, Marine Heavy Helicopter Squadron 462 (Heavy Haulers), in support of Operation Iraqi Freedom. The Heavy Haulers remained there until September 29, 2003.

On October 15, 2004 SgtMaj Cook and members of the Heavy Haulers again deployed in support of the war on terrorism, this time to Bagram, Afghanistan in support of Operation Enduring Freedom.

SgtMgt Cook has repeatedly demonstrated outstanding performance, leadership, and devotion to the U.S. Marine Corps, as is evidenced by the awards she has received, which include two Navy Marine Corps Commendation Medals, and four Navy Marine Corps Achievement Medals.

SgtMgt Cook continues to distinguish herself as an invaluable leader in the U.S. Marine Corps, and it is an honor for each Member of the Congressional Caucus for Women's Issues to recognize the courage and commitment of SgtMgt Cook and all women in the military.

VIEJAS BANK OF KUMEYAAY INDIANS RECEIVES LABOR'S SPIRIT OF COOPERATION AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FILNER. Mr. Speaker, today I honor the Viejas Band of Kumeyaay Indians for receiving the "Spirit of Cooperation Award" by the San Diego-Imperial Counties Labor Council, AFL–CIO.

The Viejas Band, one of the remaining 12 bands of the Kumeyaay Indian Nation, has approximately 289 members living on the 1,600 acre reservation in the Viejas Valley, east of Alpine.

The Viejas Band is recognized as a sovereign government by the United States, with which it maintains a government-to-government relationship. Only a few years ago, Viejas Reservation unemployment was as high as 80 percent. Today, as a result of revenues from tribal government gaming and other business enterprises, every Viejas tribal member has a job and no tribal members are on welfare. The band has built new homes, improved older residences, expanded the Tribal Government Center, and has constructed a community park, fire station, and a senior citizen center.

In addition, the band has embarked on a multi-million dollar series of environmental projects to restore the reservation land, watershed, streams and wetlands. Gaming has created approximately 12,000 jobs, primarily for non-Indian residents of the San Diego Region.

In 2001, the estimated payroll for gaming Tribes was more than $237 million, and employer-paid Federal and State payroll taxes are estimated to have been over $30 million. Viejas is a proud union employer and workers of the casino are part of Communication Workers of America Local 9400. Viejas is leading the way in bringing together communities and setting a great example of conducting business.

Congratulations to Viejas on receiving Labor's 2005 "Spirit of Cooperation Award."

RECOGNIZING MONTGOMERY COUNTY, TENNESSEE MEMORIAL DAY 2005

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mrs. BLACKBURN. Mr. Speaker, it is a privilege today for me to recognize and thank our Montgomery County, Tennessee veterans.

Our community has not forgotten the sacrifices made by our Tennessee veterans, and so on Monday, May 30, 2005, Montgomery County will dedicate a monument in Clarksville, Tennessee to honor these veterans.

These are the men and women who fought and died for our freedoms, and we cannot thank them enough for their sacrifices.

Generations of veterans live in Montgomery County, and this great community will forever be thankful to them. As home to Fort Campbell, few understand better the work our Nation's military does day in and day out to defend America. God Bless.

STATEMENT ON PUEBLO CHEMICAL DEPOT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. UDALL of Colorado. Mr. Speaker, I am glad that the Pueblo Chieftain recognized in a May 18 editorial the attention Representative JOHN SALAZAR has focused on the demilitarization project at the Pueblo Chemical Depot, a former chemical weapons site located in southeastern Colorado, since he was sworn into office in January.

Representative SALAZAR is aware, as I am as a member of the Colorado delegation and of the Armed Services Committee in the House, that a continued flow of funds to the demilitarization project is critical. That's why I was pleased that the Defense Authorization bill reported out of the Armed Services Committee last week and voted on by the House yesterday includes language directing the Secretary of the Army to continue to implement fully the neutralization technology at Pueblo. Coloradans were alarmed last year when the demilitarization project was put on hold, so they want to see that the Defense Department is committed to using the neutralization technology to destroy the 2,600 tons of mustard agent stored at Pueblo—not transporting the weapons to a different site for destruction.

I also want to call attention to language in the bill that would transfer program responsibility from the Under Secretary of Defense for Acquisition, Technology, and Logistics to the Secretary of the Army. I understand that objection to this transfer in the past was due to

the preference of the Program Manager for Chemical Destruction under the Department of the Army for baseline incineration. Now that the Defense Department is committed to the neutralization approach, and given the numerous GAO reports and testimony to Congress stating that effective management of the chemical demilitarization program has been hindered by the complexity of its management structure, it appears to make sense to pursue the transfer. Still, I've asked Chairman HUNTER to follow this move closely to ensure that this proposed change in oversight of the project doesn't change the path forward for the development of the neutralization technology.

I'm glad that both Democratic and Republican members of the Colorado delegation understand the importance of getting the job done right at Pueblo. I will continue to work with my colleagues to ensure this happens.

For the benefit of my colleagues, I've attached a May 18 editorial from the Pueblo Chieftain.

[From the Pueblo Chieftain, May 18, 2005]

TRUST, BUT VERIFY

There appears to be bureaucratic wrangling over control of the chemical weapons destruction program at Pueblo Chemical Depot, and Representative John Salazar is pledging to keep a close eye on developments.

Representative Salazar reports that the Army approached him directly with information that the Pentagon wants the job under the direct oversight of the Army, rather than the Assembled Chemical Weapons Alternative program, or ACWA. ACWA has been the agency favored by local critics of the Army, which originally planned to build an incinerator to demilitarize the weapons.

Representative Salazar, taking note of recent developments in Congress to get the work back on track after numerous delays, said the Army's track record warrants close monitoring to see that nothing else gets derailed. It was this long series of delays which earlier this month prompted Congress to approve provisions in a supplemental budget bill that included $327 million and explicit language requiring the Pentagon to destroy the weapons at Pueblo and the Blue Grass Chemical Depot in Kentucky. This week the Senate Armed Services Committee added $20 million.

The demilitarization provision was cosponsored by Colorado's two senators, Wayne Allard and Ken Salazar, and Representative Salazar.

Ross Vincent, a member of the local Citizens Advisory Commission and a supporter of ACWA, is wary of having the Army take direct control of the project. The Army may realize it needs to mend fences, because Representative Salazar made a point of noting that the Army volunteered the information that the Pentagon now wants that military branch to be in direct control.

Representative Salazar has sized up the situation quickly since his House induction in January. We are pleased that has given the chemical depot his considerable attention.

We also would encourage the congressional delegation to press the Pentagon to do all of the demilitarization work here. There has been some discussion of perhaps shipping explosives and the neutralized mustard agent known as "hydrolysat" off site for final destruction at other plants.

It's estimated that such transfers would mean the loss of about 200 jobs that otherwise would be created at Pueblo Chemical Depot. But at what cost?

The Pentagon is looking at one cost factor, though. Last week officials said they may use some recycled parts from a similar system that has finished its work at Aberdeen Proving Grounds in Maryland. If that could be a net savings to taxpayers, we're all for it.

Delays and mismanagement have skyrocketed the cost of destroying this Nation's chemical weapons. The sooner the job gets done, the better.

CONGRESSIONAL CAUCUS FOR WOMEN'S ISSUES RECOGNIZES DRILL SERGEANT JENNIFER R. FOWLER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today on behalf of Congresswomen BROWN-WAITE, SOLIS, CAPPS and the entire Congressional Caucus for Women's Issues to recognize the 8th Annual Women in the Military Wreath Laying Ceremony hosted by the Caucus at Arlington National Cemetery. The purpose of this event is to honor our nation's servicewomen and female veterans for their courage and achievements, and to remember women who have died in service to the United States.

Today, we have the opportunity to recognize five outstanding female servicewomen, one selected from each branch of the military. These women serve their respective branches with honor, dignity, and courage. These highly decorated leaders chose to defend our freedom and embody the spirit of those that served before them.

From the United States Army, we will honor Drill Sergeant Jennifer R. Fowler. Drill Sergeant Fowler has served in the Army in a variety of duty stations and capacities. Her deployments include: Operation Distant Haven-Suriname, and Operation Safe Haven Panama.

Drill Sergeant Fowler's awards and decorations include the joint Meritorious Unit Award, Meritorious Service Medal, Army Commendation Medal, Army Achievement Medal, Good Conduct Medal, Army Reserve Component Achievement Medal, Global War on Terrorism Service Medal, and the Army Overseas Service Ribbon.

Drill Sergeant Fowler has repeatedly demonstrated outstanding performance, leadership, and devotion to the U.S. Army as is evidenced by the fact that she was recently selected as the 2004 RC TRADOC Drill Sergeant of the Year.

Drill Sergeant Fowler continues to distinguish herself as an invaluable leader in the Army, and it is an honor for each Member of the Congressional Caucus for Women's Issues to recognize the courage and commitment of Drill Sergeant Fowler and all women in the military.

CROSBY MILNE: WINNER OF LABOR'S "OUTSTANDING DEDICATION AWARD"

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FILNER. Mr. Speaker, today I acknowledge a great friend of labor, Crosby Milne—recognized with the "Outstanding Dedication Award" by the San Diego-Imperial Counties Labor Council, AFL–CIO.

Crosby Milne's early upbringing was unfortunately marred by frequent moves and arbitrary acts of discrimination. As a result, Crosby became fundamentally opposed to any forms of discrimination. He used those early childhood experiences as a barometer to make good choices throughout life and guide his actions. Crosby served five years in the United States Navy, and in those years, he played many roles. He spent 29 years working his way up to become a top manager. Throughout his work he discovered that following a set of values is the best way to manage. He has used this concept ever since. In 1974, he began work as a management consultant for commercial firms and for dozens of nonprofit organizations, including the United Farm Workers and Cesar Chavez.

For the past several years, Crosby has been a volunteer for the San Diego-Imperial Counties Labor Council, generously dedicating his time and ideas for the betterment of workers throughout San Diego and Imperial Counties. He has facilitated various staff retreats and meetings as well as sat on various committees. He provides wonderful insight and assessments. Crosby was also very instrumental in forming the Center on Policy Initiatives. Crosby's opinion is highly revered, as he speaks from life experience.

We congratulate Crosby for receiving this year's "Outstanding Dedication Award" from the San Diego-Imperial Counties Labor Council.

IN HONOR OF THE 75TH ANNIVERSARY OF THE NEW YORK COUNTY LAWYERS ASSOCIATION'S HOME OF LAW

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. NADLER. Mr. Speaker, I rise today to honor the New York County Lawyers Association (NYCLA), and the 75th anniversary of its building, located at 14 Vesey Street in New York City. This location, in the heart of both my District and Lower Manhattan, has been the home of NYCLA and its many charitable and educational programs, all of which further its primary purpose of serving the public interest.

Tonight's celebration will feature many of New York City's most esteemed scholars. They include the Hon. Judith Kaye, Chief Judge of the State of New York, Hon. John M. Walker Jr., Chief Judge of the U.S. Court of Appeals, Second Circuit, Michael Cardozo, Corporation Counsel for the City of New York, and Paul Goldberger, architecture critic for The New Yorker.

The Home of Law was designed by legendary American architect Cass Gilbert, designer of the Woolworth and U.S. Supreme Court Buildings, and consulting architect for the George Washington Bridge. The groundbreaking for the Home of Law took place in 1929 and construction was completed just five and a half months later, on May 26, 1930, exactly 75 years ago today. The ribbon-cutting ceremony was attended by such notable figures as then Court of Appeals Chief

Judge Benjamin N. Cardozo, Judge Samuel Seabury, John W. Davis, and City Bar President Charles C. Burlingham. Then-NYCLA President William Nelson Cromwell chose 14 Vesey Street for the Home of Law because, with St. Paul's Chapel across the street, no building would ever block the view.

NYCLA, in its 97–year history, has proven to be a visionary and inclusive organization, pioneering some of the most far-reaching and tangible reforms in American jurisprudence and playing an active role in legal developments and public policy. NYCLA also bears the mark of distinction of being the first major bar association in the United States that admitted members without regard to race, ethnicity, religion or gender. NYCLA and its Home of Law serve New York with distinction, and I am pleased to honor them today on the 75th anniversary of their historic building.

IN RECOGNITION OF THE DEDICATION OF THE LAFAYETTE VETERANS MEMORIAL BUILDING

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mrs. TAUSCHER. Mr. Speaker, I rise today to recognize the dedication of the Lafayette Veterans Memorial Building in honor of the contributions and sacrifices of past, present, and future Contra Costa County veterans for the freedoms we enjoy in our personal lives and for the security we value as a nation.

When we look around at our homes, neighborhoods, and institutions like our churches and schools, we see evidence of the valor and sacrifice of our veterans. We feel safe and protected in the ordinary and extraordinary activities of our daily lives because our veterans have made us safe. We are free to believe and speak what is in our hearts because veterans have fought for our freedoms to do that.

The Lafayette Veterans Memorial Building honors the contributions of veterans today, on Memorial Day, and every day to come. It is a living memorial, created in the heart of this vibrant community at the center of community life. It is intended to serve veterans and their families throughout Contra Costa County, and it is designed to accommodate the broadest possible range of needs of veterans as well as those of the community.

The Lafayette Veterans Memorial Building is also remarkable for being the collaborative achievement of Lafayette War Veterans, Inc., the City of Lafayette, the City of Walnut Creek, and Contra Costa County. Over a number of years, these project partners have come together to create this magnificent tribute to those who serve. They have blessed the community with an outstanding example of joint leadership and cooperative decision-making, as well as with the building itself.

Mr. Speaker, the Lafayette Veterans Memorial Building stands as a fitting monument to our veterans whom we honor on Memorial Day and in our hearts all year long. It takes its part in our community as a reminder of the glories of past, present, and future veterans and of the work of smart, persevering, and dedicated community leaders who have brought their dreams to reality.

CONGRESSIONAL CAUCUS FOR WOMEN'S ISSUES RECOGNIZES SENIOR CHIEF JENSEN

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today on behalf of Congresswomen BROWN-WAITE, SOLIS, CAPPS and the entire Congressional Caucus for Women's Issues to recognize the 8th Annual Women in the Military Wreath Laying Ceremony hosted by the Caucus at Arlington National Cemetery. The Purpose of this event is to honor our nation's servicewomen and female veterans for their courage and achievements, and to remember women who have died in service to the United States.

Today we have the opportunity to recognize five outstanding female servicewomen, one selected from each branch of the military. These women serve their respective branches with honor, dignity, and courage. These highly decorated leaders chose to defend our freedom and embody the spirit of those that served before them.

From the United States Coast Guard Reserves, we will honor Senior Chief Jensen, who currently has an Extended Active duty contract with the Coast Guard and is assigned to Coast Guard Headquarters, Office of Command and Control Architecture.

Senior Chief Jensen enlisted in the Coast Guard Reserves on July 11, 1990 as a Third Class Yeoman. Her first unit was Coast Guard Reserve Unit Pensacola, Florida, where she served for five years. In November of 1995, then a Second Class Petty Officer, she reported to the Gulf Strike Team in Mobile, AL. During this period she was sent on special assignment for 6 months to the National Drug Intelligence Center, Johnstown, PA where she was one of only five enlisted members to ever serve. Her second special assignment came when she was requested for support of the joint agency drug operation, "Operation Gulf Shield" in South Texas for a period of seven months.

Senior Chief Jensen has repeatedly demonstrated outstanding performance, leadership, and devotion to the U.S. Coast Guard, as is evidenced by the awards she has received, which include a Coast Guard Commendation Medal, Coast Guard Achievement Medal, the Coast Guard Commandant's Letter of Commendation, Meritorious Unit Commendation Ribbon with Operational distinguishing device, both Active Duty and Reserve Good Conduct Medals, the 911 Ribbon, Reserve Forces Medal, Rifle and Pistol Shot Ribbons at the Marksman level.

Senior Chief Jensen continues to distinguish herself as an invaluable leader in the US Marine Corps, and it is an honor for each Member of the Congressional Caucus for Women's Issues to recognize the courage and commitment of Senior Chief Jensen and all women in the military.

JEF L. EATCHEL: WINNER OF LABOR'S "SOLIDARITY AWARD"

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FILNER. Mr. Speaker, today I acknowledge a great friend of labor, Jef L. Eatchel—recognized with the "Solidarity Award" by the San Diego-Imperial Counties Labor Council, AFL–CIO.

Jef L. Eatchel has served as Secretary-Treasurer and Chief Executive Officer for UNITE HERE, Local 30 (formerly, Hotel Employees and Restaurant Employees Union, Local 30) of San Diego since he was first elected in 1985. Jef began his career at Local 30 as a cook at La Costa Resort & Spa, where he was appointed Shop Steward by International Vice-President, Herbert "Pinky" Schiffman. He was appointed as Business Representative at Local 30 in 1982. After representing the employees for three years, he was elected Secretary-Treasurer in 1985. He continues to serve as its Chief Executive Officer. Jef does a great deal of work beyond UNITE HERE Local 30. He serves as the Treasurer to the California Culinary Alliance; he was elected a voting director of the International Foundation of Employee Benefits for the West Coast and has served as a Trustee and member of the Educational Program Committee. He also serves on the Executive Committee for the Council of Institutional Investors and is National Vice President for District 9 for the UNITE HERE International.

As chairman of the San Diego Health & Pension Plan, he founded the Labor Union 401K in 1997 which now has forty different unions participating. He is also the co-founder of the San Diego Hospitality Training Trust. In these capacities, Jef works tirelessly to assure that the hard working union members who fall under these plans have a safe and secure financial future. Jef's innovation, enthusiasm and insight bring so much to the working families of San Diego.

People like Jef Eatchel perpetuate these qualities and that is why the San Diego Imperial Counties Labor Council recognize and honor him with the 2005 "Solidarity Award."

TRIBUTE TO THE SCOTT COUNTY AMERICAN LEGION POST 24

HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. CHANDLER. Mr. Speaker, I rise today to honor the Scott County American Legion Post 24. This Sunday, May 29, they will begin their annual Memorial Day Pilgrimage.

Beginning at 8 a.m., these dedicated veterans, along with family and friends, will depart from the Scott County Courthouse and travel to nine cemeteries to honor and show respect to our many departed veterans. They will arrive at the Georgetown Cemetery between 4:30 and 5 p.m. At this time they will also dedicate the stunning new 22 ft. marker honoring all branches of service.

The history of this important organization dates back to the end of World War I, when

15 surviving veterans returned to their homes in Scott County. This first pilgrimage was made in three horse drawn buggies to three different cemeteries.

Mr. Speaker, this Memorial Day weekend, it is important we honor and pay tribute to all who have served or are currently serving in the Army, Navy, Marine Corps, Air Force, Coast Guard and Merchant Marines. At a time when we have thousands of men and women still in harms way in Iraq and Afghanistan, it is essential we all take a moment to remember their great service and sacrifice.

The annual Memorial Day Pilgrimage of the Scott County American Legion Post 24 is a truly wonderful way to honor the men and women of the Armed Forces. I am sincerely grateful for their efforts.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

SPEECH OF

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1815) to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2006, and for other purposes:

Mr. MANZULLO. Mr. Chairman, I thank Mr. HUNTER, Chairman of the House Armed Services Committee, for including my amendment in the en bloc package.

It is the intent of Congress and in the interest of national security that we maintain a strong and healthy industrial base if we are to remain the strongest nation on Earth. Even the founder of modern-day capitalism and free trade, Adam Smith, recognized the need for a nation to be able to depend upon its own industrial and agricultural base and not rely on foreign sources for its defense needs. We cannot maintain our role as global leader on a pure services-based economy.

This amendment strengthens the Buy American Act, BAA, by restoring the original intent that more than 50 percent of the components in end products purchased by the Department of Defense shall be mined, produced, or manufactured inside the United States.

The Buy American Act originally passed Congress during the Great Depression. The intent of Congress was that to qualify under the Buy American Act, a company had to have substantially all of a product made, grown, or mined in the United States. However, regulations implementing the Buy American Act have subsequently redefined ''substantially all'' to mean simply greater than 50 percent.

Yet even that regulation has been weakened even further over the years. The Pentagon has used the ''public interest'' exception to waive the Buy American Act to treat the purchase of some foreign goods as if they were made in America. The original intent of the Buy American Act has been undermined by procurement memoranda of understanding, MOU, and other agreements with various foreign countries that permit the substitution of foreign components for components mined, produced, or manufactured inside the United States. These are not treaties or trade agreements approved by Congress—these were Executive Branch agreements not subject to review by Congress.

Thus, the Buy American laws are basically worthless. There are so many holes in the law that it means nothing when a company says they comply with the Buy American Act. The exception—and it's a big one—is that the domestic content requirement doesn't have to be met if the items are procured from certain designated countries.

The Pentagon has MOUs with 21 developed countries that waive the Buy American Act because the Defense Department has determined that, for these countries, complying with the BAA is ''inconsistent with the public interest.'' Basically, a company getting an award from the Pentagon can claim compliance with the Buy American Act without having to actually make anything here, as long as the components come from one of the 21 countries.

Too often, agencies claim they need the best for the least, implying that Americans can't make the best or compete on price and quality. But ''best value'' is the standard, which means price shouldn't be the reigning factor. The best value for Americans is to have a strong industrial base and we can't do that if DOD forces U.S. companies to compete on price with foreign companies that are owned, subsidized, or controlled by their governments.

It is important to remember that this amendment does not increase the share of the Buy American content, but simply codifies the content percentage of what is in existing regulation.

HEROES EARNED RETIREMENT OPPORTUNITIES ACT

SPEECH OF

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2005

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to express my support for H.R. 1499, the Heroes Retirement Opportunities Act. This important legislation allows military personnel serving combat zones to deduct contributions to their individual retirement plans.

The brave men and women of the United States armed forces risk their lives to defend our freedom and to continue the war on terror. These outstanding individuals are called upon to be stronger, braver, and tougher than they ever thought possible.

It is our duty to reward the men and women who risk their lives for our country, and the Heroes Retirement Opportunities Act accomplishes that goal. This bill will protect as much of their pay for the future as possible.

I know first hand the sacrifices our service men and women make. My husband retired 1st Lieutenant Dexter Lehtinen, was wounded in the Vietnam War by a grenade that almost took his life. Soon my stepson, Aviator 1st Lieutenant Douglas Lehtinen, is preparing to deploy to Iraq. I am certain that he will meet individuals who, like his father, have paid a tremendous price to uphold our ideals of freedom and democracy. By passing the Heroes Retirement Opportunities Act, we can do our part to assure a more certain future for those who risk their lives to protect ours.

To all the brave men and women who have served and now serve in our armed forces . . .

Thank you, on behalf of a grateful Nation.

TOM WOOD: LABOR LEADER OF THE YEAR!

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FILNER. Mr. Speaker, today I acknowledge a great friend of labor, Tom Wood—named the ''Labor Leader of the Year'' by the San Diego-Imperial Counties Labor Council, AFL–CIO.

Tom began his career as a Distribution Clerk with the United States Postal Service as a member of the American Postal Workers Union (APWU—Local 197) in January 1972. Within six months, he became a Shop Steward and started representing employees' rights. He noticed that other employees needed representation because they were too shy to represent themselves; he then became involved in assuring that employees would be treated fairly and justly.

In 1974, Tom was elected as Clerk Craft Director and subsequently has represented the APWU in several capacities since: Secretary-Treasurer, Executive Vice President and as the President of his Local Union since 1990. He has been the APWU chief negotiator for all local contracts for San Diego represented employees, and has made it a point to see that all postal managers treat employees with dignity and respect. Tom has established a reputation of vigorously representing his members, while still being responsive to the needs of the employer and their constant struggle with the ''budget.''

Tom has served as a member of the Board of Directors on the San Diego-Imperial Counties Labor Council for the last fifteen years and as President since 2004. Several years ago, under his leadership, the APWU began looking with other labor unions in town to buy their own property, and became partners with the San Diego-Imperial Counties Labor Council, AFSCME, HERE, CWA and IATSE in Mission Valley's United Labor Center.

Congratulations Tom Wood, on your recognition as ''Labor Leader of the Year''!

HONORING THE LIFE OF SERGEANT JACOB SIMPSON

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. HOOLEY. Mr. Speaker, let us recognize the life and praise the sacrifice of an American Hero.

Just a few days ago, Sergeant Jacob Simpson was killed in action during a reconnaissance patrol in Iraq.

Jacob died as he lived—helping the people of Tikrit in their efforts to secure a peace, and realize their aspirations for a democratic society. Oregon mourns his passing. As a society we have too few of his character; we will all feel his loss for years to come.

Jacob was an exceptional young man who possessed a kind heart, an inquisitive mind, and a dedication to family and friends that was as uncommon as it was devout. After completing his general education studies, Jacob entered the United States Army to build a new life for himself. Sergeant Simpson was a proud, dedicated soldier; he was a team player, always willing to volunteer for an extra job, a hard assignment—but he was so much more.

He was a patriot—an earnest young man who believed citizenship meant responsibility. Jacob Simpson accepted the duty of being an American as freely as he did its freedoms. True to his nature, Sergeant Simpson used his time in uniform to adjust his focus, investigate his academic interests—to develop a plan for rest of his life. Jacob planned on attending college after his discharge.

But Jacob will never again enjoy the winds of the Columbia Gorge, the view of Mount Ashland, or the sounds of his guitar. He returned to Iraq for a second tour of duty well aware of the challenges, the risks, and dangers. He gave his last full measure of devotion keeping faith with his charge.

Jacob Simpson never faltered, never wavered, and never failed—he understood his duties and sacrificed everything he had, and everything he never would have, for the ideals of liberty. His courage is a lesson for us all.

In his brief twenty-four years, Jacob Simpson made a difference in the lives of thousands. With hope, determination, and uncommon valor—Jacob helped blaze the trail for a new generation of Iraqi's to have the right to choose a new destiny.

It is now up to us left behind, here—to ensure the life and death of Jacob Simpson is remembered—to keep its promise. Let us recommit ourselves to the tasks at hand. We must never forget.

TRIBUTE TO DONALD ''DONNIE'' YOUNG

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. TANCREDO. Mr. Speaker, I rise today to pay tribute to one of my constituents, Donald ''Donnie'' Young, a Denver policeman who tragically lost his life in a senseless act of violence earlier this month.

Detective Young was 43 years old, a devoted husband and a father. He was a 12-year veteran of the Denver Police Department and a recipient of the police Medal of Honor. Fellow officers remembered Donnie as a well-liked, friendly man with a care-free attitude who adore his family. He was a running back on the police football team and an avid Harley motorcycle rider.

His tragic death has saddened and will continue to be felt by the entire Denver community. He will no doubt be sorely missed by all, and most of all those who knew and loved him.

On behalf of the House of Representatives, I want to take this time to express my deepest sympathy and heartfelt condolences to Mr. Young's family and friends.

Thank you, Mr. Speaker.

RECOGNIZING THE COAST GUARD, THE COAST GUARD AUXILIARY, AND THE NATIONAL SAFE BOATING COUNCIL

SPEECH OF

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2005

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to express my support of H.R. 243, and to recognize the Coast Guard, the Coast Guard Auxiliary, and the National Safe Boating Council for their efforts to promote National Safe Boating Week.

I represent Florida's 18th District, and a large portion of my Congressional district is surrounded by water. To many of my constituents, and to many Floridians, boating is a way of life. National Safe Boating Week reminds us that even the most experienced boater must always be attentive and vigilant to prevent accidents that hurt or kill thousands of Americans each year. The National Safe Boating Council deserves our thanks for its public education efforts.

The Coast Guard's mission is not limited to our home waters. Numerous Coast Guard vessels are deployed to U.S. Central Command in support of Operation Iraqi Freedom, including two 110-foot patrol boats from South Florida—the USCGC *Baranof* and the USCGC *Maui,* each with 22 personnel aboard—are currently deployed in Bahrain and patrol in the North Arabian Gulf.

I join the citizens of South Florida in saluting the bravery and dedication of the men and women serving in the United States Coast Guard who are keeping the American people safe and who are defending our freedom both at home and abroad.

PERSONAL EXPLANATION

HON. KENNY C. HULSHOF

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. HULSHOF. Mr. Speaker, on May 19, 2005, during consideration of H.R. 2361 the Fiscal Year 2006 Department of the Interior, Environment, and Related Agencies Appropriations Act, I inadvertently recorded my vote as ''No'' on the amendment offered by Mr. BEAUPREZ to increase funding for Wildland Management (Rollcall Vote No. 195). It was my intent to record my vote as ''Aye'' on this amendment.

IGNORING INTERNATIONAL LAW: NIGERIA'S CONTINUING PRESENCE ON CAMEROON'S BAKASSI PENINSULA

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. SHIMKUS. Mr. Speaker, I rise today to draw attention to the continued failure of the Nigerian Government to respect international law regarding Cameroon's Bakassi Peninsula. In October 2002, the International Court of Justice overwhelmingly held that the Peninsula rightfully belongs to Cameroon. As a result, the ICJ demanded that Nigeria rapidly and unconditionally remove its military, police, and civilian officials from Cameroonian territory. Almost three years later, Mr. Speaker, Nigerian military forces are still on the Bakassi Peninsula.

Nigerian President Obasanjo recently has taken some admirable steps to combat corruption and advance democracy in his country. On this key issue, however, Nigeria has been less than forthcoming. At the outset of the Bakassi dispute, President Obasanjo promised that Nigeria would abide by whatever decision the ICJ reached. It has not. After the ICJ decision, Nigeria promised that it would withdraw all of its troops by September 2004. It has not.

Mr. Speaker, President Bush recently declared that the United States recognizes and respects its obligations to the International Court of Justice. We must ask for nothing less from Nigeria and our other friends in Africa and around the world.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1815) to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2006, and for other purposes:

Mr. WAXMAN. Mr. Chairman, under the current Administration, waste, fraud, and abuse in federal contracts have proliferated. No-bid contracts have soared. Oversight of federal contracts has often been turned over to private companies with blatant conflicts of interest. Billions of dollars have been squandered on contracts that enrich private companies but provide little or no benefit to the taxpayer.

Yesterday, at the Rules Committee, I offered an amendment to the Defense Authorization Bill to help restore integrity to the federal contracting process. The amendment would have prohibited contractor conflicts of interest and stop the use of abusive ''monopoly contracts.'' It would have also ensured greater transparency and accountability. I am deeply disappointed that the Rules Committee refused to make the amendment in order and allow an open debate on this important issue on the House floor.

This Administration now relies on oversight contractors with conflicts of interest. In March 2004, the Defense Department awarded seven contracts to help oversee the implementation of a larger number of Iraqi reconstruction contracts. One of the oversight contractors, CH2M Hill, has ongoing domestic contractual relationships with three of the four firms it oversees: Washington Group International, Fluor, and AMEC.

My amendment would have ensured that oversight contractors are truly independent, without any business or contractual relationships with the companies whose contracts they are helping to assess.

My amendment would have prohibited the abusive practice of monopoly contracts, requiring the Administration to use contract vehicles that allow multiple contractors to compete for individual projects. That way we could have some competition between the companies at the project level—and competition is the best way to control costs.

Finally Mr. Chairman, my amendment would have required the Department to submit to appropriate congressional committees a list of all audits that find more than $1 million in contractor overcharges, and to provide full copies of specific audits requested by the chairmen and ranking members of those committees. In this way, the amendment would have enhanced the ability of Congress to discover contractor abuses and promoting greater transparency.

Unfortunately, the current Administration has tried to hide contractor overcharges from Congress, international auditors, and the public, impeding oversight and diminishing accountability.

For example, for months the Defense Department refused to provide copies of audits completed by the Defense Contract Audit Agency relating to Halliburton's oilfield reconstruction work in Iraq. Slowly, we gained access to these reports through unofficial channels. The first report showed overcharges of more than $100 million. We now have six of these audits, and the overcharges exceed $212 million. To this day, we have still not received the remaining audits under this contract.

By refusing to allow a debate on the common sense changes proposed by my amendment, the Republican leadership in Congress is trying to bury these serious problems as well.

I will vote for this bill. I support our troops and this bill will enhance the safety of our men and women in uniform and improve their quality of life. But I am deeply concerned that Congress is not doing nearly enough to stop wasteful and unethical contracting practices.

INTRODUCING THE CLINICAL SOCIAL WORK MEDICARE EQUITY ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. STARK. Mr. Speaker, today I am pleased to join with my friend and colleague Rep. JIM LEACH (R-IA) to introduce the Clinical Social Work Medicare Equity Act of 2005. Sen. MIKULSKI is introducing the companion bill in the Senate. This simple, bipartisan bill would greatly improve access to mental health services for Medicare beneficiaries in skilled nursing facilities (SNFs) by allowing clinical social workers to direct bill for their services.

This legislation seeks to correct a flaw in the Balanced Budget Act of 1997 with respect to Medicare coverage of clinical social work services to nursing home residents. The law omits Certified Social Workers (CSWs) from a list of clinical professionals allowed to directly bill Medicare Part B for mental health services provided to Medicare beneficiaries in SNFs. As a result of this omission, Medicare beneficiaries in nursing homes often go without necessary mental health services.

Numerous reports suggest that mental illness is highly prevalent in nursing homes, with mental health problems affecting more than 80 percent of the residents. These mental disorders—including major depression, anxiety, and severe cognitive impairment of Alzheimer's disease—interfere with a person's ability to carry out activities of daily living. Furthermore, older people have the highest rate of suicide of any age group, accounting for 20 percent of all suicide deaths. Thus, access to mental health services for seniors in nursing homes is critically important.

Clinical social workers are highly trained mental health professionals and have been approved providers in the Medicare program since 1987. They provide 61 percent of mental health treatment in our country, and constitute the single largest group of mental health providers in the United States. Clinical social workers are also cost effective because they are paid less than Medicare's other mental health providers. They are reimbursed at 75 percent of the rate paid to psychologists.

Sadly, in many cases vulnerable nursing home residents have no access to mental health services when highly skilled CSWs are unable to bill Medicare Part B for services in SNFs. Rural and other medically underserved areas are particularly disadvantaged because psychiatrists and psychologists are often unavailable.

Before the Balanced Budget Act of 1997, clinical social workers were able to bill Medicare directly for providing mental health services to SNF residents, just like clinical psychologists and psychiatrists. Their current exclusion from this provider list is indefensible.

The ultimate victims of the current regulations are the vulnerable seniors who need mental health care. Mental health treatment works. Alzheimer's patients and their families can benefit enormously from psycho-education and counseling around how to cope and manage behavior problems. Research trials have repeatedly demonstrated that psychotherapy, either alone, or in combination with medication, can be effective in treating depression and debilitating anxiety.

The Clinical Social Work Medicare Equity Act of 2005 again makes it possible for CSWs to provide mental health services in skilled nursing facilities. This legislation helps to ensure access to needed mental health services for the many Medicare beneficiaries who reside in skilled nursing facilities. This bill is a small technical change to existing law, but would have the enormous effect of improving the lives of Medicare beneficiaries in nursing homes who are suffering from mental illness. We urge our colleagues to work with us to enact this important legislation this year.

MEMORIAL DAY TRIBUTE TO BRONX WAR HEROES

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. SERRANO. Mr. Speaker, the ongoing wars in Iraq and Afghanistan are a constant reminder of the high cost of war. As they have done throughout America's history, selfless men and women continue to make the ultimate sacrifice for our country. We as Americans may disagree on when, where, or if the country should go to war but we must all agree that the men and women who stand ready to sacrifice their lives for their Nation deserve nothing less than the respect and admiration of us all. As we commemorate the contributions of our fallen soldiers on this Memorial Day, I want to pay special tribute to Sergeant Cornelius Charlton and Private First Class William Thompson, two brave African American soldiers from the South Bronx who were posthumously awarded the Congressional Medal of Honor for their outstanding service in the Korean War. The stories of these two soldiers are dramatic but largely unknown.

Sergeant Charlton was living in the Bronx, New York when he enlisted. Originally assigned to a desk job, Charlton volunteered for combat duty with Company C of the 24th Infantry Regiment of the 25th Infantry Division. On June 2, 1951, Charlton's platoon commander was wounded and evacuated from the field. Charlton took command of the unit's assault against Hill 543 and knocked out two enemy positions. Even though he had suffered a serious wound, Charlton led a third charge to capture the hill. Without regard for his own safety, he personally attacked the last enemy position on the other side of the hill. Fatally wounded by a grenade, Charlton struggled onward and single handedly took out the enemy. As a result of his indomitable courage, superb leadership, and gallant self sacrifice, Sergeant Charlton was posthumously awarded the Purple Heart and the Congressional Medal of Honor.

Private First Class Thompson enlisted in the army in 1945 at the young age of 18. His address at time of enlistment was the Home for Homeless Boys in the Bronx. Thompson was described by his friends as being helpful and cheerful but few if any of his friends believed he could succeed as a soldier. However, he proved them all wrong. On August 2, 1951 near Haman, Korea, enemy forces mounted a surprise attack on Pfc. Thompson's unit. Acting quickly and decisively, Thompson set up his machine gun in the path of the onslaught and pinned down the enemy, giving his unit time to withdraw to a more tenable position. Although hit repeatedly by enemy fire, he continued to return fire until he was mortally wounded by an enemy grenade. Thompson's dauntless courage and gallant self sacrifice saved the lives of many in his unit and earned him a posthumous Congressional Medal of Honor.

What makes the stories of these two men so outstanding is the fact they were African Americans fighting for a country that refused to fight for them. These two men epitomized every characteristic we expect our soldiers to possess: selflessness, dignity, courage and honor.

Mr. Speaker, fortunately, there is a group of dedicated veterans, the Friends of Charlton Garden, who are working tirelessly to preserve the memory of these fallen heroes in the Bronx by establishing a memorial park aptly named the Charlton-Thompson Korean War Veterans Memorial. I am proud of the work that the Friends of Charlton Garden are doing to ensure this monument stands as a symbol of gratitude to the selfless acts of heroism displayed by all of our fallen soldiers, and I know in my heart that we as a legislative body must do more to supplement their good works. I'm

sure that the Friends of Charlton Garden would agree that we can build no monument large or grand enough to honor the men and women who made the ultimate sacrifice for this country. The closest we can come to repaying these soldiers is to work to ensure that the world knows war no more. As idealistic and impossible as it may seem it is what their souls cry out for. So, Mr. Speaker, it is what I will continue to work for and it is what I ask my colleagues to work for. Surely, there can be no greater monument to our soldiers than peace.

HONORING THE LIFE OF SISTER DOROTHY STANG

SPEECH OF

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2005

Mr. TURNER of Ohio. Mr. Speaker, I am an original co-sponsor of H. Con. Res. 89, legislation to honor a truly distinguished native of the city of Dayton, which I represent in Congress, Sister Dorothy Stang.

Sister Stang was brutally murdered in Brazil on February 12. She was a Sister of Notre Dame de Namur, and had moved to the Amazon region of Brazil 22 years ago to help impoverished families in the Amazon learn how to engage in sustainable farming, and help them in their struggle for land rights. It was while she was working for the poor that she was murdered. It was as Sister Stang was traveling to a meeting of impoverished farmers that two gunmen approached her. Sister Stang read from the Bible to the gunmen, who nevertheless shot her several times.

Sister Stang's commitment to the poor, her quest for fair treatment of those who felt they did not have a voice, and her belief in the power of faith serve as an example from which we all can draw valuable lessons. It is fitting that the House of Representatives will vote today to draw the attention of the Congress and our Nation to the life of this selfless and inspirational woman.

HONORING THE 70TH BIRTHDAY OF ROBERT HEDGER

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. ISRAEL. Mr. Speaker, I rise today to send the Congress's birthday wishes to Robert Hedger on the occasion of his 70th birthday celebration. Father to Matthew, Sarah, Adam, Douglas and Stephen—a valuable member of my personal staff—and grandfather to Allison, Jonathon, Samuel, Kristina and Sarah, Robert has brought a wonderful family into this world. I offer my best wishes for continued good health and good fortune for he and his family and for many more gatherings such as that which he will hold this Memorial Day weekend when he will be surrounded by his loved ones at his home in Corea, Maine.

HONORING THE NATIONAL FEDERATION OF INDIAN AMERICAN ASSOCIATION (NFIA)

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. PALLONE. Mr. Speaker, it is with great pleasure that I rise on the House floor this evening to highlight the National Federation of Indian American Associations (NFIA). NFIA is an umbrella organization for over 200 associations, all of which represent the 2.2 million Americans of Indian origin.

Since the establishment of NFIA in 1980, the organization has served the Indian American community at the local, State and national level, by protecting the basic civil rights of Indian Americans and by promoting their rich cultural heritage. NFIA is a secular organization that accepts membership from all Indian Americans, irrespective of religious, regional, ethnic, professional or political affiliation. In addition to representing and encouraging political participation by Indian Americans, NFIA is also active in promoting strong relations between the United States and India.

NFIA is very active in the area of raising funds for natural disasters, both in the U.S. and India, and has funded many charitable projects. NFIA holds biennial conventions in various parts of the country to discuss, deliberate, and debate the contemporary issues facing the community. Lastly, NFIA conducts annual receptions on Capitol Hill in an effort to strengthen long-lasting relationships with Members of the House and Senate and to advance its agenda on behalf of Indian Americans and U.S.-India relations.

In closing Mr. Speaker, I would like to honor the National Federation of Indian American Associations (NFIA) for its dedicated service.

BAKASSI PENINSULA

HON. CHRIS CHOCOLA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. CHOCOLA. Mr. Speaker I would like to share with my colleagues a situation that has been brought to my attention. An October 2002 ruling by the International Court of Justice affirmed that the disputed Bakassi Peninsula belongs to The Republic of Cameroon. I urge the nations of Cameroon and Nigeria to act in accordance with this ruling and move expeditiously to withdraw Nigerian troops and delineate the final border. Continued talks between the two parties are greatly encouraged, and it is my hope they will lead to an effective resolution.

CONGRATULATING THE NAPERVILLE BASEBALL ASSOCIATION ON ITS 50TH ANNIVERSARY

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mrs. BIGGERT. Mr. Speaker, I rise today to congratulate the Naperville Baseball Association on its 50th anniversary and to thank its members for their enduring commitment to youth athletics throughout the Naperville community.

The Naperville Baseball Association is an institution that, for a half-century, has provided local children with a fun, safe way to play organized baseball. The association will be honored as part of ''Naperville Baseball Day'' on June 3, celebrating ''baseball at its best for the past 50 years.''

As a mother and a grandmother, I fondly recall my days of shepherding kids to and from various youth sporting events in my station wagon. As a former youth soccer coach, I remember trying to balance winning while ensuring that all the kids got a chance to play and have fun.

Each year as spring rolls around, kids across America grow excited with anticipation for baseball season. They come to the field hoping to emulate their big league idols, while their parents line the stands, anxious to see their son morph into the next Mickey Mantle or Ernie Banks, slamming the ball out of the park. After games, parents and kids, coaches and teammates, all congratulate one another and often celebrate over pizza or heaping scoops of ice cream. Mr. Speaker, this is youth baseball at its very best.

As our national pastime, baseball holds a special place in the hearts of so many Americans. For generations, families have bonded over hot dogs and Cracker Jack at Wrigley Field, Comiskey Park, and other legendary cathedrals of summer. But as vital as these familial baseball bonds are to encouraging a love of the game, organized baseball also remains an excellent resource for teaching invaluable life skills like teamwork, friendship, and sportsmanship.

The Naperville Baseball Association has promoted this vision of pure, timeless baseball for more than 50,000 children over its 50-year history. I am proud to add my voice to the many who wish to say thanks, and I am confident they will keep up the good work for at least another 50 years.

HONORING THE RECIPIENTS OF THE 21ST ANNUAL PROSECUTORS' OFFICE AWARDS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. ANDREWS. Mr. Speaker, I rise today to honor the recipients of the 2005 Prosecutors' Office Awards. These remarkable individuals have helped build a safer community through their faithfulness and perseverance while on duty. The following are this year's awards and recipients.

A Commendation for Valor is awarded to an officer for an extraordinary act of outstanding courage, without regard for personal safety, while in actual combat with an armed and dangerous perpetrator. This year a Commendation for Valor will be awardbd to the following people: Officer Shay Sampson; Officer Melva Moss; Officer Buddy Camp.

A Commendation for Heroism is awarded to an officer for an act of outstanding courage, without regard for personal safety, which results in the saving of a life, or the futile attempt to save a life. A Commendation for Heroism may also be awarded to an officer who

makes an outstanding arrest while confronting an armed and dangerous perpetrator. This year a Commendation for Heroism will awarded to the following people: Officer Evelyn Carlin; Det. Wayne Matthews.

The Commendation for Merit is given to an officer who has demonstrated intelligent and valuable police service. This year the Commendation for Merit will be awarded to the following people: Det. Bret Johnson; Inspector Dave McClintock; Sr. Investigator Patricia Taulane; Police Officer Thomas Jeffers; Patrolman Kevin Koykka; Sgt. Paul Sims; Ptlm. William Hawkins, Jr.; Ptlm. Sean Plasket; Ptlm. Howard Dawson, IV; Ptlm. Don Stone; Ptlm. Thomas Farrell; Sr. Investigator C. DeCristofor; Investigator Edgardo Perez; Investigator Carlos Plaza; Det. Angel Ramos; Sr. Inv. Martin Wolf; Inv James Bruno; Det. Eric White; Det. Sgt. Michael Basileo; Sr. Inv. Ron Moten; Inv. Miguel Rubert; Inv. Felix Martinez; Sr. Inv. Steve Setlles; Det. Thomas Kalick; Sr. Inv. Diane Wilson; Det. Wayne Matthews; Sr. Inv. John Greer; Det. Edward Fallon; Det. Sgt. Christopher Leone; Inv. Michael Dougherty; Inv. Matthew McKeown; Inv. James Pisano; Inv. Robert Norcross; Inv. Fawn Ackerman; Inv. Catherine Fisher; Inv. Jim Dougherty; Sgt. W. Mahan; Inv. John Ellis; Det. Scott Beasley; Det. Michael Meyers; Sgt. Frank Gagliardi; Ptlm. Michael Williams; Ptlm. Keith Barrett; Sgt. Neil Larson; Inv. Amy Jewusiak; Inv. Mike Molle; P/O Gary Badger; P/O Timothy Tedesco; P/O Robert Kempf; Off. J. Valszquez; Off. Parrish Powers; Off. Robert Chew; Off. Michael Fosler; Det. Kirk Williams.

A Letter of Commendation is awarded to an officer in recognition of police service, who is exceptional, and has served beyond the requirements of routine duty. This year a Letter of Commendation will be awarded to the following people: Inv. Janene Bahr; Det. Ken Nelson; Sr. Inv. Brian DeCosmo; Ptlm. William Lyons; Ptlm. Thomas Harchaw; Ptlm. Sean McGann; Inv. William Rummel.

A Citizen's Commendation may be awarded to any person who provides a significant contribution to the public safety through a specific act of outstanding courage, without regard for personal safety, which results in the saving of a life or the futile attempt to save a life. This year a Citizen's Commendation will be awarded to the following people: Ngoc V. Lee; Tracey Evans; Kim Belcher; Greg Parkill; Diane Schiavone-Loudon; Carlton Loudon; James Davies.

A Unit Citation is to be presented to any local, State of Federal Law Enforcement Unit, Agency, Department, Strike Force, etc. for outstanding performance and accomplishments made in the public interest. This year a Unit Citation will be awarded to the Camden Anticrime Partnership.

The Prosecutor's Service Award is given to any law enforcement personnel (officer or civilian) who, by personal dedication, thoroughness, competence, and a cooperative spirit, significantly facilitated the work of the Camden County Prosecutor's Office in the efficient and productive administration of justice. This year the Prosecutor's Service Award will be given to the following people: Timothy Kohlmyer; Sr. Inv. Kenneth Curcio; Asst. Pros. Mark Chase. Two special presentations will be made to Helmrich's Towing and Father Michael Manion for their support of the Prosecutor's Office and Camden County law enforcement.

The recipients of the 2005 Prosecutors' Office Awards have all demonstrated a strong commitment to advancing law enforcement in their community. All of these men and women have committed themselves to improve the quality of life for county residents by attacking crime at every level. I thank all those who have helped to create a safer America by their commitment to law enforcement, and encourage my colleagues to support them in the U.S. Congress. Together we can continue to create better and safer communities throughout the country.

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A SALUTE TO KATIE BROWNELL

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to salute a young girl who is in a league of her own—Kate Brownell. Katie is a shy 11-year-old girl of few words. But when she gets on the baseball field she lets her pitching do the talking. And she rocks!

Brownell is the only girl in the Oakfield, Alabama Little League baseball program. She threw a perfect game for the Dodgers in an 11–0 victory over the Yankees. How dominant was she? Katie struck out all 18 batters she faced, yielding no more than two balls to any batter, in a six inning victory. Katie accomplished something league officials can't remember anyone—boy or girl—ever doing.

Brownell is not just good at pitching; she is also great at the plate. Katie's batting average is .714. When I first read her story I was so excited and inspired by this young girl's feat. I was so impressed that I wanted to be sure to come down to the floor and recognize her.

She exemplifies what you can achieve regardless of gender. Young women like Katie also serve to remind us that we can pretty much do everything men can, and sometimes better.

ON THE INTRODUCTION OF THE VISION PRESERVATION ACT OF 2005

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to introduce the Vision Preservation Act of 2005. I am proud to introduce this legislation today along with my fellow co-chairs of the Congressional Vision Caucus: Representative ILEANA ROS-LEHTINEN, Repesentative DAVID PRICE and Repesentative PAT TIBERI. The four of us created the Congressional Vision Caucus in 2003 to increase education and awareness of vision problems among Members of Congress and their staff. The Vision Caucus has been fortunate to have the support of Prevent Blindness America and many other vision organizations in these efforts.

In 2004, Prevent Blindness America joined with the American Academy of Ophthalmology, the American Optometric Association, Lighthouse International and the National Alliance for Eye and Vision Research to put together an action plan to address vision problems. The legislation we introduce today is a legislative response to the recommendations outlined in that action plan.

Currently, an estimated 80 million people in the United States have a potentially blinding eye disease, 3 million have low vision, 1.1 million are legally blind, and 200,000 are more severely visually impaired. In my state of Texas alone, more than 370,000 people suffer from diabetic retinopathy. At least 90,000 Texans over 50 live with AMD. And cataracts affect more than 1.2 million people in my state.

Despite evidence that half of all blindness can be prevented, the number of Americans who suffer vision loss is expected to double by 2030 unless more effective prevention and treatment efforts can be implemented. The Vision Preservation Act will enhance current prevention and treatment efforts by focusing increased attention on vision research, expanding current federal vision programs, developing vision screening standards and providing for vision rehabilitation services under Medicare.

The Vision Preservation Act builds on the quality programs currently in operation at the Centers for Disease Control and Prevention and the National Eye Institute within the National Institutes of Health. These agencies lead the way in health care research and the prevention of disease, and the enactment of this legislation will ensure that appropriate federal resources and research are dedicated toward stemming the vision diseases that afflict too many Americans.

I encourage my colleagues to co-sponsor this legislation in recognition of Healthy Vision Month and ask for their continued support of the Congressional Vision Caucus's efforts to help improve the vision of our constituents throughout this nation.

THE GREAT APE CONSERVATION REAUTHORIZATION ACT OF 2005

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. GEORGE MILLER of California. Mr. Speaker, today, with my colleague from Washington, Mr. BAIRD, I am introducing the Great Ape Conservation Reauthorization Act of 2005. In the 5 years since its enactment, the Act has helped protect threatened primates, including chimpanzees, gorillas, bonobos, orangutans, and gibbons. This reauthorization is needed to continue progress in this important field.

The funds provided by the Great Ape Conservation Act have gone to such diverse projects as: protecting chimpanzee habitat from logging operations; establishing anti-poaching enforcement units; starting conservation education programs; coordinating gibbon population surveys and threat assessments; and implementing ape health monitoring programs.

And every federal dollar spent under the Great Ape Conservation Act has been matched many times over by local and international funds. The $2,940,000 Congress appropriated between FY 2001 and FY 2003 was leveraged by $4,275,032 in non-Federal matching funds or in-kind contributions.

To take just one example, in 2003 the Fish and Wildlife Service invested $45,000 in the Mengamé Reserve for Chimpanzees and Gorillas; this investment leveraged more than $100,000 from other sources, funding which has helped the Jane Goodall Institute study a promising area for great ape conservation on the border of Cameroon and Gabon.

But despite the ongoing successes of the Act, the threats to these noble primates continue.

Press accounts and reports from the field indicate that these species continue to be placed in jeopardy by habitat loss, poaching, logging, and the bush meat trade. The Great Ape Conservation Reauthorization Act of 2005 specifically authorizes funding to address these root causes of threats to great apes.

In addition, natural disasters and their aftermath can have a devastating impact on wildlife. Efforts to rebuild after the 2004 tsunami have led to increased logging, putting further pressure on already-threatened orangutans and other forest species. That is why the legislation we are introducing today authorizes funding to address critical great ape conservation needs in Aceh Province, Indonesia.

The Great Ape Conservation Reauthorization Act extends the program's authorization through the year 2010. The contributions of the Great Ape Conservation Act have been very important, but there is much work yet to be done.

I urge my colleagues to support this legislation.

SAN JUAN NATIONAL FOREST CENTENNIAL MONTH

HON. JOHN T. SALAZAR

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. SALAZAR. Mr. Speaker, today I rise in recognition for the 100th anniversary of the creation of the San Juan National Forest in my Congressional District in Colorado.

On June 3, 1905 the San Juan National Forest was created through presidential proclamation by Theodore Roosevelt. This year also marks the centennial of the creation of the U.S. Forest Service, the Federal agency which manages the San Juan National Forest and 155 other National Forests across the country.

The San Juan National Forest encompasses over 1.8 million acres of southwestern Colorado, an area more than 120 miles wide and 60 miles long. This great forest has historically contributed to the comnunities of southwestern Colorado through the supply of timber, minerals, oil and gas, livestock grazing, recreation, clean water and air, and other resources. The above amenities are important to the quality of life and economic well being for southwestern Colorado.

I ask all citizens to join in the Centennial Celebration of the San Juan National Forest through the many activities scheduled for June 1–4, 2005 and ask my colleagues to join me in proclaiming June, 2005 as San Juan National Forest Centennial Month.

KEEP DOMESTIC VIOLENCE VICTIMS IN HUD HOUSING SAFE FROM THEIR ABUSERS

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to introduce the Safe Housing Identification Exemption for the Lives of Domestic Violence Victims (SHIELD) Act.

Mr. Speaker, I know of the victims that have finally built up the courage to leave their abusive relationships and have nowhere to go but a homeless shelter. I know of the women who everyday are scared for their lives because their abusers are trying to track them down.

Mr. Speaker, I know of the victims who want to feel safe, who want to believe that these federal agencies and services are there to protect them. And, ultimately all of our federal services are intended to effectively serve and protect our citizens.

But, I also know of the victims who are scared that they can be tracked down by their predators and probably would not seek housing assistance if they knew about the HUD requirement to disclose their personal information and location. All HUD homeless shelters and food banks, domestic violence centers and transitional housing receiving McKinney-Vento Funds are required to input personal identifying data into the Homeless Management Information System Database. This tracking database requires personal identifying information including names, Social Security numbers, date of birth, race and ethnicity. This personal information database can be easily accessed by personnel working in state, local and federal agencies.

Mr. Speaker, I am thinking of the victims whose abusers readily have access to this personal information. These abusers may work in one of these agencies or have the ability to access this database. All they would have to do is type in the victim's name or other identifying pieces of information and they would immediately know where the victim is staying or the domestic violence shelter they visited. A loophole like this is far too detrimental to their safety and could put many victims of domestic violence in further danger.

In order to address this problem, I have introduced the SHIELD Act along with my colleague from Florida, KATHERINE HARRIS. This bill would require any agency participating in the Homeless Management Information System to exclude personal identifying information of victims of domestic violence, dating violence, sexual assault, or stalking. Instead the legislation recommends the use of nonpersonal identifying information for data collection and statistical purposes.

Reaching out for assistance is already a big step for many victims of domestic violence. We should not put them in greater danger or deter them from seeking these valuable services because of an agency loophole. I urge my colleagues to join me in cosponsoring the SHIELD Act.

RECOGNIZING THE 57TH ANNIVERSARY OF THE INDEPENDENCE OF THE STATE OF ISRAEL

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. EMANUEL. Mr. Speaker, I rise today in strong support of H. Con. Res. 149, a bill recognizing the 57th Anniversary of the Independence of the State of Israel. Yom Ha'Atzmaut, Israel's Independence Day, marks a day when Theodor Herzl's prophetic words became reality: "if you will it, it is no dream."

The State of Israel was established as a sovereign and independent nation 57 years ago, and it continues to be a strong friend of the United States and a beacon of democracy in the Middle East.

On May 14, 1948, Israel was officially established, and the United States was one of the first countries to recognize Israel, doing so within 11 minutes of its creation. Israel has come a long way since those initial minutes. The Israeli people have contributed greatly as scholars, innovators, educators, and more, and I am pleased to have this opportunity to recognize their accomplishments.

Since the very beginning of its existence, Israel has been a vital ally of the United States, enjoying a strategic partnership based on shared democratic values, friendship, and respect. America and Israel shall remain close friends for years to come, particularly as Israel continues to seek peace with her neighbors. On the Jewish Calendar, Israel's Independence Day falls on the 5th of Iyar, corresponding this year with May 12, 2005. This day is a joyous time to reflect with pride on the work of the men and women who knew that one day the dream of the State of Israel would become a reality.

Mr. Speaker, I join with my colleagues in extending warm congratulations and best wishes to the people of Israel as they celebrate this 57th year of Israel's independence. I wish them peace and prosperity in the years to come, kein yehi ratzon.

RECOGNIZING JUDY GOFF, EXECUTIVE SECRETARY-TREASURER EMERITUS ALAMEDA LABOR COUNCIL

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Judy Goff who served, from 1999 to 2005, as Executive Secretary-Treasurer of the Alameda Labor Council, based in Oakland, California. She was the first woman elected to lead a major labor council in California and was also the first woman elected statewide President of SEIU Local 535.

Judy Goff's leadership in the labor movement is exemplary. She has consistently supported labor solidarity by speaking at numerous rallies, walking countless picket lines, and being arrested for the cause of worker's rights.

She is a founding member of the Labor Immigrant Organizing Network, which initiated a successful resolution to change the National AFL-CIO policy on immigrant workers' rights. Ms. Goff has never hesitated to put herself and the labor movement squarely on the side of the downtrodden and oppressed. She is a staunch supporter of workers' civil rights. During her leadership, the Alameda Labor Council opposed police action against workers and protesters and was instrumental in changing police tactics and policy to insure safety and respect.

Increased diversity in the leadership of the Alameda Labor Council is another example of Judy Goff's consistent voice and steady leadership to represent the interest of all workers, locally, nationally, and internationally. She has devoted her efforts to improving labor education at all levels, including service on the California State Assembly Speaker's Commission on Labor Education.

In keeping with her ongoing interest of economic parity for workers, she spearheaded the successful passage of a Living Wage Ordinance in the cities of Berkeley, Hayward, and Oakland as well as the Port of Oakland.

On June 10, 2005, the Central Labor Council of Alameda County, AFL-CIO will bestow its Lifetime Achievement Award on Judy Goff as Unionist of the Year. I join the Council and Ms. Goff's friends, family and admirers in appreciation for her many years of dedicated service and congratulate her on a distinguished career in the labor movement.

SIXTY YEAR ANNIVERSARY: COLUMBIAN AWARDED NAVY CROSS AT THE BATTLE OF OKINAWA

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. WILSON of South Carolina. Mr. Speaker, I am honored today to recognize the tremendous sacrifice of Thomas Marvin "Tim" Owen, Jr., who as a Water Tender First Class, United States Navy, served on the USS *Butler.* The USS *Butler* was a destroyer that participated in many important naval battles in World War II. The *Butler* served as an escort ship near Casablanca, North Africa, and Dakar, French West Africa. She participated in the Sicily Invasion, Battle of the Seine, Invasion of Northern France at the Battle of Normandy and the Battle of Okinawa.

On May 25, 1945 at the Battle of Okinawa, bombs from a suicide plane exploded under the ship blowing out steam lines and flooding the forward fire room. The USS *West Virginia* stood by to assist the *Butler* until power was restored. During this time, two more suicide planes attacked the *Butler.*

Thomas Marvin Owen, Jr. was awarded the Navy Cross for heroic actions in this engagement. Even though he was mortally wounded, he continued to perform his duty at his post and aided other sailors on the *Butler.* He and eight shipmates were killed in the engagement and were buried at sea. His name is inscribed on the Honolulu Memorial Tablets for those missing in action or buried at sea.

JONATHAN WALLACE KROART MAKES HIS MARK ON THE WORLD

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. ETHERIDGE. Mr. Speaker, I rise today to congratulate Mr. Michael Galbraith Kroart and Mrs. Elizabeth Sparrow Kroart on the birth of their child, Master Jonathan Wallace Kroart. Jonathan was born on Thursday, May 5, 2005 and weighed 7 pounds and 14 ounces. My wife Faye and the entire Etheridge family join me in wishing Michael and Elizabeth great happiness during this very special time in their lives.

As a father of three, I know the immeasurable pride and rewarding challenges that children bring into your life. Their innocence keeps you young-at-heart. Through their inquiring minds and wide-eyed wonder, they show you the world in a fresh, new way and change your perspective on life. A little miracle, a new baby holds all the potential of what human beings can achieve.

I welcome young Jonathan into the world and wish Michael and Elizabeth all the best as they steer him through all of the joys and challenges that life brings.

CONGRATULATING STEVEN SHARFSTEIN ON HIS INSTALLATION AS AMERICAN PSYCHIATRIC ASSOCIATION PRESIDENT

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. CARDIN. Mr. Speaker, today I rise to congratulate Dr. Steven S. Sharfstein on his installation as President of the American Psychiatric Association. Dr. Sharfstein is President and Chief Executive Officer of the Sheppard Pratt Health System in Baltimore, where he has worked for nearly 20 years. Located in Towson, Maryland, Sheppard Pratt Health System is a private, non-profit behavioral health organization with over 1,500 employees. Founded in 1891, Sheppard Pratt is the area's largest behavioral health care organization. The hospital's reputation as one of the leading organizations in the field of mental health is known not only in Maryland, but throughout the national and international mental communities.

Dr. Sharfstein is also Clinical Professor and Vice Chair of Psychiatry at the University of Maryland. A practicing clinician for more than 30 years, he is best known for his research and writing on the economics of practice and public mental health policy. Over 13 years, he has held a variety of positions at the National Institute of Mental Health, including Director of Mental Health Service Programs. This month, Dr. Sharfstein completes on May 27th his one year term as President-Elect of the American Psychiatric Association and begins his term as the 132nd President of the APA, the country's oldest national medical specialty society.

Dr. Sharfstein has established himself as an active leader in his profession and has worked to eliminate the stigma associated with mental health treatment. Throughout his years at Sheppard Pratt, Dr. Sharfstein's work has been truly inspirational in advancing the fight for mental health parity.

Dr. Sharfstein has served the American Psychiatric Association as chairman of the Budget Committee, the Committee on Managed Care, and the Ethics Appeals Board. He has also served as co-chair on the Committee on Psychiatric Reimbursement, as well as vice-chair of the Joint Commission on Government Relations.

A graduate of Dartmouth College and the Albert Einstein College of Medicine, Dr. Sharfstein trained in psychiatry at the Massachusetts Mental Health Center in Boston from 1969 to 1972. He also received a Masters in Public Administration from the Kennedy School of Government in 1973 and a certificate from the Advanced Management Program at the Harvard Business School in 1991. He was Secretary of the American Psychiatric Association from 1991 to 1995 and its Vice President from 2002 to 2004.

Through his outstanding leadership at Sheppard Pratt Health System, Dr. Sharfstein has already made numerous invaluable contributions to the quality of psychiatric care. I look forward to continuing to work with him to advance the cause of quality mental health treatment, and I congratulate him on this achievement.

TRIBUTE TO REVEREND JOHN H. SCOTT, CIVIL RIGHTS LEADER

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. PAYNE. Mr. Speaker, I rise today to recognize and pay tribute to one of this country's great civil rights leaders, Rev. John H. Scott. On May 7, I had the opportunity to attend a tribute to Rev. Scott, honoring the 25th Anniversary Celebration of the John H. Scott Memorial Fund in Tallulah, Louisiana. This living memorial was started at the request of Rev. Scott at the end of his life, and now provides scholarships to young people, as well as supporting other projects that advance the aims and ideals of the Reverend's life.

Rev. Scott was a minister and a civil rights leader who was devoted to improving the quality of life for African-Americans in this country. He was born in 1901, in a small, almost all-black parish in Louisiana, where black schools, businesses, and neighborhoods were thriving, but existed in almost total isolation from their white neighbors. He came to see that this seeming independence was not commensurate with equality, and he dedicated his life to the pursuit of that equality for all people, of all color, in all places.

He was a farmer, as well as a pastor for twenty-five years, president of the local NAACP for thirty-three years, and chairman of the East Carroll Ministerial Alliance for five, while still finding time to make regular visits to hospitals, senior citizens' homes, and prisons. His twenty-five year struggle for full voting rights for African-Americans is an exemplar of how individual people can indeed change the world. Armed with a passion for justice and ready to fight no matter what the cost, his local, grassroots efforts became a national movement that ultimately convinced Attorney General Robert Kennedy to join his crusade for equality for all. Despite growing up under the oppressive injustice of Jim Crow laws, and knowing the risks it presented to his own life and the lives of his friends, neighbors, and family members, he was unfaltering in his quest for progress.

His book, Witness to the Truth, which was compiled by his daughter, Cleo Scott Brown, is a collection of his writings and transcripts of his interviews; and I recommend it to all who wish to know more about the history of race relations in this country. We must understand the truth about our past struggles if we are ultimately to see success, because, in the words of Rev. Scott, ''So much of what we will become depends on how we start.'' And Rev. Scott helped us start well. His life is a testament to the tenacity and courage that daily fortified our civil rights leaders and sustained them in their struggle to ensure human rights for every person, regardless of race, gender, or economic circumstance.

We all owe a debt of gratitude to Rev. John H. Scott, and I acknowledge my own indebtedness here today. He once wrote, ''History is of little value unless it inspires one to greater endeavors, or serves to guide against the mistakes of the past.'' As the first African-American elected to this great body from my State, I know that I have been inspired to greater endeavors by people like Rev. Scott, whose lives paved the way for my accomplishments.

I'd also like to thank Dr. Elsie Scott for bringing this extraordinary Foundation to my attention and to commend the other Scott family members including Jewel Scott, Johnita Scott, and Louis G. Scott.

Mr. Speaker, I wish today to honor the memory of Rev. John H. Scott, and I know that all of my colleagues here join me in paying tribute to this man of uncommon distinction who history will remember as a great warrior in the struggle for civil rights.

IN RECOGNITION OF MR. HUGH FERGUSON

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. KNOLLENBERG. Mr. Speaker, one of our Nation's greatest assets is our veterans. When I look around this chamber and see the reflection of our democracy, I can't help but think of those who fought to ensure our safety, our strength, and our freedom.

I rise today to recognize an honored veteran and an extraordinary American, Mr. Hugh Ferguson.

Those who study World War II are aware that the United States was at war with Japan for three months after Germany surrendered. The end of the war with Japan came only after President Harry S Truman made the brave and difficult decision to use the atomic bomb.

On August 9, 1945, Mr. Hugh Ferguson was piloting the B–29 bomber plane that dropped the atomic bomb on Nagasaki, Japan. This mission required bravery, faith, and discipline in order to see it through. Mr. Ferguson was just a mere twenty-two years old when his country employed his piloting skills to end the battle and forever change the make-up of the world.

As Mr. Ferguson will tell you, he and his fellow pilots knew their acts would end World War II and save hundreds of thousands of American lives. This knowledge made it clear to Mr. Ferguson what his mission was and that his success was necessary—even at its great cost.

It takes a brave and faithful man to carry out the missions of the United States military. It takes an even braver man to test history with the new technology that was the atomic bomb. Yet, Mr. Ferguson's bravery did not stop there. Years later, he again answered the military's call of duty. Mr. Ferguson flew the only plane on site when the United States detonated the world's first hydrogen bomb on Eniwetok Atoll. Not knowing the consequences of this flight, he and his crew bravely documented the power of the hydrogen bomb for United States officials.

This year marks Mr. Ferguson's 82nd birthday. I wish to congratulate and honor him for his service to this country in the face of war. As a member of Congress, as a proud citizen of the United States, and as a person who enjoys the freedom this great Nation offers, I officially recognize Mr. Hugh Ferguson.

IN SPECIAL RECOGNITION OF DR. JEFFREY CHARLES KELLER ON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-THREE YEARS OF SERVICE TO THE DUBLIN CITY SCHOOL DISTRICT

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. GILLMOR. Mr. Speaker, it is my great pleasure to pay special tribute to one of Ohio's finest educators. After thirty-three years, Dr. Jeffrey C. Keller is retiring from the Dublin City School District. Dr. Keller, who for three decades has directed the Dublin Coffman High School instrumental music program, has been a leader in education and an inspiration to the community.

Raised in Prospect, Ohio, Dr. Keller began his career at Dublin High School in 1972, after earning his bachelor's degree from The Ohio State University. After three years, Dr. Keller returned to The Ohio State University where he earned his Masters and Doctoral degrees. After his graduate education, Dr. Keller returned to Dublin as director of music education, a position he has held ever since.

For more than 30 years, bands under Dr. Keller's direction have enjoyed a superior reputation in the State of Ohio. He has shared countless hours developing the talents and enjoyment of music in each of his students. For his efforts, Dr. Keller was recognized with the 2002 Ohio Music Educators' Association's Ohio Music Educator of the Year Award. In addition, Dr. Keller has been recognized by Capital University and Prescott High School in Arizona for his education and performance clinics. Dr. Keller was also awarded The School of Music Society of Alumni and Friends Award by his alma mater, The Ohio State University, for excellence in teaching in the music education division.

Beyond his deep commitment to the students of Dublin Coffman High School, Dr. Keller has also given greatly of himself to the community. As a result of his efforts as a community leader, Dr. Keller has been a recipient of the Dublin A.M. Rotary Signature Award, the Dublin Jaycees Golden Shamrock Award and the ''God and Country'' Music Award from the Greater Columbus Area Salvation Army.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to Dr. Jeffrey C. Keller in recognition of his superlative service to the students, parents and friends of the Dublin Coffman Music Education Program. On behalf of the people of the Fifth District of Ohio, I am proud to recognize his many accomplishments. We wish Jeff, his wife Gail, and their daughter Kristany, all the best as we salute one of Ohio's finest citizens.

HONORING THE 130TH ANNIVERSARY OF SUMNER HIGH SCHOOL

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. CLAY. Mr. Speaker, I rise today to pay tribute to Sumner High School, the first school west of the Mississippi river to offer secondary

education to African Americans. This year marks the 130th anniversary of the school's founding as "The High School for Colored Children." Originally housed in the former Washington School at 11th and Spruce streets in downtown St. Louis, the school was renamed on October 12, 1875, in honor of Charles Sumner, a Massachusetts Senator who was an ardent supporter of African-American rights. In 1861 Senator Sumner was the first U.S. Senator to call for full emancipation. The decision to name the school in his honor reflected the school's role as a preeminent institution for African Americans. Dropping "colored school" in favor of Sumner High occurred fifteen years before local African-American leaders succeeded in persuading the St. Louis Board of Schools to designate names for all segregated schools.

In the aftermath of the Civil War, Missouri passed a new state constitution requiring all school boards to support education for African Americans. However, the Board of Education for Colored Schools occupied only rented space and its schools moved often. Sumner was no exception. In 1895 it was relocated to 15th and Walnut streets, near the saloons and pool halls of downtown St. Louis. Concerned citizens petitioned school officials to move the school again and in 1910 Sumner was relocated to The Ville neighborhood, where it occupied a new structure at 4248 Cottage Avenue. The new Sumner High strengthened the neighborhood's status as a center for middle-class African-American life in St. Louis.

Another historical landmark tied to Sumner High School involved the hiring of African-American teachers. Initially, Sumner had an all white faculty, but the parents requested that a special effort be made to recruit African-American teachers. Two years later, in 1877, the school's first African-American principal took charge.

Sumner High School further enhanced educational opportunities for African Americans in Missouri when, in 1890, it established an extension called the Sumner Normal School to train elementary school teachers. In 1925 the Sumner Normal School became a college; it was known as the Sumner Teachers College until 1930 when it was renamed Harriet Beecher Stowe Teachers College. In 1940 the Teachers College moved to new facility on Pendleton Street where it remained until 1954 when, in one of St. Louis' first efforts to desegregate its public schools, the St. Louis Board of Education merged Stowe College with the all-white Harris Teachers College.

Sumner graduated its first class in 1885 and over the years its alumni list boasts a number of accomplished African Americans, including the opera singer Grace Bumbry, activist Dick Gregory, musician Tina Turner, tennis great Arthur Ashe, Liberian Ambassador Lester Walton, educator Julia Davis, rock history legend Chuck Berry, performer Robert McFerrin, actor Robert Guillaume, Yankee catcher-outfielder (and the American League's first black Most Valuable Player) Elston Howard and local newscaster Julius Hunter, to name just a few.

Mr. Speaker, it is with deep pride that I recognize Sumner High School, a symbol of progress in African American history for its distinguished record of achievement in public education. As a community leader and elected official, I am proud to salute Sumner and all Sumner students and alumni on this very special anniversary. Sumner High School is a source of pride for St. Louisans and a model for public schools across the nation.

AFFORDABLE HOUSING TAX CREDIT ENHANCEMENT ACT OF 2005

HON. WILLIAM J. JEFFERSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. JEFFERSON. Mr. Speaker, it is with great pleasure that I rise today with my good friend and colleague from the Committee on Ways and Means, Mr. ENGLISH, to introduce the "Affordable Housing Tax Credit Enhancement Act of 2005." Mr. ENGLISH and I share a passion for and commitment to ensuring that Americans have access to affordable, quality housing in which to live, to prosper and to raise their families. I am grateful for his continuing leadership in this area, and I am honored that he joins me today in introducing this important piece of legislation. I also am very pleased that 51 of our colleagues, including members from both sides of the aisle and several from the Committee on Ways and Means, join us today in introducing this measure.

Mr. Speaker, the Low Income Housing Tax Credit, LIHTC, program was created as part of the Tax Reform Act of 1986. Today, the LIHTC program is widely regarded as the nation's most successful housing production program resulting in the construction and rehabilitation of more than 1.3 million housing units for lower income households. As a direct result of the LIHTC program, 130,000 new affordable housing units come online every year.

In addition to producing housing, the LIHTC program is unparalleled in contributing to the revitalization of distressed neighborhoods and communities throughout the United States. LIHTC properties are frequently among the first investments in a concerted revitalization strategy. The credit drives and catalyzes public/private/community partnerships that replace blight with safe, affordable housing, attract private capital, and prime the market for other activities, including increased homeownership and expanded retail development.

The redirection of capital to affordable housing through a tax incentive creates net economic efficiencies, because the housing credit more effectively marshals private sector capital than would be accomplished through any direct spending program. Because it sets up competition among developers for credit allocations and among corporations for access to investment opportunities, the LIHTC is considerably more efficient than a direct spending program.

The success of the LIHTC program is virtually unmatched. However, as a Nation, we still confront a serious affordable housing deficit—a gap that we must bridge to ensure that our most vulnerable families have access to quality, affordable housing and safer neighborhoods in which to live and prosper.

Accordingly, Mr. Speaker, I rise today to introduce the Affordable Housing Tax Credit Enhancement Act of 2005. This legislation would make two important changes to current law. Most significantly, the bill would double the current LIHTC from $1.85 per capita to $3.70 per capita beginning in 2006, which would yield twice the number of affordable housing units annually and begin to close the current gap. Second, the legislation would rename the LIHTC the " Affordable Housing" tax credit to remove any negative connotation and more accurately describe this effective program.

If this legislation were to pass, we are assured by affordable housing advocates, investors, syndicators, and developers that there is more than enough capacity in the market to effectively use these additional credits. In fact, the need for affordable housing throughout the country virtually assures the continued success of this program.

In addition, this legislation is a jobs creator. According to industry estimates, 112 jobs are created during the first year of construction of every 100 units of affordable housing, 46 of which morph into permanent positions. Based on that estimate, because doubling the current LIHTC would create 130,000 additional units annually, that translates into 145,600 new jobs nationally—59,800 of which would be permanent.

America is confronting an affordable housing crunch, and many hardworking men and women continue to seek employment. This legislation would make significant strides to address both problems. Therefore, I call on my colleagues to support this important measure and to ensure its consideration and passage.

STATEMENT IN HONOR OF THE HISPANIC CHAMBER OF COMMERCE OF GREATER KANSAS CITY

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. CLEAVER. Mr. Speaker, I rise today in honor of the Hispanic Chamber of Commerce of Greater Kansas City. Founded in 1977 by 25 Hispanic business leaders, the Chamber was the first physical office of the United States Hispanic Chamber of Commerce.

Since its inception, the Chamber has worked towards the development of its members, and worked to develop strong business relationships between Hispanic and non-Hispanic businesses in Kansas City. As one of the principal advocates for Hispanic businesses in the City, the Chamber provides an invaluable resource as it helps local businesses build capacity and develop business skills. Their programming includes the how-tos of business planning, advertising, sales and marketing, procurement and certification. In today's competitive business environment, their work is more important that ever.

Today, the Chamber represents the interests of twelve-hundred Hispanic-owned businesses in Metropolitan Kansas City and currently has five-hundred members, having grown by three-hundred percent in the last three years.

Mr. Speaker, I am proud to honor the Hispanic Chamber of Commerce of Greater Kansas City, and I ask my colleagues to join me today in paying tribute to this historic organization.

HONORING ARABELLA MARTINEZ

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. LEE. Mr. Speaker, I rise today to honor the life and work of Arabella Martinez, a legendary figure in Oakland and throughout the San Francisco Bay Area. For almost four decades, Arabella has been a tireless advocate for community and economic development within Oakland and beyond, and the scope of her exemplary work on behalf of her community is truly unparalleled. I take pride in adding my voice to those of my constituents in honoring Arabella today on the occasion of her retirement.

A student of social welfare, Arabella received both her BA and MA from the University of California at Berkeley. After receiving her degrees she became involved with the Community Service Organization, a Latino civil rights group.

In 1967, Arabella became the first executive director to the Spanish Speaking Unity Council. She is best known for her position as CEO of this council and for developing programs to build responsibility and economic preparedness in the Latino community. During this time, she helped build this organization into a strong economic development and community organization with considerable assets.

In 1974, Arabella took an absence from her work at the Unity Council and joined the Carter administration as assistant secretary of the U.S. Department of Health, Education and Welfare. After her term in 1980, she returned to Oakland and worked for almost a decade as the President of the Center for Policy Development.

In 1992, Arabella returned to the Spanish Speaking Unity Council and helped the organization through complex financial problems. During her second term she spearheaded the Fruitvale BART project and sponsored the Fruitvale Community Collaborative. Both of these projects were formed to bring together residents, community groups, churches, schools, merchants, and agencies to improve the quality of life for children and families in the Oakland area.

Arabella is also involved with many organizations such as the National Council of La Raza, the Drug Abuse Council, The Women's Initiative for Self-Employment, the Oakland Business Development Corporation, the Bank of America's Police Advisory Committee, the Oakland Housing Authority, the Oakland Parks and Recreation Commission and the University/Oakland Metropolitan Forum. She has received numerous awards for her work, such as the Hank Rosso Outstanding Fundraising Professional A ward, the 1993 MTC Award, the David C. Lizarraga Community Development A ward, and the Oakland Citizen of the Year Award.

It is clearly evident through Arabella's activism that she is an extraordinary leader, friend and advocate for her community. Her exemplary humanism is an inspiration to us all, and it with great pride that I join the Oakland community in celebrating her accomplishments. On behalf of the 9th Congressional District, I salute and thank Arabella Martinez for the truly invaluable contributions and she has made to our community, and for the example she leaves for future generations to follow.

REINTRODUCTION OF LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the bipartisan Local Law Enforcement Hate Crimes Prevention Act of 2005, along with Representatives FRANK, ROS-LEHTINEN and SHAYS. In past Congresses, this legislation has been cosponsored by almost 200 members and we expect similar support this session.

Bias crimes are disturbingly prevalent and pose a significant threat to the full participation of all Americans in our democratic society. For the year 2003, the most recently available data, the FBI compiled reports from law enforcement agencies across the country identifying 7,489 criminal incidents that were motivated by an offender's irrational antagonism toward some personal attribute associated with the victim. Law enforcement agencies have identified 9,100 victims arising from 8,715 separate criminal offenses. Racially motivated bias again accounted for more than half (51.4 percent) of all incidents. Religious bias accounted for 1,343 incidents (17.9 percent) and sexual orientation bias each accounted for 1,239 (16.6 percent) of all reported hate crimes, followed by ethnicity/national origin bias with 13.7 percent and disability bias with 0.4 percent of all incidents. While every state reported at least a small number of incidents, it is important to note that reporting by law enforcement is voluntary and it is widely believed that hate crimes are seriously under-reported.

Despite the pervasiveness of the problem, current law limits federal jurisdiction over hate crimes to incidents against protected classes that occur only during the exercise of federally protected activities, such as voting. Further, the statutes do not permit federal involvement in a range of cases where crimes are motivated by bias against the victim's perceived sexual orientation, gender, disability or gender identity. This loophole is particularly significant given the fact that four States have no hate crime laws on the books, and another 21 States have extremely weak hate crimes laws.

This legislation will make it easier for federal authorities to prosecute bias crimes, in the same way that the Church Arson Prevention Act of 1996 helped federal prosecutors combat church arson: by loosening the unduly rigid jurisdictional requirements under federal law. While ostensibly identical to past versions, this Congress the bill is more explicitly inclusive of the transgender community. In addition, we have included a provision mirroring the Washington State hate crimes statute that is designed to protect the 1st Amendment rights of the accused, without burdening the prosecution of those alleged offenses.

State and local authorities currently prosecute the overwhelming majority of hate crimes and will continue to do so under this legislation, with the enhanced support of the federal government. Through an Intergovernmental Assistance Program created by this legislation, the Justice Department will provide technical, forensic or prosecutorial assistance to State and local law enforcement officials in cases of bias crime. The legislation also authorizes the Attorney General to make grants to State and local law enforcement agencies that have incurred extraordinary expenses associated with the investigation and prosecution of hate crimes. Finally, under our bill, the Attorney General or other high ranking Justice Department officials must approve all prosecutions undertaken pursuant to this law, ensuring federal restraint, and further ensuring that the States will continue to take the lead.

Behind each of the crimes statistics cited above lies an individual or community targeted for violence for no other reason than race, religion, ethnicity, sexual orientation, gender, disability or gender identity. People like Waqar Hasan of Dallas, who lost his life in a post-911 backlash hate crime. His murderer admitted that he wanted to send a message to the local Arab population and beyond. These discrete communities have learned the hard way that a failure to address the problem of bias crime can cause a seemingly isolated incident to fester into wide spread tension that can damage the social fabric of the wider community.

The Hate Crimes Prevention Act of 2005 is a constructive and measured response to a problem that continues to plague our Nation. These are crimes that shock and shame our national conscience and they should be subject to comprehensive federal law enforcement assistance and prosecution.

IN RECOGNITION OF NORMA AND BERNIE KOSTER

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. ROTHMAN. Mr. Speaker, I rise today with great pleasure to honor Norma and Bernie Koster, who will be jointly honored with the Torch of Liberty Award by the New Jersey Region of the Anti-Defamation League at the League's Bergen County Awards Reception on June 1, 2005. They are being recognized for their distinguished service on behalf of the ADL's vital mission of combating bigotry and anti-Semitism, their support for humanitarian values, dedication to nurturing their community, and working to secure its future.

Norma Wellington Koster began a career of activism as a B'Nai B'rith girl and a leader in her synagogue youth group. She subsequently became a staff producer for a local television station in the greater New York metropolitan region, where she volunteered for 19 hours on the ''Rheumatism and Arthritis Association Telethon.'' Because of her success on that production, she was named the producer of ''The World of Heart'' for the American Heart Association and of two telethons for ''The City of Hope'', where she instituted and volunteered for their newly formed Young Leadership Division.

Norma Koster has also been deeply involved in numerous Jewish causes and charitable organizations. She founded the Single Parent Seminar at the Jewish Community Center on the Palisades, where she is now an active member of the Cultural Arts, Art, Senior, and Alzheimer's Committees and currently serves as the Tree of Life Chairperson. A Member of the Board of Trustees of the United Jewish Appeal, she is a former co-chair

of the Business and Professional Women's Division of UJA of Northern New Jersey, and was instrumental in increasing its membership. Norma Koster also has devoted herself to committees for the Jewish Home and Rehabilitation Center, Jewish Family Services, and given programs for the National Council of Jewish Women. In addition to her professional work as a successful fine jewelry designer and goldsmith, Norma is above all devoted to her children and grandchildren, her husband, and her entire family.

Like Norma, his wife of seventeen years, Bernie Koster is well-known for his leadership and unwavering commitment to the people of New Jersey, the Jewish community, and the State of Israel. He is a leading philanthropist and is active on behalf of many charitable causes and organizations. He is also a Member of the Board of Trustees of twelve separate organizations, including the UJA Federation of North Jersey, the Jewish Home at Rockleigh, Temple Emanu-El of Closter, Jewish Family Service, Gilda's Club of Northern New Jersey, the JCC of the Palisades, Englewood Hospital and Medical Center Foundation, the Bergen PAC, Israel Bonds, the Jewish Community Relations Council, the Jewish Theological Seminary, and the Anti-Defamation League itself.

Bernie Koster is also a past President of the Solomon Schechter Day School of Nassau County, New York, and co-chaired the capital campaign for his synagogue, Temple Emanu-El of Closter, where he was honored with the prestigious Shem Tov Award in 1995 for his dedicated service to the community.

Bernie Koster is also unwavering in his dedication to the State of Israel. A strong supporter of Israel Bonds, he has been appointed to the New Jersey-Israel Commission for nine years. He has visited Israel seven times, and has demonstrated through his committed and passionate work on behalf of Israel Bonds his belief that the State of Israel is the lifeblood for the survival of the Jewish people.

A highly successful attorney and real estate consultant, Bernie shares his wife Norma's dedication to faith and family. He is devoted to his children and grandchildren, and both Bernie and Norma are true exemplars of family values.

Mr. Speaker, my distinguished colleagues, I ask that you join me in recognizing Norma and Bernie Koster for their civic activism and leadership in the fight against discrimination, hatred, and anti-Semitism.

THE AMERASIAN NATURALIZATION ACT

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. ZOE LOFGREN of California. Mr. Speaker, our immigration law has long recognized that children born outside our country to an American father and a foreign national mother are U.S. citizens as long as their fathers take necessary steps to achieve their child's citizenship.

Unfortunately, there remains a group of forgotten sons and daughters who, despite being born to American fathers, cannot take advantage of this existing provision of the law to become U.S. citizens. These are the offspring of American servicemen and Asian women during the Vietnam and Korean Wars whose fathers did not take the steps of acknowledging paternity necessary to make their offspring citizens. However, the American government did that for them by acknowledging that their fathers were American citizens.

Many of these individuals have lived through devastation during war, have been mistreated by their governments because of their mixed race, and many now live in the United States, but only as legal permanent residents.

There is no doubt that Amerasians are the sons and daughters of American fathers. Our American government already made that determination when we admitted them to the United States as legal permanent residents.

To correct this unfair inequality in our law, I am introducing the Amerasian Naturalization Act, along with bipartisan cosponsors, to ensure that Amerasians are accorded U.S. citizenship just like the offspring of other American fathers are.

I hope this Congress will act swiftly and pass the Amerasian Naturalization Act. It is time for us to finally close a chapter in our history that has too long denied Amerasians the opportunity to become citizens and be recognized as the Americans that they are.

TRIBUTE TO DR. ALEXANDER BAILEY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. LEVIN. Mr. Speaker, I rise to pay tribute to the Superintendent of Oak Park Public Schools, Dr. Alexander Bailey, who will retire June 30, 2005.

Dr. Alexander Bailey's career in education dates back to 1969 when he was a high-school teacher in Philadelphia, PA at Paul Washington High School. In subsequent years, Dr. Bailey continued his education, assumed building level responsibility as a principal, and ultimately was appointed Superintendent of Oak Park Public Schools in 1991.

Under his leadership, Oak Park Public Schools has successfully designed programs and intervention methods to meet the needs of their school population. Programs and interventions such as extended day, the Oak Park Academy, and the Literacy Academy have been critical to advancing the academic achievement of students throughout the District.

Dr. Bailey has been a very active participant in the community served by the School District. For example, Dr. Bailey was instrumental in developing the Oak Park Business Education Alliance. The Oak Park Business Education Alliance is a non-profit organization designed to build a relationship between the business community and the school district. To date, the Oak Park Business Education Alliance has provided countless volunteers for the district, over $100,000 in scholarship monies to Oak Park students, and has provided many career development opportunities in collaboration with local businesses.

In his 36 years of service, he has been a truly committed and effective educator. Dr. Bailey dedicated his life to ensuring that students receive a fair and equitable education. He is indeed an outstanding public servant. I have enjoyed the opportunity to work on issues of common interest with Dr. Bailey and have always appreciated his frank and forthcoming advice based on his active experiences in the school and community. One could always count on Dr. Bailey to clearly articulate the challenges faced by our school system as well as the real impact of public policy decisions.

Mr. Speaker, I ask my colleagues to join me in congratulating Dr. Alexander Bailey on his years of service and in wishing him good health and happiness in the next phase of his life.

IN RECOGNITION OF ESSNER MANUFACTURING

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. BURGESS. Mr. Speaker, it is my great honor to recognize Essner Manufacturing and its achievement of being registered as an AS 9100 Quality Management Standard (QMS)—a designation specific to aerospace component manufacturers. This project took nearly 200 hours to complete and was a complex undertaking.

Working alongside Texas Manufacturing Assistance Center (TMAC) to earn the registration, Essner is a model for other manufacturing centers. Their commitment to making quality products like precision sheet metal fabrications and machined parts is evident. I extend my congratulations to Dale R. Westerfeld, President of Essner and Dave Johnson, the TMAC Project Manager.

I am proud to represent a company that is so strongly committed to quality products and a positive work environment. I congratulate Essner Manufacturing and wish them continued success in their future endeavors.

RECOGNIZING THE RETIREMENT OF DR. STANLEY CAINE PRESIDENT OF ADRIAN COLLEGE

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. ROGERS of Michigan. Mr. Speaker, I rise to recognize the retirement of Dr. Stanley Caine, president of my alma mater, Adrian College. During his tenure at Adrian College, Dr. Caine has been, first and foremost, an advocate for his students. His open door policy has always provided an avenue for the students at Adrian College to seek his wisdom and advice. Outside of the classroom, Dr. Caine can be seen at many athletic and other campus events, a testament to his interest and dedication to the students at Adrian.

Providing a world class education requires the resources to recruit the finest faculty and provide the best facilities. During Dr. Caine's tenure, the Adrian College endowment has increased significantly and two major capitol campaigns have been completed. Several new construction projects have provided students

with new facilities that offer more current technologies and student-centered spaces.

Mr. Speaker, today, more than ever, students are seeking advanced degrees, and the most successful institutions have leadership that is focused on success of their students. As President of Adrian College, Dr. Caine has been committed to that goal. I ask my colleagues to join me in recognizing Dr. Caine's commitment and wish him all the best on his retirement.

FREEDOM FOR OMAR PERNET HERNÁNDEZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise to speak about Omar Pernet Hernández a political prisoner in totalitarian Cuba.

Mr. Pernet Hernández is the leader of the National Movement for Human Rights. As a peaceful advocate for freedom, democracy and human rights, he has been a constant target of the totalitarian tyranny.

In March 2003, as part of Castro's condemnable crackdown on peaceful pro-democracy activists, Mr. Pernet Hernández was arrested. In a sham trial, he was sentenced 25 years in the totalitarian gulag.

Despite being confined in the abhorrent, subhuman conditions of the gulag, Mr. Pernet Hernández continues to advocate for human rights for all Cubans, including participating in a hunger strike to demand the humane treatment of political prisoners. According to Amnesty International, he is suffering from lung problems, a chronic gastric ulcer, and high blood pressure. Let us be very clear, Mr. Pernet Hernández is languishing in the gulag because of his belief in human rights.

According to the Department of State's Country Reports on Human Rights Practices for 2004:

> Prison conditions continued to be harsh and life threatening, and conditions in detention facilities also were harsh . . . Police and prison officials beat, neglected, isolated, and denied medical treatment to detainees and prisoners, including those convicted of political crimes or those who persisted in expressing their views. Political prisoners in particular often were held at facilities hundreds of miles from their families, placing an undue hardship on many families' time and financial resources.

Mr. Pernet Hernández is representative of the Cuban people's desire for liberty; despite constant harassment, despite incarceration in a grotesque gulag, he continues to fight for the inalienable human rights of the Cuban people. It is a crime against humanity that Castro's totalitarian dungeons are full of men and women, like Mr. Pernet Hernández, who represent the best of the Cuban nation.

Mr. Speaker, it is totally unacceptable that brave men and women are locked in dungeons because they believe in freedom, human rights, and the rule of law. My Colleagues, we must demand the immediate and unconditional release of Omar Pernet Hernández and every political prisoner in totalitarian Cuba.

COMMEMORATING MEMORIAL DAY

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mrs. LOWEY. Mr. Speaker, this weekend should serve as a time for all Americans to reflect on the great sacrifices of those who have defended our great nation and to honor the men and women who continue to protect us.

As we celebrate this Memorial Day, the thoughts and prayers of our entire country are with our troops and the families who have lost loved ones. Throughout our history, brave men and women have answered the call to duty, and their courage and dedication to protecting our democracy is an inspiration to us all. We are the beneficiaries of their bravery, and we must also be the protectors of their legacy. That is why I am proud to join many of my colleagues in cosponsoring the comprehensive New GI Bill of Rights for the 21st Century.

These benefits for active duty service members, veterans, and military retirees would ensure that we fulfill our obligation to our men and women in uniform. At a time when our nation is asking more men and women to risk their lives and security on behalf of our country, we should make every effort to fulfill our promise to them upon their return.

The strength of our nation should not be measured only by our military or diplomatic might, but also by the compassion and dedication we show to those who defend us. Freedom is not free, and we honor those who have paid a price for the liberties we enjoy.

Mr. Speaker, I ask my colleagues to join me in paying tribute to our nations' fallen heroes and honoring those who have made sacrifices in defense of the United States.

AMERICA'S NURSE

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. BLUMENAUER. Mr. Speaker, I would like to bring to your attention "America's Nurse," an op-ed highlighting the importance of nurses in our country that was published in the New York Times written by Teri Mills, a constituent of mine.

[From the New York Times, May 20, 2005]

AMERICA'S NURSE

(By Teri Mills)

So, national nurses' week has come and gone and what happened? Nothing, despite estimates that by 2020 there will be 400,000 fewer nurses than are needed in this country. Drastic action is required. And here's the action I suggest: dethrone the surgeon general and appoint a National Nurse.

Here's why. Prevention is the best way to lower health care costs. If people take care of themselves and don't get sick . . . well, you know the rest. And who better to educate Americans on how to take better care of themselves than nurses?

After all, nurses are considered the most honest and ethical professionals, according to a recent Gallup poll. It's the nurse whom the patient trusts to explain the treatment ordered by a doctor. It is the nurse who teaches new parents how to care for their newborn. It is the nurse who explains to the family how to comfort a dying loved one.

1Meanwhile, the surgeon general, the nation's head doctor, is all but invisible. If you went to a supermarket and asked 10 people the surgeon general's name or to describe his or her role, it's unlikely that you would find anyone who could. (It's Richard H. Carmona, by the way.)

Now, I'm not saying that a National Nurse will become a household name immediately. But given all that's at stake—the health of a nation—and given the surgeon general's inability to connect with Americans, it seems to me that we should at least give nurses a try.

Here's what I'd have the National Nurse do. She or he would highlight health care education through 15-minute weekly broadcasts that would also be available on the Internet. The emphasis would be on prevention: how to have a healthy heart; how to raise your teenagers without going crazy; how to avoid being swept into the growing tide of obesity.

The Office of the National Nurse would yield benefits in a multitude of ways. The informational programs would decrease dependence on a health care system that is not only expensive but at times inaccessible, especially for those who lack insurance or live in rural areas. Through the office, nurses could sign up for a National Nurse Corps that would organize activities to enhance health in their communities. A National Nurse would give public recognition to the valuable work that nurses perform each day; if we're lucky, the National Nurse would help stem the nursing shortage by attracting people to the profession.

A National Nurse won't solve all of our country's health care problems, but one would definitely improve the situation. America has a history of honoring great nurses—from Clara Barton to Susie Walking Bear Yellowtail. Isn't it time we did so again?

WELCOMING NATIONAL RECORDING ARTIST RON ELLINGTON SHY AND HONORING HIS ACTIVISM ON BEHALF OF STARS FOR PEACE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. KUCINICH. Mr. Speaker, I rise today to recognize and welcome Ron Ellington Shy, the musician and actor, back home to Cleveland. Ron will be at the Joseph Gallagher Middle School in Ohio's 10th Congressional District on May 27, 2005, to participate in the "Stars for Peace" rally for peace and violence prevention.

A musician, actor, and dynamic entertainer with incredible vocal ability, Ron Ellington Shy was inducted into the Rock & Roll Hall of Fame as a former member of such legendary groups as "The Coasters," "The Drifters," and "Don & Dewey."

Ron was born and raised in Cleveland. He moved to California where he attended Fullerton Junior College and continued his education at the University of Southern California, majoring in psychology and minoring in music. His early career included playing professional football and achieving many accolades for his athletic abilities. He was a Golden Gloves boxing champion and holds a black belt in Karate.

As a recording artist, Ron Ellington Shy performed such memorable hits of the 1950s and 1960s as "Leavin' It All Up To You," "Jungle Hop," "Justine," "The Letter," "Farmer John," and my late colleague Sonny Bono's "Koko Joe." A gifted vocalist, Ron is also a versatile musician who plays guitar, piano, organ, saxophone, valve trombone, and harmonica. He is known for his charismatic showmanship, involving his audience as they sing along to the many classic oldies he performs in his shows. As an actor, Ron has appeared on television in such notable programs as "Dallas," "Knotts Landing," and "Falcon Crest," as well as TV commercials for Right Guard deodorant, Church's Chicken, and the California Lottery.

Currently, Ron is on a national tour acting the role, and performing the music, of the late Ray Charles. Ron graciously accepted the invitation of the Joseph Gallagher Middle School, the East Cleveland Neighborhood Center, and local Hip-Hop impresario Bill "Silver B" Richards, to participate in the "Stars for Peace" rally for peace and violence prevention. Ron and the sponsors and organizers of this event understand the importance of international peace and that peace begins with each of us as individuals and in our homes.

Mr. Speaker, and Colleagues, it is my pleasure to welcome Ron Ellington Shy to Ohio's 10th District, to congratulate him on his many accomplishments, and to commend him on taking a stand in using his fame and international recognition to promote world peace and violence prevention.

FACTS SHOW CLAIMS OF INCREASED ABORTIONS OVER LAST FOUR YEARS DON'T HOLD UP

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. SMITH of New Jersey. Mr. Speaker, for about a year now a myth has been promoted that abortions have increased since President Bush was elected in 2000. This myth was launched publicly when Glen Stassen and Gary Krane published a piece in October of 2004, called "Why abortion rate is up in Bush years" that attempted to make the case that President Bush's pro-life policies have not been effective in decreasing abortion.

This mantra was picked up and repeated by many public figures and organizations who do not hold pro-life positions, but the facts simply do not support their claims. In fact, abortion has continued to decrease while President Bush has been in office, as demonstrated by an Annenberg Political Fact Check piece posted yesterday at www.factcheck.org and called "Abortions rising under Bush? Not true. How that false claim came to be and lives on."

To debunk the myth that the number of abortions have increased over the last 5 years, I am submitting the Annenberg Political Fact Check analysis to the CONGRESSIONAL RECORD:

[From the Annenberg Political Fact Check, May 25, 2005]

THE BIOGRAPHY OF A BAD STATISTIC—ABORTIONS RISING UNDER BUSH? NOT TRUE. HOW THAT FALSE CLAIM CAME TO BE -AND LIVES ON

SUMMARY

Politicians from Hillary Clinton and John Kerry to Howard Dean have recently contended that abortions have increased since George W. Bush took office in 2001.

This claim is false. It's based on an an opinion piece that used data from only 16 States. A study by the Alan Guttmacher Institute of 43 States found that abortions have actually decreased.

ANALYSIS

A number of politicians and organizations have been circulating an interesting and surprising idea: that abortions have gone up under George W. Bush's watch. The claim is repeated by supporters of abortion rights as evidence that Bush's anti-abortion policies have backfired, or at least been ineffective.

But the claim is untrue. In fact, according to the respected Alan Guttmacher Institute, a 20-year decline in abortion rates continued after Bush took office, as shown in this graph: Source: Alan Guttmacher Institute, "Trends in Abortion in the United States"

Here's the story of how a false idea took hold.

THE BIRTH OF A BAD STATISTIC

The claim that abortions are rising again can be traced back to an opinion piece by Glen Harold Stassen, an ethics professor at Fuller Theological Seminary. His article originally appeared in a web and e-mail publication of Sojourners, a Christian magazine, in October 2004. Several other outlets, including the Houston Chronicle, also ran a similar piece co-authored by Stassen and journalist Gary Krane. The articles generated a good deal of discussion on a number of both liberal and conservative blogs.

Describing himself as "consistently pro-life," Stassen reported that he "analyzed the data on abortion during the Bush presidency" and reached some "disturbing" conclusions. "Under President Bush, the decade-long trend of declining abortion rates appears to have reversed," he said. "Given the trends of the 1990s, 52,000 more abortions occurred in the United States in 2002 than would have been expected before this change of direction."

Stassen's broad conclusion wasn't justified by the sketchy information he cited, however. Furthermore, a primary organization he cited specifically as a source for historical data now contradicts him, saying abortions have continued to decline since Bush took office. More about that later.

HILLARY CLINTON USES IT

Stassen offered his article as evidence that Bush's economic policies were driving pregnant women to abortion. And although he opposes abortion, his claim was soon picked up and repeated uncritically by the other side—supporters of abortion rights. In a speech to family-planning providers in New York on January 24, 2005, Sen. Hillary Clinton recounted decreases in the abortion rate that occurred in her husband's administration, then lamented that the situation had changed. She repeated exactly some of the figures that Stassen had given in his Houston Chronicle article.

Clinton: But unfortunately, in the last few years, while we are engaged in an ideological debate instead of one that uses facts and evidence and common sense, the rate of abortion is on the rise in some states. In the three years since President Bush took office, 8 states saw an increase in abortion rates (14.6 percent average increase), and four saw a decrease (4.3 percent average), so we have a lot of work still ahead of us.

Clinton was careful not to state flatly that abortions were increasing nationally. She spoke only of "some States" in which the rate had increased. However, she omitted any mention of other States where abortions were going down, inviting her listeners to conclude that the national trend to fewer abortions had reversed itself since Bush took office.

And in fact a few days later, in an interview on NBC's Meet the Press on January 30, 2005, Senator John Kerry claimed that abortions were up, period:

Kerry: And do you know that in fact abortion has gone up in these last few years with the draconian policies that Republicans have. . . .

A Kerry spokesman confirmed at the time to FactCheck.org that Kerry was relying on the Stassen article for his information.

Finally, as recently as May 24, 2005, Democratic National Committee chairman Howard Dean also asserted on NBC News' Meet the Press:

Dean: You know that abortions have gone up 25 percent since George Bush was President?

Dean's "statistic" went unchallenged by moderator Tim Russert, so millions of viewers probably got the impression that Dean's very specific 25 percent figure was correct. But Dean was wrong—and by a wide margin.

We asked the Democratic National Committee repeatedly where Dean got his 25 percent figure, but we got no response. Even if Stassen's estimate of 52,000 additional abortions were correct, that would figure to an increase of less than 4 percent. And in any case the rate is going down, not up, according to the most authoritative figures available.

CHERRYPICKING DATA

A close reading of Stassen's article makes clear that he didn't even pretend to have comprehensive national data on abortion rates. He said he looked at data from 16 States only—and didn't even name most of them.

Stassen said that in the four States that had already posted statistics for three full years of Bush's first term, he found that abortion was up. Twelve more States had posted statistics for 2 years of Bush's term—2001 and 2002—and here the picture was mixed. According to Stassen, "Eight states saw an increase in abortion rates (14.6 percent average increase), and five saw a decrease (4.3 percent average)." A version of the piece in the Houston Chronicle reported instead that four saw a decrease with a 4.3 percent average.

So Stassen was projecting findings onto the entire country from 12 States that he said had showed an increase and 5 (or maybe 4) that he said had shown a decrease. That leaves a total of 34 other States for which Stassen had no data whatsoever.

Furthermore, Stassen is contradicted by one of the very organizations whose data he cites. The only primary source of data that Stassen cites specifically in the article is the Alan Guttmacher Institute, a nonprofit organization that conducts a periodic survey of all known abortion providers, which numbered nearly 2,000 at last count. Guttmacher's statistics are widely used and respected by all sides in the abortion debate. It is the only organization to compile and publish national abortion-rate data other than the federal Center for Disease Control. CDC's official statistics, however, run only through 2001, so they shed no light on what has happened since Bush took office.

And Guttmacher—as we shall see—now says abortion rates have decreased since

Bush took office. And that's based on data from 43 States, not just 16.

DE-BUNKING THE STATISTIC

Stassen's numbers, and the widespread acceptance they seemed to be getting, prompted the Guttmacher Institute to conduct a special analysis to update its comprehensive census of abortion providers for the year 2000. The increases that Stassen reported ''would be a significant change in a longstanding trend in the U.S.,'' Leila Darabi of the institute explained to Factcheck.

Besides the fact that Stassen claimed to have data only from 16 States, the Guttmacher Institute said it is likely that many of the States Stassen picked have higher abortion rates historically, have a higher concentration of population subgroups that tend to have more abortions, and see abortion rates rise more quickly when they do go up. Stassen himself named only Kentucky, Michigan, Pennsylvania and Colorado among the 16 States he says he studied, but his co-author on the Houston Chronicle article listed each State in a separate article posted on the Internet.

The Guttmacher Institute found that two of the States Stassen used had unreliable reporting systems. In Colorado, for instance, where Stassen claimed that rates ''skyrocketed 111 percent,'' the reporting procedure had been recently changed in order to compensate for historic underreporting. Guttmacher also found Arizona had an inconsistent reporting system.

THE FACTS

The Guttmacher Institute announced its findings May 19. Guttmacher analyzed available government data ''as an interim measure until another provider census can be conducted'' according to a news release. The interim study analyzed data from 43 States determined to have reliable State reporting systems.

What it found was that the number of abortions decreased nationwide—by 0.8 percent in 2001 and by another 0.8 percent in 2002. The abortion rate, which is the number of women having abortions relative to the total population, also decreased 1 percent in 2001 and 0.9 percent in 2002. That's not as rapid a decrease as had been seen in earlier years, but it is a decrease nonetheless.

We give much weight to Guttmacher's analysis. Their figures are widely used and accepted by both anti-abortion groups and abortion-rights advocates. Their surveys of abortion providers go back to 1973, and Stassen cites them himself as the source for the number of abortions in 2000.

Guttmacher has little motive to make Bush and his anti-abortion policies look good. The institute was founded in 1968 in honor of a former president of the Planned Parenthood Federation of America, and describes its mission as being ''to protect the reproductive choice of all women and men in the United States and throughout the world.'' Had Stassen's numbers proven accurate, the Institute ''would have reported and widely publicized a rise in abortion rates,'' said Darabi. But facts are facts.

THE 50TH ANNIVERSARY OF THE JAMAICA TOURIST BOARD

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. RANGEL. Mr. Speaker, I rise today to mark the anniversary of an entity which has proven very important to the long standing US/Jamaican relationship. The Jamaica Tourist Association recently celebrated its 50th anniversary. In such time it has gone about making Jamaica one of the top tourist destinations in the world. The JTA will be celebrating their anniversary throughout the year with a series of events and initiatives, and I am happy to acknowledge their accomplishments here today.

The mission of the Jamaican Tourist Board is to effectively market Jamaica's tourism sector, in an increasingly competitive global tourism industry. To date, they have succeeded not only in making Jamaica a global tourism powerhouse, but also strengthening ties between the United States and Jamaica.

The United States is the largest source of tourists to the island of Jamaica. Of the record 2.5 million international tourists to Jamaica in 2004, over one million came from the U.S. With tourism the primary foreign exchange earner for Jamaica, it is a cornerstone of the country's economic strength. That strength has translated into real benefits for the United States.

In 2004, Jamaica was the second largest destination for American exports in the Caribbean, totaling over $1.4 billion. This is no doubt related to the purchasing power that the tourism sector affords Jamaica. As such, the work of the Jamaican Tourist Board has broad implications for both our nations.

The JTB continues to face many obstacles in developing the tourism sector. Last year's Caribbean hurricanes caused Jamaica hundreds of millions of dollars in damage. The tourism sector was not spared from the hurricanes' wrath, and is only now beginning to recover.

With that said, we in the United States must do all we can to ensure that we do not hinder the recovery, not only for Jamaica, but for the entire Caribbean. One such hindrance is the Bush Administration's proposed Western Hemisphere Travel Initiative.

I am opposed to aspects of the Initiative, due to inequities in the Initiative's implementation. As currently proposed, the initiative will require all travelers to and from the Americas, the Caribbean, and Bermuda to have a passport to enter or re-enter the United States. It is argued that the stricter policy will strengthen border security.

However, the Initiative is to be implemented in region specific phases, with travel to the Caribbean, Bermuda, and Central and South America being affected by the end of 2005, while travel to Canada and Mexico will not be affected until the end of 2006. I believe the early implementation date for the Caribbean is unfair.

With more than 50% of U.S. visitors to Jamaica not utilizing a passport when they travel, and considering that passport processing times can range up to 2 months, it can be expected that the new requirements will have an extremely negative impact on Jamaican tourism, as many U.S. tourists may choose vacation options that entail less hassle. As such, implementing new travel requirements on the Caribbean before other regions clearly warrants reconsideration.

With that said, I wish the Jamaican Tourist Board continued success, as its work will continue to be extremely important to both our nations. If the ever-increasing bond between our countries is any indication; the future success of Jamaican tourism is extremely bright.

OUTSTANDING ARTISTS FROM THE 11TH CONGRESSIONAL DISTRICT OF NEW JERSEY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FRELINGHUYSEN. Mr. Speaker, once again, I come to the floor to recognize the great success of strong local schools working with dedicated parents and teachers to raise young men and women. I rise today to congratulate and honor 44 outstanding high school artists from the 11th Congressional District of New Jersey. Each of these talented students is participating in the 2005 Annual Congressional Arts competition, ''An Artistic Discovery.'' Their works of art are exceptional!

We have 44 students participating. That is a tremendous response, and I would very much like to build on that participation for future competitions.

Mr. Speaker, I would like to congratulate the three winners of our art competition, first place was awarded to Paul Niziolek from Ridge High School for his work entitled, ''Shut Off;'' second place was awarded to Tommy Lientitled from Livingston High School for his work entitled, ''Self-Reflection;'' and third place was awarded to Chris Murphy from West Morris Mendham High School for his work entitled, ''Turn Away.''

Mr. Speaker, I would like to recognize each artist for their participation by indicating their high school, their name, and the title of their contest entries for the official Record.

Pope John High School: Kaelen Barden's ''Color in Time,'' Colleen Sullivan's ''Palms,'' Amanda Grace's ''Beach.''

Roxbury High School: Ryan Jouas's ''Call for Details,'' Laura Montoya's ''Alex,'' Emily Schumacher for her untitled work, Melody Idakaar's ''Eremos # 3.''

Randolph High School: Morgan Kolenut's ''I'm just mad about saffron,'' Maria Soshinsky's ''You Shoot You Score!''

Morris Knolls High School: Cheryl Hutnikoffs ''Azure Blue,'' Maria Nuzhdin's ''NYC,'' Jackie Trimmer's ''Lizzy,'' Kimberly McConnell's ''Say Cheese.''

Montville High School: Tyler Martin's ''Entanglement,'' Catherine Kocses's ''Give Me A Minute,'' Nanase Nakanishi's ''Cold Winter Morning,'' Jenny Kong's ''ST. Basil Studio.''

Boonton High School: Audrey Brennan for his untitled work, Amy Salas's ''Self Portrait,'' Alexander Della Torre's ''Girls from Narnia,'' Jennifer Hitchings's ''Old Caddilac.''

Mount Olive High School: Meghan Marvin's ''Waning Light, '' Cassy Nickens's ''Trapped Expression,'' Kyle Toolen's ''Lunch Break,'' Elisa Winsze's ''Riverside Wagon.''

West Morris Mendham High School: Drew Koze's ''March in Shadow,'' Chris Murphy's ''Turn Away,'' Melissa Katie Krajewski's ''Pacific Sunset,'' Andrew Herdren's ''Atmosphere Friends.''

Ridge High School: Michael Raynes's ''Organ Donation,'' Samantha Mansfield's ''Self Portrait / EEK! A mouse!,'' Paul Niziolek's ''Shut Off,'' Lisa Cirelli's ''Close-up Lens.''

Livingston High School: David Runfola's ''Swift Limits,'' Justine Bienkowski's ''Shattered,'' Tommy Li's ''Self-Reflection,'' Casey Krosser for her untitled work.

Morris Hills High School: Brian Manna's ''Proud,'' Julie Carlsen's ''Ode to Van Gogh,'' Patricia Doris's ''Our Responsibility.''

Millburn High School: Bella Manoim's "Pearberry Trees," Mary D'Alessio's "Climbing," Kate Silverman's "Childhood at a Glimpse," Gabriella Cammarata's "IL Duamo."

Each year the winner of the competition's art work is hung with other winners from across the country in a special corridor here at the U.S. Capitol. Every time a vote is called, I walk through that corridor and am reminded of the vast talents of our young men and women.

Indeed, all of these young artists are winners, and we should be proud of their achievements so early in life.

Mr. Speaker, I urge my colleagues to join me in congratulating these talented young people from New Jersey's 11th Congressional District.

HONORING THE LIFE OF ARMY SPECIALIST JAMES H. MILLER IV

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. BOEHNER. Mr. Speaker, I rise today to pay tribute to the life and legacy of Army Specialist James H. Miller IV. As our country honors our military personnel, both past and present, this Memorial Day, I want to take this opportunity to remember those who have sacrificed their lives for our freedom and security.

Army Specialist Miller leaves behind a legacy of honor, service, and compassion to his family and friends. He died protecting a polling location which allowed Iraqis the opportunity to decide their own future.

Army Specialist Miller served as a medic with the United States Army and aspired to enter the medical profession and work with trauma patients. He is remembered for his commitment to the well-being of his fellow soldiers and for his sensitivity to the needs of others. In addition, he is remembered for his love of music, and he particularly enjoyed playing the drums and guitar. Based on his reputation for compassion and commitment to the men and women he medically treated, I have no doubt he would have been effective in the medical field.

Mr. Speaker, it is with a heavy heart that I pay my last respects to a young man who was so full of life; to a young man who had a full and bright future ahead of him. I pray Army Specialist Miller's family and friends find peace in their hearts, knowing his country is grateful and humbled by his sacrifice. I thank our brave men and women in uniform for continuing with our mission in Iraq, which is the ultimate tribute to our fallen soldiers, marines, sailors, and airmen.

Jimmy, to you I offer my sincere gratitude and my solemn commitment to continue to support your friends, the members of your unit, and the men and women in Iraq who are continuing without you. Thank you for seeing a vision greater than yourself and for the strength of your commitment to our country. God bless you.

RECOGNITION OF MILITARY FAMILY AND SERVICE ORGANIZATIONS ON MEMORIAL DAY

HON. MELISSA L. BEAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. BEAN. Mr. Speaker, I rise today to pay tribute to the military family organizations and veterans service organizations that do so much to support and serve the brave men and women of our Armed Forces.

This Memorial Day, Americans gather to remember the fallen, and acknowledge the contributions of our service personnel. Because of the contributions and sacrifices of our fellow Americans, we are able to enjoy the freedoms and security of this great country that we do today. We are so fortunate to live in America, and to be able to call these people our own.

On this day, our thoughts also turn to those who contribute to the needs of our men and women who wear the uniform of the United States Military.

Mr. Speaker, the family members of America's men and women in uniform have always been one of our nation's greatest assets, and often our unsung heroes. Perhaps now as much as ever, the support of our military families on the Homefront is crucial to maintaining the spirit of our warfighters.

Now, all across the country, groups of military families and their neighbors are continuing to work to support their loved ones stationed overseas. As more National Guard and Reserve units are deployed abroad, far from their homes, many of their families have organized to send much needed gifts, messages from schools, basic supplies difficult to come by in Iraq or Afghanistan, or elsewhere. These families do so generously, in addition to the extra burdens of taking care of a family while a parent is away, either out of love of their family or on the part of a serviceperson they have never met.

Mr. Speaker, I also want to recognize the work of our veterans service organizations. These patriots and committed veterans who continue to serve long after their orders have expired are the living embodiment—and the conscience—of the American spirit. And their service extends beyond the military. These groups with household names like the American Legion and Veterans of Foreign Wars are friendly faces in our communities. Across Illinois' Eighth District, like countless other communities, these organizations provide leadership and guidance, they are a role model for our children, and they are a constant reminder of the call to—and value of—public service

Today, I ask my colleagues to join me in recognizing the contributions—and sacrifices—of our military spouses and families, and the continuing service of members of America's veterans service organizations. They provide so much, so selflessly, to strengthen our military and the values we all hold so dear. America absolutely is stronger—and richer—because of their service.

IN MEMORY OF GLYNN DUNLAP

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. PORTER. Mr. Speaker, I stand today to honor the memory of a fellow Nevadan. Mr. Glynn Dunlap passed away at the age of eighty-three after bringing smiles to the faces of small children for the past twenty years. Glynn Dunlap became well known in the Las Vegas valley and by children across the country through his artwork and devotion to young children plagued with terminal cancer and other terminal diseases. I know that he will be missed.

Mr. Glynn Dunlap was born in Herculean, Missouri, in 1922. He later moved to California as a commercial artist and retired to Boulder City, Nevada. Upon his retirement, he and his wife begun working with mentally-challenged children. Mr. Dunlap noticed the determination and hard work in these young kids and began making certificates of achievement to honor their efforts.

After giving a certificate one day in 1985 a child approached him for a cartoon; thus began a new passion. For the next twenty years Mr. Dunlap drew cartoons for any child who asked. Shortly after he began drawing for children, Mr. Dunlap joined forces with such organizations as the Muscular Dystrophy Association and the Candlelighters. His son, Don Dunlap, said he dedicated so much time to those kids because it brought joy to those who were suffering; he did it "to see a kid smile."

Mr. Speaker, I stand here today to extend my gratitude for Mr. Dunlap's many contributions and to honor the wonderful memory of this excellent role model. I know that Mr. Glynn Dunlap will be missed, but not forgotten, especially by all the families he helped cope during some of the most difficult times in their lives.

MOURNING THE PASSING OF JIMMY PETTYJOHN, JR.

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. PORTER. Mr. Speaker, it is with deep sympathy that I rise today to mourn the passage of Mr. Jimmy Pettyjohn, Jr. and to pay special respect to the family he left behind at his untimely passing on April 28, 2005.

Mr. Pettyjohn embodied the definition of a leader and statesman, leaving an indelible mark on the Southern Nevada Community. Indeed, the contributions he made throughout his life stand as a simple symbol of humility and integrity to those who will examine his life and seek to emulate his spirit of service.

Mr. Pettyjohn affected many people in so many positive and uplifting ways from his varied and personal contributions to such groups as the Church of Jesus Christ of Latter Day Saints, the Las Vegas Southwest chapter of Rotary International, the Boys Scouts of America and the youth golf organization First Tee of Southern Nevada to his endless dedication as owner of his own insurance business. Through these organizations and countless other

causes, one can clearly see how great and generous a person he was and how much a void his absence will be to the Las Vegas Community.

Mr. Pettyjohn is survived by his wife, Gina; daughters, Ashton and Cheyanne; sons, Jimmy C. III and Chazton; father Coy; mother Sonya; sisters, Patty Lattuga and Pam Gardineer, both of Henderson; and brothers, Jaime of Jupiter, Fla. and Jerry of Henderson. Truly, I will miss his friendship and his presence will be missed by all who knew and loved him or simply had the opportunity to meet him.

EXAMINING EFFORTS TO ERADICATE HUMAN TRAFFICKING

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. SMITH of New Jersey. Mr. Speaker, May 12, 2005, I chaired a Capitol Hill briefing, "Sex Trafficking in Eastern Europe: Belarus, Moldova, and Ukraine," conducted for the Congressional Human Rights Caucus. The Caucus heard testimony from a number of excellent witnesses regarding current efforts in Eastern Europe to combat human trafficking for forced economic or sexual exploitation.

Since the late 1990s, I have worked to eradicate trafficking in the United States and around the world. As Co-Chairman of the Commission on Security and Cooperation in Europe and as Special Representative on Human Trafficking for the Parliamentary Assembly of the Organization for Security and Cooperation in Europe (OSCE), I have given particular attention to the situation in the 55 OSCE participating States, which include source, transit and destination countries for victims of trafficking, such as Belarus, Moldova and Ukraine, The United States has been a solid supporter of the OSCE's role in generating the political will—and programmatic responses—necessary to stop trafficking in Europe and Eurasia.

Among those briefing the Congressional Human Rights Caucus was Michele Clark, Head of the OSCE's Anti-Trafficking Assistance Unit in Vienna, Austria, and previously Co-Director of The Protection Project at Johns Hopkins University. Ms. Clark is a dedicated and knowledgeable anti-trafficking advocate. Her recognized expertise on human trafficking issues led to her appointment at the OSCE in which she is now at the forefront of the anti-trafficking movement in Europe.

Mr. Speaker, I ask that Ms. Clark's prepared statement from the briefing be printed in the CONGRESSIONAL RECORD. Her statement was both visionary and practical and challenges all of us—Members of Congress and representatives of governments alike—to take bold, definitive steps to eradicate modem day slavery. Ms. Clark's statement also encourages us, and I believe rightly so, to evaluate carefully whether our current programs and strategies are effectively meeting that challenge.

TESTIMONY OF MICHELE A. CLARK, HEAD, ANTI-TRAFFICKING ASSISTANCE UNIT, ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE: SEX TRAFFICKING IN EASTERN EUROPE: MOLDOVA, UKRAINE, BELARUS

INTRODUCTION

I am Michele Clark, Head of the Anti-Trafficking Assistance Unit at the Organization for Security and Cooperation in Europe (OSCE) in Vienna, Austria. The OSCE has a long history of combating all forms of human trafficking, including trafficking for commercial sexual exploitation as well as forced and bonded labor within the framework of prevention, prosecution and protection. A unique characteristic of the OSCE's Action Plan to Combat Trafficking in Human Beings is the recognition of human trafficking as a complex, multidimensional issue with far reaching security implications. Consequently, the Action Plan enjoins all of the OSCE institutions and structures, including the Strategic Police Matters Unit and the Office of the Coordinator for Economic and Environmental Activities, as well as the Office for Democratic Institutions and Human Rights, to work together toward combating trafficking in human beings.

I appreciate the opportunity to address you today on the status of Trafficking in Human Beings in Eastern Europe with a focus on the countries of Moldova, Belarus and Ukraine. I would like to thank you, members of the Human Rights Caucus, for your sustained commitment to this noble cause and for keeping informed of the most current issues, trends and challenges. The OSCE looks forward to being of assistance to you in any way we can, and to continuing our good work together.

The movement to Combat Trafficking in Persons is poised to become one of the most significant human rights movements in the past two hundred years, but it isn't there yet. I say this very carefully. For, notwithstanding the central position that human trafficking has occupied on the world stage for the past five years, the tragic, graphic stories by print and broadcast media, the high level of political visibility and, last but far from least, the hundreds of millions of dollars and Euros made available by donor countries, trafficking in human beings is in fact a growth industry. Obviously, this statement begs the question, "Why?" I would like to devote the bulk of my testimony today to providing some thoughts that might prove beneficial to policy makers as well as practitioners as we all attempt to "get it right." I would like to begin with a real-life story.

MARIANA AND JANA

A year and a half ago, I went to Moldova. Although I went there to participate in an international conference, one of my personal goals was to visit with a family I had only heard about, but wanted very much to meet. Four months earlier, the eldest daughter, a beautiful young woman in her early twenties and herself the mother of a three-year-old daughter, tragically killed herself, by hanging in the country where she had been trafficked, abused, finally imprisoned as she waited to participate in the prosecution of her traffickers. I do not apply the word, "rescue" to such circumstances. She worked with the law enforcement officials of that country and her testimony resulted in a conviction and stiff sentence. The only option available to her, at the end of the legal proceedings, was return to her country, and for that she was asked to pay $80 for her travel documents. Return to what, however? A job that would pay about 30 dollars a month? A home without a father, because hers was absent 8 months of the year, a migrant worker in Western European countries, trying to make money to send home? For her daughter, a life with prospects not much different than her own? Rather than return to a future with no hope, Mariana as I will call her now, ended her own life.

Her body was flown to Moldova, where she was buried. An international organization there as well as an NGO in the destination country contributed to the transport of the body and to the funeral costs. I went to see her mother, younger sister Jana, and her daughter Victoria. We spent many hours together over several days, but the family did not want to talk about Mariana—although everyone knew what had happened to her. The stigma of Mariana's life as a trafficked woman was a great burden for the family. Coupled with the suicide, it was too much to bear. There were no visible pictures of her in the home but I finally asked to see photos. The mother warmed to us then and for a few moments we all wept together as women and as friends. All except for little Victoria who continued to express anger that her mother came home in a box and that she was not allowed to see her.

In particular, I was deeply moved by the younger sister, Jana, and became concerned for her future. Blonde (as much as it pains me, there is a stereotype), bright-eyed and quite lovely, she asked eagerly about life in the United States and wondered if I could help her get there. I thought, how easily swayed she would be by anyone who offered her a situation similar to her sister's. For weeks her image would not leave me and I made some inquiries, unwilling to accept that her plight had to be the same as her sister's. Was there in fact no hope for her? I learned that a year of university would cost about $USD 500; she would then need money for supplies and fees, and income to supplement the money she was making in a candy factory. I engaged with a social worker there, part of a large organization that assisted trafficked women. I asked them, what could happen, and what were the options? It took a long time to get answers, because the social workers have very little capacity to assist victims, or potential victims, to find long-term solutions, the focus being primarily on emergency care. Finally I was told that Jana could be sent to hairdressing school, and that she would receive assistance with job placement after she left. However, there was no money, not even the small sum $800 that would take care of all costs. Together with a few friends, we paid for Jana to go to school, and learn a trade. I was deeply disappointed at how few options were available and by the lack of attention to the long term. Parenthetically, I must say how exasperated I get when I hear that vocational training for trafficked women consists of beauty school. This is certainly a fine trade, but how many beauticians can small countries support? Another important fact is that many of these women are intelligent and resourceful, and would do well in business or any of the other professions.

To summarize this story, I would like to quote my colleague Antonia DeMeo, who is the Human Rights and Senior Anti-Trafficking officer at the OSCE Mission to Moldova: "If the economic situation in Moldova would improve, then I believe that the trafficking problem would decrease. People are looking for work and money, and better opportunities for the future, and will take significant risks to get them. [While working in the Balkans] I saw numerous asylum and residency petitions filed by Moldovans and none of them wanted to return to Moldova. Why? Because they saw no future there. You can provide them with all the counseling you want—it will not solve the problem of creating a viable future.

CHARACTERISTICS OF COUNTRIES OF ORIGIN

Today we are talking about three different countries: Moldova, Belarus and Ukraine. I would like to identify common elements among each of these countries in an effort to assist our policy and programmatic initiatives.

These three countries are among the top ten countries of origin for trafficking for

prostitution in the world, according to a United Nations report dated May 2003. It is interesting here to note that these countries have all undertaken serious efforts towards legislative reform to address trafficking in human beings. Laws alone do not stop trafficking, although they are a necessary place to start.

These countries share many of the same routes, and many of the same countries of destination, including but not limited to Italy, the United Arab Emirates, Germany, Czech Republic, Belgium, Switzerland, Sweden, Greece, France, Finland, the Netherlands, Hungary, Poland and the United States.

These countries are primarily countries of origin for women trafficked for purposes of commercial sexual exploitation. However, recent studies of trafficking patterns in these countries indicate new trends, notably trafficking of children (boys and girls), trafficking for labor, and the development of local sex tourism. This particular trend is very unsettling. The sex tourism is a by-product of coveted commercial development necessary to the betterment of the collapsing economic infrastructures.

Numbers of trafficked persons are very difficult to come by, with most information being provided by countries of destination. Victim identification remains inadequate.

Most trafficked persons return to the same conditions which initially compelled them to seek employment elsewhere. The hardship is compounded, however, by the fact that they are often stigmatized as a result of their trafficking experiences. Furthermore, criminal status that ensues from being considered an illegal immigrant, or being in possession of fraudulent documentation further marginalizes these women and shuts them out of the formal economy.

Overall, there is a lack of protection and re-integration programs for returning trafficked persons. Most programs provide short term assistance only and are not equipped to provide long-term support to trafficked persons. Failure in identification of trafficked persons and the subsequent dearth of long-term assistance appear to be factors which contribute to re-trafficking.

Each country has experienced a period of great political instability.

CHALLENGES TO COMBATING TRAFFICKING IN HUMAN BEINGS

I believe that both countries of origin and of destination have a responsibility for providing protection and assistance to victims of trafficking, for the plight of women like Mariana, and to ensure that Jana, and even Victoria, will be able to contemplate a future with options and possibilities, much in the way all of us in this room approach the future.

In countries of origin, root causes need to be considered. These run very deep, and comprise social and economic push factors that drive women to seek employment overseas, including the absence of alternatives, the social stigma that leaves trafficked persons marginalized, and the on-going need to provide financial assistance to their families. It is also necessary to consider wide-spread corruption, the lack of a human rights approach, mistrust towards the police and judiciary, the absence of a tradition to resolve issues through court procedures, lack of co-operation between the State and the civil society, widely spread distrust towards NGOs as foreign agents and representatives of political opposition, inadequate funding for the implementation of anti-trafficking programs and projects, lack of co-operation with countries of destination. This list goes on.

Countries of destination, on the other hand,—and this includes us—will have to concretely recognize that they create the demand which encourages human trafficking and enables organized criminal groups to generate billions of dollars annually in tax-free revenue at the cost of human misery. Furthermore, countries of destination need to develop humane and compassionate approaches to victim identification, victim protection, and long-term victim assistance. Successful reintegration begins at the country of destination.

After making this distinction, I personally believe that it is no longer adequate to talk about solutions, policies and practices directed exclusively towards countries of origin and destination, for these countries are in fact linked by very complex relationships that include financial institutions, border and immigration police, law enforcement, the tourist and transportation industry, and other equally significant commercial and professional enterprises. To address only a country of origin without looking at where the reward comes from for criminal activity is an incomplete approach, and will therefore yield incomplete results. Regional approaches to combating trafficking in persons, linking countries of destination and origin, have the best potential for arriving at comprehensive and systemic solutions.

In addition to the challenge of complex political and commercial relationships mentioned above, I would like to talk briefly about the great challenge of victim identification, underscoring why there is such urgency in addressing this topic. From 1 January 2000 to 31 December, 2004, the International Organization for Migration (IOM) and other nongovernmental organizations assisted 1,464 trafficking victims to return to Moldova, and this number includes 81 minors. In 2004, one destination country alone documented repatriation of 1,774 Moldovan women. These women were listed as illegal immigrants; however, human rights groups in this country attest that the majority of Moldovan women who are arrested for violations of immigration laws are victims of trafficking. Similar discrepancies can be found among the other countries we are talking about. In one year, one country reported more Moldovan women than other reports claim were helped in five years. These discrepancies require our serious consideration. Why the discrepancy? What needs to be changed in order for women to seek out assistance? Are the right groups providing the assistance so that trafficked persons feel protected? Is the assistance appropriate to the need?

POLICY IMPLICATIONS

Here I would like to ask two more questions:

(1) What about the present? Are we really making progress? If trafficking, as all indicators tell us, is in fact a growth industry, then what do we not know? What are we getting wrong? What in fact is the real impact of anti-trafficking funding?

(2) What about the future? Are our current efforts helping to lay a foundation that will enable prevention, protection and prosecution to continue after donor funds have decreased?

I am particularly concerned about the need to think about investing in the creation of sustainable grass roots initiatives as opposed to reactive project development. The question of funding is of particular concern to me right now. Wealthy nations have responded generously both by making funds available and by elevating this issue to one of high political visibility. But let us be realistic. History shows us that in time, another world crisis will capture world attention as well as money, even though human trafficking itself will not disappear. Will there be organizations, movements, trained personnel in rural communities, small towns and big cities who will be able continue to pressure their governments and work to assist individuals?

Let us look again at Moldova. This small country with a population of barely 4 million people is now receiving between $USD 10M–12M over several years to combat trafficking in persons. Here are some questions we need to think about, not only for Moldova, but for all countries receiving large amounts of external assistance.

To what extent are these funds actually reaching trafficked persons or developing grass roots capacity?

To what extent are these funds being invested to ensure sustainable anti-trafficking initiatives?

To what extent is there coordination among donors to ensure that there are no duplicated efforts?

Who is around the table at these coordinating meetings? Are the right partners present in order to make sure that these efforts are able to continue into the future, long after grant money has decreased?

Are the faith communities involved? It is well known at this time that faith communities have the capacity to reach trafficked persons which are normally outside of the grasp of other organizations; this comes from the fact that they are closely linked to the communities and have the trust of the local populations—including the trust of trafficked persons.

RECOMMENDATIONS

1. Coordinate initiatives of major donors to ensure that there will be no duplication of efforts, and that there will be monitoring of grant activities.

Make sure that grants provide for a broad representation of local NGOs.

Make sure that funded projects ensure provision of benefits directly to individuals and to the empowerment of small local NGOs. Many budgets give only token amounts to local initiatives while having large budgets for travel and foreign consultants. This is the time to develop the grass roots work force.

Develop existing capacity and cultivate potential/future capacity. Are there sufficiently trained service professionals? Do countries' economic development plans foresee the training of new members of the work force taken from returning trafficked persons?

Develop a long-term perspective to finding long-term solutions rather than only addressing immediate needs.

Give priority to programs that work towards social inclusion—the forgotten stepchild of the anti-trafficking movement. Make reintegration a long-term policy.

Members of the Human Rights Caucus, I will end where I began, challenging us to consider that we could be part of the greatest human rights movement of the past two hundred years, with a legacy of freedom, redemption and hope that will serve as a model for generations to come. Do we have the courage, the discipline, and the wisdom to make it happen? May it be so. Thank you.

THE MILLENNIUM DEVELOPMENT GOALS AND THE CARIBBEAN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. RANGEL. Mr. Speaker, there has been significant debate in recent years regarding the chances of the developing world reaching

the Millennium Challenge Goals (MCG). Reaching the goals will be a trying task, but some regions of the world seem to be making satisfactory progress. The Caribbean is one such region that has high hopes for success in this important endeavor.

On the occasion of a recent Inter-American Development Bank seminar on the issue of the Millennium Challenge Goals, Dame Billie Miller, Minister of Foreign Affairs for the island of Barbados, wrote an informative May 3rd Op-Ed which describes the prospects and challenges facing the Caribbean in regards to achieving the Millennium Challenge Goals.

Dame Miller's overall view is that the Caribbean's progress to date has been very promising. Indeed, the United Nations Development Program's Regional Report for the Caribbean gives a rather bright prognosis for the majority of the Caribbean's nations in their MGD progression. However, some countries continue to face significant obstacles.

For example, Haiti remains mired in political instability and economic impoverishment. Though it contains 50 percent of the Caribbean's population it is the region's poorest country. The nation of Guyana, though blessed with abundant natural resources, is saddled with an extremely high ratio of debt, making it the Caribbean's only Highly Indebted Poor Country.

Despite the Caribbean's overall progress, Dame Miller emphasizes that there remains threats to the region which must be accounted for. Most pressing is the region's ongoing vulnerability to natural disasters.

We are all aware of the calamity the Caribbean region faced in 2004 due to Hurricanes Charley, Frances, and Ivan, and Tropical Storm Jeanne, which caused billions of dollars in damage. Thousands lost their lives, and the region's tourism and agricultural sectors, on which so many islands depend, was battered. The production of major agricultural exports for many countries is still on hold several months later. The Caribbean in concert with its neighbors, like the United States, must continue to address the issue of disaster response and mitigation. With efficient and functioning systems in place, these disasters need not be so devastating to the region.

Dame Miller also emphasizes the region's need to broaden access to education, as well as information and communications technology, for all its residents. Doing so will help to spur the economic development of the region, and also allow for the greater participation of the Caribbean population in civic and political life.

She also stresses the importance of the region's continuing efforts at regional economic integration. In the face of increasing globalization and trade liberalization, Dame Miller argues that the Caribbean must solidify their economic and trade ties, in route to a Caribbean Single Market Economy, which would remove all barriers to trade, capital movement, and technology and manpower transfer. Dame Miller foresees such an integration being achieved by 2006.

I sincerely thank Dame Miller for her insightful opinions. She reminds us, that while the Caribbean will undoubtedly face challenges in its socio-economic evolution, its dedication to addressing these challenges, and its ability to harness its immense potential, will ultimately determine its future success.

[From the New York Carib News, May 3, 2005]

CARIBBEAN MAY DEFY ''OVERWHELMING ODDS''—AS REGION SEEKS TO IMPROVE PEOPLE'S LIVING STANDARDS IN CHALLENGING TIMES

In this first decade of the 21st century, in a post 9/11, post Enron World the time seems hardly propitious for the removal of obstacles to the achievement of the Millennium Development Goals nor the realization of the 0.7 percent of overseas Development Assistance Commitment.

Progress (towards the achievement of the Millennium Goals set by the world's leaders summit in 2000) has been far from uniform across the world—or for that matter across the Goals. There are large disparities across and within countries. In terms of priorities for attention, the developing world is divided into well-organized categories: the LDC's (less developed countries), of which Haiti is the only member in the Caribbean, although with a population of 8 million, it accounts for over 50 percent of the 14 million citizens of the Caribbean Community, or Caricom, as it is known; the HIPC (highly indebted poor) countries, of which Guyana, the seat of the Caricom secretariat, is the only one among the Caricom states; and finally, the poorest of the poor. Small, middle incomes, mostly island countries, are, as we would say in the Caribbean, neither fish, fowl nor good red herring. We are therefore acutely aware that self-reliance and national and sub-regional actions will be the defining imperative in our efforts to achieve the targets of the Millennium Development Goals, MDGs.

In that respect, and defying the overwhelming odds, the prognosis for the achievement of the MDGs in the Caribbean is very promising. In fact, the United Nations Development Program's Regional Report on the matter gives an optimistic outlook for most of our countries in respect of at least six of the eight goals. But the region faces a number of challenges to the achievement of the Goals.

Foremost among them is the vulnerability to economic shocks, and to every natural disaster known to humankind, be it hurricanes, volcanic eruptions, mudslides, earthquakes or flood.

The catastrophic hurricane season of 2004 had a grave impact on the socio-economic development prospects of many of the small islands of the Caribbean. Decades of painstaking human and financial investment in social development, representing several years' worth of gross domestic product were lost in a matter of hours.

The devastating Indian Ocean tsunami in December serves as a stark reminder of the vulnerability of many developing nations to natural disasters.

Globalization, education, information and communication technology all offer the potential for reducing social exclusion by creating economic conditions for greater prosperity through higher levels of growth and employment, and by providing new avenues for community participation.

Conversely, there is the risk of an ever-widening gap between those who have and control the resources, the capital and knowledge of the global economy and those who are excluded. The challenge for all of us is to fashion policies, which reduce this risk and maximize this new potential. Various studies in Latin American and the Caribbean have shown that even in the presence of steady rates of economic growth, a reduction of inequality is not guaranteed. Clearly, the solution does not lie exclusively in wealth creation.

Globalization has brought tremendous benefits to significant portions of the world, but at the same time, large sections of the world have experienced far too few of its benefits, while others still, particularly in the poorest countries, remain totally marginalized. Many feel threatened by the way these processes have affected their communities, endangering their jobs and widening the gap between rich and poor. For them globalization has not delivered on the promises of vast development opportunities on a global scale, nor has it lessened the prevalence of economic disparities and social injustice.

For the Caribbean, the only sensible response to globalization and trade liberalization, and to the inevitable disappearance of trade preferences has been to expedite the deepening of the Caricom integration process. At this time, the members of the Caribbean Community are fully engaged in the most ambitious of endeavors to consolidate our market place and economic space through the implementation of the Caribbean Single Market and Economy, CSME, which provides for the removal of barriers to trade, goods, services, movement of capital, technology and skilled persons and also to the establishment of letterpresses. We expect that the CSME will be fully operational by 2006, making us the only integrated region, apart from the European Union to achieve such a status, and readying us to better access the global market process.

HONORING LAKE HOPATCONG HISTORICAL SOCIETY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Lake Hopatcong Historical Society, in my Congressional District. The Historical Society is celebrating fifty years of protecting documents and artifacts for the community and promoting education and historic preservation.

The actual creation of the Lake Hopatcong Historical Society occurred on August 10, 1955, at the Langdon Arms Restaurant with eight people in attendance. From the beginning, the members' goal was to establish a museum for the lake.

From the original eight individuals who attended the first meeting in 1955, the society grew to 150 members by the time the museum opened in 1965. In the early 1960's the state of New Jersey moved forward with plans for a new administration building at Hopatcong State Park. The park was on land which was previously owned by the Morris Canal and Banking Company. When the canal was abandoned in the 1920's, the 98 acres around the Lake Hopatcong dam were set aside as a state park.

Today, with nearly 800 members, the organization continues to follow its mission ''to collect, house and preserve artifacts and documents relating to the civil, political, social and general history of Lake Hopatcong and to encourage the education and dissemination of information about Lake Hopatcong's history.''

Mr. Speaker, I ask that you and my colleagues in the House of Representatives join with me in congratulating the Lake Hopatcong Historical Society, its trustees and all of its outstanding members and volunteers, upon celebrating its 50th Anniversary.

HONORING THE LIFE OF MARINE LANCE CORPORAL DUSTIN R. FITZGERALD

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. BOEHNER. Mr. Speaker, I rise today to pay tribute to the life and legacy of Marine Lance Corporal Dustin R. Fitzgerald. As our country honors our military personnel, both past and present, this Memorial Day, I want to take this opportunity to remember those who have sacrificed their lives for our freedom and security.

Lance Corporal Fitzgerald leaves behind a legacy of compassion and leadership. His family and friends remember him as a mentor who was truly inspirational in helping the people he loved reach their full potential. They remember his pride in being a Marine, his willingness to go beyond the call of duty to assist the members of unit, and his joy and laughter.

Lance Corporal Fitzgerald had aspirations to be a lawyer, and his interest and enthusiasm are a source of inspiration to the lives he touched. Based on his reputation for being hard-working and committed to fulfilling his responsibilities, I have no doubt he would have been an effective lawyer.

Mr. Speaker, it is with a heavy heart that I pay my last respects to a young man who was so full of life; to a young man who had a full and bright future ahead of him. I pray Lance Corporal Fitzgerald's family and friends find peace in their hearts, knowing his country is grateful and humbled by his sacrifice. I thank our brave men and women in uniform for continuing with our mission in Iraq, which is the ultimate tribute to our fallen soldiers, marines, sailors, and airmen.

Dustin, to you I offer my sincere gratitude and my solemn commitment to continue to support your friends, the members of your unit, and the men and women in Iraq who are continuing without you. Thank you for seeing a vision greater than yourself and for the strength of your commitment to our country. God bless you.

SPECIAL RECOGNITION OF CHIEF JOSEPH MARVIN OF THE WOODSTOCK, ILLINOIS POLICE DEPARTMENT

HON. MELISSA L. BEAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. BEAN. Mr. Speaker, I rise today to pay tribute to Chief Joseph Marvin and his twenty-seven years of service to the Woodstock Police Department in Woodstock, Illinois.

Mr. Speaker, Chief Marvin has been intricately involved in community building programs for over two decades. He has served as the Coordinator of Community Services and Chairman of the Crime Prevention Committee in Woodstock. These programs and his involvement in them have improved the lives for generations of Woodstock residents.

Serving his community as a police officer gave him the awesome responsibility to be a first responder, community leader and a role model for his family, friends and neighbors. I know that in his retirement he will continue to have a lasting impact and positive influence on the City of Woodstock. I would like to thank him for his service to and presence in the community and wish him the best of luck in his much-deserved retirement.

Also, I ask my colleagues to join me in recognizing the contributions of all police officers like Chief Martin who selflessly work for the good and of their communities, giving of themselves so that we may all enjoy the peace and safety they provide.

HONORING THE ALTO LADY JACKETS

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. HENSARLING. Mr. Speaker, today I would like to honor the Alto Lady Jackets track team who won the Texas 2A High School Track Championship on May 14, 2005. For the third time in three years, the Lady Jackets went down to Austin and returned home with the State Championship trophy.

I would like to recognize teammates Tiffany Hart, Angelitha Dickerson, Monique Hackney, Tashekia Mitchell, Kindal Baugh, Taneshia Pope, Tiffany Griffin, Margo Kahla, and Coaches Mildred Brown and Shanequa Redd. The outstanding team performance of the Alto Lady Jackets was highlighted by gold medals in the 800 and 16,000–meter relays and a silver medal in the 400-meter relay. Additionally Monique Hackney took gold in the long jump, setting a new class 2A record in the process.

As the congressional representative of the families, coaches, and supporters of the Alto Lady Jackets, it is my pleasure to recognize their tremendous victory and outstanding season. This is an accomplishment that these young women will remember for the rest of their lives.

HONORING THE CANTON ROTARY CLUB

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. HENSARLING. Mr. Speaker, today I would like to commemorate two significant anniversaries of Rotary International. On February 23, 2005, Rotary International celebrated its 100th anniversary. From its humble roots in Chicago, Illinois, Rotary International has grown into a worldwide organization of business and professional leaders whose mission is to provide humanitarian service, encourage high ethical standards in all vocations, and help build goodwill and peace in the world. Since 1943, Rotary International has distributed more than $1.1 billion to combat Polio, promote cultural exchanges, and encourage community service.

I also want to provide special recognition to an important member of this outstanding organization, the Rotary Club of Canton, Texas, for their twelve years of service to Van Zandt County. Throughout its twelve year history, the Canton Rotary Club has achieved great successes in carrying out the mission of Rotary International.

In past years, the Canton Rotary Club has raised money to provide scholarships to local students and sponsored programs to improve area literacy. In addition, the Canton Rotary Club has been active in Rotary International's Polio Plus program.

Through these actions, the Rotary Club of Canton, Texas, has exemplified the values of service and charity that lie at the heart of American society. As the congressional representative of the members of this outstanding organization, it is my distinct pleasure to be able to honor them today on the floor of the United States House of Representatives.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1815) to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2006, and for other purposes:

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of the Taylor Motion to Recommit today on the issue of providing full TRICARE to all members of the Guard and Reserve and their families. I am most outraged by the fact that there will be no consideration of the Taylor amendment on TRICARE for reservists as well as the Salazar amendment on ending the Military Families Tax and the Marshall amendment on ending the Disabled Veterans Tax. These amendments are three key provisions in the GI Bill of Rights for the 21st Century, which House Democrats unveiled in March. It seems blatant, that the Rules Committee would not allow the full body to consider these vital amendments which could have greatly strengthened this Defense Authorization.

My colleague Mr. TAYLOR's amendment would have provided full TRICARE to all members of the Guard and Reserve and their families. Currently, the Guard and Reserve are covered by TRICARE only when they are mobilized for active duty. Under the Taylor amendment, all members of the Guard and Reserve could buy into TRICARE for an affordable monthly premium. The Taylor amendment was in fact adopted by the Armed Services Committee by a vote of 32 to 30. However, after the mark-up, Chairman HUNTER stripped the amendment from the bill based on a violation of the Budget Act, instead of allowing Representative TAYLOR to make a slight modification to his amendment which would have addressed the violation. It is the slightly modified version that Representative TAYLOR had sought the Rules Committee to make in order and which the Rules Committee has egregiously rejected for consideration. It is a travesty indeed because this amendment could have done so much good for so many Guardsmen and Reservists.

The simple fact is that more than 433,000 of our National Guard and Reserves have been

called up over the past two and one-half years. Reserve Components make up almost 50 percent of our forces in Iraq. It is time that we as a body recognize their service to our nation by providing TRICARE for Reserve Component personnel on a permanent basis. It is disgraceful that this Congress will not demonstrate the level of commitment for its citizen-soldiers that they so richly deserve.

I know how TRICARE is insufficient for our men and women fighting abroad, I've talked to many of them in my district and it's sad that we can't provide them with the support they need when they are the ones making the ultimate sacrifice. The cuts to TRICARE over the years are despicable and soon we will have almost nothing to offer our men and women fighting abroad in the area of domestic care. Among those in Houston who have been brave enough to serve is Texas State Representative Rick Noriega who is with the Texas Army National Guard. He has served as state representative for District 145 for 6 years and when he was called to duty in Afghanistan he went to serve his nation, truly an inspiration to many. However, he left behind a wife and two children, who were proud, but unfortunately they were left with insufficient coverage by TRICARE. His family has suffered harsh treatment because they demanded more from TRICARE and weren't receiving it. Their story is not uncommon throughout the nation. Many doctors won't accept TRICARE because it is inadequate. The sad fact is that 20 percent of all Reservists do not have health insurance, and 40 percent of Reservists aged 19 to 35 lack health coverage according to a 2003 report by the General Accounting Office. According to the latest Defense Department data, 18 percent of activated Reservists have no medical coverage. These facts are deplorable, I pray for families like State Representative Noriega's and others who don't have access to sufficient care. How can we say that we are proud of our men and women fighting abroad when we can't even care for them and their families when they return to this nation of ours?

I can only hope in the future that such significant legislation as this will involve the debate and full consideration of all necessary and relevant amendments. The men and women of our Armed Forces and indeed the American people as a whole deserve as much. Again, I rise in full support of the Taylor Motion to Recommit and consider this truly vital amendment on TRICARE.

HONORING THE TEN TOWNS GREAT SWAMP WATERSHED MANAGEMENT COMMITTEE

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Ten Towns Great Swamp Watershed Management Committee of Morris County, New Jersey, a vibrant organization I am proud to represent! On June 15, 2005 the Trustees and Friends of the Committee are celebrating its Tenth Anniversary.

The Great Swamp Watershed is a 55 square mile region in Morris and Somerset Counties and includes portions of Bernardsville Borough, Bernards Township, Chatham Township, Township of Harding, Long Hill Township, Borough of Madison, Mendham Borough, Mendham Township, the Town of Morristown, and Morris Township.

The Ten Towns Great Swamp Watershed Management Committee was formed in 1995 through an Inter-municipal Cooperative Agreement among the ten municipalities that have lands within the Great Swamp Watershed. Developed under the auspices of the Morris County leadership group, Morris 2000 (now Morris Tomorrow), the Ten Towns Committee was formed for the specific purpose of developing and implementing a watershed management plan for the watershed in the Upper Passaic River basin of northern New Jersey.

Since its formation, the Ten Towns Committee has developed a full range of programs to protect water quality and water resources in the Great Swamp, including: a water quality monitoring program, development of environmental ordinances, and construction of "Best Management Practices" improvements to correct existing non-point source pollution conditions.

The Ten Towns Committee has been recognized as a model in the state of New Jersey and has received awards for its work from the U.S. Environmental Protection Agency and from the New Jersey Department of Environmental Protection.

It has also been my pleasure on several occasions to assist the Association with Federal support which enhances their critical work that both protects this remarkable national asset, the Great Swamp, and protects, for future generations, precious water supplies.

Mr. Speaker, I urge you and my colleagues to join me in congratulating the members of the Ten Towns Great Swamp Watershed Management Committee on the celebration of the Committee's ten years serving the Great Swamp Watershed area. Special praise is due to their dedicated staff and active volunteers who work tirelessly to protect and enhance the Great Swamp National Wildlife Refuge and Wilderness Area.

HONORING THE LIFE OF ARMY SERGEANT CHARLES J. WEBB

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. BOEHNER. Mr. Speaker, I rise today to pay tribute to the life and legacy of Army Sergeant Charles J. Webb. As our country honors our military personnel, both past and present, this Memorial Day, I want to take this opportunity to remember those who have sacrificed their lives for our freedom and security.

Sergeant Webb leaves behind the most important legacy any man can leave: a strong and healthy family who knows he loved them with all his heart. His love and commitment to his wife Stephanie is the best testament to his character and to his heart.

Sergeant Webb had aspirations to be a high school History Teacher. He is remembered as a loyal and committed soldier, and I have no doubt he would have extended his sense of duty and commitment to the teaching profession and would have been an effective and motivating teacher.

Mr. Speaker, it is with a heavy heart that I pay my last respects to a young man who was so full of life; to a young man who had a full and bright future ahead of him. I pray Army Sergeant Webb's family and friends find peace in their hearts, knowing his country is grateful and humbled by his sacrifice. I thank our brave men and women in uniform for continuing with our mission in Iraq, which is the ultimate tribute to our fallen soldiers, marines, sailors, and airmen.

Charles, to you I offer my sincere gratitude and my solemn commitment to continue to support your friends, the members of your unit, and the men and women in Iraq who are continuing without you. Thank you for seeing a vision greater than yourself and for the strength of your commitment to our country. God bless you.

PERSONAL EXPLANATION

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Ms. JACKSON-LEE of Texas. Mr. Speaker, because of family illness I missed the following votes: On May 19, 2005 on rollcall vote #190, On Ordering the Previous Question; providing for consideration of the bill (H.R. 2361) making appropriations for the Department of the Interior, environment and related agencies for the fiscal year ending September 30, 2006, and for other purposes; I would have voted "nay."

On May 19, 2005 on rollcall vote #191, On Agreeing to the Amendment to H.R. 2361; the Hefley of Colorado Amendment; I would have voted "nay."

On May 19, 2005 on rollcall vote #193, On Agreeing to the Amendment to H.R. 2361; the Terry of Nebraska Amendment; I would have voted "nay."

On May 19, 2005 on rollcall vote #194, On Agreeing to the Amendment to H.R. 2361; the Obey of Wisconsin Amendment No. 2; I would have voted "yea."

On May 19, 2005 on rollcall vote #195, On Agreeing to the Amendment to H.R. 2361; the Beauprez of Colorado Amendment; I would have voted "nay."

On May 19, 2005 on rollcall vote #196, On Agreeing to the Amendment to H.R. 2361; the Rahall of West Virginia Amendment; I would have voted "yea."

On May 19, 2005 on rollcall vote #197, On Agreeing to the Amendment to H.R. 2361; the Hefley of Colorado Amendment; I would have voted "nay."

On May 19, 2005 on rollcall vote #198, On Motion to Recommit with Instructions; for H.R. 2361 Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006; I would have voted "yea."

On May 19, 2005 on rollcall vote #199, On Passage; for H.R. 2361 Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006; I would have voted "yea."

150TH ANNIVERSARY OF THE SIGNING OF THE TREATY BETWEEN THE CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION AND THE UNITED STATES GOVERNMENT

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. WALDEN of Oregon. Mr. Speaker, it is a great honor for me to rise today to commemorate the 150th anniversary of the signing of the Treaty between the Confederated Tribes of the Umatilla Indian Reservation and the United States Government. I am proud to represent the people of the Confederated Tribes of the Umatilla Indian Reservation in Congress and am always warmly welcomed when I visit the reservation.

Mr. Speaker, since time immemorial, the people of the Confederated Tribes of the Umatilla Indian Reservation have lived on the Columbia River Plateau. Specifically, their homeland is the area now known as northeastern Oregon and southeastern Washington. The Umatilla Tribes currently have over 2,446 tribal members who continue to care for and live on the land of their ancestors.

On May 28, 2005, the Confederated Tribes of the Umatilla will gather to commemorate the 150th Anniversary of the treaty they signed with the United States Government. For the members of the Umatilla tribes this is an opportunity to remember and honor their ancestors who signed the treaties and to educate their youth and the public about these important documents.

I think it is fitting as we near the anniversary of this treaty to share with my colleagues a little bit of the history of the treaty signing. For nearly three weeks in late May and June of 1855, thousands of Native Americans from the Cayuse, Umatilla and Walla Tribes, along with the Nez Perce, Yakama and some bands of the Colville, all convened in the Walla Walla Valley, Washington Territory for a historic treaty council. During this three-week period the tribes met and negotiated with Washington Territory Governor Isaac Stevens and Superintendent for Indian Affairs of Oregon Territory Joel Palmer.

The agreement that came from this three-week negotiation has been the guiding document between the Umatilla, Cayuse, and Walla Walla people with the United States Government for the past 150 years and thus the Confederated Tribes of the Umatilla, Yakama, and Nez Perce Reservations were created.

Mr. Speaker, I think it is important to note that the Confederated Tribes of the Umatilla Indian Reservation have a long history of strong leadership and continue to preserve their traditional cultures and languages. Their leaders were among the most influential negotiators at the Treaty Council 150 years ago and today the Confederated Tribes of Umatilla are regarded as outstanding leaders within Indian Country.

Their leadership and innovative economic endeavors help lead the way in eastern Oregon and in Indian Country. The Confederated Tribes of the Umatilla Indian Reservation determine their own futures through successfully operating a wide range of their own services and almost all of their Federal programs, including health services, housing, education, police and fire protection, tribal courts, natural resources management and protection, fisheries, administration, and economic development and employ over 1000 people in the region.

Mr. Speaker, I am proud to represent what is today the Confederated Tribes of the Umatilla Indian Reservation and it is an honor to work closely with them to help improve their futures and the futures of all eastern Oregonians.

BIENNIAL BUDGETING AND APPROPRIATIONS ACT OF 2005

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. DREIER. Mr. Speaker, the annual rush to complete action on budget, authorization and appropriations bills not only results in a poor budget process, but also reduces the amount of time available for careful oversight and management of existing Federal programs. During the 31-year history of the Budget Act, Congress has met the deadline for completion of a budget resolution only five times. Since 1953, Congress has been forced to enact continuing resolutions to fund government activities past the end of the fiscal year in every year but four (FY1953, FY1989, FY1995 and FY1997). And according to the Congressional Budget Office, Congress provided $170 billion in fiscal year 2005 appropriations for 167 statutes whose authorizations had expired.

That is why I introduced the Biennial Budgeting and Appropriations Act of 2005, which streamlines the budget process and improves the fiscal management and oversight of government programs by instituting a biennial budget system. Under the bill, the President would submit a two-year budget and Congress would consider a two-year budget resolution and 11 two-year appropriations bills during the first session. The second session would be devoted to consideration of authorization bills, programmatic oversight of government agencies and emergency spending bills. Mr. Speaker, this is a proposal we've entertained in the past, and I believe it deserves another look.

By eliminating repetitive and time-consuming appropriations work, the Congress as a whole and even the appropriations subcommittees would be better able to focus on oversight. This would also contribute to more appropriate funding decisions in biennial appropriation bills and any necessary supplemental/recision legislation. As with oversight, biennial budgeting would allow more time for needed authorization legislation. In addition, the overwhelming appropriations workload every year has upset the intended balance in the role of authorizations and appropriations. Biennial budgeting would help restore the importance of the authorization process.

Preparing for annual appropriations is as much or more of a drain on time and resources for Federal agencies as it is for Congress. It takes nearly three years for the Administration and Congress to produce and implement one annual budget. As a result, a great deal of time and manpower are diverted from managing existing programs, leading to delays in reform implementation and creating a slower and more bureaucratic government. Biennial budgeting would provide Federal agencies more time for program oversight, increasing agency efficiency and providing them with more stable and predictable budgets. In addition, Congress would be able to exercise better oversight over them.

As recently as World War II, all but four States had biennial budgeting. The growing dependence on annually appropriated big-government programs, however, helped move many to change to annual cycles. Although this trend has reversed in recent years (today, 21 States have biennial budgets), biennial budgeting at the Federal level would help States return to this commonsense process. Even if States retain annual cycles, they will benefit from more stable and predictable Federal funding.

Mr. Speaker, I urge all my colleagues to support the Biennial Budgeting and Appropriations Act of 2005. It will provide a starting point for discussions on how to improve the budget process and foster improved governance for the American people.

CONGRATULATING THE ST. MARY'S HIGH SCHOOL GIRLS' LACROSSE TEAM

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. CARDIN. Mr. Speaker, I rise today to pay tribute to the St. Mary's High School girls' lacrosse team of Annapolis, Maryland in honor of its 2005 Interscholastic Athletic Association of Maryland (IAAM) A1 Conference Championship.

This remarkable team, the Saints, culminated a season of phenomenal play by defeating Anne Arundel County rival Severn School in a tightly contested game by a score of 7 to 6 to bring home the championship for the first time in 9 years. This season these young ladies played some of the best high school lacrosse teams in the Nation.

In just her third year as Head Coach of the Saints, Sue Chittim is to be congratulated along with her assistant coaches, Megan Lewis and Steve Clarke, for their ability to motivate and inspire their players with a positive attitude to play unselfishly as a team. The success of the Saints' lacrosse program is a true credit to Coach Chittim's vision and ability as a coach. As the IAAM tournament began, Coach Chittim's mantra for her team was, "Don't tell me how rough the waters are . . . just bring in the ship."

The Saints 4 seniors, Kelly Gaudreau, Bri Gauthier, Mindy Jones, and Bridget Noon, played their final high school lacrosse game as true champions and undoubtedly all season long were role models for their underclass teammates.

The remaining players, Sarah Beckstead, Alex Bertrand, Christian Carr, Caroline Cochran, Laura Ford, Devon Kelly, Morgan Kelly, Alex Kuntz, Jessica Liberto, Stephanie Murtha, Erin O'Donovan, Allison Perkins, Jackie Proch, Kelly Reid, Mary Ruttum, Kim Schindel, Samantha Schrum, and Erika Welck, contributed immensely to the success of the Saints

season and all deserve recognition for their exceptional achievement.

Mr. Speaker, I ask that all of my colleagues join me in congratulating the St. Mary's High School girls' lacrosse team on its exceptional season and 2005 IAAM A1 Conference Championship.

HONORING THE LIFE OF MARINE LANCE CORPORAL TAYLOR B. PRAZYNSKI

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. BOEHNER. Mr. Speaker, I rise today to pay tribute to the life and legacy of Marine Lance Corporal Taylor B. Prazynski. As our country honors our military personnel, both past and present, this Memorial Day, I want to take this opportunity to remember those who have sacrificed their lives for our freedom and security.

Lance Corporal Prazynski leaves behind a legacy of honor, service, and inspiration to his family, to his friends, and to men and women who never had a chance to know him. His family and friends remember him as a jovial and compassionate man who was committed to bringing freedom and democracy to the Iraqi people and security to the American people.

Lance Corporal Prazynski also leaves behind a legacy of compassion from his work with his handicapped classmates while attending Fairfield High School. His interest in becoming a special education teacher illustrates his strength of character, and based on his reputation for being hard-working and dedicated to accomplishing his goals, I have no doubt he would have been an effective teacher and mentor.

Mr. Speaker, it is with a heavy heart that I pay my last respects to a young man who was so full of life; to a young man who had a full and bright future ahead of him. I pray Lance Corporal Prazynski's family and friends find peace in their hearts, knowing his country is grateful and humbled by his sacrifice. I thank our brave men and women in uniform for continuing with our mission in Iraq, which is the ultimate tribute to our fallen soldiers, marines, sailors, and airmen.

Taylor, to you I offer my sincere gratitude and my solemn commitment to continue to support your friends, the members of your unit, and the men and women in Iraq who are continuing without you. Thank you for seeing a vision greater than yourself and for the strength of your commitment to our country. God bless you.

TRIBUTE TO CIVIL WAR VETERAN ELISHA JOHNS

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. UPTON. Mr. Speaker, I rise today to pay tribute to Civil War Veteran Elisha Johns, who received the Congressional Medal of Honor for his courage and valor as a Corporal during the Battle of Vicksburg, Mississippi. This Saturday, May 28th, the Porter Township Board and the folks of Union, Michigan will honor Mr. Johns during a ceremony at his gravesite in Plum Grove Cemetery.

Elisha enlisted with the Union Army on August 9th, 1862, with whom he served until his discharge on June 6, 1865. After his enlistment, his leadership and courage was recognized by his superiors as he was made Corporal and promoted to Sergeant soon thereafter. His true valor was demonstrated on May 22, 1863, the date he earned the Congressional Medal of Honor.

It was the beginning of the Battle of Vicksburg, Mississippi and there was a call for volunteers to bridge a dike that was essential for a Union victory. Corporal Johns was one of 150 men that felt called to duty and valiantly set out to construct the bridge. Before they succeeded in bridging the dike, two-thirds of Elisha's fellow soldiers were shot and unable to go on. However, Corporal Johns and his peers boldly continued, while under intense Confederate fire, only to find his supporting soldiers had retreated. As it was early in the day, and military support lacking, Elisha was forced to hide along the base of the dike until darkness fell, when he was able to successfully get back to the Union lines. Forty years after his brave act, Corporal Johns was awarded the Congressional Medal of Honor.

As we come together as a Nation this Memorial Day, we honor the heroes of yesterday like Elisha Johns, who gave so much to our great Nation, and to honor those brave men and women of our armed forces who are on the front lines today, sacrificing so much in the name of freedom.

I commend all the folks of Union, Michigan, who are committed to preserving the history of our veterans, such as Corporal Johns, so generations to come will remember the sacrifices of their forefathers that played such a vital role in making our great Nation.

THE TRAGIC PASSING OF NEALE CHANEY SLATER

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. HOYER. Mr. Speaker, late last month—on April 25, 2005—the family and friends of Neale Chaney Slater, the community of Mechanicsville, and the State of Maryland suffered a devastating loss when this caring and accomplished young man was struck down just as he was preparing to enter the prime of his life.

Whlle driving out to help a local farmer, Neale, 20 years old, was killed in a tragic two-vehicle accident on Route 5 in Hughesville.

Yet, in such a short period of time, Neale gave so much to so many others.

At the age of 16, Neale joined the Mechanicsville Volunteer Fire Department, and had held the office of assistant secretary and treasurer.

Neale was a Firefighter II and certified emergency medical technician, and was recognized by his peers with the Mechanicsville Volunteer Fire Department as ''Rookie of the Year'' in 2001. He also was awarded Fire Prevention Awards in 2001 and 2002.

''He told me he was following the family tradition,'' said Willie Wilkerson, president of the department, noting that Neale's grandfather and uncle had also been members of the department. ''For such a short life, he got a lot accomplished.''

That, in fact, is an understatement.

Neale was a 2003 honors graduate of the Leonard Hall Junior Naval Academy in Leonardstown, where he achieved the rank of Battalion Commander in his junior and senior years.

He also was awarded Midshipman of the Year in 2001, 2002, and 2003, and was also awarded the Military Excellence, Headmaster's and Loyalty Awards at graduation.

Clearly, Mr. Speaker, this was an exceptional young man—a young man who envisioned a career in public service early on.

At the time of his passing, Neale was a Cadet in the Maryland State Police, which he joined in 2003. This coming fall, he was set to join the State Police Academy.

Without question, Neale embodied the best this country has to offer through his dedicated public service, his educational achievements, and the respect he had earned from all who knew him.

Neale was held in high regards by the community he served, and rightly so. Colonel Thomas E. Hutchins, Secretary of the Department of State Police, said that Neale was ''a young man with a strong work ethic who was committed to doing his best in every mission he undertook.''

Mr. Speaker, the passing of one's child, particularly one with so much to contribute to his community, his State and his Nation is as painful as it is incomprehensible.

Today, I want to extend my deepest sympathies to Neale's parents, Eleanor Fowler Slater and Austin Joseph Slater, Sr., as well as all of his family members and friends.

I realize that these words are small solace. But I hope the Slaters, in time, find some comfort in the fact that they raised a truly fine young man who will be sorely missed and never forgotten.

The Slaters have established the Neale Slater Memorial Fund in his honor at the Leonard Hall Junior Naval Academy for a graduating senior intending to enter law enforcement.

I know the recipients of this scholarship will always be inspired by the example set by Neale, and the extraordinarily positive impact he had on his community will be felt for generations to come.

TRIBUTE TO HEROES OF THE OREGON MOUNTAIN RIVER CHAPTER OF THE RED CROSS

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. WALDEN of Oregon. Mr. Speaker, I rise today to pay tribute to the courageous men and women being honored on June 1, 2005 by the Oregon Mountain River Chapter of the Red Cross's inaugural Real Heroes ceremony in Bend, Oregon, which I will be honored to be part of. These men and women set themselves apart through selfless acts of heroism and kindness toward others. I would like to

share the stories that depict their unwavering commitment to their fellow citizens and their calm and collected action in the face of great challenge.

Mr. Speaker, Matthew Zedwick is one of the many courageous men and women who have served our country in Iraq as a member of the Oregon National Guard. On June 13, 2004, his quick action under pressure saved the life of his comrade, Sgt. Sean Davis. Sgt. Zedwick was driving a Humvee when two roadside bombs exploded near his convoy. Despite being wounded by shrapnel, Sgt. Zedwick dragged Truck Commander Sgt. Davis safely from a burning vehicle and then returned to the vehicle under heavy enemy fire in an attempt to retrieve the body of Spc. Eric McKinley, who had been killed in the blast. While he was unable to retrieve Spc. McKinley, he was able to retrieve a radio and call for help. His quick thinking and courage under fire saved his own life and the life of Sgt. Davis. For his actions, Sgt Zedwick became the first Oregon National Guardsman since World War II to be awarded the Silver Star medal and a Purple Heart for his valor.

Jordan Bilyeu is another hero who endured the devastation of the Tsunami that struck the Indian Ocean in December of 2004. While vacationing in the Phi Phi Islands, off the shore of Thailand, Jordan was swept up in the water that unexpectedly came crashing toward the beachgoers. Jordan clung to a palm tree while riding out the worst of the Tsunami and eventually was swept into the third story of a nearby hotel. During this ordeal, Jordan was able to assist in the rescue of a woman who lost her legs who had also been pulled into that hotel room, and worked to assist others who had been injured in this tragic natural disaster.

Mr. Speaker, in Deschutes County we owe thanks to several heroes for their quick action at work. On September 13, 2003, Al Ewing's, Corky Metteer's, Tim Wiley's, and Adam Carpenter's emergency efforts saved the life of Stu Martinez when he lapsed out of consciousness. Stu's colleagues quickly ran to his rescue and performed CPR techniques until medical help could arrive. These employees at Wilderness Garbage in La Pine were prepared to react after taking critical life saving and CPR classes administered by the Oregon Mountain River Chapter of the Red Cross one month before.

Deschutes County District Attorney Mike Dugan is another hero who helped avert another tragic accident on the job and saved the life of a young boy in the Deschutes County Courtroom. When a young child started choking on a large piece of candy, District Attorney Dugan rushed to assist the child and used an abdominal thrust technique to dislodge the candy from his throat. The entire episode took only a few seconds, but it is an act that this young child will remember for the rest of his life.

Kathleen Krahmer is a hero whose day-to-day efforts impact the lives of many in her community. On May 23, 2005, Kathleen donated her 57th pint of blood, for an astonishing total of more than seven gallons of blood donated to the Red Cross. Not only is Kathleen a blood donor, but every winter she knits hats and donates them to local schools or to the Bethlehem Inn, a homeless shelter in Bend. This, Mr. Speaker, is just the beginning of her service to others. She is actively involved in the Sparrow Club, an organization that helps critically ill children, and has helped collect money for the Tsunami Relief program. As a teacher she is an inspiration and exemplary example to her students and her fellow citizens and has shown that countless acts of kindness truly do make a significant difference.

Mr. Speaker, the next individual I'd like to honor demonstrates that you can be a hero at I any age. Spencer Brennan has already made a significant impact on those around him at the age of 14 and I'm sure that his tradition of helping others will continue for many years. As a young child Spencer fell very ill, but he battled back to overcome his illness and never gave up during his most difficult challenges. Now, he works for the benefit of other children as a 'volunteer for the Sparrow Club. For the last two years, Spencer has worked to raise money for the Sparrow Club and to support other children who face medical crisis. For his service, he was awarded the prestigious "Dameon Award" for his compassion, courage, character and conscience.

The next hero I would like to highlight, Kim Meeder, is an individual who has worked very hard to make a difference in the life of troubled teens, abused kids and adults across Oregon and our nation. The work being done by Kim and her husband Troy at the Crystal Peaks Youth Ranch is tremendous. Kim has helped pair abused and neglected horses with troubled individuals seeking solitude and comfort. The ranch gives these individuals a place to rekindle their spirits and recover from the problems of their past.

Mr. Speaker, let me conclude by talking about a collaborative effort in central Oregon that provides medical coverage for those without coverage. Since opening just over a year ago, the Volunteers in Medicine Clinic has completed approximately 5,000 free examinations in Deschutes County. Three of these volunteers have gone above and beyond the call of duty. Dr. Tom McGranahan, a retired anesthesiologist, has worked over 600 hours assisting doctors and training others in the use of new electronic medical records while serving as the clinic's resident computer expert. Cindy Cocanower, an area pharmacist, has utilized her expertise so the organization can provide medications at little or no cost to VIM patients. She has donated over 200 hours of her time and expertise and spent countless hours working on similar endeavors outside the clinic. Sharon Lichti, a retired college professor, has been the lead volunteer charged with training dozens of new volunteers since the opening of the clinic. The contributions of these individuals have provided medical coverage for many uninsured individuals throughout central Oregonian, and we owe them a debt of gratitude.

Mr. Speaker, the individuals being honored on June 1 demonstrate that each of us can be a hero in our community and we are grateful for all that they've done and continue to do.

CELEBRATING HAL AND TINA SMITH FOR 65 YEARS OF MARRIAGE

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. PORTER. Mr. Speaker, I rise today to recognize Hal and Tina Smith for the dedication they have shown to each other over their 65 years of marriage.

On June 1, 1940, Hal Smith and Tina Ball were married. Through 3 children, 8 grandchildren and 4 (soon to be five) great-grandchildren, they have been a shining example of unconditional love and mutual respect for each other and those they come to meet.

This dedication to, and respect for, each other has been the key to a successful marriage for all these years. During their life together, they have raised a beautiful family—a family strengthened by the strong morals and humanistic values they embodied for their children.

They have lived their lives free from regret and have persevered and overcome any trial that has come their way. Hal and Tina have always held family to be paramount and have engendered this legacy of love in their children.

Aside from the strong family values that they have demonstrated, they also have a love of travel, and they have always emphasized the importance of learning and education in their family, which echoes their strong belief that they must leave this world a better place than they found it. Tina expressed this through her work with museums; Hal through his political career.

Mr. Speaker, these 2 individuals have been like a second set of parents to my wife, Laurie and I. They are a very important part of our lives. Their great influence has been a constant in our lives as they have loved and supported us over the years and throughout my political career. We are proud to be among the privileged group they call their friends. Their commitment to each other and to their community is deserving of recognition and honor, so it is a pleasure for me today to salute this marvelous couple. I encourage all of my colleagues to salute such wonderful examples of family values, like Hal and Tina Smith.

DISCUSSING THE PERILS OF CAFTA WITH LEGISLATORS FROM CENTRAL AMERICAN COUNTRIES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. KUCINICH. Mr. Speaker, today I welcomed legislators from Central American countries to discuss the perils of CAFTA. I submit my opening remarks for the RECORD.

Thank you all for coming to this important briefing on how the Dominican-Republic Central American Free Trade Agreement was passed in El Salvador, Honduras and Guatemala. I would like to thank Congressman Becerra for hosting this briefing with me, and of course, the Central American legislators for traveling up here to share their experiences with us.

There are innumerable reasons to oppose CAFTA, in the United States and in Central America. Governments will have little to no control over the investments of foreign companies, and foreign investors will not have to comply with International Labor Organization standards when they invest in Central American business ventures. Workers' rights will be undermined, especially for women workers, farmers and maquilla workers. The current labor rights abuses prevalent in

some Central American countries will run rampant under CAFTA's weak labor provisions. Countries will enjoy greater tariff benefits for goods made by workers whose rights have been denied.

Family farms in Central America will fall victim to CAFTA, which will threaten locally grown produce and undermine food security for Central Americans. Basic public goods and services, such as education, health care and water will become privatized, as governments will lose the flexibility to subsidize these services. Expensive brand-name drugs will have expanded patents, and inexpensive generic medicines will have greater restrictions. Poor people will not have access to life-saving pharmaceuticals.

Yet these concerns could not be fully considered or debated by lawmakers in Honduras, Guatemala and El Salvador. CAFTA was brought up suddenly, in the wee hours of the morning, with no public notice, and many lawmakers did not get the chance to investigate what they were voting on. Is this how far-reaching legal reform bills should be considered? Of course not. And the real story of how CAFTA was pushed through the legislatures of Central American countries will undercut any legitimacy its ratification may have.

Please join me in welcoming the lawmakers who opposed CAFTA in their respective legislatre assemblies when it was considered, and who have traveled here to continue to oppose CAFTA. Let me introduce: Diputada Doris Gutierrez, from Honduras; Diputado Victor Manuel Sales, from Guatemala; Diputado Hugo Martinez, from El Salvado; and Diputado Salvador Arias, from El Salvador.

MEMORIAL DAY AND HONORING THE SACRIFICE OF AMERICA'S VETERANS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. ENGEL. Mr. Speaker, this Memorial Day we will once again mark a day of remembrance for those who have died while serving our Nation. Memorial Day is a single day of national awareness and reverence, honoring those Americans who died while defending our Nation and its values. While we should remember their sacrifice every day, a special honor is reserved for Memorial Day.

More than a million American service members died in the wars and conflicts this Nation fought since the first colonial minutemen took up arms in 1775 to fight for independence. Each soldier who died during those many battles was a loved one cherished by family and friends. Each was a loss to the community and the Nation.

While this Nation can never fully repay those who have made the ultimate sacrifice for their country, I believe the United States must continue to do more to honor our brave soldiers, veterans and our military families. Their sacrifices are the foundation of our Nation's freedom.

During my years in Congress, I have consistently given high priority to the interests of our country's veterans. I feel strongly that protecting veterans' rights and benefits is the least we can do for those who have devoted years of their lives in service to our Nation. Only by providing the best possible resources and facilities and fully compensating veterans for disabilities, can we repay the dedication of service personnel who sacrificed for their country.

One area in which adequate funding is absolutely necessary for veterans is health care. The lack of sufficient resources in our VA hospitals has reduced the ability of medical professionals to provide quality care. Our budget should be a reflection of our national priorities and yet this year the House Leadership cut veterans healthcare by $13.5 billion.

It is critical that we fulfill our moral obligation to honor our Nation's veterans with the health, education and retirement benefits they have earned through their service. I have joined my colleagues in introducing a new GI bill, endorsed by the American Legion and the Disabled American Veterans, to improve benefits for men and women in uniform today and provide long overdue benefits for the veterans and military retirees who have already served. It will help members of the National Guard and Reserve, as their service in Iraq and Afghanistan has been above the call of duty, and will improve veterans' health care by increasing resources, bolstering mental health care for returning soldiers and blocking prescription drug co-payment increases.

So, on this Memorial Day, let us never forget that we in this country owe a great debt of gratitude to those who sacrificed their lives so that we could live free. We can start to pay that debt by remembering what they did and what they stood for, and by promoting policies that honor their service and reflect the values of our grateful Nation.

HONORING THE LIFE OF ARMY PRIVATE FIRST CLASS MARLIN T. ROCKHOLD

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. BOEHNER. Mr. Speaker, I rise today to pay tribute to the life and legacy of Army Private First Class Marlin T. Rockhold. As our country honors our military personnel, both past and present, this Memorial Day, I want to take this opportunity to remember those who have sacrificed their lives for our freedom and security.

Private First Class Rockhold leaves behind the most important legacy any man can leave: a strong and healthy family who knows he loved them with all his heart. His love and commitment to his wife Davonna, and his desire to adopt and nurture their daughter Therashia is the best testament to his character and to his heart.

Private First Class Rockhold's joy for life and his commitment to the men and women he served with are remembered by his family, his friends, and his fellow soldiers. He used his incredible sense of humor and memorable smile to ease the worries, fears, and disappointments of those around him. His positive attitude will remain in the hearts of those who knew and loved him.

Mr. Speaker, it is with a heavy heart that I pay my last respects to a young man who was so full of life; to a young man who had a full and bright future ahead of him. I pray Army Private First Class Rockhold's family and friends find peace in their hearts, knowing his country is grateful and humbled by his sacrifice. I thank our brave men and women in uniform for continuing with our mission in Iraq, which is the ultimate tribute to our fallen soldiers, Marines, sailors, and airmen.

Marlin, to you I offer my sincere gratitude and my solemn commitment to continue to support your friends, the members of your unit, and the men and women in Iraq who are continuing without you. Thank you for seeing a vision greater than yourself and for the strength of your commitment to our country. God bless you.

WEST PHILADELPHIA HIGH SCHOOL TAKES TOP HONORS IN TECHNOLOGY COMPETITION

CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. FATTAH. Mr. Speaker, I rise today to recognize the West Philadelphia High School for taking top honors in the Technology Competition at the National 2005 Tour de Sol.

The National 2005 Tour de Sol, a nationwide competition, allows students and entrepreneurs to showcase their efforts to design vehicles that approach zero carbon emissions and use renewable fuels. The Tour de Sol highlights the largest innovations in alternative-energy technology and advanced fuel vehicles, showcasing the future of the clean-energy and transportation industry. The cars are put through rigorous tests to assess emissions, fuel economy, and other technical standards.

The Tour de Sol provides a key platform for vehicle manufacturers, students, and entrepreneurs to demonstrate future designs and current products that aim to reduce oil and carbon emissions to zero. This year, over a dozen teams from all over the United States and Canada participated in the Tour de Sol Championship, which began in 1989. The competition aims to inspire students and businesses to design, build, showcase, and use concept vehicles that push the envelope and work toward the ultimate goal of the event.

The winner of the coveted "Greenest Vehicle" was awarded to one of the only high school teams to enter the competition, West Philadelphia High School, for their electric car called The Saturn. The team beat university and private teams from around the country for developing a vehicle that demonstrates high energy efficiency. The Saturn ran the equivalent of 280 miles per gallon of gasoline, with a greenhouse gas reduction of nearly 80 percent.

I salute the students, faculty and team sponsors who worked tirelessly over the past two years to construct a hybrid vehicle that uses biodiesel fuel instead of gas to create a cleaner environment. I applaud your efforts and congratulate you on a winning design that makes all Philadelphians proud.

RENEWAL OF IMPORT SANCTIONS ON BURMA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. LANTOS. Mr. Speaker, fifteen years ago tomorrow, the political party of Burmese democracy leader Aung San Suu Kyi won a historic victory in elections called by the Burmese ruling junta to legitimize their brutal rule. Suu Kyi's National League for Democracy won 82% of the vote, but the Burmese government refused to convene the new parliament and has since engaged in a campaign of terror and intimidation of the political opposition.

Last year, the House of Representatives voted 372–2 to renew the import sanctions against Burma contained in the Burmese Freedom and Democracy Act of 2003. H.J. Res. 97 was signed into law on July 7, 2004.

Import sanctions on Burma must be renewed by July 2005, or Burmese products will flow once again to the United States. For that reason, I join today with Ways and Means Committee Chairman BILL THOMAS, Representative PETER KING, and 40 other Members of Congress in introducing legislation to again renew import sanctions on Burma.

Unfortunately, the case for a tough approach toward Burma, including a comprehensive import ban, is even stronger today than last July. Just a few short weeks ago, the United Nations Human Rights Commission in Geneva overwhelmingly approved a resolution on Burma, attacking what it called ''the systematic ongoing violation of human rights'' by the ruling junta. In its annual Human Rights Report, the State Department charged that the Burmese Government has subjected its citizens to torture, arbitrary arrest, forced and child labor, and the use of rape as a weapon of war.

Meanwhile, unless the brutal ruling junta in Rangoon changes its stripes over the next several weeks, Nobel Laureate Aung San Suu Kyi will celebrate her 60th birthday under continued house arrest, prevented from speaking directly to the Burmese people who support her battle for democracy and human rights.

The tough approach maintained by the United States towards Burma, including import sanctions, may also be encouraging other nations to reconsider their lenient views to the Rangoon regime. Key member nations of the Association of South East Asian Nations (ASEAN), for the first time, have strongly criticized Burma as it prepares to assume the rotating chairmanship of the 10-member group in 2006. Last November, the European Union itself strengthened its Burma policy in response to ongoing human rights violations. In both instances, the strong stand of the United States has stiffened backbones and increased the prospects that a multilateral sanctions regime against Burma is possible.

The import sanctions renewal legislation is also completely consistent with the tough line towards Burma taken by both Democratic and Republican Administrations. On May 17th, President George W. Bush extended the Executive Order first imposed in 1997 which prohibits new U.S. investment in Burma. Just three days ago, the State Department told Congress that U.S. sanctions against Burma ''represent a clear and powerful expression of American opposition to the developments in Burma'' and are ''a key component of our policy in bringing democracy to Burma.''

Congress must act decisively by the end of July to renew import sanctions against Burma and send a strong signal of support for the restoration of democracy and human rights in that impoverished nation. I would encourage my colleagues to cosponsor this important piece of legislation.

RECOGNIZING AMERICAN STROKE MONTH

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. CUMMINGS. Mr. Speaker, I request that you join me today in recognizing May as American Stroke Month.

In doing so, we are presented with an opportunity to educate one another about the shattering effects of stroke that leave no American community unscathed.

Stroke, the third leading cause of death in our nation, is caused by an interruption of blood flow to the brain from a blood clot or ruptured blood vessel. Every 45 seconds someone in America suffers a stroke, and every 3 minutes someone dies from one. Over 700,000 Americans of all ages, ethnicities, and gender suffer new or recurring strokes each year, taking the lives of more than 160,000 people.

For those who survive an attack, the consequences of a stroke can be emotionally and physically devastating, often leaving victims with speech problems, impaired thinking, and paralysis. Over half of all stroke survivors must live with a disability. With 4.8 million stroke survivors, stroke is the leading cause of serious, long-term disability in the United States.

Many of us possess an image of stroke as a catastrophic, uncontrollable event that can be neither prevented nor treated. However, given adequate resources and education, nearly 80 percent of all strokes can be prevented, and many others can be effectively treated.

High blood pressure, elevated cholesterol levels, smoking, a lack of physical activity and obesity have all been linked to increased susceptibility to stroke. Diabetes increases the risk of stroke by a factor of three. By controlling our medical risks with a healthy lifestyle and regular medical care, particularly among African Americans who are hardest hit by cardiovascular disease and diabetes, we can significantly decrease our chances of suffering a stroke.

Surviving a stroke with little or no disability is possible. Understanding the symptoms of a stroke, and taking immediate emergency action by calling 9–1–1, is crucial to a chance for full recovery. Rapid administration of clot-dissolving drugs, if delivered within the first 3 hours of the onset of stroke symptoms, can greatly improve a patient's chances for recovery.

Unfortunately, Mr. Speaker, a majority of Americans are not aware of their risk for a stroke, nor are they aware of the signs and symptoms of an impending stroke. Hospitals and emergency medical services are not organized to maximize the benefits of available treatments. The average time between the onset of symptoms and medical treatment is far too long, averaging an astounding 13 hours. Fewer than 5 percent of stroke patients receive potentially lifesaving clot-dissolving medication. Many stroke patients do not receive preventive care, such as cholesterol screening and smoking cessation counseling, before leaving the hospital.

What can we do to help? We can start by encouraging our family, friends and fellow citizens to simply ask their doctors, ''Am I at risk for a stroke?'' and ''What do I do if I have a stroke?'' Education is power, and it can preserve crucial moments that mean the difference between death or a life of disability, and a healthy future.

We can also support legislation like the STOP Stroke Act, H.R. 898, a bill sponsored by my good friends Representatives LOIS CAPPS and CHARLES PICKERING of which I am proud to be a cosponsor. This bill would authorize initiatives to help patients with symptoms of stroke receive timely and thorough care, and would establish campaigns to raise public awareness of stroke prevention and treatment. I urge my colleagues to cosponsor this critical legislation.

Mr. Speaker, improving systems of stroke care and increasing awareness and education of stroke treatment and prevention will help ensure that all stroke patients have access to the best available, timely treatment. On behalf of the millions of Americans currently at risk or living with the consequences of stroke, I urge us to do everything in our power to help save lives and educate the public about this devastating disease.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1815) to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2006, and for other purposes

MS. DELAURO. Mr. Chairman, I rise in support of this legislation. I am especially pleased that the amendment I will offer later today has been accepted. I will support this bill because it contains several important provisions that are good for our troops, good for our national security, and good for Connecticut's economy.

Every Member of this body understands our troops represent the very best of America. The bill authorizes additional funding for equipment so desperately needed by troops serving in Iraq and those fighting the war on terror in Afghanistan and elsewhere—up-armored Humvees, tactical wheeled vehicle recapitalization and I modernization programs, night vision devices and improvised explosive device (IED) jammers. The bill also provides our troops with a 3.1 percent pay raise for members of the armed forces and increases bonuses for active duty enlistments, reserve enlistments and active duty re-enlistments. Each

of these measures is necessary to stem the decline in recruiting and retention among our Armed Forces.

This legislation also makes good on our obligations to provide for the families of those who make the ultimate sacrifice for their country. It increases the death gratuity to $100,000, allows dependents of deceased servicemembers to continue receiving housing benfits for one year, and expands travel authorizations for families of hospitalized servicemembers. This is the right thing to do, and I strongly support these provisions.

The bill also contains an important provision requested by myself and several of my colleagues regarding the Marine One helicopter program. It ensures that the Navy will not procure the helicopter until it can certify that its design is essentially complete. In doing so, this provision ensures this program does not waste taxpayer dollars in the rush to field the President's helicopter.

Unfortunately, there are other provisions in this bill that I believe are not in the best interests of the American people or our national security.

First, over the objections of the Joint Chiefs of Staff, it restricts the role of women in combat. Congress ought to charge the military with the responsibility to move people into jobs and positions based on merit. But excluding women from combat effectively creates two classes of servicemember, which is both bad for morale and may ultimately limit the ability of women to receive promotions in the future. Regrettably, the military already suffers from a case of not having enough women in senior positions, and this bill threatens to make that problem worse, not better.

And this bill misses two real opportunities to make a tangible difference in the lives of the men and women of our Armed Services and their families. Firstly, it does nothing to expand the availability of health care to members of the Reserves and their families, even though there are more than 100,000 Reservists and National Guardsmen currently on the front lines of Iraq, Afghanistan and around the world.

And incredibly, this bill does nothing about the military families tax and the disabled veterans tax. At a time when Congress has repealed the tax on inherited wealth—the estate tax—it is unconscionable that we would continue to tax those who have become disabled in service to their country and the survivors benefits of those killed in combat. To my mind, that is the real ''death tax,'' Mr. Speaker—taxing the families of those whose loved ones gave their lives and their livelihoods to this great country of ours. They deserve better.

Of course, the alternative to the bill is delay. And we cannot afford to put off the much-deserved pay raise for our troops in this bill or the purchase of new equipment that they so desperately need. Because we have an obligation to act now, I support the bill. But it is my hope that Congress will address these important issues—and soon.

RECOGNIZING 57TH ANNIVERSARY OF INDEPENDENCE OF STATE OF ISRAEL

SPEECH OF

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2005

Mr. NADLER. Mr. Speaker, I rise today to commemorate the 57th Anniversary of Israel's Independence Day.

Having long been the victims of discrimination and persecution, and fresh from the unimaginable horror of the Holocaust, the Jewish people of the world were successful in establishing an independent state in May of 1948. Thanks to their heroic efforts, Israel was born as a pluralistic democracy that promotes the values of liberty for all of its citizens. Fifty-seven years later, Israel continues to shine as a beacon of hope in a region too often blighted by oppressive and dictatorial regimes.

Despite Israel's desire for a peaceable existence, its citizens have been the target of violence since the state's inception. These attacks have come from neighboring states, resulting in multiple wars, and from the coordinated efforts of terrorists. Innocent Israeli's have been targeted while going about their daily lives, often during activities as routine as boarding a bus or sitting in an outdoor café.

Yet, despite the recurring waves of terror, the Israeli people have managed not just to maintain their independence, but also to thrive as a society. Israelis find themselves at the leading edge of innovation in the scientific and academic fields. The industrious Israeli people transformed an arid landscape into a model green space dotted with cities rich in diversity and culture. This resilience and vibrancy is a credit to Israel's open system of government, a system that respects and promotes civil rights, free expression, and genuine democratic elections.

I am hopeful that a lasting peace in this troubled region can be reached. However, this cannot come at the expense of Israel's security. I will continue to demand that the Palestinian Authority renounce, immediately and completely, all forms of terrorism.

On this day of independence, Yom Ha'Atzmaut, the United States stands proudly with Israel and remembers the sacrifices made by her founders. In addition, we honor the soldiers and ordinary citizens who have died in defense of freedom. The U.S. takes great pride in our alliance with Israel, and we find great strength in our moral and philosophical ties, as well as our economic and military partnerships. We will continue to act jointly with Israel to preserve her status as a secure Jewish state and a model of democracy for the whole of the Middle East.

I urge my colleagues to support this concurrent resolution.

PROVIDING FOR THE CONVEYANCE OF CERTAIN PUBLIC LAND IN CLARK COUNTY, NEVADA, FOR USE AS A HELIPORT

SPEECH OF

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 23, 2005

Mr. MICA. Mr. Speaker, H.R. 849 would transfer certain land, currently within the Sloan Canyon National Conservation Area, to Clark County, Nevada. The land is to be used as a heliport for commercial helicopter air tours.

The transfer would only take place if certain conditions on the use of the heliport are met by Clark County.

The first condition is that the County must impose and collect a per passenger ''conservation fee'' of $3.00 for each passenger of a helicopter tour that passes over any portion of the Conservation Area.

The second condition requires the County to ensure that any helicopter tour originating or concluding at the heliport traveling over the Conservation Area fly on a certain flight path and at a specified altitude except for safety reasons.

For purposes of clarity, the conditions set forth in H.R. 849 are on the transfer of the land and should the County fail to fulfill the conditions; the land would either not be transferred or if already transferred would revert back to the United States.

Let us look at each of the conditions on the transfer of the land to Clark County.

The first condition, that the County impose and collect a per passenger fee, is problematic. Elsewhere in law, States or political subdivisions of States are prohibited from levying or collecting a ''tax, fee, or charge . . . exclusively upon any business located a commercial service airport [which includes heliports] . . . other than a tax, fee, or charge wholly utilized for airport or aeronautical purposes.''

Therefore, it seems that the County would be unable to fulfill the first condition of the land transfer as the fee would be imposed upon and collected from helicopter tour passengers for the management of cultural, wildlife and wilderness resources on public land in Nevada.

The second condition is also problematic. Again, this condition would require the County to ensure that certain flight paths and minimum flight altitudes are utilized by the helicopter tours.

It should be emphasized that this bill does not direct Federal Aviation Administration (FAA) action with regard to airspace management and control.

In fact, should the FAA determine that the flight path and minimum altitude requirements set forth in the bill are unsafe or otherwise operationally unwise, the County would have failed to meet a condition of the land transfer and the land would revert back to the United States.

To make this perfectly clear, only the FAA has the authority to manage and control the National Airspace. State, regional, county and other local government entities, not to mention other Federal departments and agencies, have no authority in this regard.

Thus, the second condition on the transfer of land to Clark County is clearly outside of the County's authority and control.

Therefore, given that Clark County may very well be unable to fulfill either of the conditions of the land transfer; it appears that H.R. 849 is legislating a nullity.

I thank my colleagues for the opportunity to be heard on H.R. 849 and to clarify the legislative record with regard to this bill and how it should be interpreted relating to the FAA and airspace management and control.

RECOGNIZING THE FIRST YEAR OF CHEN SHUI-BIAN'S PRESIDENCY OF TAIWAN

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. SHAYS. Mr. Speaker, for the people of Taiwan this month marks the close of the first year of President Chen Shui-Bian's second term in office.

President Chen's leadership has received praise around the world because he is actively seeking a dialogue with China that will promote peace and stability in cross-strait relations. He has supported Taiwan's opposition leaders' visit to China and indicated that he would welcome feedback on safeguarding the democracy and sovereignty of Taiwan.

Taiwan and the United States share the values of freedom, human rights, and democracy and work together politically and economically. Currently the United States is Taiwan's largest trading partner, with more than 270 direct flights between the United States and Taiwan every week. There are more than 28,000 Taiwanese students currently studying in the United States. We hope these trends will continue under the leadership of President Chen.

Taiwan is currently seeking to be a World Health Assembly observer this year. Its 23 million people need access to the services provided by the World Health Organization (WHO). Excluding Taiwan from the WHO both jeopardizes the health of the Taiwanese people and keeps the rest of the world from benefiting from the health care resources and expertise Taiwan has to share.

I applaud the Administration and Congress in its support of Taiwan's bid to become a World Health Assembly observer and wish President Chen and the people of Taiwan success this year.

PERSONAL EXPLANATION

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2005

Mr. WESTMORELAND. Mr. Speaker, during an amendment vote on H.R. 1817, the Department of Homeland Security Authorization Act for Fiscal Year 2006, rollcall Vote 184, Representative HOOLEY's Amendment, an amendment numbered 13 printed in part B of House Report 109–84 to prohibit any of the money in the DHS authorization bill to come from an increase in airline ticket taxes I inadvertently voted ''no'' when I meant to vote ''yes.'' I would like to add this statemnt to the RECORD to reflect this.

Daily Digest

HIGHLIGHTS

Senate agreed to H. Con. Res. 167, Adjournment Resolution.

The House passed H.R. 2528, Military Quality of Life and Veterans Affairs, and Related Agencies Appropriations Act for FY 2006.

Senate

Chamber Action

Routine Proceedings, pages S5945–S6073

Measures Introduced: Thirty-three bills and five resolutions were introduced, as follows: S. 1128–1160, S. Res. 157–159, and S. Con. Res. 39–40. **Pages S6021–22**

Measures Reported:

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. (S. Rept. No. 109–74)

S. 302, to make improvements in the Foundation for the National Institutes of Health, with an amendment in the nature of a substitute. (S. Rept. No. 109–75) **Page S6020**

Measures Passed:

Transportation Equity Act: Senate passed H.R. 2566, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page S5962**

Adjournment Resolution: Senate agreed to H. Con. Res. 167, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S6063**

Robert M. La Follette, Sr. Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 1760, to designate the facility of the United States Postal Service located at 215 Martin Luther King, Jr. Boulevard in Madison, Wisconsin, as the "Robert M. La Follette, Sr. Post Office Building", and the bill was then passed, clearing the measure for the President. **Page S6064**

Recognizing Oklahoma Independent Petroleum Association 50th Anniversary: Senate agreed to S. Res. 159, recognizing the 50th anniversary of the Oklahoma Independent Petroleum Association and its members vital contribution to the oil and gas industry of the United States. **Pages S6064–65**

Transportation Equity Act: Senate insisted on its amendment to H.R.3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, agreed to the House request for a conference on the disagreeing votes of the two Houses, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Inhofe, Warner, Bond, Voinovich, Chafee, Murkowski, Thune, DeMint, Isakson, Vitter, Grassley, Hatch, Shelby, Allard, Stevens, Lott, Jeffords, Baucus, Lieberman, Boxer, Carper, Clinton, Lautenberg, Obama, Conrad, Inouye, Rockefeller, Sarbanes, Reed, and Johnson. **Page S6060**

Nomination Considered: Senate continued consideration of the nomination of John Robert Bolton, of Maryland, to be Representative of the United States of America to the United Nations.

Pages S5946–62, S5962–98

During consideration of this nomination today, Senate also took the following action:

By 56 yeas to 42 nays (Vote No. 129), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the nomination.

Page S5997

Subsequently, Senator Frist entered a motion to reconsider the vote by which the motion to invoke cloture on the nomination (listed above) failed.

Page S5997

Nomination Considered: Senate began consideration of the nomination of Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit. **Page S6061**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur at 12 noon, on Tuesday, June 7, 2005. **Page S6061**

A unanimous-consent agreement was reached providing for further consideration of the nomination at 2 p.m. on Monday, June 6, 2005. **Page S6065**

Nomination Considered: Senate began consideration of the nomination of William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit. **Page S6061**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture may occur on Tuesday, June 7, 2005. **Page S6061**

Nomination—Referral: A unanimous-consent agreement was reached providing that the nomination of Israel Hernandez, of Texas, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, received on today, be jointly-referred to the Committee on Commerce, Science, and Transportation and the Committee on Banking, Housing, and Urban Affairs. **Page S6061**

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S6063**

Signing Authority Agreement: A unanimous-consent agreement was reached providing that during the adjournment of the Senate, the Majority Leader, Majority Whip and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions. **Page S6063**

Authority for Committees: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive matters on Wednesday, June 1, 2005, from 10 a.m. until 12 noon. **Page S6063**

Appointments:

Board of Directors of the Office of Compliance: The Chair, on behalf of the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, pursuant to Section 301 of Public Law 104–1, as amended by Public Law 108–349, announced the joint re-designation of the following individual, as Chair of the Board of Directors of the Office of Compliance: Susan S. Robfogel of New York. **Page S6064**

Board of Directors of the Office of Compliance: The Chair, on behalf of the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, pursuant to Section 301 of Public Law 104–1, as amended by Public Law 108–349, announced the joint re-designation of the following individuals, as Chair of the Board of Directors of the Office of Compliance: Barbara L. Camens of the District of Columbia, and Roberta L. Holzwarth of Illinois. **Page S6064**

Nominations Confirmed: Senate confirmed the following nominations:

Harry Robinson, Jr., of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2008.

Charles P. Ruch, of South Dakota, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2010.

Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission for a term expiring October 14, 2010.

Robert Joseph, of Virginia, to be Under Secretary of State for Arms Control and International Security. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Kim Wang, of California, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009.

Kenneth J. Krieg, of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.

Sean Ian McCormack, of the District of Columbia, to be an Assistant Secretary of State (Public Affairs). (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Raymond Simon, of Arkansas, to be Deputy Secretary of Education.

David Horton Wilkins, of South Carolina, to be Ambassador to Canada. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

James M. Derham, of Virginia, to be Ambassador to the Republic of Guatemala. (Prior to this action,

Committee on Foreign Relations was discharged from further consideration.)

William Alan Eaton, of Virginia, to be Ambassador to the Republic of Panama. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Paul A. Trivelli, of Virginia, to be Ambassador to the Republic of Nicaragua. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Victoria Nuland, of Connecticut, to be Permanent Representative of the United States of America on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Linda Jewell, of the District of Columbia, to be Ambassador to the Republic of Ecuador. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

John F. Tefft, of Virginia, to be Ambassador to Georgia. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

4 Air Force nominations in the rank of general.

30 Army nominations in the rank of general.

4 Coast Guard nominations in the rank of admiral. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

2 Marine Corps nominations in the rank of general.

55 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Navy.

Routine list in the Coast Guard. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

Routine list in the National Oceanic and Atmospheric Administration. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

Pages S6061–63, S6072–73

Nominations Received: Senate received the following nominations:

William Anderson, of Connecticut, to be an Assistant Secretary of the Air Force.

Richard A. Raymond, of Nebraska, to be Under Secretary of Agriculture for Food Safety.

Randal Quarles, of Utah, to be an Under Secretary of the Treasury.

Israel Hernandez, of Texas, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

Philip D. Morrison, of the District of Columbia, to be an Assistant Secretary of the Treasury.

Ronald E. Neumann, of Virginia, to be Ambassador to the Islamic Republic of Afghanistan.

Gregory L. Schulte, of Virginia, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador.

Gregory L. Schulte, of Virginia, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

A routine list in the Air Force. **Pages S6065–72**

Messages From the House: **Pages S6017–18**

Measures Referred: **Page S6018**

Measures Placed on Calendar: **Page S6018**

Measures Read First Time: **Page S6018**

Executive Communications: **Pages S6018–20**

Executive Reports of Committees: **Page S6020**

Additional Cosponsors: **Pages S6022–23**

Statements on Introduced Bills/Resolutions: **Pages S6023–59**

Additional Statements: **Pages S6015–17**

Authority for Committees to Meet: **Pages S6059–60**

Privilege of the Floor: **Page S6060**

Record Votes: One record vote was taken today. (Total—129) **Page S5997**

Adjournment: Senate convened at 9:30 a.m. and, pursuant to the provisions of H. Con. Res. 167, adjourned at 9:02 p.m., until 2 p.m., on Monday, June 6, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6065.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF COMMERCE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Commerce, after receiving testimony from Carlos M. Gutierrez, Secretary of Commerce.

APPROPRIATIONS: USAID

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the United States Agency for International Development (USAID), after receiving testimony from Andrew S. Natsios, Administrator, United States Agency for International Development.

INTERNATIONAL ECONOMICS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the report to Congress on international economic and exchange rate policies, focusing on imbalances in the global economy, and China's currency regime, after receiving testimony from John W. Snow, Secretary of the Treasury.

AVIATION CAPACITY AND CONGESTION

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing to examine aviation capacity and congestion challenges regarding summer 2005 and future demand, focusing on traffic and delay trends, factors contributing to the increased system complexity, how the aviation community is responding, and the specific actions that must be pursued in order to meet the forecasted demand and maintain global leadership in aviation safety, capacity, and efficiency, after receiving testimony from Marion C. Blakey, Administrator, Federal Aviation Administration, and Kenneth M. Mead, Inspector General, both of the Department of Transportation; Gerald Dillingham, Director, Civil Aviation Issues, Government Accountability Office; and Amr A. ElSawy, MITRE Corporation, McLean, Virginia.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported an original bill to enhance the energy security of the United States.

NRC OVERSIGHT

Committee on Environment and Public Works: Subcommittee on Clean Air, Climate Change, and Nuclear Safety concluded an oversight hearing to examine the Nuclear Regulatory Commission (NRC), focusing on challenges facing the NRC in effectively carrying out its mission, especially in overseeing the security and safety of nuclear power plants in the United States, after receiving testimony from Nils J. Diaz, Chairman, Edward McGaffigan, Jr., Commissioner, and Gregory B. Jaczko, Commissioner, all of the Nuclear Regulatory Commission; Jim Wells, Director, Natural Resources and Environment, Government Accountability Office; Marilyn C. Kray, Exelon Nuclear, Kennett Square, Pennsylvania, on behalf of NuStart Energy Development; and Edwin S. Lyman, Union of Concerned Scientists, Washington, D.C.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Dina Habib Powell, of Texas, to be Assistant Secretary of State for Educational and Cultural Affairs, who was introduced by Senators Hutchison and Cornyn; and Sean Ian McCormack, of the District of Columbia, to be Assistant Secretary of State for Public Affairs, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Rodolphe M. Vallee, of Vermont, to be Ambassador to the Slovak Republic, who was introduced by Senators Leahy and Jeffords; Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta, who was introduced by Senators Smith and Wyden; and Ann Louise Wagner, of Missouri, to be Ambassador to Luxembourg, who was introduced by Senators Bond and Talent, after the nominees testified and answered questions in their own behalf.

CONTAINER SECURITY INITIATIVE

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine the container security initiative and the customs-trade partnership against terrorism, focusing on how Customs utilizes container security initiative and customs trade partnership against terrorism in connection with its other enforcement programs and review the requirements for and challenges involved in transitioning these from promising risk management concepts to effective and sustained enforcement operations, after receiving testimony from Robert C. Bonner, Commissioner, U.S. Customs and Border Protection, and C. Stewart Verdery, Jr., Mehlman Vogel Castagnetti, Inc., Washington, D.C., former Assistant Secretary of Border and Transportation Security Policy, both of the Department of Homeland Security; Richard M. Stana, Director, Homeland Security and Justice Team, Government Accountability Office; and Commander Stephen E. Flynn, USCG (Ret.), Council on Foreign Relations, New York, New York.

PRIVATE RESEARCH AND DEVELOPMENT

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine the effectiveness of federal financing of private research and development, and whether some of these programs result in the development of new technologies or displace private investment, after receiving testimony from Robin M. Nazzaro, Director, Natural Resources and Environment, Government Accountability Office; Brian Riedl, The Heritage Foundation, and Charles W. Wessner, National Research Council, The National Academies, both of Washington, D.C.

EMPLOYMENT TRENDS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine issues relating to the 21st century workplace, focusing on preparing for tomorrow's employment trends today, after receiving testimony from Tamara J. Erickson, The Concours Group, Watertown, Massachusetts; and Diana Furchtgott-Roth, Hudson Institute, and Jared Bernstein, Economic Policy Institute, both of Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, with amendments; and

The nominations of Richard A. Griffin, of Michigan, to be United States Circuit Judge for the Sixth Circuit, David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit, and Paul D. Clement, of Virginia, to be Solicitor General of the United States, Anthony Jerome Jenkins, of Virgin Islands, to be United States Attorney for the District of the Virgin Islands, Stephen Joseph Murphy III, of Michigan, to be United States Attorney for the Eastern District of Michigan, Gretchen C.F. Shappert, of North Carolina, to be United States Attorney for the Western District of North Carolina, and Regina B. Schofield, of Virginia, to be Assistant Attorney General for the Office of Justice Programs, all of the Department of Justice.

IMMIGRATION REFORM

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship concluded a hearing to examine the need for comprehensive immigration reform relating to the national economy, focusing on the proposed Temporary Worker Program recognizing that the economy relies on temporary foreign workers to fill workforce shortages when there are insufficient numbers of willing or able domestic workers, after receiving testimony Steven J. Law, Deputy Secretary of Labor; Thomas J. Donahue, United States Chamber of Commerce, and Daniel Griswold, Cato Institute, both of Washington, D.C.; and Douglas S. Massey, Princeton University, Princeton, New Jersey.

VA DISABILITY CLAIMS PROCESS

Committee on Veterans' Affairs: Committee concluded a hearing to examine challenges facing the VA claims adjudication and appeal process, focusing on the current state of VA's disability claims process and factors that may impede VA's ability to improve performance, after receiving testimony from Daniel L. Cooper, Under Secretary for Benefits, Ronald Garvin, Acting Chairman of the Board of Veterans' Appeals, and Robert H. Epley, Associate Deputy Under Secretary for Policy and Program Management, Veterans Benefits Administration, all of the Department of Veterans Affairs; Cynthia A. Bascetta, Director, Education, Workforce and Income Security, Government Accountability Office; Kenneth B. Kramer, former Chief Judge of the United States Court of Appeals for Veterans Claims; Robert Chisholm, National Organization of Veterans Advocates, Providence, Rhode Island; and Rick Surratt, Disabled American Veterans, Washington, D.C.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 97 public bills, H.R. 2646–2742; 1 private bill, H.R. 2743; and 13 resolutions, H.J. Res. 52; H. Con. Res. 167–173; and H. Res. 299–302, were introduced. **Pages H4138–42**

Additional Cosponsors: **Page H4142**

Reports Filed: Reports were filed today as follows:

H.R. 1496, to return general aviation to Ronald Reagan Washington National Airport, amended (H. Rept. 109–98);

H.R. 2293, to provide special immigrant status for aliens serving as translators with the United States Armed Forces, amended (H. Rept. 109–99); and

H.J. Res. 27, resolution withdrawing the approval of the United States from the Agreement establishing the World Trade Organization, adversely (H. Rept. 109–100). **Page H4138**

Military Quality of Life and Veterans Affairs, and Related Agencies Appropriations Act for FY

2006: The House passed H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 425 yeas to 1 nay, Roll No. 226. **Pages H4085–H4114**

Agreed to:

Jones of Ohio amendment that prohibits the use of funds to close or realign any military installation approved for closure or realignment in 2005 before the Secretary of Defense makes the information available upon which the closure and realignment recommendations were based. **Pages H4109–10**

Rejected:

Melancon amendment that sought to increase funding for the Department of Veterans Affairs (by a recorded vote of 213 ayes to 214 noes, Roll No. 224); and **Pages H4096–97, H4111–12**

Blumenauer amendment (No. 2 printed in the Congressional Record of May 25) that sought to increase funding for Base Realignment and Closure Account 1990 (by a recorded vote of 171 ayes to 254 noes, Roll No. 225). **Pages H4100–02, H4112–13**

Withdrawn:

Blumenauer amendment (No. 3 printed in the Congressional Record of May 25) that was offered and subsequently withdrawn that sought to increase funding for Base Realignment and Closure Account 1990; **Pages H4102–03**

Jones of Ohio amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to implement the results of the 2005 round of base closures and realignments until the completion of all environmental remediation associated with the closure of military installations approved for closure in the 1995 round; and **Page H4109**

Tiahrt amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses. **Pages H4110–11**

Point of Order:

Obey amendment that increases funding for the Department of Veterans Affairs, and adds a new section to the end of the bill regarding tax reduction. **Pages H4105–06**

H. Res. 298, the rule providing for consideration of the measure was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 194 nays, Roll No. 223. **Pages H4078–84**

Late Report: Agreed that the Committee on Appropriations have until midnight on June 3 to file a report on a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies for the fiscal year ending September 30, 2006. **Page H4114**

Late Report: Agreed that the Permanent Select Committee on Intelligence have until midnight on June 5 to file a report on H.R. 2475. **Page H4114**

Transportation Equity Act—Motion to go to Conference: The House disagreed to the Senate amendment to H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and requested a conference. **Pages H4114–18**

Rejected the Oberstar motion to instruct conferees by a yea-and-nay vote of 189 yeas to 223 nays, Roll No. 227. **Pages H4114–18**

Appointed as conferees: From the Committee on Transportation and Infrastructure, for consideration of the House bill (except title X) and the Senate amendment (except title V), and modifications committed to conference: Representatives Young of Alaska, Petri, Boehlert, Coble, Duncan, Mica, Hoekstra, LaTourette, Bachus, Baker, Gary G. Miller of California, Hayes, Simmons, Brown of South Carolina, Graves, Shuster, Boozman, Oberstar, Rahall, DeFazio, Costello, Norton, Nadler, Menendez, Corrine Brown of Florida, Filner, Eddie Bernice Johnson of Texas, Taylor of Mississippi, Millender-McDonald, Cummings, Blumenauer, and Tauscher; **Page H4136**

From the Committee on the Budget, for consideration of secs. 8001–8003 of the House bill, and Title III of the Senate amendment, and modifications committed to conference: Representatives Nussle, Mario Diaz-Balart of Florida, and Spratt; **Page H4136**

From the Committee on Education and the Workforce, for consideration of secs. 1118, 1605, 1809, 3018, and 3030 of the House bill, and secs. 1304, 1819, 6013, 6031, 6038, and 7603 of the Senate amendment, and modifications committed to conference: Representatives Kline, Keller, and Barrow; **Page H4136**

From the Committee on Energy and Commerce, for consideration of provisions in the House bill and Senate amendment relating to Clean Air Act provisions of transportation planning contained in secs. 6001 and 6006 of the House bill, and secs. 6005 and 6006 of the Senate amendment; and secs. 1210, 1824, 1833, 5203, and 6008 of the House bill, and secs. 1501, 1511, 1522, 1610–1619, 1622, 4001, 4002, 6016, 6023, 7218, 7223, 7251, 7252, 7256–7262, 7324, 7381, 7382, and 7384 of the Senate amendment, and modifications committed to conference: Representatives Barton of Texas, Pickering, and Dingell; **Page H4136**

From the Committee on Government Reform, for consideration of sec. 4205 of the House bill, and sec. 2101 of the Senate amendment, and modifications committed to conference: Representatives Tom Davis of Virginia, Platts, and Waxman; **Page H4136**

From the Committee on Homeland Security, for consideration of secs. 1834, 6027, 7324, and 7325 of the Senate amendment, and modifications committed to conference: Representatives Cox, Daniel E. Lungren of California, and Thompson of Mississippi; **Page H4136**

From the Committee on the Judiciary, for consideration of secs. 1211, 1605, 1812, 1832, 2013, 2017, 4105, 4201, 4202, 4214, 7018–7020, and 7023 of the House bill, and secs. 1410, 1512, 1513, 6006, 6029, 7108, 7113, 7115, 7338, 7340, 7343, 7345, 7362, 7363, 7406, 7407, and 7413 of the Senate amendment, and modifications committed to conference: Representatives Sensenbrenner, Smith of Texas, and Conyers; **Page H4136**

From the Committee on Resources, for consideration of secs. 1119, 3021, 6002, and 6003 of the House bill, and secs. 1501, 1502, 1505, 1511, 1514, 1601, 1603, 6040, and 7501–7518 of the Senate amendment, and modifications committed to conference: Representatives Pombo, Walden of Oregon, and Kind; **Page H4136**

From the Committee on Rules, for consideration of secs. 8004 and 8005 of the House bill, and modifications committed to conference: Representatives Dreier, Capito, and McGovern; **Page H4136**

From the Committee on Science, for consideration of secs. 2010, 3013, 3015, 3034, 3039, 3041, 4112, and Title V of the House bill, and Title II and secs. 6014, 6015, 6036, 7118, 7212, 7214, 7361, and 7370 of the Senate amendment, and modifications committed to conference: Representatives Ehlers, Reichert, and Gordon; **Page H4136**

From the Committee on Ways and Means, for consideration of Title X of the House bill, and Title V of the Senate amendment, and modifications committed to conference: Representatives Thomas, McCrery, and Rangel; and **Page H4136**

For consideration of the House bill and Senate amendment, and modifications committed to conference: Majority Leader Mr. DeLay. **Page H4136**

Memorial Day District Work Period: The House agreed to H. Con. Res. 167 providing for a conditional adjournment of the House and a conditional recess or adjournment of the Senate. **Page H4118**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at noon on Monday, May 30, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 167 in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page H4118**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, June 8. **Page H4119**

Resignation of Inspector General: Read a letter from Steven A. McNamara, in which he announced his resignation as Inspector General for the House of Representatives, effective May 30, 2005. **Page H4119**

Speaker: Read a letter from the Speaker wherein he appointed Representative Thornberry, or if he is not available, Representative Gilchrest to sign enrolled bills and joint resolutions through June 7, 2005. **Page H4136**

Senate Message: Message received from the Senate today appears on page H4125.

Quorum Calls—Votes: Three yea-and-nay votes and two recorded votes developed during the proceedings today and appear on pages H4084, H4111–12, H4112–13, H4113–14, and H4117–18. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 6:23 p.m., pursuant to the provisions of H. Con. Res. 167 stands adjourned until noon on Monday, May 30, unless it sooner has received a message from the Senate transmitting its concurrence in the H. Con. Res. 167, in which case the House shall stand adjourned until 2 p.m. on Tuesday, June 7.

Committee Meetings

FEDERAL WORKERS COMPENSATION IMPROVEMENT; FEDERAL FIREFIGHTERS FAIRNESS ACT

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing on the following measures: H.R. 2561, To amend the Federal Employees' Compensation Act to cover services provided to injured Federal workers by physician assistants and nurse practitioners; and H.R. 697, Federal Firefighters Fairness Act of 2005. Testimony was heard from Representative Jo Ann Davis of Virginia; and public witnesses.

CLEAR SKIES INITIATIVE

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing on the Administration's Clear Skies Initiative. Testimony was heard from James L. Connaughton, Chairman, Council on Environmental Quality; and Jeffrey R. Holmstead, Assistant Administrator, Air and Radiation, EPA.

PANDEMIC FLU THREAT

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''The Threat of and Planning for Pandemic Flu.'' Testimony was heard from the following officials of the Department of Health and Human Services: Bruce Gellin, Director, National Vaccine Program Office, Office of Public Health and Science; Julie Louise Gerberding, M.D., Director, Centers for Disease Control and Prevention; and Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases; Marcia Crosse, Director, Health Care Issues, GAO; and public witnesses.

DTV TRANSITION ACT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing on the DTV Transition Act of 2005. Testimony was heard from Rick Chessen, Chair, DTV Task Force, FCC; Mark L. Goldstein, Director, Physical Infrastructure Team, GAO; Steve Souder, Director, 911 Emergency Communications Center, Montgomery County, State of Maryland; and public witnesses.

FINANCIAL INSTITUTIONS DETECTING CRIMES

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''The First Line of Defense: The Role of Financial Institutions in Detecting Financial Crimes.'' Testimony was heard from William J. Fox, Director, Financial Crimes Enforcement Network, Department of the Treasury; Michael Morehart, Director, Terrorist Financing Operations Section, FBI, Department of Justice; and public witnesses.

DRUG TESTING IN AMERICAN SPORTS; POSTAL SERVICE FACILITY NAMING

Committee on Government Reform: Ordered reported the following bills: H.R. 2565, to reauthorize the Office of National Drug Control Policy Act and to establish minimum drug testing standards for major professional sports leagues; and H.R. 2326, To designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the ''Floyd Lupton Post Office.''

FEDERAL STUDENT LOAN PROGRAM

Committee on Government Reform: Held a hearing entitled ''Federal Student Loan Program: Are They Meeting the Needs of Students and Schools?'' Testimony was heard from the following officials of the Department of Education: Theresa S. Shaw, Chief Operating Officer, Federal Student Aid Office; and John P. Higgins, Jr., Inspector General; and public witnesses.

TERRORIST ACTIVITIES—NUCLEAR BOMB BUILDING

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack also held a hearing entitled ''Building a Nuclear Bomb: Identifying Early Indicators of Terrorist Activities.'' Testimony was heard from public witnesses.

FOREIGN RELATIONS AUTHORIZATION ACT; RESOLUTION REGARDING SREBRENICA MASSACRE

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations approved for full Committee action the following measures: H.R. 2601, amended, Foreign Relations Authorization Act, Fiscal Years 2006 and 2007; and H. Res. 199, Expressing the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995.

U.S. AND NORTHEAST ASIA

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on the United States and Northeast Asia. Testimony was heard from Christopher Hill, Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; and Richard P. Lawless, Deputy Assistant Secretary, Asian and Pacific Affairs, Bureau of International Security Affairs, Department of Defense.

OVERSIGHT—USA PATRIOT ACT IMPLEMENTATION

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Section 505 and 804. Section 505 of the Act Addresses National Security Letters; Section 804 of the Act Addresses Jurisdiction Over Crimes Committed at U.S. Facilities Abroad; and Material Witness Provisions of the Criminal Code. Testimony was heard from the following officials of the Department of Justice: Chuck Rosenberg, Chief of Staff to Deputy Attorney General; and Matthew Berry, Counselor to the Assistant Attorney General; and public witnesses.

OVERSIGHT—NATIONAL WILDLIFE REFUGE SYSTEM

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing on Public Access within the National Wildlife Refuge System. Testimony was heard from William Hartwig, Assistant Director, Refugees, U.S. Fish and Wildlife Service, Department of the Interior; William S. Dudley, Immediate Past Director of Naval History, Department of the Navy; and public witnesses.

FREE TRADE—DOES CHINA ENACT BARRIERS

Committee on Small Business: Subcommittee on Rural Enterprises, Agriculture and Technology and the Subcommittee on Tax, Finance and Exports held a joint hearing on Does China Enact Barriers to Fair Trade? Testimony was heard from Steve Pinkos, Office of the Under Secretary and Director, U.S. Patent and Trade Office, Department of Commerce; and public witnesses.

TAX-EXEMPT HOSPITAL SECTOR

Committee on Ways and Means: Held a hearing on the Tax-Exempt Hospital Sector. Testimony was heard from Mark W. Everson, Commissioner, IRS, Department of the Treasury; David M. Walker, Comptroller General, GAO; Mark McClellan, M.D., Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

SOCIAL SECURITY—PROTECTING AND STRENGTHENING

Committee on Ways and Means: Subcommittee on Social Security continued hearings on Protecting and Strengthening Social Security. Testimony was heard from Representatives Rangel, Shaw, Sam Johnson of Texas, Lewis of Kentucky, Brady of Texas, Ryan of Wisconsin, Weller, Kolbe, Boyd, Solis, Thompson of Mississippi, Conaway, Spratt, Gonzalez, Wasserman Schultz, Cleaver, Matsui, Jackson-Lee of Texas, and Fossella.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR FRIDAY, MAY 27, 2005

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No Committee meetings are scheduled.

Next Meeting of the SENATE

2 p.m., Monday, June 6

Senate Chamber

Program for Monday: Senate will resume consideration of the nomination of Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, June 7

House Chamber

Program for Tuesday, June 7: To be announced.

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