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House of Representatives

The House met at 12:30 p.m.

MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BROWN) for 5 minutes.

PARITY FOR THE POOR

Mr. BROWN of Ohio. Mr. Speaker, for too long we have borne witness to relentless attacks on America's poor and working families. We saw those divisions up close in the aftermath of Katrina as the poor and especially the working poor were left behind. Abandoned by corporate America, betrayed by the political right, largely ignored by the mainstream media, our Nation's poor, again especially the working poor, the people that clean hotel rooms, the people who provide security at businesses, the people in this country who are largely not seen and not much thought about, have become little more than an afterthought. While productivity and profit in America are up, wages are falling and poverty is increasing. The average working American over the last 30 years has seen her or his income go up 10 percent, yet their productivity has increased 80 percent. It used to be in our Nation if productivity went up, then wages have gone up, but there is now a disconnect. In other words, workers who create wealth for their employers, workers who create profits for their employers, are simply not sharing in the wealth and the profits that they have created.

An August U.S. census report revealed that in the United States, the number of uninsured Americans increased. Fewer than 60 percent of employers now offer health insurance. Since 2000, the total number of Americans with employer-sponsored coverage has declined by 3.7 million people. Only because of Medicaid, a program that is a government insurance program, has the number of uninsured not dropped even more precipitously. Yet in the face of growing poverty, in the rising number of uninsured Americans, in the disaster that we saw from Katrina, this administration and the leaders of this Congress are demanding that we cut Medicaid by \$10 billion. They want to cut Medicaid by \$10 billion so they can give greater tax cuts to the wealthiest 1 percent of people in this society. Think of that choice. As the poor were left behind and the working poor were left behind in Katrina, this government, the President and the leaders in this House, want to do more tax cuts for the wealthiest 1 percent and they want to cut Medicaid \$10 billion.

Household incomes fell for the fourth year in a row in 2004. The reality is that every segment of American society has seen their income decline except for the wealthy under this administration. Men working full time have seen their earnings drop below what they earned 6 years ago, even though they are more productive, even though profits are up. Women working full time have also seen their annual incomes decrease. The media love to tell us, most of whom are pretty well paid, and politicians in Washington love to tell the public, hey, the economy is going great. It is for a lot of us, but overall wages have declined and poverty has gone up. Profits may be up for corporations and on a large scale the economy may look good, but to most people in this country the economy is not looking so good. America's men and women working full time are the

reason that productivity is up, are the reason that profits are up, but they are simply not sharing in the wealth that they have created.

The number of people living in poverty in America increased over 1 million people in 2004 alone. Eight million children are uninsured. Thirteen million children live in poverty. The infant mortality rate in Washington D.C. is twice as high as the infant mortality rate in Beijing. How shameful is that? The infant mortality rate in this country went up for the first time since 1958. How shameful is that? A U.N. report on global equality sheds light on the shadows of this administration's policies. Parts of the United States are as poor as the Third World. Our Nation cannot survive as a thriving democracy under policies that rely on trickledown economics. Poverty and social breakdown are core components of the global security threat. We cannot really be secure in this country until our people are secure. It is not just about a military. It is also about economic security for the people that clean our hotel rooms, that serve us food, that provide our security, that work at minimum wage jobs.

Economic growth alone is not enough to reduce poverty, as long as we deny our most vulnerable citizens access to health care, access to education, and an opportunity to share in the wealth that they create. These issues represent a divide in government priorities and values that extend far beyond the halls of Congress. These issues represent a moral obligation in a fight for the dignity of every American.

RECESS

The SPEAKER pro tempore (Mr. ADERHOLT). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 38 minutes p.m.), the House stood in recess until 2 p.m.

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. CAPITO) at 2 p.m.

PRAYER

The Reverend Thomas Peoples, Pastor, First Baptist Church, Wisner, Louisiana, offered the following prayer:

Our Father, we thank You for our Nation and for each of the men and women elected to serve our Nation in the House. We ask that You bless their families and staff. Father, give them wisdom and strength. Wisdom to do what is best for our Nation and not just what is good; strength to then stand firm for what is best.

Father, we thank You for our President and ask that You also bless him with wisdom and strength. Continue to be with those who serve in our military and keep them and their families safe.

Now, Father, we ask that You be with each person affected by the hurricane. May those who have lost family and friends know You are there to give them comfort and peace. Be with those who have lost their houses, their jobs, and that place which they called home. We thank You for those giving help and assistance. Please keep them safe and strong.

Lord, to overcome something of this magnitude seems impossible; but we are thankful that with You nothing is impossible. We give You the glory and praise You in the name of Jesus. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. BURGESS) come forward and lead the House in the Pledge of Allegiance.

Mr. BURGESS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING AND HONORING
REVEREND THOMAS PEOPLES

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

Mr. ALEXANDER. Madam Speaker, today I rise to honor a true community pillar and a servant, Reverend Thomas Peoples. Reverend Peoples currently serves as pastor of the Wisner First Baptist Church in Louisiana where he

has ministered to his congregation, town, and surrounding communities for over a decade.

Some of the words used to describe Reverend Peoples by the members of his church include "caring," "compassionate," "diligent," and "a man of God."

One member of his church said he mirrors the scriptures found in Mark, the 10th chapter, 45th verse, which says: "For the Son of Man did not come to be served, but to serve, that He might give His life as a ransom for many."

Reverend Peoples is also a devoted husband, as well as a father of three children. Like so many ministers, his wife and children shoulder the same burdens for the Wisner community.

Madam Speaker, it is truly an honor to recognize Reverend Peoples and his family who are visiting Washington this week.

LOVE THY NEIGHBOR

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

Mr. POE. Madam Speaker, nearly a quarter of a million folks from Louisiana are now in Texas due to the devastating impact of Hurricane Katrina. Taking care of these people is a daunting task, but the good people of southeast Texas have risen to the challenge. Today, I would especially like to acknowledge the hard work being done by our faith community.

They include the Spring Tabernacle in Spring, Texas; the First Baptist Churches of South Houston, Katy, and Houston, Texas; the Bayshore Baptist Church in LaPorte; the New Life Church in LaPorte; the Second Baptist Churches of Baytown and Houston, Texas; Holy Family Catholic Church in Baytown; the Calvary Baptist Church in Beaumont; and the Memorial Church of Christ in Houston.

There are many other churches in Harris, Liberty, and Jefferson Counties who have set up shelters that house evacuees numbering into the thousands. Dozens of other churches have started donation sites and food banks that have been so effective that the Houston Area Salvation Army has stated they have plenty of items for these evacuees.

Madam Speaker, while the work of these churches is extraordinary, they do not seem to think so. To them, they are doing exactly what they should be doing. They are just following the good biblical principle of taking care of and loving their neighbor.

CONSTITUTION DAY

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

Ms. FOXX. Madam Speaker, I rise today to recognize that this upcoming Saturday is Constitution Day. This annual observance of our Nation's found-

ing charter was made official by President George W. Bush on December 8, 2004. However, Constitution Day has been celebrated for the past 8 years with the recitation of the Preamble by students, military servicemen and -women abroad, and others across the country. This is a special occasion, as it will mark the first simultaneous recitation of the Preamble.

In reciting the Preamble, we join as a Nation to celebrate not only a document but a way of life, and to acknowledge freedoms given by God that no State or power can take away. Our Nation's Founders knew well the need for a government that would not impose burdens upon the people, but would enable them to secure the blessing of liberty.

On this Constitution Day, I remind the Congress of our duty to preserve a strict interpretation of this document. The Framers of the Constitution knew what they were doing. They knew the dangers of a State that grows out of control and imposes its will on the citizenry. We owe it to our constituents to maintain an independent judiciary that is coequal with the other two branches of government, a judiciary that seeks to interpret the law, not write it.

As we observe Constitution Day, let us honor the Constitution's Framers and embrace their foresight and wisdom by teaching this monument to liberty.

SOUTH CAROLINA CARES

(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. Madam Speaker, some 1,500 evacuees from the Gulf Coast, and particularly in New Orleans, are calling Columbia, South Carolina, home through the help of a unique grass-roots effort called South Carolina Cares, which combines private, public, and faith-based organizations.

I want to extend my thanks to my fellow Congressman, the gentleman from South Carolina (Mr. CLYBURN), Columbia Mayor Bob Coble, and University of South Carolina president Andrew Sorensen who worked with the American Red Cross and initiated the effort that now involves thousands of people.

At South Carolina Cares, the only rule is the Golden Rule, and fellow citizens are treated as we would like to be treated if we were in this unthinkable situation. As Sam Tenenbaum, chairman of South Carolina Cares said, "Put yourself in their shoes."

South Carolina Cares is a model for the Nation, demonstrating how people, companies, and organizations and government at all levels are coming together to help their fellow Americans. They will continue to respond to this crisis with action, compassion, and leadership.

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

**PRAISING THE EFFORTS OF
TEXAS DOCTORS AND NURSES**

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

Mr. BURGESS. Madam Speaker, over the past couple of weeks, we have certainly seen our share of bad news.

One little bit of good news, though, has come out of the State of Texas. Texans, always known for their friendliness, have opened their arms and their hearts to their neighbors to the east.

Madam Speaker, this hurricane was unlike any of us have ever seen before and I pray that none of us will ever see again: 90,000 square miles of devastation along the Gulf Coast, over 1 million people displaced from their homes. Now, a quarter of that population, 250,000, are in the State of Texas.

Madam Speaker, I am proud of Texas, and I am especially proud of Texas doctors and Texas medicine. Spending time in the shelters in my district last week, I was so impressed with the doctors and the nurses who are volunteering, giving of themselves, to attend to those who are less fortunate. Texas doctors and nurses indeed stepped up to the challenge, whether it was the residents of John Peter Smith Hospital, the faculty at the University of North Texas at Fort Worth, or in the city of Dallas, itself, where they received 17,000 individuals in the space of one Saturday afternoon.

Many of these were people who suffered from chronic illnesses such as diabetes and hypertension, who had been off their meds for several days; but of that 17,000, only 200 required hospitalization, truly a remarkable feat.

**HURRICANE KATRINA MENTAL
HEALTH RELIEF ACT**

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, as a former psychiatric nurse, I rise to express concern for the mental health needs of the victims of Hurricane Katrina. The State of Texas reported last week that 9.2 percent of the Katrina evacuees in Texas need mental health assistance. Approximately 5 percent have serious mental illness. At least 11 percent of the children suffer from post-traumatic stress disorder.

Last week, I introduced H.R. 3708, the Hurricane Katrina Mental Health Relief Act. This bill would dedicate 10 percent of the disaster relief funds for mental health services to victims and first responders. It is supported by the National Mental Health Association, the National Alliance of Mental Health, American Psychological Association, American Public Health Association, American Psychiatric Nurses Association, American Association of Social Workers, the National Council

for Community Behavioral Health Care, and the Mental Health Care Association of Dallas.

I invite my colleagues to join me in supporting this legislation.

**KUDOS FOR MEDICAL LEADER DR.
NEIL WARD**

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

Mr. PRICE of Georgia. Madam Speaker, I rise today to honor Dr. Neil Ward on the occasion of his upcoming retirement from the American Academy of Otolaryngology, Head and Neck Surgery.

Dr. Ward has been a caring and passionate practitioner of medicine for over 30 years, holding every leadership position in the 12,000 member international organization which specializes in treating patients with problems of the ears, nose, and throat.

After receiving his undergraduate degree from the University of Arizona, Tucson, in 1956, Dr. Ward served as a pilot in the U.S. Air Force; and following discharge in 1959, he decided to devote his life to helping and healing others. He came to Washington, D.C. to attend the George Washington School of Medicine with the goal of becoming a physician and making a difference in people's lives.

Not only has Dr. Ward made a lasting mark on his community as a doctor; he has also inspired a new generation of physicians as a lecturer and teacher and has advanced science and medicine through his published papers. It is my privilege to salute a fellow physician and respected colleague and join in congratulating him on his retirement.

**CHILD PORNOGRAPHY
PREVENTION ACT OF 2005**

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

Mr. PENCE. Madam Speaker, tomorrow the House will consider a very important bill to safeguard the children of this Nation from sexual predators and sexual violence: the Children's Safety Act of 2005.

Yesterday, I introduced the Child Pornography Prevention Act of 2005, with its intention to protect children from pornographers who seek to exploit both their youth and vulnerability.

The purpose of my legislation, the Child Pornography Prevention Act, is to ensure that children are not exploited in the production and distribution of pornography. Additionally, the bill provides increased protection to the victims of child pornography and strengthens the hand of law enforcement in investigating and bringing charges of obscenity in child pornography cases.

We specifically in my bill close a loophole that exists in Federal law

today that allows pornographers who produce child pornography at home with digital cameras, Polaroid cameras, or video cameras downloaded on their home computers to actually escape prosecution. The Pence legislation makes clear that these activities are within the purview of Federal law enforcement so that prosecutions of these so-called home child pornographers may move forward in district courts.

It is time to protect the kids. It is time to move the Children's Safety Act, and it is time to pass the Child Pornography Prevention Act as part of it tomorrow.

□ 1415

**ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE**

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

**SPORTFISHING AND RECREATIONAL
BOATING SAFETY
AMENDMENTS ACT OF 2005**

Mr. SHUSTER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3649) to ensure funding for sportfishing and boating safety programs funded out of the Highway Trust Fund through the end of fiscal year 2005, and for other purposes.

The Clerk read as follows:

H.R. 3649

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 "Sportfishing and Recreational Boating Safety Amendments Act of 2005".

TITLE I—CORRECTIONS TO THE SPORTFISHING AND RECREATIONAL BOATING SAFETY ACT OF 2005

SEC. 101. EFFECTIVE DATE OF AMENDMENTS.

(a) IN GENERAL.—The Sportfishing and Recreational Boating Safety Act of 2005 (Public Law 109-59) is amended—

- (1) by striking section 10112(b)(2); and
- (2) by inserting after section 10101 the following:

"SEC. 10102. EFFECTIVE DATE.

"The amendments made by this subtitle shall take effect October 1, 2005."

(b) TEMPORARY PRESERVATION OF EXISTING LAW.—Except as provided by the amendments made by title II of this Act, during the period beginning on the date of the enactment of the Sportfishing and Recreational Boating Safety Act of 2005, and ending upon the expiration of fiscal year 2005, the provisions of law amended by the Sportfishing and Recreational Boating Safety Act of 2005 (as amended by this Act) shall be considered to read as such laws read immediately before the enactment of that Act.

SEC. 102. RECREATIONAL BOATING SAFETY FUNDS.

Section 10143 of the Sportfishing and Recreational Boating Safety Act of 2005 (Public Law 109-59) is amended—

(1) in paragraph (1) by striking “under section 10119 of the Sportfishing and Recreational Boating Safety Act of 2005” and inserting “under section 15 of the Dingell-Johnson Sport Fish Restoration Act”;

(2) in paragraph (2) by striking “subsection (a)(2) of section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(a)(2))” and inserting “subsections (a)(2) and (f) of section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(a)(2) and (f))”;

(3) in paragraph (4)—

(A) in subparagraph (B) by inserting a closed parenthesis after “(16 U.S.C. 777c(a)(2))”; and

(B) by striking subparagraphs (C) and (D) and inserting the following:

“(C) by striking ‘\$5,000,000’ and inserting ‘\$5,500,000’; and

“(D) by inserting ‘not less than’ before ‘\$2,000,000’; and”;

(4) in paragraph (5) by striking “unexpected” and inserting “unexpended”.

SEC. 103. EXPENDITURE OF REMAINING BALANCE IN BOAT SAFETY ACCOUNT.

Section 10119 of the Sportfishing and Recreational Boating Safety Act of 2005 (Public Law 109-59) is amended in the text proposed to be inserted as section 15 of the Dingell-Johnson Sport Fish Restoration Act—

(1) in paragraph (2)(A)(v) of such text by striking “of this Act” and inserting “of that section”;

(2) in paragraphs (1) through (4) of such text by striking “subsection (b) of that section” each place it appears in such text and inserting “subsection (c) of that section”;

(3) in paragraph (5)—

(A) in subparagraph (A) by striking “subsection (b)” and inserting “subsection (a)(2) of that section”; and

(B) in subparagraph (B) by striking “subsection (h)” and inserting “subsection (c) of that section”.

TITLE II—EXTENSION OF RECREATIONAL BOATING FUNDING THROUGH THE END OF FISCAL YEAR 2005**SEC. 201. NATIONAL OUTREACH AND COMMUNICATIONS PROGRAM FUNDING.**

Section 4(c)(7) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(c)(7)) is amended to read as follows:

“(7) \$10,000,000 for fiscal year 2005;”.

SEC. 202. CLEAN VESSEL ACT FUNDING.

Section 4(b)(4) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(b)(4)) is amended—

(1) in the section heading by striking “FIRST 303 DAYS OF FISCAL” and inserting “FISCAL”;

(2) by striking “July 30, 2005” and inserting “September 30, 2005”;

(3) by striking “\$68,071,233” and inserting “\$82,000,000”;

(4) in subparagraph (A), by striking “\$8,301,370” and inserting “\$10,000,000”; and

(5) in subparagraph (B), by striking “\$6,641,096” and inserting “\$8,000,000”.

SEC. 203. COAST GUARD EXPENSES.

Section 13106(c)(1) of title 46, United States Code, is amended—

(1) by striking “\$4,150,685” and inserting “\$5,000,000”; and

(2) by striking “\$1,660,274” and inserting “\$2,000,000”.

TITLE III—EXTENSION OF AUTHORIZATION FOR USE OF FUNDS IN BOAT SAFETY ACCOUNT**SEC. 301. EXTENSION OF AUTHORIZATION FOR USE OF FUNDS IN BOAT SAFETY ACCOUNT FOR OBLIGATIONS BEFORE OCTOBER 1, 2005.**

(a) BOAT SAFETY ACCOUNT.—Subsection (c) of section 9504 of the Internal Revenue Code of 1986 (relating to expenditures from boat safety account) is amended—

(1) by striking “August 15, 2005” and inserting “October 1, 2005”; and

(2) by striking “Surface Transportation Extension Act of 2005, Part VI” and inserting “Sportfishing and Recreational Boating Safety Amendments Act of 2005”.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

GENERAL LEAVE

Mr. SHUSTER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include extraneous material on H.R. 3649.

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

There was no objection.

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

H.R. 3649, the Sportfishing and Recreational Boating Safety Amendments Act of 2005 makes several amendments to current law to ensure that funding is made available for States' recreational boating programs for the remainder of fiscal year 2005.

The bill designates approximately \$14 million in funding from the Aquatic Resources Trust Fund to support recreational boating safety programs for the current fiscal year. The bill also makes funding available for education, outreach and communications programs to promote safe and responsible boating and fishing practices nationwide.

Recreational boating and fishing are some of the Nation's most popular pastimes and in many areas are critical components of our local economies, and that includes my own district in Central Pennsylvania, which is home to Raystown Lake, which is a key element to the economy of Huntingdon County, Pennsylvania.

The Coast Guard and the Coast Guard Auxiliary have taken the lead Federal role in promoting boating safety in conjunction with State and local authorities. As a result, recreational boating fatalities have declined by more than half over the past 30 years.

The Federal and State recreational boating programs that are supported by the funding in this bill help educate the public on the proper use of boating, safety equipment and on the respon-

sible use of our Nation's sportfishing resources.

Lastly, the bill also makes several technical and clarifying corrections to the Sportfishing and Recreational Boating Safety Act of 2005. This Act created a simpler and more equitable formula for Federal sportfishing restoration and recreational boating safety funding.

I thank my colleagues for their support on this important legislation and for their work to improve access and safety on our Nation's waterways. I would like to thank the sponsor of the legislation, the Chairman of the full Committee on Transportation and Infrastructure, the gentleman from Alaska (Mr. YOUNG), the Chairman of the Subcommittee on Coast Guard and Maritime Transportation, the gentleman from New Jersey (Mr. LOBIONDO), for his hard work on this legislation, and the House leadership for bringing this bill to the floor in an expedited manner.

I would also like to thank the gentleman from California (Chairman THOMAS) and the gentleman from California (Chairman POMBO) for clearing the provisions in their jurisdiction of their committees so quickly. I am sure that recreational fishermen and boaters in California appreciate their efforts.

I urge my colleagues to join me in supporting this important legislation.

Madam Speaker, I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today to voice my support for H.R. 3649, the Sportfishing and Recreational Boating Safety Amendments Act of 2005, and to thank all concerned for clearing this matter up.

Madam Speaker, the purpose of this bill is, of course, very simple, as you have heard. When Congress passed H.R. 3, SAFETEA-LU, in July, there was a small disconnect between that bill and the short-term highway funding extension that was passed separately.

The short-term extension extended the highway program and the funding of the recreational boat safety program until August 15th. However, SAFETEA-LU provided for long-term reauthorization and funding of the recreational boating safety program beginning October 1, the new fiscal year. As a result, the gas taxes that are collected between August 15 and October 1 from recreational boaters cannot be given to the State boating law administrators to fund their recreational boating programs.

H.R. 3649 corrects this problem by extending the old Recreational Boat Safety and Sportfish Programs until October 1, 2005, when the new funding formulas take effect.

Madam Speaker, the Recreational Boat Safety and Grant Program provides a 50/50 matching fund to the States for their recreational boating

safety and educational programs. These programs save lives. It is our responsibility to see to it that there is no interruption of this program, and we are fulfilling this responsibility today.

Madam Speaker, I urge my colleagues to pass H.R. 3649 to ensure that our States receive the necessary matching funds for their recreational boating safety programs between August 15, 2005, and October 1, 2005.

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

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

Madam Speaker, I include for the RECORD an exchange of letters between the gentleman from Alaska (Chairman YOUNG) and the gentleman from California (Chairman THOMAS) regarding H.R. 3649.

COMMITTEE ON WAYS AND MEANS,
Washington, DC, September 6, 2005.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN YOUNG: I am writing concerning H.R. 3649, the "Sportfishing and Recreational Boating Safety Amendments Act of 2005," which is scheduled for floor consideration under suspension of the rules on Wednesday, September 7, 2005.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code. Title III of this bill amends the Internal Revenue Code by making technical and conforming corrections, and thus falls within the jurisdiction of the Committee on Ways and Means. However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 3649, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Best regards,

BILL THOMAS,
Chairman.

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE,
Washington, DC, September 6, 2005.

Hon. WILLIAM M. THOMAS,
Chairman, Committee on Ways and Means,
Longworth Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of September 6, 2005 regarding H.R. 3649, the Sportfishing and Recreational Boating Safety Amendments Act of 2005. Your assistance in expediting House consideration of the bill is very much appreciated.

I agree that there are certain provisions in the bill that are of jurisdictional interest to the Committee on Ways and Means and I agree that by foregoing action on the bill, the Committee on Ways and Means is not waiving its jurisdiction. Be assured that I will support your request to be represented in a conference on those provisions in the jurisdiction of the Ways and Means Committee in this bill or similar legislation.

As you have requested, I will include this exchange of letters in the Record when the bill is on the Floor. Thank you for your cooperation and your continued leadership and

support in sportfishing and boating safety matters.

Sincerely,

DON YOUNG,
Chairman.

Mr. SHUSTER. Madam Speaker, I urge my colleagues to join me in supporting this important legislation, H.R. 3649, the Sportfishing and Recreational Boating Safety Act of 2005.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, H.R. 3649.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

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

HONORING AND MEMORIALIZING THE PASSENGERS AND CREW OF UNITED AIRLINES FLIGHT 93

Mr. SHUSTER. Madam Speaker, I move to suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 26) honoring and memorializing the passengers and crew of United Airlines Flight 93.

The Clerk read as follows:

S. CON. RES. 26

Whereas on September 11, 2001, acts of war involving the hijacking of commercial airplanes were committed against the United States, killing and injuring thousands of innocent people;

Whereas 1 of the hijacked planes, United Airlines Flight 93, crashed in a field in Pennsylvania;

Whereas while Flight 93 was still in the air, the passengers and crew, through cellular phone conversations with loved ones on the ground, learned that other hijacked airplanes had been used to attack the United States;

Whereas during those phone conversations, several of the passengers indicated that there was an agreement among the passengers and crew to try to overpower the hijackers who had taken over Flight 93;

Whereas Congress established the National Commission on Terrorist Attacks Upon the United States (commonly referred to as "the 9-11 Commission") to study the September 11, 2001, attacks and how they occurred;

Whereas the 9-11 Commission concluded that "the nation owes a debt to the passengers of Flight 93. Their actions saved the lives of countless others, and may have saved either the U.S. Capitol or the White House from destruction."; and

Whereas the crash of Flight 93 resulted in the death of everyone on board: Now, therefore, be it

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

(1) the United States owes the passengers and crew of United Airlines Flight 93 deep respect and gratitude for their decisive actions and efforts of bravery;

(2) the United States extends its condolences to the families and friends of the passengers and crew of Flight 93;

(3) not later than October 1, 2006, the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, the minority leader of the Senate, the Chairman and the Ranking Member of the Committee on Rules and Administration of the Senate, and the Chairman and the Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives shall select an appropriate memorial that shall be located in the United States Capitol and that shall honor the passengers and crew of Flight 93, who saved the United States Capitol from destruction; and

(4) the memorial shall state the purpose of the honor and the names of the passengers and crew of Flight 93 on whom the honor is bestowed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

GENERAL LEAVE

Mr. SHUSTER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. Con. Res. 26.

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

There was no objection.

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

On Sunday, we remembered one of the most tragic days in our Nation's history, a day in which we lost 3,000 of our relatives, neighbors, friends and countrymen. These people were lost because of the actions of 19 terrorists who sought to inflict pain on our country and bring us to our knees. They did not.

Four of these terrorist found out firsthand that America and Americans are not to be taken lightly and that we are people of action.

Though the story of Flight 93 is well known by all, it is a story that bears repeating.

On that fateful day, the 40 passengers and crew of a hijacked airplane, made aware through phone calls of the fate of the three other hijacked airplanes, took action to protect lives on the ground.

They acted in a way that I am confident the passengers and crew of the three other planes hijacked that day would surely have acted had they been aware of what was happening. The passengers and crew of Flight 93 acted in a way that should make us all proud. They knew the risks they were facing, yet acted anyway.

It is a significant feat what these 40 patriots did, equal to the shot heard around the world in Lexington and Concord or the Alamo in Texas. The very place that Flight 93 went down, I

believe, is providence, because it is in proximity to another major event in our history.

It is a reminder to all Americans that freedom is not easy, and the event of which I speak of is the Whiskey Rebellion, which occurred in 1794, just the first year of George Washington's second term, when there was a rebellion in Pennsylvania. George Washington rode to Pennsylvania, to a town just 10 miles south of Shanksville, Pennsylvania, to put down that rebellion and establish or continue to establish our democracy.

It is important for us in America to remember that it was hard 210 years ago to establish democracy, and it is hard today. So we all need to remember that story of Berlin, Pennsylvania, the Whiskey Rebellion, just 10 miles south of Shanksville, where the first counterattack on the war on terrorism occurred in the skies over Somerset, Pennsylvania. And those passengers of Flight 93 are an example for all Americans to live up to today and into the future.

This resolution authorizes the permanent memorial here in the Capitol to the passengers and crew of Flight 93, whose actions certainly saved lives on 9/11. Many, including the 9/11 Commission, believe they may have saved this very building and many of us who work here.

It is my expectation that whatever memorial is established will complement, not compete with the memorial that will be constructed in Shanksville, where Flight 93 eventually crashed.

I look forward to working with our colleagues in the Senate to bring this appropriate recognition of heroism and bravery to this hallowed building. I urge my colleagues to join me in supporting this resolution.

Madam Speaker, I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I join other Members in strong support of this resolution and acknowledge the special bond that exists between the passengers from Flight 93 and not only the personnel who work in the Capitol but also the citizens of the District, those who were harmed and who died at the Pentagon and, of course, those who were victims in New York at the Twin Towers.

Although we will never know the final destination for Flight 93, we are all profoundly grateful to those heroic passengers for their collective acts of courage that may have saved the Capitol or the White House from severe damage.

Senate Concurrent Resolution 26 memorializes them and their valiant efforts as well. A site will be selected here in the Capitol. The purpose of the memorial as well as the names of the crew and passengers will, of course, be inscribed on the memorial.

We strongly support the resolution and urge its passage.

Madam Speaker, I reserve the balance of my time.

Mr. SHUSTER. Madam Speaker, I yield 3 minutes to the gentlewomen from Florida (Ms. GINNY BROWN-WAITE.)

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today in support of this concurrent resolution to honor the brave men and women of Flight 93.

As all Americans learned from the transcripts of the 9/11 Commission, a brave group of individuals took their own futures and potentially the lives of thousands who work in D.C. and charged the cockpit door of Flight 93.

While their heroic deeds thwarted the plans of the 9/11 hijackers to crash the airplane into the Capitol or the White House, it cost them their lives when the plane crashed into that remote Pennsylvania field.

While the resolution that we will pass this afternoon authorizes a memorial to Flight 93 victims here in the United States Capitol, it is the memories of individual victims that drive us and that we will keep in our memories.

I would like to specifically recognize the contribution of one outstanding individual on Flight 93, Mr. Mark Bingham. Described as a charming and outgoing man by all who knew him, Mark used his experience as a rugby player to help break down that cockpit door. His efforts were truly heroic and will not be forgotten.

Just last week I met with Mark's father, Gerald Bingham, who is my constituent from the Fifth Congressional District in Florida.

Gerald and his family have spent the last 4 years fighting and advocating for an appropriate memorial to recognize the sacrifices of their son, Mark, as well as the other men and women who gave their lives that fateful day.

I am very proud to stand on the floor of the U.S. House to let Gerald and his family know that the sacrifices of his son will forever be consecrated in an appropriate manner here in the United States Capitol.

In closing, I certainly would like to thank Senator CONRAD for sponsoring this resolution as well as the gentleman from Pennsylvania (Mr. SHUSTER) for bringing this tribute to the floor today.

Madam Speaker, I urge a "yes" vote on the resolution.

□ 1430

Ms. NORTON. Madam Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Madam Speaker, I thank my friend, the gentlewoman from the District of Columbia (Ms. NORTON), for yielding me time, and I thank the sponsor of this bill for introducing it.

We all rise today to honor the passengers and the crew of United Airlines Flight 93. They gave their lives so that others might live, and I strongly sup-

port S. Con. Res. 26, which commemorates the courageous actions of these 40 passengers and crew. The passengers thwarted a potentially dangerous attack on a target here in Washington. Without their sacrifice, it is possible that many of us would not be here today. This building in which we stand perhaps would not be here, and almost certainly many innocent civilians would have died.

Eighteen of those brave men and women on board Flight 93 were from New Jersey. One of those brave souls lived in Cranberry, New Jersey. He is one of the people on board we recognize. He has become something of a symbol.

Todd Beamer was a respected businessman who stood out in a national company. He was a man of deep religious faith. He was involved with his family, a loving father who looked forward to the upcoming birth of his third child. He was a caring and devoted husband to his wife, Lisa, whom I would also like to recognize and honor here today. It was his famous phrase, "Let's roll," that helped inspire our Nation to meet his high standard of shared sacrifice and to remind Americans in those dark days following September 11 that America would not just survive but America would thrive.

This body authorized the naming of the United States Post Office in Cranberry after Todd Beamer. And each time I see the Todd Beamer Post Office, I am reminded that individual Americans can and do extraordinary things.

Americans are willing to sacrifice in the name of accomplishing something greater than one person. This country has always depended on this unique character, and it was always my hope that people would use this post office with an understanding of this American characteristic and that they would pause to reflect on the sacrifice of the individual but also on their roles, what they can do in small and large acts of bravery.

Todd Beamer was not alone. With him were other New Jerseyans and Americans who shared his values and commitment to save others. Richard Guadagno was another outstanding passenger of Flight 93. Raised in Trenton, Richard was the manager of the Humbolt Bay National Wildlife Refuge in California, and was on his way back to Eureka, California, after visiting his family in New Jersey and attending his grandmother's 100th birthday party. He too made the sacrifice. I had an opportunity to talk with his parents, and I was struck by how remarkable and compassionate Richard Guadagno was. Today we honor him and all the other passengers and crew members.

Recalling the legacy of the passengers and crew of Flight 93 reminds Americans that we need heroes every day. Lisa and Todd Beamer's children can grow up knowing that their father acted bravely at a time when others

were in need; and he will always be remembered as a hero, along with his fellow passengers.

Madam Speaker, I am proud to support this resolution, and I thank the sponsors for introducing it. As it is said in Jewish tradition, whoever saves a single life is honored as though he saved an entire world.

I honor those on Flight 93 whose brave acts saved the lives of so many Americans.

Mr. SHUSTER. Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Madam Speaker, on September 11, 2001, the passengers and crew of this flight saved the Capitol from attack. The Members and staff who work in this building owe our very lives to these American heroes.

In September of 2004, I authored the American Heroes Act, co-sponsored by 16 Republicans and Democrats, which called on a commissioning of a statue here in the Capitol for the Flight 93 heroes. In my view, the statue should be located at the entrance of the new \$500 million Capitol Visitor Center to be opened next year.

If placed there, it would be the first thing American school kids and other visitors would see when they enter this temple of democracy. They would see modern American heroes who saved this Capitol, who gave their lives and whose heroism is encompassed in the personal and recent memory of all living Americans.

As a former member of the legislative branch appropriations subcommittee, I worked on many aspects of the visitors center; and as a member now of the full committee where legislative branch issues are considered, I am working with the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) to make sure we find the funds for this statue for these heroes.

Working closely with the gentleman from Ohio (Mr. NEY) of the Committee on House Administration, it is my hope by next September 11 we are on our way to make sure that the first thing visitors see is a reminder of the brave Americans who saved this Capitol 4 years ago.

Ms. NORTON. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

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

Madam Speaker, I urge all of my colleagues on both sides of the aisle to join today to pass this legislation that will establish a permanent memorial here in the Capitol to honor those 40 American patriots who undoubtedly saved lives on 9/11 by sacrificing their own lives. As we vote today, let us remember the final words of Todd Beamer and that is: "Let's roll."

Mr. HONDA. Madam Speaker, I rise in strong support of Senate Concurrent Resolution 26, which pays tribute to the heroic efforts of the passengers and crew of United Airlines

Flight 93. Their decisive and brave decision to overtake the September 11 terrorists likely saved the lives of countless Congressional Members and staffers, as well as the U.S. Capitol or White House from almost certain destruction.

The San Jose community I represent was especially saddened by the loss of Captain Jason Matthew Dahl, the pilot of Flight 93 and a true American hero. Jason grew up in San Jose, and his parents, who were the proprietors of Dahl's Dairy Delivery, used to deliver milk to Hillsdale Elementary School, where I served as principal.

From his childhood years, Jason had a strong desire to fly. He first manifested his affinity for flight during his years at Sylvandale, where he started building radio-controlled airplanes. He then joined the Civil Air Patrol, and was soon taking flying lessons from Amelia Reid at Reid Hillview Airport. He was a quick study, and was flying solo by the youthful age of 16. During this early period, Jason gave his father a photograph, depicting the two of them standing in front of a Cessna, on which Jason had written: "Maybe someday this will be a 747."

Jason attended my alma mater, San Jose State University, from 1975 to 1980, and graduated with a Bachelor of Science degree in Aeronautical Operations. Jason was soon hired by Ron Nelson Construction as a corporate pilot. A few years later, he applied to the commercial airlines, and he realized his dream when he got the call from United Airlines in June 1985, where he steadily moved up the ranks.

His passionate devotion to this endeavor was only matched during his lifetime by his devotion to his family. Balancing the demands of career and family is a daunting challenge, especially for a pilot, but family was greatly important to Jason. No matter how busy his flight schedule, he always made the time for his wife, Sandy, and his children, Matt and Jennifer.

Captain Dahl was an emblem of the American dream. He was doing what he loved to do when he lost his life along with thousands of others in the horrible assault on our Nation that occurred on September 11. His courage and the courage of the passengers and crew of Flight 93 was reflective of the spirit displayed in abundance by so many Americans that day.

It is fitting that we honor those who gave their lives on Flight 93 through passage of Senate Concurrent Resolution 26, which acknowledges the great debt we owe them and extends condolences to their family and friends. The resolution also establishes a bipartisan, bicameral congressional panel to select an appropriate memorial honoring the passengers and crew of Flight 93. The memorial—to be placed in the Capitol—will be a permanent tribute to the forty selfless individuals who overcame fear and mobilized into action to defend their fellow Americans.

I join my colleagues in their strong support for Senate Concurrent Resolution 26.

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

The SPEAKER pro tempore (Mrs. CAPITO). The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 26.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

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

DANDINI RESEARCH PARK CONVEYANCE ACT

Mr. GIBBONS. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 252) to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada.

The Clerk read as follows:

S. 252

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 "Dandini Research Park Conveyance Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) BOARD OF REGENTS.—The term "Board of Regents" means the Board of Regents of the University and Community College System of Nevada.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 3. CONVEYANCE TO THE UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA.

(a) CONVEYANCE.—

(1) IN GENERAL.—The Secretary shall convey to the Board of Regents, without consideration, all right, title, and interest of the United States in and to the approximately 467 acres of land located in Washoe County, Nevada, patented to the University of Nevada under the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.), and described in paragraph (2).

(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1) is—

(A) the parcel of land consisting of approximately 309.11 acres and more particularly described as T. 20 N., R. 19 E., Sec. 25, lots 1, 2, 3, 4, 5, and 11, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Mount Diablo Meridian, Nevada; and

(B) the parcel of land consisting of approximately 158.22 acres and more particularly described as T. 20 N., R. 19 E., Sec. 25, lots 6 and 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Mount Diablo Meridian, Nevada.

(b) COSTS.—The Board of Regents shall pay to the United States an amount equal to the costs of the Secretary associated with the conveyance under subsection (a)(1).

(c) CONDITIONS.—If the Board of Regents sells any portion of the land conveyed to the Board of Regents under subsection (a)(1)—

(1) the amount of consideration for the sale shall reflect fair market value, as determined by an appraisal; and

(2) the Board of Regents shall pay to the Secretary an amount equal to the net proceeds of the sale, for use by the Director of the Bureau of Land Management in the State of Nevada, without further appropriation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 252.

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

There was no objection.

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

Madam Speaker, I rise today to urge passage of Senate 252, the Dandini Research Park Conveyance Act, which was introduced in the Senate by Senator HARRY REID and co-sponsored by Senator JOHN ENSIGN.

I was proud to introduce the companion legislation in the House, and I am pleased to be here today to champion passage of this important bill.

This legislation will direct the Secretary of the Interior to convey 467 acres of land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada.

The land is patented under the Recreation and Public Purposes Act, which now prevents the Board of Regents from expanding a university-sponsored research park that provides for technology transfer, science-based economic development, and partnering among academic, governmental, and industrial sectors in Nevada.

Known as the Dandini Research Park, the land is currently used by leading research and education institutions in Nevada, including the Truckee Meadows Community College and the Desert Research Institute.

The research being done by TMCC and DRI at the Dandini Research Park benefits not only Nevada but communities across the western United States. The science park stands as a great example of a successful public/private partnership that brings the highest quality researchers to this educational facility.

For example, DRI is a world-class nonprofit research campus of the Nevada Higher Education System, and their research is driven by a special emphasis in atmospheric, Earth and ecosystem, and hydrologic sciences.

Additionally, DRI has three state-of-the-art interdisciplinary centers for arid lands, watershed and environmental sustainability, and environmental remediation and monitoring.

DRI's research has helped provide innovative and important advancements in their field and has increased demand for their expertise. The state-of-the-art research being conducted at the Dandini site has resulted in the need to expand these facilities. However, since

the University and Community College System of Nevada does not own the land of the Dandini Research Park, they are unable to obtain financing to expand the science center.

Today's bill allows for the transfer of this land to allow the Board of Regents to develop and expand the Northern Nevada Science Center. Additionally, the bill mandates that net proceeds of any future sale of this property would be returned to the Secretary of the Interior for use by the Bureau of Land Management.

The goal of much of the work being done at the Dandini Research Project is to provide innovative solutions to maintaining the vital balance between environmental protection and the development of our natural resources.

This work helps us to better understand how we can live in harmony with our environment.

Madam Speaker, I urge all of my colleagues to pass this noncontroversial bill that is supported by the entire Nevada delegation and which passed the Senate in July. This bill will allow Nevada's leading education and research institutes to continue to expand upon their great work on behalf of Nevada and this great country, as well as our environment.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Madam Speaker, before I speak to S. 252, I would just like to voice my support also for S. Con. Res. 26, honoring and memorializing the passengers and crew of United Airlines Flight 93 that was just before this body.

The legislation which we are discussing now, S. 252, is technical in nature and once approved will allow the University and Community College System in Nevada to expand ongoing research activities at the Dandini facility. This is a noncontroversial measure which passed the Senate by unanimous consent in July.

The distinguished Senate minority leader is to be commended for his tireless efforts on behalf of this legislation and for his commitment to supporting important research in our Nation's academic institutions.

On the House side, the gentlewoman from Nevada (Ms. BERKLEY), a co-sponsor of the House companion legislation, has also taken a leadership role in making certain this legislation is approved. And we also commend the gentleman from Nevada (Mr. GIBBONS) for his work and leadership on this bill.

Mr. PORTER. Madam Speaker would like to voice my strong support for S. 252.

As a cosponsor of the House-introduced version of this bill, H.R. 542, I am well aware of the positive impact the transfer of this land will have on the University and Community College System of Nevada. Located in Reno,

Nevada, this tract of land, known as the Dandini Research Park, is currently restricted under the provisions and authority of the Recreation and Public Purposes Act.

If this bill were to be signed into law, the Board of Regents for the University and Community College System of Nevada would like to turn this land into a University-sponsored research park that would provide science-based economic development, technology transfer, and the furthering of intergovernmental, academic and industrial partnerships in Nevada.

Madam Speaker, thank you for allowing me to speak on this important bill.

Mrs. CHRISTENSEN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the Senate bill, S. 252.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

CARIBBEAN NATIONAL FOREST
ACT OF 2005

Mr. FORTUÑO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 539) to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System, as amended.

The Clerk read as follows:

H.R. 539

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 "Caribbean National Forest Act of 2005".

SEC. 2. DEFINITIONS.

In this Act:

(1) *MAP.*—The term "map" means the map dated April 13, 2004, and entitled "El Toro Proposed Wilderness Area".

(2) *SECRETARY.*—The term "Secretary" means the Secretary of Agriculture.

SEC. 3. WILDERNESS DESIGNATION, CARIBBEAN NATIONAL FOREST, PUERTO RICO.

(a) *EL TORO WILDERNESS.*—

(1) *IN GENERAL.*—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 10,000 acres of land in the Caribbean National Forest/Luquillo Experimental Forest in the Commonwealth of Puerto Rico as generally depicted on the map are designated as wilderness and as a component of the National Wilderness Preservation System.

(2) *DESIGNATION.*—The land designated in paragraph (1) shall be known as the El Toro Wilderness.

(3) *WILDERNESS BOUNDARIES.*—The El Toro Wilderness shall consist of the land generally depicted on the map.

(b) *MAP AND BOUNDARY DESCRIPTION.*—

(1) *IN GENERAL.*—As soon as practicable after the date of enactment of this Act, the Secretary shall—

(A) prepare a boundary description of the El Toro Wilderness; and

(B) submit the map and the boundary description to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(2) PUBLIC INSPECTION AND TREATMENT.—The map and the boundary description prepared under paragraph (1)(A)—

(A) shall be on file and available for public inspection in the office of the Chief of the Forest Service; and

(B) shall have the same force and effect as if included in this Act.

(3) ERRORS.—The Secretary may correct clerical and typographical errors in the map and the boundary description prepared under paragraph (1)(A).

(c) ADMINISTRATION.—

(1) IN GENERAL.—Subject to valid existing rights, the Secretary shall administer the El Toro Wilderness in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this Act.

(2) EFFECTIVE DATE OF WILDERNESS ACT.—With respect to the El Toro Wilderness, any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

(d) SPECIAL MANAGEMENT CONSIDERATIONS.—Consistent with the Wilderness Act (16 U.S.C. 1131 et seq.), nothing in this Act precludes the installation and maintenance of hydrologic, meteorological, climatological, or atmospheric data collection and remote transmission facilities, or any combination of those facilities, in any case in which the Secretary determines that the facilities are essential to the scientific research purposes of the Luquillo Experimental Forest.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Puerto Rico (Mr. FORTUÑO) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Puerto Rico (Mr. FORTUÑO).

□ 1445

GENERAL LEAVE

Mr. FORTUÑO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 539, the bill under consideration.

The SPEAKER pro tempore (Mrs. CAPITO). Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

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

H.R. 539 would designate approximately 10,000 acres in the Caribbean National Forest as a component of the National Wilderness Preservation System.

This bipartisan proposal is supported by the people of Puerto Rico, the administration and a number of national organizations. The legislation will ensure that this special land will be available for my children and for all the children of Puerto Rico for generations to come.

The El Toro Wilderness will be one of our Nation's most significant wilderness areas. Located 25 miles east of San Juan, the forest is biologically rich and diverse. The Caribbean National Forest ranks number one among all national

forests in the number of species of native trees with 240. In addition, the Caribbean National Forest has a wide variety of orchids and over 150 species of ferns. There are over 100 species of vertebrates in the forest.

Of particular note is the endangered Puerto Rican parrot. At the time Columbus set sail for the New World, there were approximately one million of these distinctive parrots. Today, there are under 50. This rich diversity will be protected through wilderness designation, and El Toro will be the only tropical rainforest wilderness in our national forest system.

The future of the Caribbean National Forest is of the utmost importance to my constituents. For Puerto Ricans, the Caribbean National Forest is more than a national forest. It is an integral part of our lives. The Spanish Crown proclaimed much of the current Caribbean National Forest as a forest reserve in 1824. President Theodore Roosevelt reasserted the protection of the Caribbean National Forest by designating the area as a forest reserve over 100 years ago. The real history of the Caribbean National Forest, however, predates those recent actions. The prehistoric Taino Indians considered the area a holy place and named it after an Indian spirit, Yuquiye, which means "Forest of Clouds." Today, it is called, "El Yunque."

The importance of El Yunque continues to modern times. The forest is a key component of Puerto Rico's everyday life and economic vitality.

El Yunque and the proposed El Toro wilderness area are a crucial source for the lifeblood of Puerto Rico, fresh water. The forest receives up to 240 inches of rainfall each year, more than 100 billion gallons of it. This water is crucial for our people and our future. It provides clean drinking water to over 800,000 residents and ensures adequate water for our economic viability.

In closing, I would like to thank the gentleman from California (Chairman POMBO) and the gentleman from Oregon (Mr. WALDEN), the gentleman from West Virginia (Ranking Member RAHALL) and the gentleman from Colorado (Mr. UDALL) and the committee staff for their support and fine work on this measure. I urge my colleagues to join with me in supporting the passage of H.R. 539.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as the majority has explained, H.R. 539 would designate approximately 10,000 acres of land in the Caribbean National Forest in Puerto Rico as a component of the National Wilderness Preservation System to be named the El Toro Wilderness.

The Caribbean National Forest is the only tropical rainforest in the National Forest System. It is home to one of the most endangered birds in the world, the Puerto Rican parrot.

The El Toro Wilderness would become the first tropical forest in the National Forest Wilderness System, as well as the first wilderness area in Puerto Rico. It is, in a host of respects, a natural treasure and a national treasure that merits a designation befitting its unique status in America.

Madam Speaker, I want to commend the gentleman from Puerto Rico (Mr. FORTUÑO), my colleague and neighbor, for his work in securing the passage of this bill. We support adoption of H.R. 539, and I would add that the gentleman from West Virginia (Ranking Member RAHALL) has personally also advocated the consideration of this measure.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. FORTUÑO) that the House suspend the rules and pass the bill, H.R. 539, as amended.

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

The title of the bill was amended so as to read: "A bill to designate certain National Forest System land in the Commonwealth of Puerto Rico as a component of the National Wilderness Preservation System."

A motion to reconsider was laid on the table.

WIND CAVE NATIONAL PARK BOUNDARY REVISION ACT OF 2005

Mr. FORTUÑO. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 276) to revise the boundary of the Wind Cave National Park in the State of South Dakota.

The Clerk read as follows:

S. 276

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 "Wind Cave National Park Boundary Revision Act of 2005".

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term "map" means the map entitled "Wind Cave National Park Boundary Revision", numbered 108/80,030, and dated June 2002.

(2) PARK.—The term "Park" means the Wind Cave National Park in the State.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) STATE.—The term "State" means the State of South Dakota.

SEC. 3. LAND ACQUISITION.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary may acquire the land or interest in land described in subsection (b)(1) for addition to the Park.

(2) MEANS.—An acquisition of land under paragraph (1) may be made by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

(b) BOUNDARY.—

(1) MAP AND ACREAGE.—The land referred to in subsection (a)(1) shall consist of approximately 5,675 acres, as generally depicted on the map.

(2) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) REVISION.—The boundary of the Park shall be adjusted to reflect the acquisition of land under subsection (a)(1).

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer any land acquired under section 3(a)(1) as part of the Park in accordance with laws (including regulations) applicable to the Park.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—The Secretary shall transfer from the Director of the Bureau of Land Management to the Director of the National Park Service administrative jurisdiction over the land described in paragraph (2).

(2) MAP AND ACREAGE.—The land referred to in paragraph (1) consists of the approximately 80 acres of land identified on the map as “Bureau of Land Management land”.

SEC. 5. GRAZING.

(a) GRAZING PERMITTED.—Subject to any permits or leases in existence as of the date of acquisition, the Secretary may permit the continuation of livestock grazing on land acquired under section 3(a)(1).

(b) LIMITATION.—Grazing under subsection (a) shall be at not more than the level existing on the date on which the land is acquired under section 3(a)(1).

(c) PURCHASE OF PERMIT OR LEASE.—The Secretary may purchase the outstanding portion of a grazing permit or lease on any land acquired under section 3(a)(1).

(d) TERMINATION OF LEASES OR PERMITS.—The Secretary may accept the voluntary termination of a permit or lease for grazing on any acquired land.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Puerto Rico (Mr. FORTUÑO) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Puerto Rico (Mr. FORTUÑO).

GENERAL LEAVE

Mr. FORTUÑO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 276, the bill under consideration.

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

There was no objection.

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

S. 276, introduced by Senators TIM JOHNSON and JOHN THUNE of South Dakota, is the companion bill to H.R. 546, introduced by the gentlewoman from South Dakota (Ms. HERSETH), my committee colleague.

S. 276 would authorize the expansion of Wind Cave National Park located in the famous Black Hills of South Dakota. The boundary adjustment would allow for the protection of such archaeological sites as a 1,000-year-old buffalo jump.

I urge adoption of the bill.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as the gentleman from Puerto Rico (Mr. FORTUÑO) of the majority has explained, S. 276 will further the purposes of Wind Cave National Park by enabling significant lands to be added to the national park.

This bill, S. 276, is the Senate companion measure to the bill H.R. 456 introduced by the gentlewoman from South Dakota (Ms. HERSETH), my colleague on the Committee on Resources. The gentlewoman from South Dakota (Ms. HERSETH) is to be commended for her leadership on this important legislative initiative which will add lands to the park that will protect archaeological sites, enhance the viewshed, and preserve prairie and forest lands that are natural extensions of the existing park.

Since coming to Congress, the gentlewoman from South Dakota (Ms. HERSETH) has been a strong advocate for these additions to the park, and we are pleased to see her work coming to fruition today.

Madam Speaker, S. 276 will help advance the preservation and interpretation of Wind Cave National Park, and we support adoption of the legislation by the House today.

Ms. HERSETH. Madam Speaker, I rise today in support of the Wind Cave National Park Boundary Revision Act of 2005.

Wind Cave National Park is one of our Nation's oldest national parks and one of the jewels in our national park system. Established over 100 years ago, Wind Cave was the first cave in the world to be set aside as a national park. At the turn of the 20th century, its first explorers reported that the cave was only three miles long. Well, that report was a little off. Today, we know that the cave has over 117 miles of mapped tunnels and explorers are still discovering new passages. This makes it the fifth largest cave in the world.

These passages contain many natural treasures—rare and exceptional displays of box work, a honeycomb-shaped formation that protrudes from the cave's ceilings and walls, as well as other rare cave formations, and a geology that scientists are still working to understand. Past Congresses recognized the value of these treasures by creating the park; our ability to enjoy them today is a testament to their foresight.

With over 28,000 acres today, the park's surface is an impressive asset as well. The Wind Cave National Park Boundary Revision act would expand this stewardship to include an additional 5,000 acres of mixed grass prairie, ponderosa pine forest, and a dramatic river canyon. Home to native wildlife such as bison, elk, pronghorn, mule deer, coyotes, and prairie dogs, the park is one of the few remaining mixed-grass ecosystems in the country. The expansion would be a natural extension of this habitat and enhance the park's holdings.

This project began when the ranching family that owns the land approached the National Parks Service over 3 years ago. The Black Hills region of South Dakota is developing rap-

idly and, rather than allow the land to be developed into subdivisions and strip malls, they envisioned preserving it for future generations. That initial discussion expanded to the surrounding community, State government, and eventually, the United States Congress. The bill's passage in the Senate and its consideration here today are the fruits of those discussions.

In addition to receiving support in the House of Representatives from my two predecessors and myself, this bill enjoys the bipartisan backing of the South Dakota Senate delegation and South Dakota Governor Mike Rounds. As the expansion project has proceeded, interested parties have weighed in with their concerns and they have been answered.

Wind Cave National Park has protected and preserved a national treasure for over 100 years. The Wind Cave National Park Boundary Revision Act is a unique opportunity to expand the park and enhance its value to the public so that visitors can enjoy it forever. It is my hope that my colleagues will support the expansion of this park and vote in favor of this important legislation.

Mrs. CHRISTENSEN. Madam Speaker, I yield back the balance of my time.

Mr. FORTUÑO. Madam Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. FORTUÑO) that the House suspend the rules and pass the Senate bill, S. 276.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

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

HAWAII WATER RESOURCES ACT OF 2005

Mr. FORTUÑO. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 264) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii.

The Clerk read as follows:

S. 264

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 “Hawaii Water Resources Act of 2005”.

SEC. 2. HAWAII RECLAMATION PROJECTS.

(a) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h et seq.) is amended—

(1) by redesignating the second section 1636 (as added by section 1(b) of Public Law 108-316 (118 Stat. 1202)) as section 1637; and

(2) by adding at the end the following:

“SEC. 1638. HAWAII RECLAMATION PROJECTS.

“(a) AUTHORIZATION.—The Secretary may—
“(1) in cooperation with the Board of Water Supply, City and County of Honolulu,

Hawaii, participate in the design, planning, and construction of a project in Kalaeloa, Hawaii, to desalinate and distribute seawater for direct potable use within the service area of the Board;

“(2) in cooperation with the County of Hawaii Department of Environmental Management, Hawaii, participate in the design, planning, and construction of facilities in Kealahou, Hawaii, for the treatment and distribution of recycled water and for environmental purposes within the County; and

“(3) in cooperation with the County of Maui Wastewater Reclamation Division, Hawaii, participate in the design, planning, and construction of, and acquire land for, facilities in Lahaina, Hawaii, for the distribution of recycled water from the Lahaina Wastewater Reclamation Facility for non-potable uses within the County.

“(b) COST SHARE.—The Federal share of the cost of a project described in subsection (a) shall not exceed 25 percent of the total cost of the project.

“(c) LIMITATION.—Funds provided by the Secretary shall not be used for the operation and maintenance of a project described in subsection (a).

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.”

(b) CONFORMING AMENDMENT.—The table of sections in section 2 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. prec. 371) is amended by striking the item relating to the second section 1636 (as added by section 2 of Public Law 108-316 (118 Stat. 1202)) and inserting the following:

“Sec. 1637. Williamson County, Texas, Water Recycling and Reuse Project.
“Sec. 1638. Hawaii reclamation projects.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Puerto Rico (Mr. FORTUÑO) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Puerto Rico (Mr. FORTUÑO).

GENERAL LEAVE

Mr. FORTUÑO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 264, the bill under consideration.

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

There was no objection.

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

S. 264, sponsored by Senator DANIEL AKAKA and supported by our Hawaii colleagues in the House, authorizes the Secretary of the Interior to undertake three water projects in the State of Hawaii.

Although surrounded by water, the Hawaiian islands are not immune to water scarcity issues. In fact, parts of Hawaii have very limited potable water supplies due to natural and population factors.

The projects authorized in this legislation will help Hawaii better manage its scarce water resources. Each project will serve a different purpose through desalting, recycling or other

water supply technologies. The Federal cost-share of these projects will not exceed 25 percent.

I urge my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

We support the passage of S. 264. The gentleman from Hawaii (Mr. ABERCROMBIE), our colleague on the Committee on Resources, has introduced a companion bill in the House, H.R. 843. We commend the gentleman from Hawaii (Mr. ABERCROMBIE) for his hard work to secure authorizations for these important projects.

The projects identified in this bill will be eligible for limited financial assistance under the Bureau of Reclamation's title 16 water recycling program.

Water recycling and desalination projects are proven technologies that can help stretch limited water supplies in areas such as Hawaii, and the Virgin Islands I might add.

I want to express our full support for this legislation, and I offer congratulations to the gentleman from Hawaii (Mr. ABERCROMBIE) for his leadership and persistence as this legislation proceeds to the White House.

Mr. ABERCROMBIE. Madame Speaker, I rise today to support, S. 264, the Hawaii Water Resources Act of 2005. This legislation will authorize Federal funds for three urgently needed water projects in the State of Hawaii.

Madame Speaker, several years ago our State suffered through 5 years of drought conditions. Due to dangerous drops in our water levels, water usage was restricted to prevent saltwater from entering our pumps. Today, there is no drought and water conservation measures continue to be taught in schools and publicized. However, these three water development projects will make tremendous strides in ensuring a stable water supply for our growing island State and conserve the limited water supplies we do have. Because of the importance of these projects, I introduced the companion measure, H.R. 843, and wholeheartedly support this legislation.

H.R. 843/S. 264 would authorize three projects that would help the State of Hawaii implement long-term management plans for our most limited natural resource, fresh water. The Kalaeloa Desalination Project would be built on Oahu, home to 72 percent of the State's population. It is estimated that water use rates on this island will begin exceeding recharge rates in 2018. This problem is particularly evident on the western side of Oahu which has a secondary urban center, Kapolei, which has experienced a population explosion in recent years. Kapolei is a planned community whose population is expected to increase by 70 percent in the next 20 years. The Board of Water Supply for the City and County of Honolulu has successfully implemented conservation measures and special programs which have lowered water consumption. This project would help meet Kapolei's projected demand, conserve limited groundwater, avoid impacts to the environment from wells drilled in forested watersheds, increase system reliability and minimize saltwater intrusion when

water levels drop in drought conditions—Oahu experienced a 5-year drought from 1998 to 2002. This facility would also be capable of future expansion, an important aspect for this heavily populated island.

The second project is located on the western side of the big island of Hawaii. This area sees very little rainfall and is very similar to the high arid regions of the mainland United States. The Kealahou Wastewater Treatment Project would utilize wetlands to naturally clean the effluent being discharged by the Kealahou Wastewater Treatment Plant. Once the effluent water quality is upgraded and the maximum amount of flow diverted for use on-site in the wetlands, a distribution system would then convey the recycled water to potential users. A conventional tertiary treatment system would be cost prohibitive for a facility of this size. Moreover, the discharge of treated water could lead to the degradation of coastal water quality in an area that is known for its beautiful beaches and is a popular tourist destination. This project is an ecologically friendly alternative that would also provide habitat for two endangered bird species which are currently nesting on land adjacent to the Keahole International Airport.

The third project that would be authorized is the Lahaina Recycled Water Distribution System Expansion Project located on the island of Maui. Over the last decade, Maui has worked to build a solid foundation for a water recycling program. Currently, it is able to use approximately 25 percent of the recycled water it produces, about 4 million gallons per day. The main impediment to using more recycled water is the lack of infrastructure to distribute the recycled water to the commercial enterprises that could use it. A key example of this problem is in West Maui where recycled water is used to irrigate the Kaanapali Golf Courses. The pipeline that leads to the golf courses also passes a number of other commercial enterprises that are interested in using recycled water but the infrastructure is not adequately developed to allow these properties to connect to the system. Authorizing this project for Federal assistance will allow for expansion at a much faster rate and result in a greater savings of potable water.

The State of Hawaii is addressing its problems of limited water and trying to implement solutions. The next time a drought comes, it may be too late to act. This bill will help us protect Hawaii's environment, meet our growing water needs, and maintain our quality of life. I urge my colleagues to support this vitally important measure.

Mr. FALEOMAVAEGA. Madam Speaker, I rise today in support of S. 264, the Hawaii Water Resources Act of 2005. I commend my good friend Senator AKAKA for introducing this bill in the Senate, and my friends and colleagues here in the House of Representatives from the Hawaii delegation, Mr. ABERCROMBIE and Mr. CASE, for their strong support.

Due to the scarcity of water in Hawaii, the state has a strong need for resource management projects such as the ones proposed in this bill. The desalination project in Honolulu County, the wastewater treatment plant project outside Kona, and the recycled water project in Lahaina, will all serve the vital needs of the people of Hawaii in their efforts to provide for their increasing water demands.

Again, I commend Senator AKAKA for his leadership on this important initiative. Enacting

this bill will help Hawaii to manage its water resources more efficiently, particularly in the areas where water is increasingly scarce.

I support this legislation and I urge my colleagues to vote in favor of S. 264.

Mr. CASE. Madam Speaker, I rise today in strong support of prompt passage of S. 264, the Hawaii Water Resources Act of 2005. Congressman ABERCROMBIE and I co-introduced a companion bill in the House, H.R. 843. The bill is identical to one that passed the Senate in the 108th Congress by unanimous consent.

S. 264 amends the Reclamation Water and Groundwater Study and Facilities Act to authorize three important water reclamation projects in my State. The three projects authorized in S. 264 would help Hawaii better manage its water resources, particularly in key areas where water is becoming increasingly scarce.

Two of the projects are in my Second District on the islands of Hawaii and Maui, and the third, which would provide a reliable source of potable water for the island of Oahu, also impacts my district, which includes most of that island except for urban Honolulu. The Honolulu Board of Water Supply has projected that on Oahu freshwater use will exceed recharge rates by 2018.

The project on Oahu would provide a reliable source of water through resource diversification to meet existing and future water demands in the Ewa area of Oahu, where water demands are exceeding the availability of drinking water. The proposed project is a 5 million gallon-per-day seawater desalination facility. Seawater Reverse Osmosis Membrane Technology is proposed, in which approximately 11 million gallons per day of seawater are needed to produce 5 million gallons per day of potable water.

The second project, north of Kona on the island of Hawaii, would address the issue of effluent being discharged into a temporary disposal sump from the Kealakehe Wastewater Treatment Plant. The effluent has a particularly high suspended solids content. The proposed project will utilize subsurface wetlands to reduce the suspended solids prior to disinfection. Retrofitting an existing lagoon and completing construction of an additional lagoon would create subsurface wetlands. An open surface wetland would also be constructed to reduce the effluent disposal, create habitat for two endangered species, and provide recreational opportunities for the public. Once the effluent water quality has been upgraded and the maximum amount of flow diverted for use onsite in the constructed wetlands, a distribution system would be needed to convey the recycled water to potential users.

The final project, in Lahaina on the island of Maui, would facilitate the use of recycled water by extending the County of Maui's main recycled water pipeline. The county has been one of the water recycling leaders in the State of Hawaii, but increased use of recycled water is limited by the lack of adequate infrastructure to distribute recycled water to additional users.

Hawaii has been experiencing drought conditions since 1998. And the National Weather Service has indicated that due to a mild El Niño effect in the Pacific Ocean, Hawaii may again experience another period of drought. Although many people have an image of Hawaii as a lush, tropical rainforest, in fact the

leeward sides of all of our islands are typically dry, not unlike the high desert conditions in the western United States. A 2003 GAO report placed Hawaii among 16 States that are expected to face regional freshwater shortages in the next decade.

S. 264 builds on Senator AKAKA's Hawaii Water Resources Act of 2000 (P.L. 106-566) that authorized the Bureau of Reclamation to survey irrigation and water delivery systems in Hawaii and identify new opportunities for reclamation and reuse of water and wastewater for agriculture and non-agricultural purposes. That act resulted in the development of the initial Hawaii Drought Plan in 2000, which was updated this past year to incorporate comments and recommendations made by the Bureau of Reclamation. The expertise of the Bureau of Reclamation has been invaluable in helping our State to address these vital resource issues.

I urge my colleagues to support this important bill.

Mrs. CHISTENSEN. Madam Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. FORTUÑO) that the House suspend the rules and pass the Senate bill, S. 264.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 2 o'clock and 57 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1833

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KLINE) at 6 o'clock and 33 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3132, CHILDREN'S SAFETY ACT OF 2005

Mr. GINGREY, from the Committee on Rules, submitted a privileged report (Rept. No. 109-219) on the resolution (H. Res. 436) providing for consideration of the bill (H.R. 3132) to make improvements to the national sex offender registration program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings

will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

Senate Concurrent Resolution 26, by the yeas and nays;

H.R. 3649, by the yeas and nays;

S. 276, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second vote in the series will be a 5-minute vote.

HONORING AND MEMORIALIZING THE PASSENGERS AND CREW OF UNITED AIRLINES FLIGHT 93

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate concurrent resolution, S. Con. Res. 26.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 26, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 403, nays 0, not voting 30, as follows:

[Roll No. 465]

YEAS—403

Abercrombie	Calvert	Doggett
Ackerman	Camp	Doolittle
Aderholt	Cannon	Doyle
Akin	Cantor	Drake
Alexander	Capito	Dreier
Allen	Capps	Duncan
Andrews	Capuano	Edwards
Baca	Cardin	Ehlers
Bachus	Cardoza	Emanuel
Baird	Carnahan	Emerson
Baker	Carson	English (PA)
Baldwin	Carter	Eshoo
Barrett (SC)	Case	Etheridge
Barrow	Castle	Evans
Bartlett (MD)	Chabot	Everett
Barton (TX)	Chandler	Farr
Bass	Chocola	Feeney
Bean	Clay	Ferguson
Becerra	Cleaver	Filner
Berkley	Clyburn	Fitzpatrick (PA)
Berman	Coble	Flake
Berry	Cole (OK)	Foley
Biggart	Conaway	Forbes
Bilirakis	Conyers	Ford
Bishop (GA)	Cooper	Foxx
Bishop (NY)	Costa	Frank (MA)
Blackburn	Costello	Franks (AZ)
Blumenauer	Cramer	Frelinghuysen
Blunt	Crenshaw	Garrett (NJ)
Boehlert	Crowley	Gerlach
Boehner	Cubin	Gibbons
Bonilla	Cuellar	Gillmor
Bonner	Culberson	Gingrey
Bono	Cummings	Gohmert
Boozman	Cunningham	Gonzalez
Boren	Davis (AL)	Goode
Boswell	Davis (CA)	Goodlatte
Boucher	Davis (FL)	Gordon
Boustany	Davis (IL)	Granger
Boyd	Davis (KY)	Graves
Bradley (NH)	Davis (TN)	Green (WI)
Brady (PA)	Davis, Jo Ann	Green, Al
Brady (TX)	Davis, Tom	Green, Gene
Brown (OH)	Deal (GA)	Grijalva
Brown (SC)	DeGette	Gutierrez
Brown, Corrine	Delahunt	Gutknecht
Brown-Waite,	DeLauro	Hall
Ginny	DeLay	Harman
Burgess	Dent	Harris
Burton (IN)	Diaz-Balart, L.	Hart
Butterfield	Diaz-Balart, M.	Hastings (FL)
Buyer	Dicks	Hastings (WA)

Hayes
 Hayworth
 Hefley
 Hensarling
 Henger
 Herseth
 Higgins
 Hinchey
 Hobson
 Holden
 Holt
 Honda
 Hostettler
 Hoyer
 Hulshof
 Hunter
 Hyde
 Inglis (SC)
 Inslee
 Israel
 Issa
 Istook
 Jackson (IL)
 Jackson-Lee
 (TX)
 Jefferson
 Jenkins
 Johnson (CT)
 Johnson (IL)
 Johnson, E. B.
 Johnson, Sam
 Jones (NC)
 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
 Manzullo
 Marchant
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy
 McCaul (TX)
 McCollum (MN)
 McCotter
 McCrery
 McDermott

NOT VOTING—30

Beauprez
 Bishop (UT)
 DeFazio
 Dingell
 Engel
 Fattah
 Fortenberry
 Fossella
 Gallegly
 Gilchrest

Hinojosa
 Hoekstra
 Hoolley
 Jindal
 Jones (OH)
 Maloney
 McHugh
 McNulty
 Meeks (NY)
 Melancon

Ryun (KS)
 Sabo
 Salazar
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sanders
 Saxton
 Schakowsky
 Schiff
 Schmidt
 Schwartz (PA)
 Schwarz (MI)
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Sessions
 Shadegg
 Shaw
 Shays
 Sherman
 Sherwood
 Shimkus
 Shuster
 Simmons
 Simpson
 Skelton
 Slaughter
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Sodrel
 Solis
 Souder
 Spratt
 Stark
 Stearns
 Stupak
 Sullivan
 Sweeney
 Tancredo
 Aderholt
 Akin
 Alexander
 Allen
 Andrews
 Baca
 Bachus
 Baird
 Baker
 Baldwin
 Barrett (SC)
 Barrow
 Bartlett (MD)
 Barton (TX)
 Bass
 Bean
 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,
 Doyle
 Burgess
 Burton (IN)
 Butterfield
 Buyer
 Calvert
 Cannon
 Cantor
 Capito
 Capps

□ 1854

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate concurrent resolution was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SPORTFISHING AND RECREATIONAL BOATING SAFETY AMENDMENTS ACT OF 2005

The SPEAKER pro tempore (Mr. KLINE). The pending business is the question of suspending the rules and passing the bill, H.R. 3649.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, H.R. 3649, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 401, nays 1, not voting 31, as follows:

[Roll No. 466]
 YEAS—401

Abercrombie
 Ackerman
 Aderholt
 Akin
 Alexander
 Allen
 Andrews
 Baca
 Bachus
 Baird
 Baker
 Baldwin
 Barrett (SC)
 Barrow
 Bartlett (MD)
 Barton (TX)
 Bass
 Bean
 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,
 Doyle
 Burgess
 Burton (IN)
 Butterfield
 Buyer
 Calvert
 Cannon
 Cantor
 Capito
 Capps

Israel
 Issa
 Istook
 Jackson (IL)
 Jackson-Lee
 (TX)
 Jefferson
 Jenkins
 Johnson (CT)
 Johnson (IL)
 Johnson, E. B.
 Johnson, Sam
 Jones (NC)
 Kanjorski
 Kaptur
 Keller
 Kelly
 Kennedy (MN)
 Kennedy (RI)
 Kildee
 Kilpatrick (MI)
 Kind
 King (IA)
 King (NY)
 Kingston
 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
 Manzullo
 Marchant
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy
 McCaul (TX)
 McCollum (MN)
 McCotter
 McCrery
 McDermott
 McDermott
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Mollohan
 Moore (KS)
 Moore (WI)
 Moran (KS)
 Murphy
 Murtha
 Musgrave
 Myrick
 Napolitano
 Neal (MA)
 Neugebauer
 Ney
 Northup
 Norwood
 Nunes
 Oberstar
 Obey
 Olver
 Ortiz
 Osborne
 Otter
 Oxley
 Pallone
 Pascrell
 Pastor
 Paul
 Payne
 Pearce
 Pelosi
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Pitts
 Platts
 Poe
 Pomo
 Pomeroy
 Porter
 Price (GA)
 Price (NC)
 Pryce (OH)
 Putnam
 Radanovich
 Rahall
 Ramstad
 Rangel
 Regula
 Rehberg
 Reichert
 Renzi
 Reynolds
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Ros-Lehtinen
 Ross
 Rothman
 Roybal-Allard
 Royce
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Ryun (KS)
 Sabo
 Salazar
 Sánchez, Linda
 T.
 Sanchez, Loretta

NAYS—1

Flake
 NOT VOTING—31

Beauprez
 Camp
 DeFazio
 Dingell
 Engel
 Fattah
 Fortenberry
 Fossella
 Gallegly
 Gilchrest
 Hinojosa

Hoekstra
 Hoolley
 Jindal
 Jones (OH)
 Kirk
 Maloney
 McHugh
 McNulty
 Meeks (NY)
 Melancon
 Moran (VA)

Sanders
 Saxton
 Schakowsky
 Schiff
 Schmidt
 Schwartz (PA)
 Schwarz (MI)
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Sessions
 Shadegg
 Shaw
 Shays
 Sherman
 Sherwood
 Shimkus
 Shuster
 Simmons
 Simpson
 Skelton
 Slaughter
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Sodrel
 Solis
 Souder
 Spratt
 Stark
 Stearns
 Stupak
 Sullivan
 Sweeney
 Tancredo
 Tanner
 Tauscher
 Taylor (MS)
 Taylor (NC)
 Terry
 Thomas
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Tiahrt
 Tiberi
 Tierney
 Turner
 Udall (CO)
 Udall (NM)
 Upton
 Van Hollen
 Visclosky
 Walden (OR)
 Wamp
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Waxman
 Weldon (FL)
 Weldon (PA)
 Weller
 Westmoreland
 Wexler
 Whitfield
 Wicker
 Wilcon (NM)
 Wilson (SC)
 Wolf
 Woolsey
 Wu
 Wynn
 Young (AK)
 Young (FL)

□ 1904

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WIND CAVE NATIONAL PARK BOUNDARY REVISION ACT OF 2005

The SPEAKER pro tempore (Mr. KLINE). The pending business is the question of suspending the rules and passing the Senate bill, S. 276.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. FORTUÑO) that the House suspend the rules and pass the Senate bill, S. 276, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 295, nays 106, not voting 32, as follows:

[Roll No. 467]

YEAS—295

Abercrombie	Crenshaw	Hobson
Ackerman	Crowley	Holden
Aderholt	Cuellar	Holt
Alexander	Culberson	Honda
Allen	Cummings	Hoyer
Andrews	Cunningham	Hulshof
Baca	Davis (AL)	Hunter
Bachus	Davis (CA)	Hyde
Baird	Davis (FL)	Insee
Baldwin	Davis (IL)	Israel
Barrow	Davis (KY)	Jackson (IL)
Bass	Davis (TN)	Jackson-Lee
Bean	Davis, Tom	(TX)
Becerra	DeGette	Jefferson
Berkley	DeLahunt	Jenkins
Berman	DeLauro	Johnson (CT)
Berry	DeLay	Johnson (IL)
Biggart	Dent	Johnson, E. B.
Bishop (GA)	Diaz-Balart, L.	Kanjorski
Bishop (NY)	Dicks	Kaptur
Blumenauer	Doggett	Keller
Boehlert	Doyle	Kelly
Boehner	Dreier	Kennedy (MN)
Bonilla	Edwards	Kennedy (RI)
Bono	Ehlers	Kildee
Boren	Emanuel	Kilpatrick (MI)
Boswell	Emerson	Kind
Boucher	English (PA)	King (NY)
Boustany	Eshoo	Kirk
Boyd	Etheridge	Knollenberg
Bradley (NH)	Evans	Kolbe
Brady (PA)	Farr	Kucinich
Brady (TX)	Ferguson	Kuhl (NY)
Brown (OH)	Filner	Langevin
Brown (SC)	Fitzpatrick (PA)	Lantos
Brown, Corrine	Foley	Larsen (WA)
Butterfield	Ford	Larson (CT)
Buyer	Frank (MA)	Latham
Calvert	Frelinghuysen	Leach
Cantor	Gerlach	Lee
Capito	Gillmor	Levin
Capps	Gonzalez	Lewis (CA)
Capuano	Goodlatte	Lewis (GA)
Cardin	Gordon	Linder
Cardoza	Granger	Lipinski
Carnahan	Graves	LoBiondo
Carson	Green, Al	Lofgren, Zoe
Case	Green, Gene	Lowe
Castle	Grijalva	Lucas
Chandler	Gutierrez	Lungren, Daniel
Clay	Harman	E.
Cleaver	Harris	Lynch
Clyburn	Hastings (FL)	Manzullo
Cole (OK)	Hastings (WA)	Markey
Conyers	Hayes	Marshall
Cooper	Hefley	Matheson
Costa	Herseth	Matsui
Costello	Higgins	McCarthy
Cramer	Hinche	McCollum (MN)

McCrery	Price (NC)	Smith (NJ)
McDermott	Pryce (OH)	Smith (TX)
McGovern	Rahall	Smith (WA)
McIntyre	Ramstad	Snyder
McKeon	Rangel	Solis
McKinney	Regula	Souder
Meehan	Reichert	Spratt
Meek (FL)	Renzi	Stark
Menendez	Reyes	Stupak
Michaud	Rogers (AL)	Tanner
Millender-	Rogers (KY)	Tauscher
McDonald	Rogers (MI)	Taylor (MS)
Miller (NC)	Ros-Lehtinen	Thomas
Miller, George	Ross	Thompson (CA)
Mollohan	Rothman	Thompson (MS)
Moore (KS)	Roybal-Allard	Tiberi
Moore (WI)	Ruppersberger	Tierney
Murphy	Rush	Turner
Murtha	Ryan (OH)	Udall (CO)
Napolitano	Sabo	Udall (NM)
Neal (MA)	Salazar	Upton
Northup	Sanchez, Linda	Van Hollen
Nunes	T.	Visclosky
Oberstar	Sanchez, Loretta	Walden (OR)
Obey	Sanders	Wasserman
Oliver	Saxton	Schultz
Ortiz	Schakowsky	Waters
Osborne	Schiff	Watson
Otter	Schwartz (PA)	Watt
Pallone	Schwarz (MI)	Waxman
Pascarell	Scott (GA)	Weldon (PA)
Pastor	Scott (VA)	Weller
Payne	Shaw	Wexler
Pelosi	Shays	Whitfield
Peterson (MN)	Sherman	Wilson (NM)
Pickering	Shimkus	Wolf
Pitts	Shuster	Woolsey
Platts	Simmons	Wu
Pombo	Simpson	Wynn
Pomeroy	Skelton	Young (AK)
Porter	Slaughter	Young (FL)

NAYS—106

Akin	Gingrey	Norwood
Baker	Gohmert	Oxley
Barrett (SC)	Goode	Paul
Bartlett (MD)	Green (WI)	Pearce
Barton (TX)	Gutknecht	Pence
Bilirakis	Hall	Peterson (PA)
Bishop (UT)	Hayworth	Petri
Blackburn	Hensarling	Poe
Blunt	Herger	Price (GA)
Bonner	Hostettler	Putnam
Boozman	Inglis (SC)	Rehberg
Brown-Waite,	Issa	Reynolds
Ginny	Istook	Rohrabacher
Burgess	Johnson, Sam	Royce
Burton (IN)	Jones (NC)	Ryan (WI)
Cannon	King (IA)	Ryun (KS)
Carter	Kingston	Schmidt
Chabot	Kline	Sensenbrenner
Chocola	LaHood	Sessions
Coble	LaTourette	Shadegg
Conaway	Lewis (KY)	Sherwood
Cubin	Mack	Sodrel
Davis, Jo Ann	Marchant	Stearns
Deal (GA)	McCaul (TX)	Sullivan
Diaz-Balart, M.	McCotter	Sweeney
Doolittle	McHenry	Tancredo
Drake	McMorris	Taylor (NC)
Duncan	Mica	Terry
Everett	Miller (FL)	Thornberry
Feeney	Miller (MI)	Tiahrt
Flake	Miller, Gary	Wamp
Forbes	Moran (KS)	Weldon (FL)
Foxx	Musgrave	Westmoreland
Franks (AZ)	Myrick	Wicker
Garrett (NJ)	Neugebauer	Wilson (SC)
Gibbons	Ney	

NOT VOTING—32

Beauprez	Hinojosa	Nadler
Camp	Hoekstra	Nussle
DeFazio	Hooley	Owens
Dingell	Jindal	Radanovich
Engel	Jones (OH)	Serrano
Fattah	Maloney	Strickland
Fortenberry	McHugh	Towns
Fossella	McNulty	Velazquez
Galleghy	Meeks (NY)	Walsh
Gilchrest	Melancon	Weiner
Hart	Moran (VA)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KLINE) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1921

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO FILE SUP- PLEMENTAL REPORT ON H.R. 3132, CHILDREN'S SAFETY ACT OF 2005

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary have permission to file a supplemental report on the bill, H.R. 3132, the Children's Safety Act of 2005.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2567

Mr. GENE GREEN of Texas. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2567.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3132

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3132.

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

There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 64

Mr. FEENEY. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 64, a bill originally introduced by Representative Cox of California, for purposes of adding cosponsors and requesting reprinting pursuant to clause 7 of rule XII.

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

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 13, 2005.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 13, 2005, at 9:45 a.m.: That the Senate passed without amendment H.R. 3669.

Appointments:
Canada-United States Interparliamentary Group

Advisory Committee on Student Financial Assistance

With best wishes, I am
Sincerely,

JEFF TRANDAH,
Clerk of the House.

FOCUSING ON THE CHILDREN

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I know we will not forget, but I believe that as we make our way through confronting and addressing the pain of those who survived Hurricane Katrina, we should know all of the facts. Coming from Houston, let me say that one of the glaring tragedies that we will face are the large numbers of children that will be traumatically impacted by this disaster. In addition, we know that 300,000 to 400,000 of those children will remain homeless, and there are still lost children in Houston at the George R. Brown Convention Center and the Astrodome.

This week I will be convening advocates for children from around the Nation to sit down and craft a strategy that can address these large numbers of children, not only today in their lives but long-term. These victims will be with us for a long time. We are grateful for the generosity of Americans; but even in their hope and their optimism, we must confront the long-term solutions to bring about a better quality of life and for them, the joy of life.

Let us focus on the children. I welcome the thoughts of Americans and those who advocate for children to craft an agenda, a long-term strategy to help the children of the terrible Hurricane Katrina and terrible tragedy that has occurred for them and their families.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. KUHLE of New York). 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.

MASTER SERGEANT ROY BENAVIDES, TEXAS WARRIOR

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, Master Sergeant Roy Benavides was born in south Texas on a ranch on August 5, 1935. He was a sharecropper's son, and he barely knew his parents. He was orphaned when he was young, and he and his brother went to live with an uncle in El Campo, Texas.

Roy was a quiet kid and spent most of his time in the sugar cane and cotton fields of south Texas working. He only finished the eighth grade, and his classmates made fun of him because of the way he talked. He joined the Army at the age of 19 and became an Army of One. On his first combat tour in Vietnam, he stepped on a land mine. Doctors were not sure he would be able to keep his leg, but he recovered and went on to become one of those legendary Green Berets.

During his second tour in Vietnam, in the early morning hours of May 2, 1968, Roy Benavides was monitoring a radio, listening to a 12-man unit on patrol. Three Green Berets and nine Montagnard tribesmen were dropped off into the dark, dense jungle west of Lok Nanh, Vietnam. The jungle they were dropped in was infested with the substantial force of the well-trained North Vietnamese Army. As quickly as they disembarked the Army helicopter, the American unit was surrounded by a large force of Vietnamese regulars. It was immediately clear to them that the mission had been given incorrect intelligence on the strength of the enemy. Three helicopters were ordered to evacuate the overrun and overwhelmed American troops. Due to intense enemy fire, the choppers could not rescue those Americans.

□ 1930

All the while, Sergeant Benavides was monitoring the operation by radio. When Roy heard one of his soldiers scream, "Get us out of here," he jumped onto another helicopter and volunteered for a second evacuation attempt. When he arrived under fire at the shocking scene, four Americans were already dead; eight others were wounded and unable to move.

Carrying a knife and a medic bag, Benavides left from the helicopter that was hovering 10 feet above the ground. He ran 70 yards under small arms fire to his injured and crippled troopers. Before he could get to them, he was shot in the leg, the face and the head, but he took charge and kept moving.

He tended to the injured. He threw out smoke canisters to facilitate the landing of helicopters and dragged the injured and dead aboard. Dodging bullets from the enemy, he ran in to find the dead team leader to recover his body and the classified documents he had on him.

It was in this attempt where he was severely wounded again. He succeeded in getting the classified documents, but he was shot in the stomach and grenade fragments blasted into his

back. At the same time, the hovering helicopter pilot was fatally wounded, and the helicopter crashed.

Even wounded, Sergeant Benavides helped the other wounded escape from the burning wreckage. He called in air strikes with the hope of suppressing the enemy and allowing for a third evacuation.

In critical condition, he supplied water and ammunition to his wounded troopers. His unconquerable spirit kept him going, and he inspired the wounded to stay strong and fight. And they did, for 6 more hours against vicious enemy fire.

When another helicopter eventually landed, he assisted in loading the wounded. On the second trip to this copter, he was bayoneted and received additional wounds in his head and arms. He was out of ammo. Master Sergeant Benavides had to fight assailants with his bare hands.

He finished the job of loading his buddies and killed two more enemy soldiers who were attempting to rush the aircraft. After grabbing the last remaining classified documents, Master Sergeant Benavides allowed himself on the helicopter where he collapsed, and those abroad presumed him to be dead.

He risked his life for hours, and because of his courage and refusal to be stopped, he succeeded in saving the lives of eight of his troopers.

Keeping with the American military tradition, he left no one behind on the battlefield. On the return flight back to the base, Benavides' body was lifeless. He was unable to speak; and when unloaded from the helicopter, Army doctors presumed him to be dead.

As they placed him into a body bag, Benavides did the only thing he could to prove he was not dead, he spit blood in the face of the doctor. He was then rushed to surgery and began to recover from seven gunshot wounds, 28 shrapnel wounds and bayonet wounds.

Master Sergeant Roy Benavides was a true hero and a proud American. His fearless leadership, courage and devotion to duty and America earned him the Congressional Medal of Honor. He acted above and beyond the call of duty.

His courage has been described as superhuman. When speaking about Master Sergeant Benavides, Ronald Reagan once said, "If his heroism were a movie script, you just would not believe it".

But he did not regard himself as someone special. He once said, the real heroes are the ones that gave their lives for America. I do not like being called a hero. I did just what I was trained to do.

He remained in the Army until 1976, and he spent the rest of his life counseling troubled Hispanic children and speaking to schools and youth groups. He is an example to all.

In 1998, on his deathbed, he proclaimed, "I am proud to be an American." And he still had two pieces of shrapnel in his heart.

So as we acknowledge, Mr. Speaker, the beginning of Hispanic Heritage

Month, we are thankful to the Hispanic American heroes like Master Sergeant Roy Benavides.

There were over 10,000 Hispanics killed in Vietnam, 20 percent of the casualties in Vietnam? And as our brave men and women continue to fight overseas in places like Iraq and Afghanistan, we can be sure that American Hispanics will continue to serve this Nation and fulfill the motto of General Douglas McArthur of duty, honor and country.

WIND CAVE NATIONAL PARK BOUNDARY REVISION ACT OF 2005

The SPEAKER pro tempore (Mr. KUHLMANN of New York). Under a previous order of the House, the gentlewoman from South Dakota (Ms. HERSETH) is recognized for 5 minutes.

Ms. HERSETH. Mr. Speaker, I rise today to thank my colleagues who just moments ago voted in support and helped pass the Wind Cave National Park Boundary Revision Act of 2005.

Wind Cave National Park is one of our Nation's oldest national parks and one of the jewels of our National Park system. Established over 100 years ago, Wind Cave was the first cave in the world to be set aside as a national park.

At the turn of the 20th century, its first explorers reported that the cave was only 3 miles long. Well, that report was a little off. Today, we know that the cave has over 117 miles of mapped tunnels; and explorers are still discovering new passages. This makes it the fifth largest cave in the world.

These passages contain many natural treasures, rare and exceptional displays of boxwork, a honeycomb-shaped formation that protrudes from the cave's ceilings and walls, as well as other rare cave formations and a geology that scientists are still working to understand. Past Congresses have recognized the value of these treasures by creating the park. Our ability to enjoy them today is a testament to their foresight.

With over 28,000 acres today, the park surface is an impressive asset as well. The Wind Cave National Park Boundary Revision Act will help expand this stewardship to include an additional 5,000 acres of mixed grass prairie, ponderosa pine forest and a dramatic river canyon.

Home to native wildlife such as bison, elk, pronghorn, mule deer, coyotes and prairie dogs, the park is one of the few remaining mixed grass ecosystems in the country. The expansion would be a natural extension of this habitat and enhance the park's holdings.

This project began when the ranching family that owns the land approached the National Park Service over 3 years ago. The Black Hills region of South Dakota is developing rapidly, and rather than allow the land to be developed into subdivisions and strip malls, they envisioned preserving it for future gen-

erations. That initial discussion expanded to the surrounding community, State government and, eventually, the United States Congress. The Bill's approval in the Senate and its passage here today are the fruits of those discussions.

In addition to receiving support in the House of Representatives from my two predecessors and myself, this bill has enjoyed the bipartisan backing of South Dakota's Senators and South Dakota Governor Mike Rounds. As the expansion project has proceeded, interested parties have weighed in with their concerns, and they have been answered.

Wind Cave National Park has protected and preserved a national treasure for over 100 years. The Wind Cave National Park Boundary Revision Act is an important step toward expanding the park and enhancing its value to the public so that visitors can enjoy it forever.

I would like to extend my gratitude again to my many colleagues who voted for this legislation, and I look forward to moving the proposed expansion forward in the future.

HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY. Mr. Speaker, my heart goes out to those affected by the tragic events of Hurricane Katrina. This disaster has presented challenges we could not imagine only a few weeks ago.

A major American city needs to be rebuilt and hundreds of thousands of Americans need to find new homes and jobs. While this is a massive undertaking, this does present a unique opportunity. I happen to think that we should always look for a silver lining in any tragedy that we come across.

We can build a better, stronger New Orleans without losing the character and charm that made the city so great and alive, a New Orleans that can serve as a model for other communities throughout the country. We can build a housing infrastructure that can help end the awful poverty cycle that entraps too many Americans.

The rebuilding of this great city will provide jobs to people who desperately need them. However, the administration has already adopted policies that will hurt those that need our help the most. The administration has suspended the law requiring Federal contractors to pay employees prevailing wages.

By suspending the Davis-Bacon Act, the President is shortchanging newly unemployed Americans who are looking to rebuild their lives. Meanwhile, Government contractors can take advantage of cheap labor and drive up profits.

The prevailing wage for construction in the gulf region was among the low-

est in the Nation before Katrina. Without Davis-Bacon enforcement, residents of the gulf region will be working for less than a living wage.

Paying working families less per hour saves taxpayers nothing. All the money earned from shortchanging workers goes into the profit margins of Government contractors.

The people who are affected by Katrina deserve the same competitive wage protections as every other American worker. These people are willing to work hard to rebuild their beloved cities and their lives, and it is an insult to pay them a substandard wage.

The rebuilding of our gulf coast has the potential to be the greatest economic development project of our time. We can create 21st century transportation, housing, communications and energy infrastructures for the region. Some might remember during the Depression when we had the WPA work program.

The people of New Orleans want to work. The people of New Orleans want to put their lives back together. Let us give them their pride. Let us at least give them a wage that they can live with.

The rebuilding of the gulf coast should create economic opportunities for its residents, not an opportunity to take advantage of people desperate to rebuild their lives.

Mr. Speaker, we have already put the interests of Government contractors before those of the people of Iraq. It would be a travesty to do the same for the people of New Orleans.

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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SMART SECURITY AND THE FREEDOM MARCH

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, as we all know, Sunday marked 4 years since the painful terrorist attacks that killed 3,000 Americans at the World Trade Center, the Pentagon, and a field in rural Pennsylvania. Sunday was a day for solemn reflection and remembrance, but our Government, specifically the Department of Defense, threw a propaganda party instead.

Sunday's so-called Americans Support Your Freedom Walk included a

pro-war speech by Defense Secretary Donald Rumsfeld and a concert on the National Mall by Clint Black, whose lyrics implicitly accuse war protesters of standing with Saddam.

Sunday was supposedly about honoring our troops. The problems is, Mr. Speaker, most of our currently deployed troops are on a mission that has nothing to do with 9/11. It has long been established that there was no connection between Saddam Hussein's Iraq and the murderous plot executed by al-Qaeda 4 years ago.

Ironically, Sunday's march, which was supposedly about celebrating freedom, took place in the most tightly controlled circumstances imaginable. March participants were required to pre-register. Tall fencing encased the marchers throughout. The media was kept at bay. Helicopters flew overhead. The Park Police issued a public threat that they would arrest anyone who joined without the proper credentials. And what were those credentials? Enrolling 2 days in advance to be checked out to ensure that participants were what? Pro Bush? Pro war? Pro propaganda? Pro continuing the lies of 9/11 linking to Saddam Hussein? And, for good measure, a Pentagon spokeswoman declared that protesting the march would be the equivalent of protesting our veterans.

Mr. Speaker, this was nothing more than mere propaganda, a transparent attempt to shore up the President's dwindling poll numbers, especially his poor marks on Iraq.

For the umpteenth time, they are trying to use the national unity inspired by 9/11 to justify a divisive, controversial and immoral war in Iraq, a war that has cost us nearly 2,000 American lives, thousands of severely wounded veterans, and thousands upon thousands of Iraqi civilians killed and maimed.

If we want to support the troops, the best thing we can do, the only thing we can do, is to bring them home, out of Iraq, where their very presence is animating the insurgency and giving rise to more intense anti-Americanism than ever.

For some time now, I have been calling for hearings on Iraq. But having received no satisfactory response, I am convening my very own hearing scheduled for this Thursday, September the 15th, from 10 to 1 p.m. in Room 122 of the Cannon Office Building.

We will hear from respected Middle East experts and military leaders about how we might achieve military disengagement while still playing a constructive role in the rebuilding of Iraq. We hope to break the silence on Capitol Hill, help fill the policy vacuum and spark a broader public debate about our policy options in Iraq.

Bringing the troops home, Mr. Speaker, and ending this occupation should be the beginning, not the end of a complete reassessment of our national security priority. National security means more than the use of mili-

tary force which, as we have seen in Iraq, can have the appearance of strength but can undermine our national security rather than enhance it.

To that end, I propose a new approach. It is called SMART security, which stands for a Sensible Multilateral American Response to Terrorism. SMART is based on the belief that war should be an absolute last resort, to be undertaken only under the most extreme circumstances.

But that does not mean that SMART is not serious and smart about protecting America. It is vigilant about fighting terrorism and weapons of mass destruction, but it does so with stronger multilateral alliances, improved intelligence capabilities, vigorous inspection regimes and aggressive diplomacy.

□ 1945

SMART would reshuffle our national security budget. No more billions thrown at outdated Cold War weapons programs. That money would instead be invested in energy independence and other efforts that are truly relevant to the modern security threats that we face. SMART Security protects America by relying on the very best of American values, our capacity for global leadership, our dedication to peace and freedom, and our compassion for the people of the world.

TEXAS RESPONSE TO HURRICANE KATRINA

The SPEAKER pro tempore (Mr. KUHLMAN of New York). Under a previous order of the House, the gentleman from Texas (Mr. GENE GREEN) is recognized for 5 minutes.

Mr. GENE GREEN of Texas. Mr. Speaker, I would like to take this opportunity to again update my colleagues on the effort of Houston's and Texas' response to Hurricane Katrina evacuee relief efforts.

From attending daily morning emergency operations meetings in Houston, I can bring a firsthand account of our progress. The city of Houston, which has a Democratic mayor, Bill White, and a Republican county judge, Robert Eckels, has produced an amazingly successful relief effort, hand in hand with out partisanship or jurisdictional bickering.

I have always held Texas politics up as an example of the principle that puts people first and politics second. While we have not always upheld that principle recently, our response to Hurricane Katrina shows the best in Texas government, a single-minded focus on getting things done.

The Harris County Housing Department at Reliant Astrodome Complex has been doing an incredible job of moving evacuees out of cramped, uncomfortable shelters and into secure, medium-term housing situations. The Harris County Hospital District, our public hospital district, created a clinic almost overnight to treat our guests from the storm.

The University of Texas Health Science Center has also been a key asset at the George R. Brown Convention Center, where they are providing on-the-ground health care support to evacuees with all varieties of health care conditions, from children to the elderly to the disabled.

We have had our problems too. FEMA's communications capability has been slow. We have not been able to process people over the Internet or over the phone as fast as we would like. Faster FEMA registration is not just a matter of convenience. The faster we can register people for assistance, the faster we can get them out of that shelter which reduces the threat to public health from infectious disease.

Housing right now is our number one concern. We have over 40,000 evacuee residents already in hotels and motels in the Houston area. We have moved 228 families into housing over this past weekend while I was in Houston. As a result of our efforts in Houston, the numbers of evacuees at shelters are going down dramatically, which is good. Sharing a cot on the Astrodome floor with your family is not what I would call a long-term solution. It is very short term.

However, FEMA's reimbursement certainty is also necessary for housing. The city and the county have been trying to get a master hotel contract with FEMA to speed the payment. We do not have the financial reserves to pay hotel bills for tens of thousands of people indefinitely. We understand that this situation is unprecedented, but we cannot let red tape hold up the need of the folks that are there.

I am glad that FEMA now says the public assistance to Houston is expected to start flowing soon, within the next 1 or 2 weeks. Our reserves are running thin and help cannot come soon enough.

Texas generosity has been displayed from the businesses to individuals, but our local tax base cannot absorb the additional 400,000 people in the State or the 200,000 people in the Houston area. Red tape must be eliminated. Houston is still waiting on reimbursement from expenses from Tropical Storm Allison, which hit Houston over 4 years ago. We will be watching and calling and meeting with FEMA representatives repeatedly over the next 2 weeks on these reimbursement issues.

We cannot afford to wait until 2009 to be reimbursed for the sheltering, housing, transportation, feeding, clothing, and medical expenses of tens of thousands of these evacuees. This situation is unprecedented since the Civil War, which is the last time we had such a large number of out-of-state evacuees.

Our laws and regulations very well may need to change to adapt to our new situation, and they should. The next mass dislocation like this could very well be the next hurricane that could hit Houston or a terrorist attack that could hit any city in our country. That is why Medicaid legislation that I

had introduced gives the executive branch the authority to fully reimburse the State's Medicaid share it would otherwise have to pay for out-of-state evacuees.

For every evacuee, that is a resident of Texas who cannot afford to be put on Medicaid now, who must survive without health coverage. That is not acceptable. This is a national disaster and a national public health emergency, so the Federal Government should bear the responsibility.

On the plus side, I am pleased to see the announcement by Secretary Leavitt freeing up funding for the four new federally qualified health centers that were scheduled to receive funding in December. While this funding will be a big help, it does mean that we will have to serve more people for a longer period of time than expected. HHS should have the ability to reimburse federally qualified health clinics' costs for serving the uninsured evacuees.

In addition to housing and medical care, childhood education is also a concern. Our local schools have taken thousands of students impacted by Hurricane Katrina, seven school districts that provide education in my own congressional district of Houston. They have taken over 5,000 students in the last week, and we see more students coming every day.

Even though our schools are already at capacity, we are meeting the challenge of educating the children in the gulf coast impacted by Hurricane Katrina. Estimates by the State show this may cost Texas over \$450 million to serve the children that have come to Texas. Currently, FEMA will offer some assistance for these costs, and the Department of Education is unsure of what assistance they can grant. This issue is calling out for a solution by Congress, and we must step up.

Mr. Speaker, I cannot say enough about the efforts of our Mayor White and County Judge Eckels in Houston; but more importantly, their leadership has been more than matched by the efforts of government workers and individual volunteers on the ground. As a result, Houston is showing its best side to the Nation. And I am proud to be part of our relief effort, but our effort is unsustainable without Federal financial assistance.

Hurricane Katrina has devastated Mississippi, Louisiana, and Alabama. The ability of our local governments to provide vital services is now at risk of devastation as well. We need Federal help in this natural and national disaster.

ANNOUNCING THE AMERICAN PARITY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, the clean-up efforts along the gulf coast are now fully under way. The flood wa-

ters of New Orleans are receding, and we are shifting our focus from saving lives to restoring lives.

In the past 2 weeks, Congress has allocated a little over \$60 billion in disaster relief. It is the right thing to do; yet some here in Washington have questioned whether it is money well spent. Others even question whether we should rebuild New Orleans at all. And even after witnessing the horrors of Katrina's aftermath, some say they want to proceed with the tax cut for the wealthiest 1 percent in this country, all the while cutting Medicaid, educational programs, and environmental programs.

Ironically, many of these are the same individuals who have vocally and unequivocally supported aid and the funding requests for rebuilding Iraq. We should be responsible with the people's tax dollars; but we cannot have two sets of books, two sets of priorities, one for the United States and for Iraq.

Here is what we need to do to begin to restore the lives of the people in New Orleans and the rest of the gulf coast:

These Americans need health care, housing, education, clean water. And yet what is the President's budget for this year? A \$60 billion cut in Medicaid, a \$4.3 billion cut in educational programs, a \$1.6 billion cut to police and firefighters, a \$330 million cut to the Army Corps of Engineers, a \$450 million cut to the Environmental Protection Agency.

So the very initiatives that we need right now to help New Orleans and the rest of the folks on the gulf coast are the ones that the President's budget sought to cut back dramatically, and in some cases even eliminate entirely.

At the same time they want to do this, we are spending billions of dollars rebuilding Iraq in the very same areas of education, housing, health care. Here is a listing of Iraq reconstruction projects according to USAID: 2,500 schools have been rehabilitated; 32,000 teachers and administrators have been trained; over the next year up to 100,000 additional teachers will receive in-service training; 84 primary and secondary schools have been established as centers of excellence; we are provided universal health care for every Iraqi; 110 primary health care centers have been renovated; 10 water treatment facilities have been constructed; the Sweet Water Canal System was rebuilt, including the repair of breaches and the levee system; wetlands are being restored; ports are being rebuilt; and the entire transportation program is undergoing a massive renovation and construction program. All the while some are questioning whether we should do this for New Orleans in our backyard.

All the while the President's budget called for cuts in these very areas that we are now spending, appropriately in some cases, for Iraq.

Let me be clear, I am not against spending this money to help restore

the people's lives in Iraq. But we have a budget that was passed with opposition from Democrats to cut educational spending, cut Medicaid spending, cut health care spending, cut education spending, environmental clean-up.

In the coming weeks, I plan on introducing a piece of legislation to ensure that every dollar we spend in helping Iraq restore the communities, help restore the lives of the people there we will spend here in the United States, because we need to do that for New Orleans, we need to do that for the rest of America. But we cannot have two priorities, two sets of books, two sets of values, one for Iraq and one for the rest of America. Those are the wrong values.

Mr. Speaker, the American people are the most generous people in the world. We can do both. We can build America and Iraq. And it is important and imperative that as Americans remain the most generous people in the world, that they cannot think that their kids have less of a future than other countries around the world.

We need to ensure that we invest in America, that the roads and the bridges and the health care and the education and the environmental protection that we have on the laws, that we are investing in those areas. If anything, the horrors in the aftermath of Katrina showed us that America needs today to stand as one, to be invested in as one, that those communities need the same assistance. We cannot pass this budget that calls for cutbacks in the Corps of Engineers, cutbacks of \$60 billion in health care, cutbacks in community health care, all the while singing our own praises about the 3,200 schools we are building in Iraq, the teachers we are training, the universal health care we are providing.

Again, I will remind you, I am not against providing those. I am against the cuts in areas, in the very areas, that we are advocating and investing in in Iraq, cuts in those areas for America. This is the time when the country looks to its fellow citizens, to the government to ensure that they can both restore communities, restore lives, and rebuild those communities.

We need to invest in that area, and like the rest of America, build in America and make sure America stands strong going into the future. It is high time as we talk about our investment in Iraq, which is now close to \$350 billion, that that investment in Iraq, that we look here at home and say, what do we need to do in the areas of health care, education, schools, environmental protection. Because if we build Iraq, we have got to ensure that America stands strong.

METHAMPHETAMINE CRISIS IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Nebraska (Mr. OSBORNE) is recognized for

60 minutes as the designee of the majority leader.

Mr. OSBORNE. Mr. Speaker, I was privileged to hear British Prime Minister Tony Blair speak in this Chamber some time ago, and one comment he made particularly caught my attention, and this is what he said. He said, "As Britain knows, all predominant power seems for a time invincible but, in fact, it is transitory."

I believe he was referring to the fact that nothing lasts forever, particularly in regards to civilizations; nations eventually decline and they fall. History teaches that most of the world's great powers are not overcome by external force, but rather disintegrate internally. Let us examine three such cases.

First of all, you might hearken back to Rome 2,000 years ago. It ruled the entire civilized world. At that time it appeared to be invincible, and eventually it fell from preeminence; and the reasons that historians give for Rome's fall, and I am abbreviating somewhat, was a general decline in morality, increasing corruption and instability in leadership, and increasing public addiction to ever more violent public spectacles. And all of us, I think, can remember some of the stories about the Roman mob and their insatiable desire to be entertained, an increase in crime and prostitution, a populace that became more self-absorbed, apathetic and unwilling to sacrifice for the common good.

The second case would be that of Great Britain itself, which maybe Tony Blair was referring to.

□ 2000

Certainly, Great Britain has not gone into tremendous decline, but it was once a global power and was certainly the strongest, most predominant nation in the world for a period of 100, 150 years, and of course, that has changed. That empire slowly crumbled during the mid-1800s, and the reasons given for that decline were, A, that they lost national resolve to maintain their territory. It was far flung; and, of course, it was very difficult to maintain all of those colonies. The values that led to ascendancy were eventually eroded, and spiritual underpinnings certainly shifted in the country.

A third example would be that of Russia; and, of course, Russia, up until just 20, 25 years ago, was one of the world's two great superpowers. In a matter of months, Russia disintegrated before our very eyes. It was startling how quickly it happened.

Alexander Solzhenitsyn reflected on this fall when he observed, and this is what he said, Over a half century ago, while I was still a child, I recall a number of older people offering the following explanation for the great disasters that had befallen Russia, and he quoted them. He said, Men have forgotten God; that is why all of this has happened.

Marx and Lenin over time had dismantled Russia's religious heritage. Its

value system and Russia's foundation, even though it did well for a period of 60, 70 years, was fundamentally flawed. Eventually, Russia collapsed like a house of cards with nothing to sustain it.

There was some common themes on these historical collapses. Number one, the people became less willing to sacrifice for others and for their country; citizens became more self-absorbed; greater desire for the State to provide for them; weakening of commonly-held values; and, generally, a decline in spiritual commitment.

What does all this have to do with the United States and our present situation? We have the most powerful military, the strongest economy, the most stable government of any nation in the world at the present time. It is very easy to think that we are invincible, but I would like to remind those who are watching that, as Tony Blair stated, as Britain knows, all predominant power for a time seems invincible, but, in fact, it is transitory.

The reason I am speaking tonight, Mr. Speaker, is that my experience over a considerable time of working with young people, 36 years in the coaching profession, I witnessed some things that were somewhat disturbing and somewhat concerning. The young men that I worked with were more talented each year; and yet they showed more signs of stress, more personal struggles, less moral clarity. They were more troubled as time went on, and I think some of this struggle can be reflected on the chart that we see here.

What this indicates is the juvenile court caseload from roughly 1960 up until about 2000, and we see the trend line is ever upward, and the caseload went up by 400 percent. Obviously, something was going on with our young people during that period of time.

Some of the things that I witnessed that I think were contributing to this issue was the fact that, number one, there were changes in the family. The family is the basic social unit in our culture. In 1960, the out-of-wedlock birth rate was 5 percent. Today, it hovers at around 33 percent, an increase of 600 percent over those years of roughly 45 years.

In 1960, the great majority of children lived with both of their parents. Today, nearly one-half of our young people grow up without both biological parents. Roughly one-half of our young people have endured some type of significant trauma in their lives early on, and sometimes this leaves some scars that are irreparable.

Only 7 percent of today's families are traditional families, meaning that we have both a father and a mother and one parent or the other, usually the mother but sometimes the father, is at home full-time. In our culture today, oftentimes after 3 p.m. there is nobody home. The traditional family is no longer traditional anymore.

Parents today spend 40 percent less time with their children than they did a generation ago. The divorce rate has increased roughly 300 percent since 1960, and 24 million children live without their biological father. If your father bails out on you, sometimes even before he has even seen you or even knows you, it leaves some scars, and these wounds are difficult to heal; you are always trying to fill that psyche with all the wrong things. Fatherless children are more likely to be abused, more likely to have mental and emotional problems. They are more likely to abuse drugs and alcohol, commit suicide, commit a crime and be promiscuous.

A greeting card company a few years ago had an experiment. It was Mother's Day, and they went to a prison. They said, we will offer a free Mother's Day card for any prisoner who would like to have one and would like to write to his mother. They had just about 100 percent takers. Almost every prisoner got a card and sent it to his mother, and so they were somewhat encouraged by that success. They decided they would try the same thing on Father's Day. The interesting thing was, as they offered those cards, they had not one taker in that whole prison. That indicates the power of fatherlessness and the fact that it is so prevalent and the damage that it does to so many of our young people.

The family certainly in our culture still has some strength, but it is not as stable overall as it was 30, 40 years ago. We have taken these young people with a launching pad, the family has maybe not broken but it is cracked to some degree, and we thrust them into an environment that has changed dramatically over the years.

In 1960, drug abuse was almost unheard of. I remember when I first started coaching I think I had heard of marijuana. I had never known of anyone that had used it. Methamphetamine was something I had never heard of. Cocaine I had never heard of. Heroin was something that was maybe used in Eastern countries, but, again, I had never seen it. Things have changed certainly in our culture.

Alcohol abuse involving underage drinkers has certainly exploded, and there is a developmental aspect to underage drinking that many people in our culture are just beginning to discover. I think I can show you rather graphically here an example of how this works.

This is a brain scan of two 15-year olds. The one on the left is someone who does not use alcohol. The brain scan on the right is a 15-year old binge drinker, someone who drinks regularly at a very young age. They were both sober at the time they were given a math problem to solve; and, as they worked on the problem, a brain scan was taken. You can see here the brain cells that are firing in this brain. You know there is certainly a good deal of cognitive activity that is occurring;

and, on the other hand, in the brain of the binge drinker we see a rather graphic difference.

Many of our young people are starting to use alcohol at age 11, 12, 13, 14; and it is a whole different ball game when you start using it at that early age than if you start drinking when you are 21, 22, 23 because of the developmental aspect. This is something that many people in our culture do not realize. Many high school dropouts, many people who are doing very poorly in school, very poor academic performance are related in many ways to underage drinking and alcohol consumption at an early age.

A National Academy of Science study shows that alcohol kills roughly 6½ times more children than all other drugs combined; 6½ times more is due to alcohol abuse. Alcohol and underage drinking costs the United States \$53 billion annually. In my home State of Nebraska, that figure is roughly \$435 million a year, according to a Pacific Institute study that was done in 2001.

We have roughly 3 million teenage alcoholics in our country today; and, obviously, this is by far our biggest drug problem. The alarming thing that has happened is we have seen a tremendous increase in alcoholism and drinking problems on the part of young women. At one time, most of the drinking problem was centered in young men; and now we find that young women are drinking as much and, in some cases, even more than young men.

We also find that young people tend to binge drink. They drink to get drunk. They, on the average, will consume twice as much alcohol at a sitting as an adult will. Of course, this leads to all kinds of problems. Twenty percent of our eighth graders drink regularly, and children who drink before age 15, and the average young person who starts to drink does start drinking before age 15, is four times more likely to become an alcoholic than someone who starts using alcohol at age 21. Certainly, early alcohol usage leads directly to marijuana, cocaine, methamphetamine, ecstasy and so on.

The other thing that is of some concern, Mr. Speaker, is the fact that we inundate our young people with alcohol advertising. Our young people see 96 ads promoting alcohol use, oftentimes with young people in the advertising itself, 96 ads for every one that they see that might discourage underage drinking. The predominant attitude in this country is that underage drinking is something that is reasonably acceptable. We have not done a good job of advertising and trying to alleviate this problem.

Hundreds of millions of dollars are spent to fight drug production in Afghanistan, in Colombia, around the world; and a fraction of that money that would be spent on underage drinking would be much more cost-effective because we spend very, very little in that regard.

We have got a bill here in Congress called the Stop Underage Drinking Act, which we think will be very helpful. It would provide \$51 million on a national advertising campaign, much like we have used to try to curb tobacco use on the part of young people. We think this would be very helpful.

Anyway, we have obviously got a problem with underage drinking, and the next issue is something I would like to visit about a little bit, and that is a problem that is threatening to overcome and overwhelm our country.

In 1990, these two red States, Texas and California, each had 20 meth labs. All the rest of the States did not have that many. Methamphetamine was a problem primarily in Texas and California in 1990. Then we see the change that begins to occur. By 1998, in 8 years, we see that about 50 percent, or a little bit more of the country, was now subject to a great many methamphetamine labs. Certainly, meth labs are not only the indicator. Because maybe 80 percent, 70 percent of meth that comes into our country comes from superlabs, mostly from down in Mexico, but the existence of these labs shows the scope and the influence of methamphetamine.

More recently, in 2004, we now see that almost every State, with the exception of just a few States in the Northeast, had at least 20 meth labs or more. Some of these, for instance, Missouri, I believe, had something like 2,700 meth labs, Iowa had 1,300, Nebraska had 300, Oklahoma had several hundred, and on and on and on.

This has become a very, very powerful, very addictive drug that is really affecting our whole population but particularly our young people.

This series of pictures here shows rather graphically the influence of methamphetamine. This was a young woman who was first arrested, and her family gave these pictures to authorities hoping that they would be shown, and she was arrested every year for a period of 10 years. Here she may have been around 30 years of age, fairly attractive, very young, and you see the changes each successive year. Then it looks like maybe about here she may have begun to inject methamphetamine because you see a rather marked change in her appearance. This is the final picture in the 10th year, and this picture was taken in the morgue. She lasted 10 years, which many people do not.

□ 2015

It is very graphic, but it shows the devastating effect of methamphetamine and what it is doing to our population.

So I present this, Mr. Speaker, by way of simply indicating that there are some things in our culture that are disturbing, some things that we certainly need to address as directly as we can.

One thing we are really concerned about is that the Byrne funding, which helps fight methamphetamine at the

local level, has been drastically reduced. We cut it in half this year in the House. This was done primarily because of budget cuts, and this is absolutely something that cannot be ignored. This problem must be addressed, and we are hoping that that funding might be restored as we go to conference with the Senate, because they have included many of these funds.

We also find that the United States is a very violent Nation, currently the most violent Nation in the world for young people. We have the highest homicide rate, the highest teen suicide rate, and the most assaults. So rather a difficult, discouraging picture as far as some of our young people.

Also, pornography has exploded. I remember Senator Jim Exon from Nebraska, when the Internet was first coming into its prominence, began to think about the fact that pornography could be a major problem on the Internet; and he introduced legislation in the Senate to try to control the effect of pornography on the Internet. I remember some people laughed at his efforts. Some people made fun of him at the time. But he obviously was ahead of his time, because at the present time there are over 1 million porn sites on the Internet. Not 100,000, not 1,000, but 1 million. So nine out of 10 children ages 9 to 16 have viewed pornography on the Internet, and most of this viewing has been unintentional. They have simply run into it. This was according to a study done by the London School of Economics in January of 2002.

Some of our leading corporations, such as AT&T, have been involved in the marketing of hard-core pornography. At one time AT&T was kind of the gold standard as far as our corporate clients were concerned. I am not sure they are still doing this, but there was a time where they actually were doing some marketing of this type of pornography.

Search words on the Internet, such as Barbie, Disney, ESPN, and even at one time my name, if a young person was going to do a research article on his Congressman and looked up my name, it brought up a porn site. So this shows the pernicious effect and the somewhat deviant attitude of some people in that business, because these are all search words that are very innocent, and a young person would have no way of knowing when they type those words in that they would see something of a hard-core pornographic nature.

A poll in 2004 found that 82 percent of adult Americans surveyed said that the Federal laws against Internet obscenity should be vigorously enforced. And I think most Americans would agree they are really concerned about what is happening. There are some safeguards; but they are very, very difficult sometimes to implement.

Video games have certainly been a problem as well. Eight- to 18-year-old young people average 40 minutes per day playing video games; and of course some of these video games, not all of

them, some are very good and some are wholesome, but they have become increasingly more violent. Some teach stalking and killing of victims similar to military training video games. In one, Grand Theft Auto San Andreas, a person who does a particularly good job of shooting people is rewarded by pornography.

Now, fortunately, some stores voluntarily began to pull this off the shelves, but the rating system that is currently used by the video games is so flawed that a parent has almost no way of knowing when they purchase that game exactly what they are getting for their young person. And many parents, unfortunately, do not sit there and watch exactly what is going on in those games, because embedded in them sometimes is some very pernicious material.

Some of the music, some television, many movies are very graphic; and certainly that content would have been impossible to present 20 or 30 years ago in our country. It simply would not have been tolerated. So I am concerned because I have some grandchildren ages 6 through 12, and many people I think are concerned about their children.

So, number one, the family has certainly changed. It is less stable. The environment is more hostile that we thrust these young people into. And, third, the value system in our country seems to have shifted.

Many people are aware of Stephen Covey's book "The 7 Habits of Highly Successful People." In the early parts of that book, he did a survey of the literature that had to do with success, since he was writing a book about success. He surveyed all the literature in the history of our Nation that had to do with success, and what he found was something that was rather interesting. He said during the first 150-odd years of our Nation's history success was defined primarily in terms of character traits. A successful person was honest. A successful person was trustworthy. A successful person was hard working. A successful person was generous, and on and on and on.

Then he said about 50 or 60 years ago a definite shift began to appear in the literature, and success was no longer defined in terms of character traits, but success began to be defined primarily in terms of financial acumen. If you had a lot of wealth, you were considered successful. If you had celebrity and people wanted to be around you and wanted your autograph, you were successful. If you had power, you were successful. So you may not have had very good character; but if you had those other things, you were defined as being successful.

So there was a definite shift in terms of what we saw as being valued in terms of our value system. So it is no wonder that young people are somewhat confused as they encounter all of these things that are facing them.

We have also certainly in our culture seen a breakdown of integrity in the

business community to some degree; in athletics; even some people in the press have not behaved well; in the church; in politics. In all segments of our society there are those who have not behaved in ways that are very admirable. So the predominant world view today, and certainly that on the college campus, is something called post-modernism.

Now, post-modernism basically adheres to the idea that there are no moral absolutes. There is no absolute truth. And therefore what is true for you may not be true for me, or may not be true for somebody else. So we kind of define our own sense of right or wrong. So adultery, murder, even child abuse may not be absolutely wrong. There may be circumstances where this can be approved and understood. The only absolute wrong according to post-modernism is if you declare that something is absolutely wrong, then I guess that would be absolutely wrong, because there are no moral absolutes.

So in view of the family breakdown, a decline of the culture and shifting of values, it is an extremely difficult time for our children. We are asking them to weave their way through a mine field littered with alcohol, drug abuse, harmful video games, some music, television and movies that are not very wholesome, promiscuity, gangs, violent behavior, and broken homes. And we are asking most of them to weave their way through with less parental guidance and an ever-shifting value system.

So I have been rather hard, I guess, on some aspects of our culture; yet I do not want to leave this without talking about some of the things that we might begin to be proud of as well. D'Toqueville, the Frenchman who came here and examined our culture about a century ago, said this: "America is great because America is good." And we have seen some of that with Hurricane Katrina. We have seen an outpouring. We saw it when the Twin Towers came down. We have seen it with the tsunami. So we still are a generous, caring people. There are many great things about America, but there are some things we certainly need to look at.

So D'Toqueville wrote this 200 years ago, and I guess the question is, are his observations still true today. I think to some degree they are, but there are still some disturbing signs of change, and those are the things I have tried to enumerate.

So the question is, what can be done? We do have some difficult situations, particularly involving our young people; and so one thing that appears to me to work very well is mentoring, which is something I have been really interested in, my wife and I both. Basically, mentoring is simply providing an adult who, number one, cares in the life of a young person.

I will tell you a quick story. We had a mentor in Omaha, Nebraska, who had a young man who was his mentee. And the young man, who was 14 at the time,

had a cerebral hemorrhage and was partially paralyzed. At that time, I think many mentors would have said, well, I probably need to find another mentee because the young man was not able to go to school, was not able to speak very well, and could not move around. But what this mentor did was he stayed with that young man. He even drove him daily, for a period of time, 60 miles to get rehabilitation. And, basically, through the efforts of that mentor, this young man today is going to school and will graduate from school and is doing well.

So a mentor is someone who cares and someone who cares in a way that is consistent. There is a commitment there that goes beyond a warm and fuzzy feeling.

The second thing that a mentor does is a mentor affirms a young person. As a coach, I saw that so clearly. If you told a young person that you were not sure he could play for you, that you were not sure he had a future, it would not be long before he would begin to play down to that expectation and often would not stay with it. On the other hand, if you told him you believed in him, you thought he was going to be a great player, that he had a future, oftentimes he would grow into that which he did not even know he was capable of becoming.

I remember in 1994, we had a great quarterback named Tommy Fraser who went down with an injury. And the young man who was number two on the depth chart, was from a small school in western Kansas. He had athletic talent. He had not had great success on his football team in high school. His team had not done all that well. They had been okay. And all of a sudden he was going to be thrust into this situation. I remember we told him, Brook, we believe in you. We think you will be a great player. Brook grew before our very eyes and took us to an undefeated season.

So affirmation is critical, and it is something that a mentor can provide. Because so many young people in our culture today simply do not have anyone who says to them on a regular basis, you know, way to go, I believe in you, or I know you can do this, or you can do it. So affirmation is critical.

The last thing I think a mentor does, and of course there are many things they can do, but one thing that is important is to provide a vision. So many of our young people today have really not witnessed somebody in their immediate vicinity or in their immediate life who gets up and maybe goes to work every day, or someone who has graduated from high school, and certainly not one who has gone to college.

I will tell you a story about a young man who lived out in western Nebraska about 1895, and this young guy was the son of a Civil War veteran. The Civil War veteran had a drinking problem, and he had four children. He had a very little homestead, and the future did not look very good. There was a traveling preacher out there that got hold

of this young guy and saw something in him that he liked, and he began to affirm him and he began to say, you know, I think you could go to college.

Now, the odds of that young man going to college were probably one in a thousand from that circumstance at that particular time in history. And on top of that, he said, I think you could be a great preacher. He said I think you have a real future. So lo and behold, this young guy began to believe it and began to accept that vision, and he got on a train and went about 300 miles and went to college and played football and became a preacher, and a very distinguished preacher.

Now, the reason that that was so interesting was that that guy, that person who mentored him, who began to provide that vision made a huge difference in that person's life, and that person was my grandfather. I am sure that my life is different today because of the influence of that itinerant preacher on my grandfather. So mentoring has a ripple effect. It affects one generation and then the next generation and the next. So there is an eternal quality about investing in the life of another person.

□ 2030

Mentoring does work. It reduces dropout rates, drug and alcohol abuse, teenage pregnancy, violence, absenteeism from school; and it improves graduation rates and also improves relationships between peers and the relationship between the mentored child and parents. So it is a win-win situation.

Congress has provided \$184 million over the past 5 years for mentoring of young people which has reached hundreds of thousands of young people around the country. This is a good thing, and we think this is something that is certainly appropriate for Congress to do. But, right now, we have roughly 18 million children in our country who badly need a mentor; and yet we have only about 2 to 2.5 million actually being mentored. So only one out of nine children who needs a mentor has one.

We feel America is great, America is good, but we have so many retired people, so many people who could spare one or two hours a week to make a difference in the life of a young person. We really need to grasp hold of this idea of mentoring.

In addition to mentoring, something that can be done certainly is legislation. I think that the Congress, particularly this House, in many cases has attempted to address some of the ills that are befalling our young people. Certainly some of the problems that we are seeing with gambling on the Internet is something that this House has attempted to deal with, with very limited success.

A piece of legislation that I have been involved with with the gentleman from California (Mr. BACA), the Software Accuracy and Fraud Evaluation

Rating Act, or SAFE Rating Act, is an important piece of legislation because it would require the Federal Trade Commission to study the voluntary rating system of the video game system to determine if its practices are unfair or deceptive.

There is no question that video games currently are not being accurately rated and in many cases are very misleading. So we think that this is a piece of legislation that could be addressed and would make a difference.

Another thing that certainly could help our culture at the present time is a fundamental shift in many of the court decisions regarding the first amendment. I do not mean to imply that the first amendment is not important, that the first amendment should not be upheld, but some of the interpretations that have revolved around the first amendment have led our Nation in a direction that may not be the way our Founders originally thought it should go. I will show a chart that depicts some of these court decisions.

We can see in 1997 the Supreme Court ruled that indecent speech is protected by the first amendment and overturned the Communications Decency Act. This was a bill passed by Congress regarding indecent speech, and the Supreme Court basically ruled that indecent speech is protected by the first amendment. This was a fairly important decision.

In 1998, the Supreme Court refused to rule decisively on the Child Online Protection Act, thereby allowing the legislation to remain law while preventing it from taking effect. This particular bill provided protection against obscenity on the Internet, and yet it was never enacted into law because of the Supreme Court ruling.

In 2002, the Supreme Court overturned the Child Pornography Prevention Act, ruling that child pornography must involve minors engaged in sexual activity to meet the legal definition of obscenity to lose first amendment protection. So what this means is if there was a cyber simulation of child pornography, that it was legal. Of course, it is impossible to distinguish if something is done well using electronic means, whether they are using actual children or not. So this was a blow to the people trying to control indecency on the Internet.

And, in 2002, a three-judge Federal court declared the Children Internet Protection Act requirement that all schools and libraries receiving Federal funds use Internet filtering material to protect minors from harmful materials on the Internet unconstitutional. So even in a public funded library children are not necessarily protected from obscenity.

All of these things would lead one to believe that certainly some of the court rules have not been friendly toward our young people, particularly with regard to the issues of pornography.

Some people say pornography is not really a problem because it is harmless,

it does not really hurt anybody, and it does not really affect anything. But if Members think about it, we spend billions and billions of dollars on advertising. If that advertising did not change behavior, I am sure that money would not be spent. Advertising absolutely does change behavior. What you see, think and read about changes the way you perceive things and the way you act.

That is true very much also with pornography. As a result, we have a great many women and children in our country who are suffering because of this and because of the fact that we have been either unwilling or unable to control something that we think has been very pernicious in our society.

The other thing that I would like to visit about briefly tonight is the issue of school prayer. I am not somebody that is off the charts in this regard. I certainly do not believe that a teacher should be allowed to proselytize in the classroom. I do not believe that the principal should get on the intercom every morning and lead a prayer, but I would say that the pendulum has swung awfully far.

In 1962, the Supreme Court ruled the following prayer unconstitutional, and this is what the prayer was.

"Almighty God, we acknowledge our dependence on Thee, and we beg Thy blessings upon us, our parents, our teachers and our country."

This is fairly innocuous. It does not seem terribly threatening, and yet I can see where possibly this is something that the court would get involved with, and they did rule this unconstitutional, and that started the ball rolling down the hill.

So it would appear that many of the court rulings have been contrary to the thinking of many of our Founding Fathers. Benjamin Franklin said, "We have been assured, Sir, in the sacred writings that except the Lord build the house, they labor in vain that build it. I firmly believe this. I also believe that without His concurring aid, we shall succeed in the political building no better than the builders of Babel; we shall be divided by our little, partial local interests; our projects will be confounded; and we ourselves shall become a reproach and a byword down to future ages."

"I therefore beg leave to move that, henceforth, prayers imploring the assistance of Heaven and its blessing on our deliberation be held in this assembly every morning before we proceed to business."

Because of Franklin's speech in this Chamber, of course, this Chamber has been built since Franklin, but in the House and in the Congress every morning there are prayers that are held. Yet we are really restricting prayer in so many other arenas.

George Washington said, "The propitious smiles of Heaven can never be expected on a Nation that disregards the internal rules of order and right which Heaven itself has ordained."

David Barton said, "Franklin had warned that 'forgetting God' and imagining that we no longer needed his 'concurring aid' would result in internal disputes that decay the Nation's prestige and reputation, and a diminished national success. Washington had warned that if religious principles were excluded, the Nation's morality and political prosperity would suffer. Yet despite such clear words, in cases beginning in 1962, the court offered rulings which eventually divorced the Nation, its schools and its public affairs from more than three centuries of its heritage; America is now learning experientially what both Washington and Franklin knew to be true; we are suffering in the very areas that they predicted."

Barton's warnings may be somewhat dire, but I do believe there is something to what he says. We certainly have disregarded some of the warnings of the early framers of the Constitution, and we have strayed far afield from what the original intent of those who wrote the Constitution appeared to be.

So despite the fact that the Constitution does not contain a separation of church and State clause, that phrase is not in the Constitution, in 1992 the Supreme Court declared an invocation and benediction at a graduation ceremony unconstitutional. So at a graduation ceremony you could not have an opening prayer or a benediction. Of course, as I said earlier, we begin the legislative day in this House with prayer every day.

The court held that a minute of silence in a school was unconstitutional. This seems a little bit beyond the pale to me that students could not have a minute of silence. They could think about history, they could pray, look out the window, but this was ruled as unconstitutional.

The court also ruled that a student-led prayer at a football game was unconstitutional. This was a prayer that the students had voted to have, and it was led by a student, it was outside the school building, and yet the court said the football players had to be there and the cheerleaders had to be there, and they might hear a prayer that was offensive to them. Therefore, you could not have a prayer. Again, that seems a little bit far afield.

As many of us know, the words "under God" were struck from the Pledge of Allegiance by the Ninth Circuit Court of Appeals, and that was thrown out by the Supreme Court because they said the parent bringing the case had no legal standing. In other words, the father was not the legal guardian of the young woman, the young girl that he was providing in the case. So the court did not rule it out. They did not throw out the ruling by the Ninth Circuit based on its merits but rather because of no legal standing, and I am sure we will see that reintroduced in the court again in some fairly recent date.

The Constitution is increasingly being interpreted as a "living document" and legal decisions increasingly come down based not on what the law states but rather based upon the personal ideology of the jurist. So the philosophical bent of the Supreme Court justices and district court justices determines very largely the course of this Nation in many important areas.

So we are now faced with the confirmation of Judge Roberts, and it is a very serious business. And we have one other vacancy on the Supreme Court, the first time in a long time we have had a situation like this. The direction that the court goes is going to be very important.

I know of nothing personally regarding Judge Roberts that would lead me to believe that he would not try to be a strict constructionist, that he would not try to interpret the Constitution as it is written, and I do not believe he would be a biased person. I am sure there would be those that disagree, but these are critical sometimes, Mr. Speaker, and these decisions will be very important.

So the makeup of the courts and the will of Congress will greatly influence whether we continue to drift further from our heritage or draw closer to those values upon which our Nation was founded. The willingness of Congress to focus on the pernicious influences impacting our children, the willingness of the American people to demand that those profiteering at the expense of our culture and our young people be reined in, will largely shape the future of our Nation.

Terrorism is an ever-present threat, the economy is of concern, and natural disasters like Hurricane Katrina are a tremendous threat to us. However, terrorism, economic distress and natural disasters will not prevail as long as our national character is sound. We are engaged in a cultural and spiritual struggle of huge proportions, and I can only hope that the principles upon which this Nation was founded remain pre-eminent.

As Congress addresses important issues such as those that I have mentioned, it is critical that we not lose sight of the fact that our Nation's survival is directly linked to the character of our people; and I would urge Congress to think about these things and particularly to try to guard the future for our young people, because the future of this Nation is our young people. If we continue to let some of these pernicious influences that we now see impacting them so greatly continue, it may certainly render us one of those nations that become somewhat like Rome, like Great Britain, and also like we have seen with the Soviet Union. So it is important that we be vigilant.

ENERGY INDEPENDENCE

The SPEAKER pro tempore (Mr. KUHLMANN of New York). Under a previous

order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I listened to the gentleman from Nebraska (Mr. OSBORNE), and I wish to just add that many times people find their families breaking apart and experience a sense of hopelessness because of the pressures that come to bear.

□ 2045

It is not that they necessarily have bad character, but, in fact, very bad things happen to them. And in fact, Hurricane Katrina showed us in another way how America's overdependence on imported petroleum leaves our families more economically vulnerable and leaves America strategically more vulnerable to shortages or other market disruptions.

If we look in the past year of 2004, the five major U.S. oil companies, Exxon, British Petroleum, Shell, Chevron, and Conoco, have almost tripled their profits from 2002, taking in over \$50 billion more than they did just 2 years before. And guess where those dollars came from? Right out of our pockets, putting greater pressures on family life. In 2005, after months of suspected price gouging, these five major oil companies are on target to pocket over \$100 billion more, nearly \$40 billion more than Congress has appropriated so far to rebuild the entirety of our devastated Gulf Coast, which has taken generations to build. That is how much money these big companies are making.

According to the September 1 Wall Street Journal article, unleaded gasoline prices surged 36 percent in just 3 days, pushing the wholesale price to 132 percent above 1 year ago. This massive increase occurred despite the fact that in the same 3-day period, the price of crude oil went up just 4.25 percent. Over the past year, crude oil prices have gone up 64 percent. So that means the wholesale price of gasoline jumped nine times as fast as the price of crude in 3 days and is running more than double the increase of crude over the past year; and these companies are gaining a windfall benefit.

According to information provided by the Congressional Research Service, we suffered a gasoline shortage of 13 percent as a result of Hurricane Katrina. But in 2004, according to a Congressional Research study, 2.5 percent of motor fuel usage in our country came from ethanol, a fuel produced here at home. If we had moved to providing 10 percent of our fuel from ethanol, as some States like Minnesota do, we would have been able to replace more than half of this shortfall with ethanol and put the money in the pockets of our own farmers rather than dictators and kings over whom we have almost no control.

As of today, there are about 5 million vehicles on the road that will run on 85 percent ethanol, but most people do not know it, and it is very difficult to

find the fuel because these companies do not want to really bring it on line.

We need to change this situation. The 2002 farm bill provided the first-ever energy title as part of a farm bill in American history, promoting the production and usage of ethanol, biodiesel, and other renewable energy sources. But in recent years, instead of moving to aggressively implement these provisions, the Bush administration has consistently proposed reducing funding for these energy programs. And this is after his own energy plan failed to provide a single one of its 103 recommendations directed at programs offered by the U.S. Department of Agriculture. We have agriculture waiting, a lady in waiting, that this administration refuses to see to help America move toward energy independence.

The recently passed energy bill makes additional moves in that direction, but fails to take America in the direction fast enough to counter these massive price increases. Think about it. Oil shortages in the 1970s. Wars in the Middle East in the early 1990s and again now have the supply of oil looming as a prime motivator. Domestic shortages due to national disasters such as Katrina push up gasoline prices to a national average of more than \$3 a gallon and local prices as high as \$6 a gallon. When will we learn? When will we take control of our own fate?

I have sponsored the Biofuels Energy Independence Act of 2005, H.R. 388, to advance research, development, production, and marketing of biofuels produced from renewable sources like corn, soybeans, cellulose, and other biomass supplies. I want to again urge my colleagues to break America's addiction to imported oil right now by taking advantage of technology that is available today. Literally, we could displace one third of imported petroleum with these renewable fuels that could be produced inside our borders. All it takes is leadership. Is it not time?

ISSUES AFFECTING AMERICA IN THE AFTERMATH OF HURRICANE KATRINA

The SPEAKER pro tempore (Mr. KUHLMANN of New York). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEEK of Florida. Mr. Speaker, once again it is an honor to come before the House of Representatives, and we want to thank the Democratic leader for allowing the 30-something Working Group to come to the floor once again to work on issues and talk about issues that are facing Americans in this time after Hurricane Katrina and the devastation that has taken place in the South. Also, issues that are facing everyday working Americans throughout our country that are working 30-somethings and their families. When I mention their families, I am not only

talking about 30-somethings as individuals but also their parents and their grandparents and their children and children to be.

Mr. Speaker, this working group, like I stated last week and the week before last, is a group of Members on the Democratic side of the aisle that come together on a weekly basis to talk about the issues that are facing Americans. I want to thank the Democratic leader and the gentleman from Maryland (Mr. HOYER), the Democratic whip; and also the gentleman from New Jersey (Mr. MENENDEZ), chairman of the Democratic Caucus; and the gentleman from South Carolina (Mr. CLYBURN), our vice Chair, for standing steadfast on behalf of those Americans that are in great need at this time. I would also like to thank all of the workers that are working on behalf of the Federal effort to be able to bring about some, hopefully, stability to those that are in the affected area.

Mr. Speaker, I speak from experience because I had an opportunity to travel down to Hancock County this past weekend and also to Gulfport, Mississippi, to speak with some of the residents there about some of their pain and suffering they are continuing to go through. And I know that last week I mentioned that we are in the first 2 minutes of the first quarter of their recovery process, and I will tell the Members what I saw down in Hancock County, which was one of the hardest hit areas.

Everyone knows about New Orleans, that when the storm hit New Orleans, the worst thing that happened to New Orleans was the fact that the levee broke and that those homes were flooded, and a lot of those homes have to be leveled due to the water damage and saltwater damage to those homes. But I had an opportunity to travel down there, Mr. Speaker, and I want to share some of the photos that we were able to take down there of some of the devastation that took place.

Mr. Speaker, this is actually a photo here of the Florida National Guard. I have to take my hat off to those men and women that actually went down to Hancock County, where they had a tidal surge, or storm surge, of 23 feet. We have Colonel Duren who is in between me and the gentleman from Mississippi (Mr. TAYLOR), who is a Member of this House. This is actually the gentleman from Mississippi's (Mr. TAYLOR) home that stood there and was washed away. The storm surge was actually to the top of the trees, and it was almost like a washing machine. Brick homes, wood homes, trailers, what have you, are just leveled and devastated. The gentleman from Mississippi (Mr. TAYLOR) feels that he will recover, but there are a number of stories of his neighbors and his whole neighborhood that was actually washed out.

These are members of the Florida National Guard that were with us, and they have cleared in Hancock County and Mississippi some 65 miles of roads

that needed to be cleared to help individuals put themselves back together.

This is also some devastation from the same county that is receiving very little media attention about what happened. Some buildings that have been there since the 1800s have been taken outside by Hurricane Katrina. And as the Members can see, the economy and the way of life in that particular area is going to be forever changed.

Also, we have here a middle school. I am standing there with Colonel Duren of the Florida National Guard once again. Not just because I am from Florida, but I want to thank all of the National Guard troops that are actually down there trying to be a part of the Federal response.

As the Members know, in Florida we have the special emergency response teams that have a lot of experience in the recovery process, helping people bring their lives back to normal. They are working with very little guidance, and I think I am going to make a point a little later on, Mr. Speaker, the reason why we need a commission to look at the whole Katrina experience from the beginning to the end. Some may say that a commission would bring about something similar to the 9/11 Commission with civilians, individuals that once served in this body, past first responders and present first responders, so that we will be able to avoid something like this from happening again.

This is actually a middle school here. The Florida National Guard cleaned about maybe 2 or 3 feet of mud out of this school. This is the library, where the librarian and we also met with the superintendent of schools in this county said that the librarian's goal was to have a million books in this library, and obviously she has been set back; and we will be asking Americans to not only help this school but other schools that are trying to stand up on their own two feet. All of these books were soaked, and obviously the mold and everything has set in here, and these are the setbacks that many of our young people have gone through.

The last picture I want to show here, I know FEMA has received its hard knocks and I commend not only past Director Michael Brown from stepping down from the post of FEMA because this recovery should not be about Michael Brown, it should be about FEMA doing its job, and with the appointment, the temporary appointment, of Mr. Paulson, who was the Miami-Dade County fire director, who went through Hurricane Andrew and a number of other hurricanes, we do know that he does have experience in recovery and also response. With it being very early in hurricane season, and North Carolinians and South Carolinians and Virginians looking at a possible storm hitting them now, it is important to have someone at the helm of FEMA that has some experience in dealing with natural disasters and know what to do when they happen.

This is actually a FEMA trailer here in Hancock County. I am speaking to one of the part-time workers here standing up. These are phones that are there of individuals that are coming in that are making phone calls to receive their initial \$2,000 from the Federal Government to be able to assist them with some of the basic needs. Some of these people waited at least 3 hours in the blazing sun in Mississippi. I must say it must have been about 90 degrees here, nothing that we can do anything about because they do not have the facilities to be able to go into. My hat is off to those local workers and FEMA workers.

Actually, this gentleman here in the corner of the picture, he is retired. He worked with the Firestone Rubber Company in west Maryland, I must add, and he has been down there for 8 days, and he is saying that he has been working hard in trying to make a wrong right. And many of these people like him that are working that are retired that have decided to work part time for FEMA, I think we need to take our hats off to.

We have a couple of others. But, Mr. Speaker, I think it is important that we set politics aside and allow leadership to prevail. And in the 30-something Working Group, we are very concerned about politics playing a role in not only this recovery process but being able to get down to the bottom line of what has to happen not only in the future but right now. I would ask the Members and also Americans to take a look at Time magazine talking about poverty; also talking about the issue of race in the South.

I will tell the Members that many of us watched New Orleans residents suffer for 3 days without food, without water. Some went into stores and took what they needed to be able to survive. Some left their homes with only the clothes that are on their backs.

□ 2100

I went to Mississippi, Hancock County, a lot of hard-working people, like the hard-working people of New Orleans; and there was a similar story, Mr. Speaker. I was talking with the mayor of the town, and he told me at the Big K and the Wal-Mart, they stood in front of that Wal-Mart and he told the folks, listen, go in and get what you need. Do not walk out with a DVD or whatever the case may be, but go in and get the things that you need to survive, because that is all they had. There was the threat of the fact that they may run out of food, they may run out of water, they may run out of personal items that they need to be able to survive; and so they did what they had to do. Unfortunately, they had to do that. These are law-abiding individuals, and I know in New Orleans the same thing happened.

So when we look at this situation, we have to look at how we put Americans in the position to go in and do things traditionally that they have not had to

do, individuals that woke up every day and went to work, did what they had to do to put food on the table for their families, pay for their children's education. I think it is important. A lot of children and women are affected by this storm. It did not discriminate, and I think that the question that was posed to the President, was there discrimination that played a role in the national response, I think that the future will tell if that is true or if it is not true.

I am one that believes that we can see the best of America right now. The world is watching what we do and how we do it. And regardless of the pigment of the skin of the individuals that were affected by this storm, if everyone is treated equally and as human beings, I think that it will be important for us to prove to the rest of the world, if we are the superpower of the world and we stand as a shining example of democracy, I think it is important that, through our actions and here on this House floor and in the other body and the executive branch, that we play a very strong role in making sure that those individuals that were displaced, evacuees, Americans that are in Utah, that are in my district in Miami, Florida, that are in New England, that are in Maryland, that are here in Washington, DC, in our Capital, that are in Texas, that are in Georgia, that are in the upper part of Mississippi, that we make it so, Mr. Speaker, that they will be able to come back to their homes and they will be able to claim their property and that they will be able to move in and they will be able to take part in this recovery process.

Many of the small businesses that were struggling anyway will not go back into business. We know that the SBA will try to do all they can to provide low-interest loans. We know that individuals of good will and banks have offered dollars as it relates to providing them with loans, and we know that the economy in New Orleans and throughout the Gulf Coast area are going to be suffering for some time.

I had an opportunity also to visit Gulfport, and I can tell my colleagues that I went to go see the port, and to see port containers, Chiquita Bananas, what have you, that are 5 miles down the road that destroyed homes. I am from Miami, Florida, so this is nothing that I am not used to, seeing storm damage. But when you see a storm surge, 23 feet of water, and you see a container sitting between two trees and what is left of a house wall and you wonder how it ended up there, some 4 or 5 miles away, and that is no exaggeration whatsoever; it was like a washing machine and those containers moved on down and they just literally, and the tidal surge cleared those homes and the way of life that individuals are used to seeing.

I think that it is also important that as we look at FEMA, we have to make sure that we have this independent commission. The Democratic leader,

and I must say the Democratic leader, and I may just want to say leader, she is a leader just like we have other leaders in this House on the other side of the aisle; I think we should be willing to take on the recommendations of leaders who are in this Congress, and I think we should be able to take on the recommendations of those who have been through this before.

I think that we should ask professionals to come to serve their Federal Government, just like a 9/11 Commission with subpoena powers to be able to ask the tough questions. Because the unfortunate thing that happened in this case as it relates to Hurricane Katrina is that we did have a great deal of loss of life. It may not be what some people said that it would be, but individuals have lost their lives, and we also have individuals that have been injured in this storm that go unsung. We have children who cannot find their parents at this particular time. We have sons and daughters that they are trying to locate, through the media and Internet sites, and volunteers are trying to reunite individuals, family members together.

So I think that it is worth the Federal commitment to the South that we do everything that we can. It goes far beyond our visit. Just by myself going down to Mississippi is not enough just to say I have been there. It is not like visiting Walt Disney World and saying, oh, I did go to Walt Disney World and I have been to Disneyland. That is not what this is about.

It is about us being able to not only go down to the area; and I must say, Mr. Speaker, the gentleman from California (Mr. WAXMAN) and the gentleman from Mississippi (Mr. THOMPSON), the ranking member of the Committee on Homeland Security, and others, the ranking member of the Committee on Transportation and Infrastructure has asked for a congressional visit down to the affected area, and I think that is important. I am glad the President is going there. He was down there when I was there. But this Congress has to go down and see exactly what is happening to these individuals in the South.

This Congress that will appropriate the dollars, because the President can only recommend, but this Congress needs to see firsthand the needs of those individuals that are affected. I think not only going to the affected areas, but going to see shelters that are far away from the South where these individuals have been introduced to a new community, and I want to commend those communities who have taken these evacuees, these Americans in with open arms.

But we have to go far beyond putting them in our gymnasiums and in our sports arenas and in our churches. We have to make sure that they have what they had before the storm, that is, a home with a fence, with memories, with family portraits on the wall, and a sense of community. We owe them

that. I feel as it relates to the levee, the levee there in New Orleans, the things that should have been in place, that it is important that we make them whole. I think it is important that we look at and we have an independent committee just like the Democratic leader has suggested. And I must say, Mr. Speaker, unfortunately, the Democratic leader said we should come together in a special session and send emergency appropriations to FEMA so that they can have the dollars to deal with the response.

Originally, that response back from, unfortunately, the leadership was, oh, we do not need to do that, and then a day later the President recommended it and said well, yes, it is an idea and jointly we will do that. But I think that time is of the essence and we need to put partisanship aside.

I think also as it relates to the recommendation of Director Michael Brown, obviously he was over his head on this particular issue. I personally went down last Friday and met with the hurricane center director. Michael Brown was in place, he spoke to him the day before the storm, like he spoke with the mayor of New Orleans and others. There were individuals that knew what happened and what was going to happen. So I think it is important that we look at this beyond what we read in the paper. I think it deserves the kind of attention that the 9/11 Commission was able to bring about, for not only the survivors but also the families of the 9/11 tragedy.

So if we do not do that, I think we fall short of allowing Americans not only to know the truth but to be able to have preventive action in place.

The Special Emergency Response Team from Florida is one of the best teams in the Nation with some of the best building codes in the Nation, and we are able to respond. Our National Guard automatically, they know automatically in the way they do business, when the wind drops down to 40 miles per hour, they are moving in. They are moving in before Americans or Floridians have an opportunity to even come out of the house and see what happened. They know they have a security mission; they know they have a recovery mission. This is what we need throughout the Nation. We need a Federal Government that understands that.

I am not here to say that it was totally the Federal Government. I commend the President for taking some level of responsibility for the Federal response being lackluster, at best, because Americans not only were close to starvation, but without water. And if the media can make it there, the Federal Government can make it there. If a paper was not signed or somebody did not call somebody, we knew, those of us who knew, what we had to do when we had to do it. So that is important.

I am glad that my colleague, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), has joined me,

who knows quite a bit about hurricanes herself. We served in the State legislature together in Florida and were a part of many of the reforms in Florida after Hurricane Andrew. Now, hopefully, we will be a part of the reforms here in this Congress as we look at the Federal response in the future.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it is a pleasure to be here with my colleague once again and an honor to serve with him. I just have to commend the gentleman. I saw him when I was watching my TV coming off the plane yesterday, the gentleman's trip to tour the devastated areas and, particularly Hancock County, which I think the gentleman particularly went to with his Committee on Homeland Security colleagues to highlight that it was not just New Orleans, it was not just the ground zero area of New Orleans.

Ground Zero was actually Hancock County, and the communities there that essentially, it appears, have been forgotten, or at least neglected because they are smaller and the focus does not appear to be on them. So I was so proud of the gentleman to see him doing that. Once again, the gentleman is stepping up for people who need him. This is not, we are not here for a love fest; but it did my heart some good to know that colleagues of mine were going where their help was needed.

Mr. MEEK of Florida. Mr. Speaker, the gentlewoman was also busy making sure that our constituents were able to take advantage of the filing of her bill, and I am a cosponsor of her bipartisan bill, in forcing FEMA to make sure that those homeowners, some 300-plus in south Florida, are able to receive FEMA assistance. Many of those individuals need that assistance; and because they fall under the 800 or 400 threshold of FEMA, they have a discretionary decision to make here in allowing those families, individuals who work every day, pay taxes every day, to be able to take advantage of what the Federal Government provides.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, the gentleman is right. As we discussed last week when we were putting this bill together, and we are fortunate that we have all 25 members of the Florida delegation as cosponsors, we are working together on this, this is not a partisan issue. We have some homeowners who were looking through the roof of their houses at the sky. The impact on those families in Florida is the same as the impact, without the widespread devastation, that they are feeling in the Gulf Coast States. But we wanted to make sure that Floridians do not get left behind who are suffering in the same way. I appreciate the gentleman's leadership and advice and guidance on helping to put that bill together.

One of the things that I wanted to talk about tonight is where we go from here, which is, I know, the direction that the gentleman from Florida is taking this discussion. There are some

good things that have happened, in no small part, I think, due to the things that we have been pointing out over the last 10 or so days. Leader PELOSI has rightly called for an independent commission similar to the 9/11 Commission.

Like the gentleman said, that would not be Members of Congress sitting around and talking to each other; that it would be, and certainly that would be bipartisan and would be balanced and fair, so the American people can have confidence in our emergency preparedness and disaster response system. Because of all of this that has happened in the last 2 weeks, that is what has been shaken the most. We have been building, since September 11 we have been trying to rebuild Americans' confidence in the system, because when you have the Twin Towers knocked down, that was the biggest devastation beyond, obviously, the tragedy of the 3,000 people who died there, was that America's confidence was shaken in our ability to respond to those kinds of disasters.

And it is 4 years in the making, a process that we restore confidence, we restore people's ability to believe that we have some security here. While we may have made improvements on the terrorist and international risk preparedness level, clearly the domestic preparedness level, as the President admitted today, we have a lot of work to do. Because we never can predict Mother Nature, and particularly because of where we live, we have hurricanes approaching our constituents on a regular basis, it is really disturbing.

So I am glad that Under Secretary Brown did the right thing and stepped down. We called for it a year ago with our colleague, the gentleman from Florida (Mr. WEXLER); and, quite honestly, had he done the right thing sooner than that, then perhaps we could have had a prepared expert in place who could have responded much better to the results of Katrina.

Mr. MEEK of Florida. Well, I can tell the gentlewoman that this is very, very important, being able to take these recommendations and move with them. Also, I think it is important that Members of Congress, we can travel overseas and learn from what they are doing and express our feelings to individuals as it relates to counterterrorism issues, as it relates to trade; we can definitely go right here domestically. We have a number of aircraft that are out at Andrews Air Force Base that can move Members down so that they can get firsthand experience in speaking to those Americans.

One may say, well, you do not represent those individuals. Well, I do not represent anyone in Egypt. I do not represent anyone in Europe. I do not represent anyone in other areas where we have interests, whether it be Pakistan, citizens of that country.

□ 2115

But as a Member of the U.S. Congress, I do represent Americans. Even

though I have a district, we are here, and we stick our voting card in these machines that are placed behind these chairs here voting on behalf of Americans, and they pay taxes to be able to allow us to do some of the things that we are doing throughout the world.

The least that we can do, Mr. Speaker, in my opinion, the least that we can do on behalf of these Americans, go down now, see it as it is now. Take it from me, from someone that has gone down there and has seen responders, they are going through a transition of law enforcement and first responders.

We have search and rescue that is going on in New Orleans, but much of it is now a transition into recovery, making sure that independent contractors that are traveling from as far down as Canada, United States border, and we do know some of them are well intended and some of them are coming to take advantage of making the victims victims again. And this is the reason why we need to know first hand what is going on.

When New Orleans is clean and when the gulf area is clean, as it relates to some of the debris that is there, that is in place there now, I do not think that it will serve us well if we do not see it in the way that it is now. TV just does not give it justice, in my opinion, to be able to see the sweat literally run down the side of an individual that is waiting in line to be able to receive Federal assistance.

I was there with the gentleman from Mississippi (Mr. TAYLOR), who has been down there and was there all last week, did not come up to Congress because he needed to be able to help his constituents put their lives back together. Rightfully so, he was there for him; and we did what we had to do up here, did the best that we could to make sure that appropriations came down.

But there are a number of individuals that are still suffering, a number of individuals that we have to understand as a Congress how we respond, even when it comes down to individuals that Americans that have poured their hearts out and sent not only contributions to some of the organizations but have taken it upon themselves, with their credit cards and with the gas prices now, I would say credit cards, going and filling their tanks up and driving down, not knowing anyone, but going down there to feed people, to help people, but those individuals, and for diapers and all of those things that have been sent down, being able to understand that we need volunteer coordinators from the beginning to make sure that those supplies are not spoiled or being out in the sun or being in a place where they should not be.

The little, small things like that are important for us to understand as Members of Congress.

And, Mr. Speaker, if this was allowed, because I must share not only with the Members but those of us that are in this Chamber that, you know, as a ranking member of the Oversight

Committee on Homeland Security, if I had the authority, I would do it. But, unfortunately, I am in the minority party; and we cannot authorize a congressional visit. The majority party can do that.

And I have said that to my Chair. I said that we have a responsibility to go down there. From what I understand there hasn't been an official congressional CODEL to the gulf States. Our commitment to the South is in judgment right now.

I think there are individuals, Democrats and Republicans and independents alike, and those individuals that are not even registered to vote, that are still putting out the question, where is my Federal Government?

Now I will tell you this. I ran into a young lady that said, where is my Federal Government? And she was, you know, had some water and MREs and all of those things. Yes, I can say, look at your hands, there is your Federal Government, but that is not enough in my opinion.

Here is someone that is looking for a process that we should be well practiced in, natural disasters. And I will tell you that being a member of the Homeland Security Committee, and from what I have seen of the performance of the Department, I think we are pretty well trained up on a terrorist event. But I think that natural disasters are still in the rear view mirror and is considered as an afterthought.

I am not totally prepared to say that it is important that we move FEMA outside of the Department of Homeland Security, and that is the reason why we need this commission. We need this commission to make recommendations to us here in this Congress on what we should do, how we should do it, and in a way that it could happen that will not disrupt the relationship between FEMA and the Department of Homeland Security. So that is the reason why we need it.

I will say to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), and now our good friend, the gentleman from Ohio (Mr. RYAN), is here, that the leader said that we should go into special session immediately or come back from recess early, go into session, give FEMA energy funds. No. Then eventually it was yes, 48 hours later.

Said that Under Secretary Director Michael Brown of FEMA should step down because he is not up to par, being able to carry on, not only the future response but the initial response. Several days pass, back and forth. Okay, they sent him back to Washington. Three days later, he resigned.

She has also asked, even though the leadership has said in both House and Senate, the other body, that we should have a committee of House and Senate Members to look at this and have a press conference, just one side on, you know, Republicans there representing, saying that it is a bipartisan, but no subpoena powers, none of the teeth that we need to get down to the bottom of how can we correct it.

I commend the Democratic leader and the Democratic leadership for saying in both the House and other body that we will not participate in such a committee. Because we need to professionalize that. Even though we are professionals here, we need individuals that understand emergency management and recovery. And so that is what that is about, to be able to make sure.

And you know something, if the leadership says, fine, let us put together a commission, the President says, let us put together a commission, I am all for it. But we are wasting time. Because people are saying, well, you know, the Democrats recommended it, and we cannot do it because they are Democrats.

We are Americans, too. And I believe there are some individuals that are on the other side that believe that we should come together in time of 9/11. I think there is an opportunity for us to be able to show Americans that we can lead in a bipartisan way, and I just do not want us to blow that opportunity.

To the gentleman from Ohio (Mr. RYAN), I am so glad that you have joined us here. The gentlewoman and I are from Florida. I mean, it is like we are talking when we were in the State Senate together, because we were a part of helping Florida being able to advance itself as it relates to recovery.

But thank you for joining us.

Mr. RYAN of Ohio. I appreciate you carrying the load a little bit here while I was away.

One of the issues, and I do not think you have touched upon it just yet, is President Bush's decision to repeal the prevailing wage provisions that are normally intact in which anybody who would be working down in that area, the workers who would be down there getting paid, would get paid the prevailing wage of that area.

President Bush has rescinded that requirement; and so now there is talk of people going down there who will be making wages much, much less than the prevailing wage for Federal Government projects that live in that area.

So, in essence, these people who have been hit by the hurricane, who have been moved out to Baton Rouge or Houston or wherever, who want to go back to that community, go back to New Orleans and work, they are not going to earn the same wage that they would have earned had they been there before Katrina hit. And I just think this is kind of symbolic, or one example of what has been happening.

And you talked about some of the corruption. You talked about some of the contracts. This is absolutely ridiculous to tell these people who are trying to reconstruct their lives that they should not be making the prevailing wage of people who live and work in that community.

And, believe me, the money in the South is not that high of a wage. So it is not going to cripple the Government. This is Federal taxpayer money that is going down there. And what is happening is, in many instances, for the

rebuilding effort, and I was having a talk with some of the electrical workers tonight, basically what is happening is the wage is going to be so low it just has to go down to minimum wage.

So you have, say, a union electrician who is going to make \$20 to \$25 an hour. The union wage may be \$25; the prevailing wage may be \$20. So they would make \$20 on a Federal project. Well, if you eliminate and you rescind that regulation, that worker will make \$10 or \$15 an hour, maybe no benefits. It can go all of the way down to the minimum wage.

And what is happening now is that workers are looking at coming in from some of these other foreign countries, from Mexico, from some of these other countries. So the contractors who are getting the unbid contracts are going to start hiring foreign workers to come in for the rebuilding process and paying them a little bit above minimum wage, displacing workers who have lost their family who need to go back and rebuild.

Part of the reconstruction effort should be to try to get a little bit of money in the pockets of those people who want to go back and help rebuild the city. I mean, my goodness, that does not seem like too much to ask. I know many Americans feel like that. Even through a tragedy, and you want to go back, you should be working. Here are these people that want to go and actually work that are having their wages cut, and it just seems to me that is very shortsighted. It is, again, another bend in favor of the contractors, who, you know, have a job to do but not at the expense of everybody else.

You know, from the beginning here, and I am sure you have already touched upon all of the appointments of the members of FEMA in the upper echelon of FEMA, all political appointments, and we all understand that that happens, we are not trying to play dumb here. But give the guy an appointment who is not qualified, give him the ambassadorship to a country that has got a lot of beach front property. That is where you go. You do not put him in charge of FEMA. That is criminal what happened here.

You know, again, I do not how far you got in, but I think the main point from the past few weeks and the review of this was the administration saying, how are we supposed to know the levees were going to break? And we find out that last summer FEMA sponsored a simulation called Hurricane Pam, was the name of the simulation, and it brought a Category 4 or Category 5 hurricane up through New Orleans and what would happen.

Well, in July of 2004, the FEMA simulation said the levees would break, there would be flooding, millions of people displaced, and all of the tragedy that we watched on TV over the past couple of weeks was simulated to happen if New Orleans got hit by a Cat-

egory 4 or Category 5 hurricane. Then say the administration to come out and say how were we supposed to know is so disingenuous.

Then you look at FEMA. It is packed with political hacks, political appointees, an equestrian horse show organizer is supposed to be in charge of the most important emergency management organization in the country. I think it is criminal. I really believe it, and I choose that word specifically.

It is criminal because that shortsighted appointment led to people not getting the kind of treatment, the immediate response that was needed. We have been looking at this for a while now, over the past couple of weeks and have had a chance. You would just think, and I will yield here in a second, your job, what you should expect from your Government is that you pay taxes. And your taxes go, and some get wasted, just like in corporations or anything else. Some of the money gets wasted. But your money goes to FEMA, and you should have an expectation that the Federal Emergency Management Agency should be able to have a person in place that just deals with Hurricanes in the gulf, because there is a hurricane season every year.

So what happens if a hurricane hits New Orleans? We have hundreds of people employed here who make good money from the taxpayers. You have to meet your responsibility. So I feel like the President's appointments hurt.

I think the unbid contracts are continuing the process. The elimination of the prevailing wage is another slap in the face of those people who have been hurt and want to go back and actually work and earn enough money to rebuild their families and their communities.

I think this is continuing to go down the wrong road. I hope that some of what we are talking about here tonight brings that to light, and hopefully we can try to change it.

Listen, we want to work with the administration. We want these people to get help. That is why we are here. We are not here to demagogue. We are not here to beat up any one side or the other. But they are in charge, and they are not making the necessary changes that need to be made. Our constitutional responsibility, people send us here to do this, is to make sure that we keep those people in power in check. They do not seem to be listening, and they do not seem to be following some basic, I think, business procedures that would otherwise be implemented.

Ms. WASSERMAN SCHULTZ. The gentleman is absolutely right on point.

Your comments remind me of a question that our good friend, Doug Lyons from the South Florida Sun Sentinel, who I spoke to this morning, asked me. He said, he asked me if Michael Brown's resignation was enough. He said, now that we have got a successful, documented professional who will be at least, on an interim basis, running FEMA and making sure that the

disaster response to Katrina has an expert in charge, is that enough? You know, can we all breathe a sigh of relief, wipe our hands and go home?

I mean, the answer to that is just so absolutely not. The leader of FEMA is just the tip of the iceberg. I mean, when you ask any expert in emergency preparedness and disaster response if the one leader is the most important chink in the armor, they would of course say, no, it requires planning and preparation and budgeting and foresight and hindsight and a whole combination of expertise and planning that goes into preparedness and response.

□ 2130

So while it certainly was the right thing to do, and we are pleased to see that former Under Secretary Brown now did the right thing and stepped aside, there is so much left to be done. And going forward, while we can talk about what went wrong, we need an independent investigation and an independent commission that will be able to examine objectively so the American people have their confidence restored and that we know we have some competence and some deliberations going on about how we are going to deal with these kind of disasters in the future. We have got to talk about what comes next.

You watch the news every night, and now almost all the TV stations are allowing Katrina victims to list their cell phone numbers on national television because some of them are still looking for their kids. The National Center for Missing and Exploited Children, at least as of yesterday, said there were still 1,700 missing children reported from Katrina's aftermath: 1,700 children, 14 year olds, 12 year olds, 6 year olds, babies. There are babies that are still separated from their parents, from their moms.

We have got to do something going forward for these Katrina victims. We have got to make sure they have housing. We have got to make sure we get these kids back in school and we can get them back in school near or in the area that they originally lived in. And like the gentleman said, with the President's waiver of Davis-Bacon, which is the law that requires the prevailing wage be paid to workers, what incentive is there going to be for them to come back?

When you have the State of Israel, which commendably has offered scholarships for the college students that were displaced by Katrina, and we have Katrina victims going over, Jews and non-Jews going over to Israel now to accept scholarships, and the generosity of other countries, boy, does that say a lot about what we need to do to step up and make these residents whole again. We have got to ensure that a number of different things happen.

This is the 30-something Working Group. We have got a generation of people and young kids and our generation's children that are going to be in

dire need of their government's assistance. And if there is any time when it is imperative that the Federal Government engage, any point with any circumstance that there is an appropriate and vital role for the Federal Government, it is in response to a hurricane.

I am glad to see that the President today acknowledged finally, because it is really the first time I have heard him acknowledge, the possibility of a mistake. I am glad to see that he owned up at least in part to the possibility of there being problems, and it will be interesting to see what he says Thursday night when he speaks to the American people.

I hope what he says, we hope what he says is that there is going to be some drastic changes in our preparedness, in our response, in our funding, and in our priorities, because right now we are moving in the wrong direction.

Mr. RYAN of Ohio. If I may make a couple of points. I agree with the gentlewoman so much and this 30-something Group has really improved since the gentlewoman has gotten here.

I just want to make two points. One is the Davis-Bacon provision, the prevailing wage issue. Davis and Bacon were both Republicans, so this is not a Democratic issue. This is just something that seems to be fair. If Federal money is going to a certain area, they should pay the worker the wage that is prevalent in that area. That is number one.

And, two, and I know we have all talked about this, the disparity in income between those people in this country who have and those people who have not is tremendous. I hope that the good that we can derive from Katrina is that.

And, third, and the most specific point that I want to make, is that this has shown that our government has gone backwards as far as administration and execution; and we see it every day here.

We pass a prescription drug bill that is spending \$700 billion worth of the taxpayers' money and does nothing to allow for reimportation that would drive drug costs down or does not allow the Secretary of Health and Human Services to buy in bulk because the pharmaceutical industry has a stranglehold on this place. We do not see the proper reforms on distribution of health care. We do not see the proper investments in medical information technology that would help drive down the cost of medical care.

We have a school system that is based on a society that is agrarian, and kids are supposed to go home in the summer and work on the farm; and only three or four percent of the country still works in agriculture. These are things that are structural problems. And I think the FEMA issue just shows and highlights and puts the spotlight on it.

It is because there is money, and there is political appointments, and we have got to get our friends in, and we

have so many friends that gave us so much money that we even have to put some in FEMA, which probably should not have political appointments, but we have so many debts that we owe.

I have an uncle that I had a very interesting conversation with and he may be watching right now and I think my aunt is watching for sure who worked for Proctor and Gamble for God knows how many years. And we had a nice conversation one night about how this political body and political decisions are made every 2 years. We run very short-term political decisions that are made. The same in the business community. What are our next quarter profits going to be? Very short sighted. And I think we do not get the country back on the right track until those of us who are in this body are willing to make those long-term structural changes that need to be made to adjust the way government is administered in a 21st-century economy based on technology and knowledge.

That was the issue with FEMA. If we ran a Hurricane Pam situation in 2004, where was the breakdown in getting that information to those people who needed to actually make a decision once there was an actual hurricane in that area? What was the breakdown?

Until our government begins to run in an efficient way and in a way that is reflective of the communication abilities in the 21st century, the technological advancements, and everything else, we are going to be behind the eight ball whether it is FEMA, education, health care, whatever it may be. We have got to start making decisions that have a long-term impact on making our government run more efficiently. It should be able to run a heck of a lot more efficiently than it did in the 1930s and 1940s. And that is our job.

I really believe that the 30-somethings have a responsibility here because we grew up in an age that was much different than most of the people in here grew up in, with computers and technology and cell phones and now the ear pieces and what else is there. But we grew up in that different kind of scene than the echo boomers who are going up now, we have a responsibility to try to apply that technology to government. And I think my friend from Florida wants to be a part of that.

Mr. MEEK of Florida. Mr. Speaker, I always want to be a part of technology, but I can tell my colleagues that I am so glad they brought up the whole issue of Davis-Bacon and what the President did, many Americans did not understand what he did.

We talk about avoiding making the victims victims again. And we want them, and even some prominent Republicans have said, we want them to be able to have first swipe at the jobs that become available. But they will have a first swipe at the jobs at a lower paying rate than usually what the Federal Government provides to individuals carrying out federally funded work.

I think it is also important for us to realize that there are no parameters on

contractors that are down there trying to correct the problems that are there. So that means that the money saved on Davis-Bacon will go into the pockets of those individuals who are direct contractors of the Federal work.

Mr. RYAN of Ohio. Are we not using the same formula, the same administration processes that we used during the war and are using during the war. The same exact ones that we lost billions applying this system or using this system for the war, we are applying the same system now.

Mr. MEEK of Florida. The good thing I like about this 30-something Working Group is we always talk about second- and third-party validators and making sure that folks do not watch us here on the floor and think that we are talking out the sides of our necks. The Wasserman Schultz Report, the Ryan Report, the 30-something Report, the Meek Report. This is reality. The \$62 billion is the largest supplemental appropriations in history of this country outside of war; \$62 billion we did last week or the week before and the rest last week is the largest in history in the United States of America. So we have not been to this point ever.

I think it is also important for folks to understand the difference. Folks say, what is the difference between Democrat and Republican leadership? I will tell you this in the moment, this is fact, not fiction.

I am holding here a letter from the Democratic leader and several other ranking members that I mentioned earlier. Folks wants to know the action. This is not on behalf of Democrats in Mississippi and Louisiana and Alabama. This is on behalf of Americans in those States. We are talking about the commitment to the South. We are talking about commitment to Americans that pay taxes every day, those that are veterans, those that are children of veterans, those that never fought in wars before, those that go to work every day, those individuals that are disabled and cannot go to work. We represent them.

Like it or not, we have to make sure as this Congress, because as the House we are the only branch of this government that must be elected to the position that they are in right now, including the President but the Vice President can very well, I am just saying as it relates to the legislative body, we are the only body that has to be elected by the people.

Mr. RYAN of Ohio. Article I, section 1.

Mr. MEEK of Florida. I thank the gentleman. I am glad he was present in constitutional law.

There is a letter right here to David Walker, the Comptroller General of the United States of America, Government Accountability Office. It is basically saying that we are asking for an anti-fraud commission to make sure that there is accountability in government contracting as it relates to Hurricane Katrina.

This is not just a letter just by the Democratic leader, the gentlewoman from California (Ms. PELOSI). Here we have the gentleman from California (Mr. WAXMAN) who is the ranking member of the Committee on Government Reform. He would be chairman if we were in the majority. We have the Democratic whip, the gentleman from Maryland (Mr. HOYER) who is the number two in charge of our efforts here on the floor. We have the gentleman from Minnesota (Mr. OBERSTAR) who is the ranking member of the Committee on Transportation and Infrastructure. We also have the gentleman from Mississippi (Mr. THOMPSON) who is the ranking member and would be chairman of the Committee on Homeland Security if we were in the majority here.

We have the gentleman from Wisconsin (Mr. OBEY), the ranking member of Committee on Appropriations. We have the gentleman from Michigan (Mr. DINGELL) who was once chairman of the Committee on Energy and Commerce that would be chairman if we were in control. We have the gentleman from California (Mr. GEORGE MILLER) who is also the ranking minority member as it relates to the Committee on Education and the workforce.

They are writing this to make sure that the largest appropriations outside of supplemental appropriations for a war, some \$62 billion are spent in the way that it is supposed to be spent so we do not make the victims victims over again.

I think all Americans, no matter where they may be, east coast, West, Midwest, South, this is their taxpayer money at work. So we know that Davis-Bacon, those rules and regs and that right that workers would have has already been swiped aside by the stroke of a pen, that you will receive a wage lower than any other Federal project that is out there because it has been waived at a time of natural disaster.

Will it save us money to be able to do more projects? No. Will it help the companies down there that are assigned the no-bid contracts, saying do the work, the sky is the limit, do what you do, bill us the way you want to bill?

One of the companies is under investigation right now as it relates to the Iraq contract. But better yet, they are given a contract, go down there, do as you may, we will do the paperwork later. But what we have done from the beginning are parameters on the American worker and those that are in the South.

Let me also add this: today, Democratic leader and also senior House Democrats, again, the list of individuals that are on the committees that are affected, have also requested an immediate establishment of a team of experienced auditors to monitor and also realtime contract and spending of the recovery effort.

This is what we are doing right now. If the majority side has done it, I com-

mend them; but I do not think that is the case now. So when I mentioned earlier on that we need to work in a bipartisan way, if we were working in a bipartisan way, this would not be a question of letters. It would be an issue of action. It would be, good, let us move on that idea. Let us make it happen.

That is the reason I believe that the chairmen, ranking members, and Members of this Congress should take time out and go down to the affected areas and see what is going on down there, and see poor individuals that are staying in New Orleans right now and staying in some of the affected areas in Gulfport, in Hancock County. Some watch TV and say, why do they not leave? Guess what? They cannot afford to leave.

□ 2145

They still today do not have the money to be able to get \$5 worth of gas.

I went down to see the gentleman from Mississippi (Mr. TAYLOR), our colleague, who is down there trying to not only help his constituents be able to receive some sort of Federal assistance or State assistance or trying to put boats back together so they can get back to work; he is a victim himself.

Earlier, I showed a picture of the Florida National Guard that is with us and the Congressman there on the other side of the colonel and myself. This is the Congressman's house, straight off the platform, not a brick left. So you want to talk about individuals being affected and not affected, all of us are touched by this, but we have to make sure that we show some level of leadership right now. This is why it is important that we make these recommendations.

We have Members of Congress that are trying, but we need individuals that are in the leadership that are willing to stand up. And I said it once before, and I will say it again, if we are ruffling feathers here tonight, so be it. Because last week we came to this floor putting great pressure on the administration and those that are in charge that have the pen stroking power to bring about a difference in the South, and we were in the light of saving lives. Now we are in the light of making sure that individuals are able to return back to their homes.

Our business here is very serious, and that not only letter writing but action is important. I think based on the action that has taken us this far, all the way back when we said if we can go in special session on the Schiavo case, if we can bring individuals before Congress and have congressional hearings and have special prosecutors for personal decisions that individuals have made in elected office, if we can come up here for far less, we can at least make sure the largest appropriations outside of the war supplemental, \$62 billion, that it has the oversight, not just because we want to have the gotcha factor. That is a lot of money, a lot of money that has been appro-

riated in a matter of 10 days, rightfully so.

I heard one of the esteemed, very prominent Members on the other side of the aisle, who took to the well right there and said, guess what, in \$50 billion, there is going to be wasteful spending. I had to kind of double take and rub my eyes and say, excuse me, am I sleeping? Am I dreaming?

I have a problem with wasteful spending of \$50 billion, but, guess what, that means a victim will not receive what they should receive, Americans will not get accountability of their taxpayer dollars and that we have accepted the fact that it is okay to waste money. I have got a problem with that, and I know we all do.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, if you do not mind if I jump in, I want to just caution people listening tonight, our colleagues, our leadership, because when you have a disaster or anything of the proportion in size that Katrina was, it is hard to get your mind around it, especially if you have not been there. You now have direct, first-person ability to relay and understand the depth of what happened. Most of us have only seen the aftermath on TV.

The danger that we have in front of us is that with every passing day that Katrina's hitting is behind us, we are in danger of the American public and us as leaders becoming desensitized. The more it is on the news, the more we hear about it, the more we read about it, it is just the human psyche is such that you cannot have that raw nerve scratched every day and not steel yourself against it. With that desensitization, we are in danger of not having an appropriate response come out of this body, and we have got to come together.

We come here every week and we stand up and we point out our very clear differences with our friends on the other side of the aisle, but it does not have to be this way with the response to Katrina. There are some specific action items that can and should be done in order to prevent ourselves from becoming desensitized, not just as policy-makers but in the general populace as well.

We need the press. We should commend the press from the floor of this body for the spotlight that they have shown on these victims and their reality because, quite honestly, without that spotlight being shown by them, without their piling into the storm-ravaged area, see no evil, hear no evil, they would still be saying the same thing, and we would not have had the response and reaction that, quite frankly, we should have had right from the beginning.

So I want to commend the press and encourage them to continue to do it, but we have some action items that need to occur.

We need to get these people health care. We need to make sure they have access to Medicaid immediately. We

need to get them food stamp access. We need to make sure that they have access to education and housing and not just far-flung housing all over the country. If you lived in New Orleans, you do not need to resettle yourself permanently in Utah. That is not what we want to have a policy direct these people to. We want to bring them back. We want to set up transitional and then temporary housing and then eventually get them into permanent facilities, whether it is facilities that they have assistance from the Federal Government or whether they be given the ability to help them to make their own purchases of homes, which would be a wonderful thing to see.

That is what the leadership in this Congress is going to need to make happen. It is certainly going to be suggested by our side of the aisle. We need to make sure that we come together and suggest it on both sides of the aisle. The reconciliation process should be suspended. There are a number of things that should happen, and we are going to continue to talk about that.

Mr. MEEK of Florida. Mr. Speaker, I am sorry, we usually would have a closing statement here, but our time has run out. We will have, I understand, the first Democratic hour on Thursday.

Mr. Speaker, with that, we would like to thank the Democratic leader for allowing the 30 Something Working Group to come to the floor, and it was an honor to address the House once again.

RESPONSE TO HURRICANE KATRINA

The SPEAKER pro tempore (Mr. PRICE of Georgia). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate being recognized to have the opportunity to address the Speaker before this House.

This Nation has undergone the most serious natural disaster, the most costly natural disaster. Possibly not in the measure of lives but in the measure of treasure, it certainly has, and we pray for the recovery of those victims that are yet to be found. We pray that that number can stay as low as possible, and we know that, regardless of the number, each loss of life hurts and pains each family deeply.

This Congress has addressed Hurricane Katrina, done so quickly. We had a unanimous consent agreement after a conference call on Friday after the storm struck in its fury and the wind began to die down on Monday, the previous Monday. We appropriated \$10.5 billion, Mr. Speaker, and we did so under a unanimous consent agreement. We did that because we knew that we needed to get resources into the hands of the people who were saving lives, lifting people off of rooftops and pulling people out of houses and bringing

boats down through the communities, and we needed to make sure that the resources were there.

We needed to make sure that there was food, there was water, there was shelter, and this Nation watched on television as the disasters that were there brought people together in the Superdome, in the convention center, other locations around New Orleans, other locations around Alabama, Mississippi and, of course, other places in Louisiana.

This Nation has watched transfixed as we reacted and we deployed resources into the region and began to recover from this disaster. Each of us have different opinions about what was done right and what was done wrong, but Mr. Speaker, my position is that we are not done saving people. We are not done helping people get relocated. We are not done helping their lives get put back together, and they are not finished building for their future. Once that path is determined and once they start down that path and once we can see that we put a plan together that is going to help people get relocated, and at least in the short- and mid-term future, we will have seen to the needs of the many, many needy, then that will be time enough and plenty time enough for us to meet together in this Congress and to put together a chronological order of what happened, who knew what, why did they know it, what they did not know and why, what communications did they have, what decisions were made that impacted on the rescue operations and the recovery operations. What did they know and when did they know it, Mr. Speaker, is one way to ask that question and what did we learn from this disaster.

Time will come and that will be soon enough, and perhaps in this hour I will go back and talk about how I think we should put together the system here in Congress to take a good look at this, but, right now, we are recovering from this disaster.

Congress appropriated \$10.5 billion that Friday following the storm, and it was emergency spending. It was a special session, emergency spending money, \$10.5 billion. Our report was that FEMA was spending \$500 million a day. By the end of that day, the report was \$750 million a day. So that was a calculus to get us through Labor Day weekend, appropriate \$10.5 billion.

I asked for an accounting of that spending. It did not come early in the week. It did come later in the week, and the accounting came with the request for another \$51.8 billion, and the calculus for the \$51.8 billion was not readily available to us. The answer was simply we know we are going to spend more than another \$50 billion, so let us appropriate it.

So this Congress laid out a blank check, and in that appropriation there was a single line item. First, there was \$1.8 billion in there for the Department of Defense, and they spent a lot of money down there and poured a lot of

resources in. That is fine, but I believe the largest single line item ever passed in this Congress and appropriated without strings attached, without guidelines, without congressional direction was the \$50 billion that went to FEMA.

I asked for an accounting of that money. I wanted to know, first, how was FEMA spending, and now the number went from \$500 million a day to \$750 million a day to \$2 billion a day, and where was that money going. I happen to think in those terms of unit prices, how many meals, how much water, how much ice, how much fuel, how many rental units, how many people are on payroll, how many contractors are coming in that are contractors that are being paid, how do these contracts all add up, how does it divide out, how does it average out.

I thought it would be something that would be a calculation that one could track, and when I did get a look at those numbers, it had \$3.3 billion there for 200,000 trailer houses, 30,000 of which were available and 170,000 of which were back-ordered. So it is hard to define that \$3.3 billion as emergency spending when you spend the money to purchase a contract for future construction of trailer houses not available, and I say that is not emergency spending.

In addition, in the \$50 billion that came for the second appropriation there was another 100,000 trailer houses in there for the tune of \$1.6 billion. So now FEMA has had the authority apparently to purchase 300,000 trailer houses for the cost of \$4.9 billion, \$400 million of it will go for the 30,000 trailers, and that is rough numbers. Those trailers are available, but 270,000 trailers are back-ordered for a cost of about \$4.5 billion, declared and deemed to be emergency spending, the kind of thing that is going to help save lives, recover people, and, in fact, it took resources away that could have been better used in the recovery process.

In addition, in that appropriation there was \$650 million that was declared to be emergency spending, dedicated to mitigation of future disasters. Mitigation of future disasters cannot be characterized as emergency spending and cannot be characterized as something that helps disaster victims today in the gulf coast. It is money that could have gone to help people, but it is pigeon-holed. It is earmarked, and it is committed to other projects. We do not know what they are. Congress was not apprised of that, and yet we have an oversight responsibility.

All appropriations must start in this House of Representatives, Mr. Speaker, and those appropriations then flow through here over to the Senate and from the Senate then probably back, not often back to conference but to the President.

We start the appropriations process. The Founders were very clear in our responsibility and our duty here. You cannot spend money without the House of Representatives initiating this, and

the House of Representatives approved one single line item, \$50 billion.

I simply asked that we cut that down and appropriate \$10 billion for the second week. It got us through the first week of intensity. The second week should have done the same. In fact, it would have nearly met the \$2 billion a day that FEMA said they were spending, but we could not bring that up in those increments because the Senate was busy with their confirmation of Justice Roberts and did not want to be bothered to walk out of the Senate judiciary chambers to vote yea or nay on a \$10 billion package that could have passed the Senate under a unanimous consent because, in fact, not a single Senator stood up against the \$50 billion anyway.

□ 2200

So that did not hold very much sway with me from a rational perspective, Mr. Speaker, and so I voted "no" on this appropriations process. Because although I want to help people, we have an obligation for oversight and there was none; and, furthermore, we have an obligation to devise a plan, and there is none. Now, it does not mean there is not a plan to reach out and help people and that the system is not working. It is, Mr. Speaker. So I do not want the wrong implications to get in there.

But maybe you have heard the story about how the fellow went in to drain the swamp and he found himself up to his ears in alligators and it took his mind off of draining the swamp. That is kind of what happened down there in New Orleans. Everybody is so busy fighting off the alligators that the overall plan that needs to come into play to take care of the billions of dollars that likely will be coming from the taxpayers of this country has not been put in place, it has not been articulated, or it has not even been speculated to this Congress in any large way. And it is our job.

If there is no plan that comes to us that we can support, it is our job to devise a plan that we can support. In fact, it is our job to consider many, many alternatives and put our best foot forward, our best brains forward and husband the resources. We need to do the wise thing, the right thing, and position New Orleans, the gulf coast, for the long term, the best long term for this entire country, Mr. Speaker.

So after that vote, as I asked questions and tried to get answers, I think really it was just there were not answers out there. Everybody was busy working to save people, and they should have been; but there was not an eye on what are we going to do with 300,000 trailer houses when or if they ever get built and where will they go. Will they go 100 miles north of New Orleans, up someplace maybe north of Baton Rouge where it gets a little higher ground? Will they go in there and trench in water lines and lay in sewer lines and build a sewer plant and bring in electricity and put in elec-

trical lines and put in streets and driveways and set these trailer houses in there row after row after row?

Imagine how big a trailer court it would be if it had 10,000 trailers in it. Now think of 100,000. And even though they probably will not all go in the same place, think in terms of 100,000 trailers all rowed up. Now think in terms of another hurricane, a wind-storm. What happens? Do people want to live in those trailers in perpetuity? And I will say, no, not very many.

And what is the life expectancy of a trailer when we put \$4.9 billion into 300,000 trailers, and many months from now the last trailer is built? Maybe even more than a year from now the last trailer is built and wheeled into site. Where are the people going to be that will come to move into those? The displaced people will have found a place by then.

So I contend, Mr. Speaker, that that is not a solution. It is not a wise solution. It is a distraction from the solution. It has happened without deliberation and without debate. It was an administrative decision, and I have not found the individual that will stand up and say, yes, that was my idea, I liked it, and we are going to stick with it. No, there is not an answer on that, Mr. Speaker, because the public knows at least intuitively that that is not a long-term solution. In fact, it is not a short-term solution. The trailers are back ordered, Mr. Speaker.

So as I watched this unfold and had my difficulty in getting answers, I began working the phones last Thursday. I had two staff people that worked diligently into the night on Thursday and started again on Friday and worked until 11:30 at night on Friday night trying to come up with contact numbers so I could make a phone call and talk to a few of the people that were in the region down in the gulf coast that could give me some of the answers and what the real plans were, if there are any; what kind of definitive answers and responses could we get.

We were not able to make contact in any meaningful way; and so along about Saturday, in fact about half time at the Iowa State-Iowa game, I made a decision to jump on a plane in Ames. I left at the end of the third quarter. It was hard to do, but Iowa State was ahead 23 to 3 at the time, so I went down to the airport, jumped aboard a little Bonanza airplane, a little single-engine, and we flew our way towards New Orleans.

We stopped in Little Rock that night and stayed out of the area. There was not a room to be had anywhere in that close region from Baton Rouge on south. In fact, even north of Baton Rouge. So we stayed in Little Rock, and then went back in the air at 5:15 in the morning and flew on into New Orleans and landed there about 7:26 a.m. Sunday morning. There was no commercial traffic going in or out of the airport. There were military air flights that were going in and helicopters

moving around, but not the real intensity that you might expect to see, and I found out why.

We pulled up there to the flight service, and they looked out and came out to greet us. Real fine folks there. They were very friendly and kind of wondered what we were doing there; and we said, well, we came down here to take a look and see what is going on. They said, well, we do not see too many people coming in here like that. So we walked into their office and they said, well, did you have something to eat? Here is some ice water, here is a little pop. We have a little food here. Here are some MREs, some meals ready to eat.

Those MREs seem to be everywhere in that city. Every time you turn around, there is another boxful of meals ready to eat. That tells you they have been getting resources out for quite some time. Everywhere you go there is cans of water and bottles of water, and sometimes iced-down pop and food sitting around. It is not always the finest cuisine, but it is nutrition just the same.

So we had our conversation there and picked up the phone and called across to the military headquarters where the central command is that is planning and taking care and managing the disaster relief that is going on, and I told them I had just flown in in the morning and wanted to come over and talk to their commanding officer and get a sense of what was going on there. So they sent a car over right away to pick me up and brought me over to headquarters, and we had a good chat there for a while and a briefing on the maps on where the water was.

In fact, I happened to recall that on the back side of this picture there is a map, Mr. Speaker. This is the map of New Orleans; and as it sits here, it is color coded according to the depth of the water. This is Lake Pontchartrain here, and there is some high ground up along the edge of the Lake. But once it gets over the levee, it goes too deep, and the brown is 9 to 16 feet of water. Now, this is after the flood. And then it goes to orange, and you can see the brown; the deepest areas would be right in here and here.

This is the 17th Street Canal, I believe, right in there. And then there are two other canals that caused a problem. I believe this one had about three breaches in it about there. This one up here and this way started flowing water down into New Orleans.

But the depth of this water, the dark brown, up to 16 feet deep, 9 to 16; and the orange, you can see in some of these areas here and here, 6 to 9 feet deep; and then in the green areas, the water was 4 to 6 feet deep; and then the blue gets a little more shallow, 2 to 4 feet deep; and the turquoise, or the lavender, about 0 to 2 feet deep. There were some deeper areas in here this far, as you can see; but this huge area out here was all water inside this shipping canal, here and inside the Mississippi

River dikes and all around this way. So this is the bowl. This is the bottom of the bowl, Mr. Speaker; and this is the area where the people suffered the most.

Listening to the briefing there, I want to say a few good words about the people that are on the front lines that have been working relentlessly for, I have lost track of the days now, 14, 15, 16 days. Maybe it is 16 or more days. Some of those people have worked 20 hours a day, some longer than that. Some did not leave duty and just nodded off a little in between from one crisis to another.

As I began to walk around up there in their operations center and talking to different officers and talking to different people that were there, I began to find out a lot about what they had been doing. The 82nd Airborne is the military unit that is taking care of the communications there. In fact, simply because of the service that they have provided and the communications system they set up, they finally linked together the rest of the agencies, the nongovernmental organizations and the Federal agencies that are there, linked them together in a communications system. And now, I believe that they meet every day at least once a day for a joint meeting where they all sit in the room. And they are all in that room, by the way, talking to people next to them and exchanging information. Instead of sending a message back to Washington, DC, and waiting for an answer in an e-mail or on a cell phone, they are right there with the people looking them in the eye. If they need a meeting, they can have that meeting on the spot.

And I will tell you from my trips over into other parts of the world, particularly three trips into Iraq, that if there is any organization in the world that has an ability to bring order out of chaos, it is our United States military. And when we look at a natural disaster of this magnitude, this unprecedented magnitude, we see that it was difficult to get resources in there. It was difficult to coordinate those resources. From this same microphone, I believe it was the Secretary of Homeland Security, Michael Chertoff, gave a good explanation of what happened in this hurricane/flood that was Katrina, and it was this:

If you were going to do a military assault on a city, the first thing you would do would be to go in and cut off the power and the communications, which Hurricane Katrina did. The wind took out the power lines. The wind took out some of the cell phone towers. It took out the ability to make telephone calls. It took out the ability to turn on the lights and run anything. It shut down the communications. This city was shut down. No lights, no power, no telephones. Well, sporadic cell phone service that finally just sputtered and died out. That went on.

That is the first operation you would do, would be to wipe out the commu-

nications and the power. The second thing you would do would be to cut off all the transportation routes to the city, which this flood did. Sometimes it just took out the access, or flooded the access to the bridges; and sometimes it took out, I believe it was Highway 10, where it blew parts of that out and dropped it right down into the water. But it shut down the transportation routes in and out of New Orleans.

That is the second thing you would do in a military operation. First, shut off power, communications, and then cut off transportation, or access to the city. And then the third thing you would do after you immobilized the city would be to attack, and that is what the flood did. This flood poured over the dike through the 17th Street Canal, through this other canal, and then filled this deep bowl up here with up to 16 feet of water in these areas and drifting on out to this perimeter along this way.

While that was going on, we had people that knew that there was a problem brewing. They knew the bowl was starting to fill, but they could not get over here to see how much water was coming in because there just was no transportation access to do that. So they could only speculate. And if you cannot see the water pouring in, you cannot tell how much water is coming in. You can have some degree of knowledge as to how fast it is; but when the power is out and it is at night, you cannot really tell what is going on.

On top of that, as I had my conversations with the people over there, I found out that on Monday afternoon, by 3:30, there were looters out then, in force, in gangs, with guns, already stealing, already looting, and taking shots that were keeping our rescue people from going in.

Now, when you think about going in in a boat in a swamp in an urban environment, we do not have any military trained to do that. We have never envisioned that kind of warfare, with a flooded city where you go in with a John boat and float on in there and try to rescue people while under fire. That is not part of what we have experience with or anything we have ever imagined. So the gangs intimidated, the shots were fired, and they kept the rescue operations and some of the recovery operations and some of the analysis operations from going in and seeing what was going on and being able to identify this problem.

Meanwhile, New Orleans is filling with water, and it filled beyond any level it had ever been at before. Now you had the perfect storm. And I could talk about the weather forces that brought that out, and I think what I would do is just to give the quickest of answers. Most people, I think, Mr. Speaker, have watched this on television, and it was almost a perfect storm from the standpoint of where the eye of the hurricane was, how the wind drove and the counterclockwise spinning of the hurricane, where it sat over

here to the east, or to the right of New Orleans, slightly to the right of New Orleans.

That wind that came from the south and up in here in the outlet of Lake Ponchartrain off of the open gulf here drove water up into Lake Pontchartrain, a lake that is maybe 8 to 15 feet deep; but it is a huge lake. And it pushed so much water up into this lake that there was half again more water than there was before the storm. Eight to 10 feet more water in this lake driven by the low pressure center, which actually lifts water up that is in the center of a hurricane.

And then driven by 150 or more velocity winds, pushed that water in and shoved an extra 10 feet up into Lake Pontchartrain, and then stacking that water over here on the north side.

And when the hurricane moved further to the east, this counterclockwise motion turned that wind around from the south, southeast, where it was driving the water into Lake Pontchartrain, and brought it over to the top; and it was coming now down from the north. And you had 10 feet of water pouring down here with 8 to 10 feet of waves on top of it, and all that surge and splash went right up against here and breached the levee for the 17th Street, here and I believe there.

□ 2215

So it was the perfect storm, but it was a perfect storm that was predicted. It was actually predicted in The Times Picayune newspaper in late 2002, if I have my dates right. I have read all of the articles. It is extraordinarily informative. There is one that says, "Worst Case Scenario." What I have just described was the worst case scenario.

But, nonetheless, I sat in on that briefing, engaged in that briefing, gave a little talk to the people there working, giving their hearts out for the people in the gulf coast region. They are proud of the work that they do. They are humble people with an inner pride. As I stood and looked them in the eye, I could feel that commitment to Americans, dedication to Americans, all of us pulling together. People from all over the United States came down to work in the gulf coast region to provide relief as fast as they possibly could. They gave their all.

The airport in New Orleans, the Louis Armstrong International Airport, was separated into several different areas. One concourse was a hospital and triage area. There were two other areas for the victims of the flood, the future evacuees. And then the troops and the rescue workers, they would find any place they could to sleep. Sometimes there would be room. Sometimes it was a corner, if they slept at all.

They went to work. They went to work to save lives. They peaked out there on one of these days at the rate of 10,000 lives a day being pulled out of New Orleans through the operations there at the airport.

We know that the Coast Guard saved a high number. The last number I heard was 9,000. I expect it is more than that.

The numbers of people now in shelters has been diminishing significantly. There is a steady rotation of people coming through. As flood victims, they are still giving up. Some people like to stay in their homes. They are realizing this is going to be a long time, so they are starting to come out. As they come out, there are people being placed in Louisiana, Mississippi and Alabama and further up in the United States.

I am happy to say that the Fifth Congressional District of Iowa has welcomed some victims of Hurricane Katrina. All of us are reaching out. What we are seeking to do in the Fifth District of Iowa is ask the county seat mayors to conduct a meeting. Many had those meetings, bring with them and ask to sit at the table the county emergency manager, the pastoral groups, representatives of the churches within the county, the school administrators and the top employers in the counties so we can get a sense of what jobs are available.

What we want to do and are positioning ourselves, I call it the tour guide technique. I want to make sure that we have a household that is identified that is ready to receive a family. I want to make sure there is a place in the school for the children that might come. I want to make sure that house is ready, and the people know when they pull into town, whether on a bus or plane, they get off of their transportation, whichever mode it is, there would stand the mayor with a smile and a handshake and welcome them to the city. Also next to him would be a pastor of the faith of their choice, if they had a choice, and next to him or her would be a sponsoring family that will help them get acclimated to the community and any other resources they might need. We will help with job placement and interviews. That is happening all over this country.

I would like it to be one-stop shopping within the county and determine how many families we can take within each county and set up that system so people do not go off into the unknown.

The evacuees have lived in that region all of their life, and now they have to do something different. There is no housing available near New Orleans. Baton Rouge is full. There are no hotel rooms anywhere there.

I had the privilege of using a Red Cross cot the night before last. They gave me a little place in the corner to lay down and sleep, and I am grateful for their hospitality.

What I saw in that first day after the briefing, I hitched a ride in a helicopter. I flew around the city, a couple of laps around the Superdome and over along the top of Lake Pontchartrain, back around here, and there is another region that is outside of the picture. That entire levee dike is gone. They do not have any protection from the Gulf of Mexico from this way.

We flew all of the way down here on the other side of the Mississippi River. Right here is the Corps of Engineers' headquarters where they weathered the storm right here on the banks of the Mississippi River. Right across from them is the grain handling terminals. I believe that is the largest one on the river. It appears there is not structural damage, and we have heard reports there is a fair opportunity within the next couple of weeks to see grain shipments get up near its previous volume that it had.

We looked over this entire city and flew over the water and wind damage. Some places outside of the water you will see wind damage where it wiped out block after block, some houses into kindling. You can see where the footings were of the houses and the square spots. The numbers of devastation was by far the worst. In New Orleans the people suffered the worst, but it is not the worst place for damage, though.

After the morning of traveling around and looking at New Orleans from the air and getting a sense of how this water sits here and how bad this damage is, then I went over to the Corps of Engineers and had a long and significant conversation with the colonel who was on duty during the flood, who was also in command at the Corps of Engineers the day I was there.

He talked about the flood event and talked about the difficulties they had, and he talked about the hydrology. And since that is my background, doing drainage work and river channelization, we are always looking for ways to manage water in an efficient fashion. It is an interest in my life. It is a background in my profession. Because of that, I feel an obligation to understand New Orleans, and I think I do, at least in the broader text.

I cannot say I have enough information to say that I understand the details yet, and I do not think anyone does. But I have most of these elevations memorized and committed to memory and most of the elevations along these levee district canals, so I have a sense what happens when the water goes up. We call it stacked water in Iowa, and they call it a surge down there. But I have a sense of how this all fits together, and where the pump stations are. They are scattered all over, and the Corps of Engineers had to go in and use their portable pumps to go in and pump down around them to work, renovate them, and get those pumps up and going again. That has been extraordinary work.

As I listen to the volume of water that they are pumping and their prediction on where they would get, and knock on wood they got where they hope to be since I was there some time yesterday afternoon, but their prediction was within 36 hours they would have another three pump stations up online. If that happened, and they cautioned there are no guarantees in the flood recovery business, and I have been through my own floods, especially

1993, but if those pumps came online, there would be 27,000 cubic feet per second pumped out of this bowl that is New Orleans.

I do not have the elevations on how far below sea level that is, except the water was 16 feet deep in the deepest parts. That indicates at least to some degree how far below sea level that is. The pumping that is going on at 27,000 cubic feet per second, and my recollection is that the Missouri River in the central part of the United States in Yankton, South Dakota, releases about 11,000 cubic feet per second during the winter time, the nonbarge season. I know how that river flows at 11,000 cubic feet per second, and those numbers would indicate that the Corps of Engineers and the city pumps for New Orleans are pumping not quite two and a half times the flow that comes down the Missouri River past Sioux City, Iowa. That is a tremendous amount of water.

They will get ahead of this water. I believe they set a date of October 8. Lord willing and if the creek does not rise and it does not rain, they should get the water pumped out of New Orleans by about October 8. Given the volume, that is an extraordinary accomplishment. All of the lives that have been saved and all the people that have been lifted out are also an extraordinary accomplishment.

The time will come to learn from what we have done here, but it is too early to point the finger of blame. It is too early to come in and say some people did not try hard enough because they had a bias. That is just utterly wrong. There is no division between Americans when it comes to a crisis. We look at each other and we see Americans, and that is as far as it goes.

After the briefing at the Corps of Engineers, I hitched a ride on a different helicopter and went from there on down the Mississippi River. The Mississippi River dumps into the Gulf of Mexico about 90 miles south of New Orleans. Today, there is some question whether it is 90 miles south or 75 miles south. The Gulf of Mexico has invaded and come upstream a ways. That is an indistinct line today because of the storm.

We flew along the Mississippi River, and along that river there are two dikes. There is a river dike. This would be well south of here, south all of the way down to the Gulf of Mexico, that 75 to 90 miles. There is a river dike that is approximately 25 feet above sea level. That was built by the Corps of Engineers to protect the boats for shipping up and down. The shipping was moving the day before yesterday, and there was a lot of traffic in the river. I could see it accelerating as the day went on. That dike was on one side.

Approximately a half mile to the west is another dike, and that dike is approximately the same elevation. I do not know what elevation it is. It appears to be about the same given where the water stands, and that protects the

other side of the dike and about that half mile wide strip in the middle from the surge and the storms and the hurricanes from the gulf.

So you have a strip of land between two dikes, a dike on either side about 25 feet above sea level, half a mile wide strip in the middle, with a highway down the top of one of them. People think they have protection from the levees. They think, I have a levee on the front side, on the river and on the gulf side, and so how could you be more safe than down here in between them.

Mr. Speaker, there is community after community along that 75- or 80-mile stretch; and these communities do not look to have been very big. They look like there were approximately 300 people here, 700 people there, typical small communities in that flat-bottom ground, a little farming going on and not any big volume. Every once in awhile there is an oil refinery, and at one location there was a heliport to service the oil platforms out in the gulf.

As we flew along that, and, remember, I had been desensitized by about 2 hours in the air over New Orleans, I looked at where trees were down, houses flooded up to the roof tops, roof tops with holes chopped in them that people had climbed through, and after seeing that for a couple of hours, you get desensitized. But as we went south along the Mississippi River, I found that the desensitization that had taken place and the numbness that sets in after seeing all of that destruction did not condition me for the condition of that strip of land between those two dikes.

That is some of the most utter destruction that I have ever seen in my life, and it is the longest expanse I have ever seen. As you watched that, I began to piece together what happened. Down there, there were homes from an entire community that were just blown away. Sometimes the buildings were just shattered, and there would be just kindling stacked up against the dikes with all kinds of trash, boards and jugs, you name it. But entire communities were just plain footings there for the houses. Maybe a flat concrete pad was there. Community after community was like that. Sometimes there would be a church or school left standing. In one town, part of the school was left standing, but next to the school the water tower was blown down, crashed, bent, destroyed.

□ 2230

And I have seen some destruction in my life, and I have seen power antennas, towers go down. I saw telephone poles that were blown clear out of the ground. But I have never seen a water tower pushed down by the force of nature in my life. But that water tower went down. And we got a picture of the water tower, and I did not commit the name of the community to memory, but I can go back and look at that. And a number of those communities took

similar devastation, but all of the rest of the water towers stuck together. That went down.

There was one family location, and I think this is a time to look at a representative example, Mr. Speaker. This is a building location, and it appears to be a dwelling; but it may have been a dwelling and a shop. This is steel piling that has been driven down into the ground so that it can withstand hurricane-force winds. Hurricane-force winds, at least Category 4½ or so, blew that sheet metal clear on through the building, stripped it down just to the I-beams that were driven to the ground. And the rubble that is laying around, there is no such thing as a representative sample. It is just everything was its unique piece of disaster, and pieces of property of the family were scattered all over; but there was this time, who knows, hundreds of thousands all over in that region.

There is no way, Mr. Speaker, that anyone can get a handle on the scope of this disaster without having flown over the region in its entirety, got down and talked to the people in the shelters and spent some time there, and I did not get to spend enough time there, and then go out on the ground and walk among this kind of disaster. But one of these places, very near where the water tower was blown down, there was a set of buildings that looked something like this. They were all shredded into this unrecognizable gnarly metal mass, and a flagpole had survived. There is no way that a flag would survive like this; but the flagpole, I guarantee it had been bent severely, but it had survived.

And this poor fellow who did not have anything except a mass and the mess he cleaned up did not have value, had not started that project yet. He had to come in there on a boat, and he had to go over to that flagpole and he ran Old Glory up to the tip of that flagpole, and there it flew in all its glory. And I can tell my colleagues it catches our eye, Mr. Speaker, when we see something like that, that sign of patriotism, that sign of defiance, that sign of determination that says, Katrina, you did not get to me. This might slow me down a little bit. It is a bump in the road, and, in fact, it is a pretty severe bump in the road, but you cannot break people's spirit that is as strong as these people's spirit is. And I saw that spirit in the floods in 1993 when we had those in Iowa when people pulled together, and I see this spirit down in the gulf coast today, Mr. Speaker.

So as we flew over that disaster, we began to see piece after piece of costly damage by that storm. The water had surged up the Mississippi River. The wind and the low pressure had sucked the water up, and the wind had driven it up the Mississippi River. And when we think about a river that has got 25-foot high levees on either side, to push that up that high and have that splash up and over the top of the levee, and in a lot of cases the levee held, but the water spilled over the top but did not breach it.

In that surge it lifted up grain barges; then put them up on the dry, some of them as high as clear at the top of the dike. And there is one tow there that I happened to notice, a tow being, Mr. Speaker, that when one ties a bunch of barges together, whatever size that is that they go down the river with, that is called a tow. And for us in the upper part of the Mississippi River, about 15 barges is a pretty good tow.

Down there 40 is not too many, but I happened to see one that had 30 barges in the tow; and of the 30, 25 of them were still tied together. The other five barges had gone off somewhere, and some had been pushed up on the dry. A couple were capsized, I could see. Some of them turned over on their side. But 25 of the 30-barge tow were all lifted up off the surface of that water. The water actually lifted them and floated them up and set them up on the bank, 25 barge tows all still tied together, all sitting up on the high and dry.

Ships that were just pushed together and shattered; shrimp boats by the dozen, 15 of them in one cluster just shoved up against the levee, tipped over. Some completely capsized, a lot of them on their sides. There was one company, I think it would be a single company, that had what I call tender boats, and these boats were painted yellow and blue. They were all painted the same. They had nine of them that I could find, and who knows if there were others that might have been sunk or blown out to sea; but these boats are, I am going to guess, 75 or more feet long, maybe as much as 90 feet long; and I expect they are the kind that go out to lift the catch off of the smaller shrimper boats that were stacked up all along the levee, and most of them were destroyed.

But these tender boats, these larger ones, the yellow and blue ones, of the nine that I counted the day before yesterday, Mr. Speaker, there were two of them that were sitting side by side right on top of the levee, right dead center in the highway, one in one lane and one in the other lane, tied side by side 25 feet above the water. That storm surge had lifted them up and set them in the middle of the dike. And the other seven identical boats were all apparently tied together so that they would ride out the storm better, and they apparently stayed together.

But of those, three were floating in the channel and four of them were up on the dry. So of the nine, six were up on the dry, two of them in the middle of the highway up on top of the levee, and four of them sitting up, I suppose, 10 or 12 feet above the water level. We take somebody's lifetime work and lifetime dream and see something like that happen to it, yes, they can put it all back and they can recover; but the magnitude, the awe, the power of this storm was, again, beyond a person's ability to comprehend unless we go down there and look at that and study it.

But the water surged up the Mississippi and floated barges out on top

of the dike and took ocean-going vessels and put them up on the dry, large ones; and that was powerful. The wind blew so hard that it just blew all of the buildings over and stacked them up against the levee on the other side, shattered them, and took tree after tree. And the trees that stood, the leaves were blown off of them. They stood there with just branches, and a lot of times the branches were not broken so much as the velocity of the wind just plucked the leaves off and left a forest there that looked like December in Iowa, not September in Louisiana. So, Mr. Speaker, it was a disaster beyond my ability to understand the scope of it until I went and took a look.

By the way, that surge in the Mississippi River that floated things up over the levee, a surge also came back from the gulf side that did nearly the same thing or maybe even equal to the same thing from the gulf side. So they had water from both sides, a surge as high as 27 or more feet; and that water came so fast that actually last night I talked to a shrimper there in northeastern New Orleans who had five boats, three of which were up on the dry and mostly destroyed, and two of them survived. They were on the west of New Orleans. And he said that he had a friend that was in his house when that surge of water came, that wall of water came; and it was approximately 3 minutes from the time the water started to rise until he had to have a hole cut in his roof to get out through the attic when the water raised that fast. Only 3 minutes to get ready for that kind of a disaster because of that low pressure center and that push of that wind, Mr. Speaker. It was an awesome thing, and the scope of this disaster is also quite awesome.

Then after we came back from there, I went over to the Red Cross headquarters, their center, and in that center I walked around and talked to some people, looked at the resources that they had. And it was very well presented by the Red Cross people. I know some of them. In fact, I ran into six Iowans down there that were hard at work, saving lives and helping people and doing so in a very friendly and warm way. I do think we can be proud of these rescue workers. They are working 20, 21 hours a day. Some of them snapped. Some of them pushed themselves to the point where they snapped, and they have got to be taken off duty for a day or so; otherwise they will not be good for the rest of this disaster.

So, Mr. Speaker, I borrowed a cot from the Red Cross and laid down and got a little sleep. The next day was not a day to look at disaster from the air as I did here on the first day; but it was a day to go visit the centers, a day to visit the people, a day to have conversations with them and get a feel for what they had gone through. And as I walked through the gymnasiums that are the shelters for the victims of the

hurricane, I talked to a number of the victims there, and found one that would like to come and be a truck driver, and he had a commercial driver's license. I think we can help a person like that. We carried some communications for some other people that were having a little trouble getting their communications out. I talked to people that were serving in the Red Cross center from places like Michigan, Ohio, I mentioned Iowa, Minnesota, California.

And I want to say a kind word about Californians. According to their measure or some report's measure, perhaps more than 50 percent of the Red Cross workers at least in that region are from California, and that is an opportunity to say a word about that kind of an effort that is coming out of that State. There are California people all over helping people from Louisiana, Mississippi, Alabama.

The military took some criticism, Mr. Speaker, because it was alleged that they reacted late. But yesterday when I was in Slidell, Louisiana, and that is a town right near the Mississippi border, one of the guards in the shelter there was walking through, and I stopped to talk to him. I remember his name. He is Specialist Cunningham. He was part of the 311th Signal Battalion out of Mobile, Alabama; and I asked him when he came into the storm zone. And he said, Sir, we took off on Monday afternoon.

I said, How did you do that?

He said, Well, we came across Mississippi, coming to the west, and some of those places we could not get through the road. So they used chainsaws. They used Humvees. They used chains. They pulled trees out of the way. They cut their way through. In fact, General Myers announced to us that was how the National Guard got in. They chainsawed their way in. I met a specialist from the 311th Signal Battalion out of Mobile, Alabama that actually did that. And as I listened to him talk and the 300 people that are part of that battalion, that is the kind of heroism that did not just quite make it to the mainstream news media.

And when we look at an area that is 93,000 square miles, the size of Kansas, and we have a mainstream media that is concentrating on looking for the story, looking for the hot spot, trying to find someone that will step up in front of the camera and utter a complaint about the service that they are not getting, that is one element of this, and I will not deny that some of that exists; but there is a whole huge other element out there in 89,000 square miles of that 90,000 square miles where we have thousands and thousands of heroes, thousands and thousands of stoic victims of this storm, and thousands and thousands of people whose lives will never be the same, Mr. Speaker.

So as I met with them and listened to them, it reminded me of the times when I had seen lives shattered in other natural disasters, in particular

our 1993 flood, and that touches a nerve and touches a cord with me because of my own personal experience with that storm, and I will save that for another time, Mr. Speaker, on my particular experience in the 1993 flood. But I believe that was the force that motivated me to go down there. That was the force that caused me to want to see this entire thing.

So after meeting with the victims and the future evacuees and having a conversation around there with the people working in the shelter, seeing the resources that they had, the organization that they had, the dedication that they had, they need a few more cots and they need a few more nurses and they are squeaking by and they are able to provide, but it is an uplifting thing to see a look in the eye of people who are fulfilling a sense of mission, a sense of duty, a duty to their country, duty to their faith; and it gives everyone strength to be around the kind of people that will commit themselves in that fashion.

Later on in the day I took a drive down into some of the worst damage, and that would be down along a levee that goes into actually northeast of the outlet of Lake Pontchartrain, south of Slidell. And down in there there are homes on the both sides of the levee. One might go for a half mile or a mile and not see a home intact, not see anything but the stubs of pilings where homes were where all of them had been blown away. And that disaster was so bad that we see the rare exception when there was a building that was held together that was intact.

I walked through there and looked at some of the things that I found, and some of the things that we see bring it home. They bring home what kind of suffering there is, and some of it is symbolism, Mr. Speaker, but I do have a picture here that shows some kind of symbol that these are real people.

□ 2245

This caught my eye, Mr. Speaker. This would have been an anniversary gift that was given, probably from husband to wife. It has two doves on the top, and it says, "Happy Anniversary," and it is laying in the rubble, just like that, that is untouched; I just walked up, and this was yesterday afternoon late, and I took this picture. I noticed that one of the doves is still in tact here on top of this material, but one of the doves is broken and laying here. When I saw that, I had to ask myself the question, do we know if a fallen dove is a fallen dove? Is one of this couple gone? Has one been blown away and lost to the storm and one is left to survive, or are they both okay and looking for each other? This kind of a scene, a scenario of families that are separated has been replayed over and over and over again, Mr. Speaker.

So there is a lot of human suffering, and the breadth of this and the depth of this is not something that is understood yet by the American people or by

this Congress, which is why I bring this message to the floor of the House of Representatives, so that America can take another step to begin to understand the damage down there.

I will tell my colleagues, Mr. Speaker, that I think we should do everything we can to rescue people, to help them recover, to place them, to make this next phase of their lives more comfortable, easier, give some sense of certainty and some sense of confidence. But, at the same time, those resources that go to that we cannot hold back, but we need a plan. We need an overall plan on, first of all, the question was asked whether we are going to rebuild New Orleans. And I want to hear from the people in New Orleans, the people in Louisiana and, of course, the people in this country. But as I look at it, I see a city that has a unique character and it has a spirit, and it sits there today awfully quiet with nothing going on, high-rise buildings, the Superdome, the core of downtown New Orleans simply standing there dormant, waiting for occupants, waiting for the water to go down and the services to go on and people to come in and occupy.

If we rebuild New Orleans to the size and scope that it was and the population that has been driven from there does not come back to New Orleans, then we will have some services that are overbuilt for the numbers of people that it will be servicing. If we rebuild New Orleans and start rebuilding homes that were destroyed, bulldoze neighborhoods where every house was destroyed and go back in and start building homes again and the disaster hits again, that is good money after bad.

So, Mr. Speaker, I propose that we put together a plan, a plan to save the city, a plan that would, I will say, construct the outlet of Lake Pontchartrain in such a way that a Category 5 hurricane cannot drive that water up into Lake Pontchartrain. Construct floodgates at the inlets of the canals, such as the 17th Street Canal, so that if something fails on the outlet, a hurricane levee protection of Lake Pontchartrain so that Lake Pontchartrain did fill it with water, that the flood gates will protect it so that New Orleans cannot be flooded again.

And I propose, Mr. Speaker, that we go in to every one of those 30 or 40 or more pump stations that are there and raise them up to an elevation high enough that no matter how severe the storm, that it cannot knock out the pumps and we would have a third way to protect the city.

This is not cheap, but New Orleans is a shipping city; New Orleans is a city with a tremendously pivotal economic location. It will be a city; with or without Federal help, it will be constructed as a city again, but we need to put the mitigation in place, the fail-safe system in place so there are actually three places to protect the city. The hurricane wall and levee for the outlet of Lake Pontchartrain, the floodgates

along the top of Lake Pontchartrain to keep the water out of the city, and then disaster-proof the lift stations, the pump stations that are all over that city so that they do not shut down, so that we can protect the city.

And then, if perhaps 25 percent of the people do not come back to New Orleans, if they decide that they are going to make their future where they find themselves relocated, then those low grounds that I showed on the previous chart, that dark brown in particular, that area should be put to some other use other than houses so that we are not pulling people out of the water again. Perhaps it becomes a park. We will wait for some architect to come up with a good idea for that.

But I am for helping people, and I am for a long-term plan to do the right thing. I do not think we need to be in a desperate hurry to rebuild New Orleans in the shortest time possible. I think this is a long-term event, and some of this damage that took place was to work that was done more than 100 years ago. We can put this work together in a fashion that is sequential to protect the city of New Orleans and build for the future, and it can be a more vibrant city than it has ever been before. It can still have its unique culture, and it can possibly have a culture that changes, but a unique culture. It can be economically viable and it can bring to this Nation the component of glory that it has given to us in the past and be a great city to visit in and live in, but we need to have an intelligent plan.

It is Congress's job to do that, Mr. Speaker. It is our job to initiate appropriations, and it is our job to safeguard those appropriations, and it is our job to listen to the people of America and put a plan in place, Mr. Speaker. That is my message to the American people.

I appreciate the opportunity to address this House of Representatives this evening, and I look forward to many discussions about how we are going to help the victims of Hurricane Katrina.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today on account of official business.

Mrs. JONES of Ohio (at the request of Ms. PELOSI) for today on account of district business.

Mrs. MALONEY (at the request of Ms. PELOSI) for today and the balance of the week.

Mr. McNULTY (at the request of Ms. PELOSI) for today.

Mr. WALSH (at the request of Mr. DELAY) for today and September 14 on account of a death in the family.

Mr. MCHUGH (at the request of Mr. DELAY) for today on account of attending a funeral.

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 Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. HERSETH, for 5 minutes, today.

Mrs. MCCARTHY, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. GENE GREEN of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, today and September 14, 15, and 16.

Mr. GUTKNECHT, for 5 minutes, September 20.

Mr. POE, for 5 minutes, September 14.

Mr. MCHENRY, for 5 minutes, September 14 and 15.

Ms. FOXX, for 5 minutes, September 15.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 804. An act to exclude from consideration as income certain payments under the national flood insurance program.

H.R. 3669. An act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 252. An act to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada.

S. 264. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House, reports that on September 8, 2005 he presented to the President of the United States, for his approval, the following bills.

H.R. 3650. Federal Judiciary Emergency Special Sessions Act of 2005.

H.R. 3673. Second Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, 2005.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 51 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 14, 2005, at 10 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3819. A letter from the Secretary, Department of Transportation, transmitting the annual report of the Maritime Administration (MARAD) for Fiscal Year 2004, pursuant to 46 U.S.C. app. 1118; to the Committee on Armed Services.

3820. A letter from the Deputy Assistant Secretary for Installations and Facilities, Department of the Navy, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission; to the Committee on Armed Services.

3821. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101-510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

3822. A letter from the Acting Administrator, Energy Information Administration, Department of Energy, transmitting the Energy Information Administration's "International Energy Outlook 2005," pursuant to 15 U.S.C. 790f(a)(2); to the Committee on Energy and Commerce.

3823. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of the determination that a public health emergency exists and has existed in the state of Texas since September 2, 2005, pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

3824. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Fiscal Year 2004 annual report on U.S. Government Assistance to Eastern Europe under the Support for East European Democracy (SEED) Act, pursuant to 22 U.S.C. 5474(c); to the Committee on International Relations.

3825. A letter from the Chairman, Broadcasting Board of Governors, transmitting the Board's report entitled, "Outreach to the Muslim Audiences Through Broadcast Media"; to the Committee on International Relations.

3826. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 05-38, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Kuwait for defense articles and services; to the Committee on International Relations.

3827. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 05-33, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Turkey for defense articles and services; to the Committee on International Relations.

3828. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 05-43, concerning the Department of the Navy's

proposed Letter(s) of Offer and Acceptance to Spain for defense articles and services; to the Committee on International Relations.

3829. A letter from the Under Secretary for Policy, Department of Defense, transmitting the Department's report on proposed obligations for weapons destruction and non-proliferation in the former Soviet Union and Albania, pursuant to Public Law 108-136, section 1302; to the Committee on International Relations.

3830. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Section 126.1(i) (Z-RIN: 1400-ZA18) received August 2, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3831. A letter from the U.S. Global AIDS Coordinator, Department of State, transmitting on behalf of the President, the report entitled, "Engendering Bold Leadership: The President's Emergency Plan for AIDS Relief", pursuant to Public Law 108-25, section 5; to the Committee on International Relations.

3832. A letter from the Deputy Secretary, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Force Against Iraq Resolution (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the April 15, 2005 — June 15, 2005 reporting period including matters relating to post-liberation Iraq under Section 7 of the Iraq Liberation Act of 1998 (Pub. L. 105-338); to the Committee on International Relations.

3833. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles to the Government of Japan (Transmittal No. DDTC 034-05); to the Committee on International Relations.

3834. A letter from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting a draft of proposed legislation, "To authorize the Court Services and Offender Supervision Agency to accept the services of volunteers, and provide for their incidental expenses"; to the Committee on Government Reform.

3835. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's FY 2005 Annual Report on Commercial Activities, pursuant to Public Law 105-270; to the Committee on Government Reform.

3836. A letter from the Deputy Director of Communication and Legislative Affairs, Equal Employment Opportunity Commission, transmitting in accordance with the Federal Activities Inventory Reform Act of 1998, the Commission's FY 2005 Inventory of Commercial and Inherently Governmental Activities; to the Committee on Government Reform.

3837. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's report for FY 2004 and the preceding four fiscal years on the activities to ensure accountability for antidiscrimination and whistleblower laws related to employment, pursuant to Public Law 107-174, section 203; to the Committee on Government Reform.

3838. A letter from the Director, Office of Personnel Management, transmitting the Office's report describing and evaluating health benefits coverage for dependent children who are full-time students under the

Federal Employees Health Benefits (FEHB) Program, pursuant to 20 U.S.C. 1001; to the Committee on Government Reform.

3839. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River Mile 308 to 309, Huntington, WV [COTP Huntington-05-003] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3840. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny River Mile Marker 0.0 to Mile Marker 0.2 and Ohio River Mile Marker 0.0 to Mile Marker 0.8, Pittsburgh, PA [COTP Pittsburgh-05-007] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3841. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny River Mile Marker 0.3 to Mile Marker 0.7, Pittsburgh, PA [COTP Pittsburgh-05-010] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3842. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny River Mile Marker 0.3 to Mile Marker 0.7, Pittsburgh, PA [COTP Pittsburgh-05-011] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3843. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine Outer Bar Channel Between Buoys "30" and "34," Sabine, TX [COTP Port Arthur-05-003] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3844. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule Safety Zone; Inner Harbor Navigational Canal, 500 yards North and South of Mile Marker 2.9, in the vicinity of the Almonaster Avenue Bridge, New Orleans, LA [COTP New Orleans-05-019] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3845. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Port Allen Route, Mile Marker 40.0 to Mile Marker 42.0, extending the entire width of the channel, Bayou Sorrell, LA [COTP New Orleans-05-020] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3846. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule Safety Zone; Lower Mississippi River, Mile 94.0 to Mile 95.0, in the vicinity of Spanish Plaza, New Orleans, LA [COTP New Orleans-05-021] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3847. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule Safety Zone; Lower

Mississippi River, Mile Marker 457.2 to Mile Marker 437.4, Madison Parish Port to the Vicksburg Front, Vicksburg, MS [COTP New Orleans-05-022] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3848. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule Safety Zone; Lower Mississippi River, Mile 94.0 to Mile 95.0, Above Head of Passes, in the vicinity of the Audubon Aquarium of the Americas, New Orleans, LA [COTP New Orleans-05-023] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3849. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule Safety Zone; Lower Mississippi River, Mile 93.0 to Mile 94.0, Above Head of Passes, in the vicinity of Woldenberg Park, New Orleans, LA [COTP New Orleans-05-024] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3850. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule Safety Zone; Upper Mississippi River Mile Marker 179.0 to Mile Marker 180.2, St. Louis, MO [COTP St. Louis-05-004] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3851. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule Safety Zone; Waverly Highway Bridge, Waverly, MO [COTP St. Louis-05-005] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3852. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule Safety Zone; Upper Mississippi River Mile Marker 200.0 to Mile Marker 204.0, IL [COTP St. Louis-05-006] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3853. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule Safety Zone; Upper Mississippi River Mile Marker 839.7 to Mile Marker 840.3, St. Paul, MN [COTP St. Louis-05-007] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3854. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Upper Mississippi River Mile Marker 577.9 to Mile Marker 581.1, Dubuque, IA [COTP St. Louis-05-008] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3855. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Illinois River Mile Marker 162.3 to Mile Marker 163.0, Peoria, IL [COTP St. Louis-05-009] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3856. A letter from the Chief, Regulations and Administrative Law, USCG, Department

of Homeland Security, transmitting the Department's final rule—Safety Zone; Upper Mississippi River Mile Marker 485.5 to Mile Marker 485.9, Quad Cities, IL [COTP St. Louis-05-011] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3857. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Hillsborough Bay, FL [COTP Tampa 05-006] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3858. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone Regulation; Tampa Bay, FL [COTP TAMPA 05-008] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3859. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Sabine Outer Bar Channel Between Buoy "30" and "34," Sabine, TX [COTP Port Arthur-05-004] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3860. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Lower Mississippi River, Mile Marker 19.0 to 21.0, Above Head of Passes, Fort Jackson, LA [COTP New Orleans-05-025] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3861. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule Safety Zone, Marathon, Florida [COTP Key West 05-043] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3862. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Wolf River Chute, Mile Marker 1.0 to 3.0, Memphis, TN [COTP Memphis-05-006] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3863. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Emergency Safety Zone: James River, VA [CGD05-05-056] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3864. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a semi-annual report concerning emigration laws and policies of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, Ukraine, and Uzbekistan, as required by Sections 402 and 409 of the 1974 Trade Act, as amended, pursuant to 19 U.S.C. 2432(c) and (d); to the Committee on Ways and Means.

3865. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Utilization and Beneficiary Access to Services Post-Implementation of the Inpatient Rehabilitation Facilities Prospective Payment System (IRF PPS)," pursuant to Pub-

lic Law 106-113, section 125(b); to the Committee on Ways and Means.

3866. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2003 report on the Low Income Home Energy Assistance Program (LIHEAP), pursuant to 42 U.S.C. 8629(b); jointly to the Committees on Energy and Commerce and Education and the Workforce.

3867. A letter from the Secretary, Department of Health and Human Services, transmitting a waiver of certain Medicare, Medicaid, and State Children's Health Insurance Program Requirements, pursuant to 42 U.S.C. 1320b-5 Public Law 107-188, section 143(a)(1135)(f); jointly to the Committees on Ways and Means and Energy and Commerce.

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. SENSENBRENNER: Committee on the Judiciary. Supplemental report on H.R. 3132. A bill to make improvements to the national sex offender registration program, and for other purposes (Rept. 109-218 Pt. 2).

Mr. GINGREY: Committee on Rules. House Resolution 436. Resolution providing for consideration of the bill (H.R. 3132) to make improvements to the national sex offender registration program, and for other purposes (Rept. 109-219). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. EVANS (for himself, Mr. FILLNER, Ms. CORRINE BROWN of Florida, Mr. SNYDER, Mr. MICHAUD, Ms. HERSETH, Mr. STRICKLAND, Ms. HOOLEY, Mr. REYES, Ms. BERKLEY, Mr. GUTIERREZ, and Mr. UDALL of New Mexico):

H.R. 3727. A bill to authorize the Secretary of Veterans Affairs to provide emergency assistance to homeless veterans and their families affected by Hurricane Katrina, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on 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. SENSENBRENNER:
H.R. 3728. A bill to amend title 18, United States Code, to prevent interference with Federal disaster relief efforts, and for other purposes; to the Committee on the Judiciary.

By Mr. SENSENBRENNER:
H.R. 3729. A bill to provide emergency authority to delay or toll judicial proceedings in United States district and circuit courts; to the Committee on the Judiciary.

By Mr. SENSENBRENNER:
H.R. 3730. A bill to extend the statute of limitations pursuant to state of emergency, and for other purposes; to the Committee on the Judiciary.

By Ms. SLAUGHTER (for herself, Mr. CASE, Ms. WOOLSEY, Mr. HINCHEY, Ms. SCHAKOWSKY, and Ms. WATSON):

H.R. 3731. A bill to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service; to the Committee on Energy and Commerce.

By Mr. ISSA:

H.R. 3732. A bill to provide for a credit for employers of tipped employees in determining the minimum wage required in States that require employers to pay a minimum wage at a rate higher than the Federal rate; to the Committee on Education and the Workforce.

By Mr. DAVIS of Alabama:

H.R. 3733. A bill to amend the Internal Revenue Code of 1986 to allow individuals who are victims of Hurricane Katrina to withdraw funds without penalty from their individual retirement accounts and certain other retirement plans; to the Committee on Ways and Means.

By Mr. DAVIS of Alabama:

H.R. 3734. A bill to extend to individuals evacuated from their residences as a result of Hurricane Katrina the right to use the absentee balloting and registration procedures available to military and overseas voters under the Uniformed and Overseas Citizens Absentee Voting Act, and for other purposes; to the Committee on House Administration.

By Mr. DAVIS of Alabama:

H.R. 3735. A bill to prevent a reduction in the Medicaid Federal medical assistance percentage (FMAP) determined for a State for fiscal year 2006; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER:

H.R. 3736. A bill to protect volunteers assisting the victims of Hurricane Katrina; to the Committee on the Judiciary.

By Mr. KOLBE (for himself, Ms. HARRIS, Mr. OTTER, Mr. KIRK, Mr. SIMMONS, Mr. HOLT, Mr. SNYDER, Mr. BASS, Mr. PETRI, Mr. PENCE, Mr. WOLF, Ms. GINNY BROWN-WAITE of Florida, Mr. UDALL of Colorado, Ms. FOXX, and Mr. WESTMORELAND):

H.R. 3737. A bill to establish an Office of Special Inspector General for Hurricane Katrina Recovery; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS (for himself and Ms. SCHAKOWSKY):

H.R. 3738. A bill to direct the Consumer Product Safety Commission to declare Yo-Yo Waterball toys to be a banned hazardous product; to the Committee on Energy and Commerce.

By Mr. BOOZMAN (for himself and Mr. SOUDER):

H.R. 3739. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to improve the Department of Justice drug court grant program, and for other purposes; to the Committee on the Judiciary.

By Mr. BRADY of Pennsylvania:

H.R. 3740. A bill to provide for the issuance of a special postage stamp in order to afford a convenient means by which members of the public may contribute to Hurricane Katrina disaster relief; to the Committee on Government Reform, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Kentucky (for himself and Mr. PICKERING):

H.R. 3741. A bill to amend the Internal Revenue Code to allow a one-time emergency, penalty free withdrawal, from a qualified investment retirement account; to the Committee on Ways and Means.

By Mr. FOLEY (for himself, Mr. MEEK of Florida, Ms. HARRIS, Mr. MILLER of Florida, Mr. WELLER, Ms. ROS-

LEHTINEN, Mr. ENGLISH of Pennsylvania, Mr. MICA, Mr. JEFFERSON, Mr. MARIO DIAZ-BALART of Florida, Mr. MACK, Mr. LINCOLN DIAZ-BALART of Florida, Mr. FEENEY, Mr. DAVIS of Florida, Mr. PUTNAM, Ms. GINNY BROWN-WAITE of Florida, Mr. WILSON of South Carolina, Mr. SHAW, Mr. BOYD, and Mr. BILIRAKIS):

H.R. 3742. A bill to amend the Internal Revenue Code of 1986 to allow withdrawals from individual retirement plans without penalty by individuals within areas determined by the President to be disaster areas by reason of certain natural disasters; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 3743. A bill to ensure that certain members of the United States Armed Forces are not subject to secondary airport security screening; to the Committee on Homeland Security.

By Mr. GONZALEZ (for himself and Mr. REYES):

H.R. 3744. A bill to amend the Internal Revenue Code of 1986 to provide incentives for Americans to open their homes to fellow Americans from the Gulf Coast who were devastated by Hurricane Katrina, and for other purposes; to the Committee on Ways and Means.

By Mr. HOEKSTRA (for himself, Mr. SCHWARZ of Michigan, and Mr. WILSON of South Carolina):

H.R. 3745. A bill to amend the Internal Revenue Code of 1986 to extend the tax treatment of members of the Armed Forces who die while serving in, or as a result of serving in, a combat zone to employees of contractors of the Federal Government; to the Committee on Ways and Means.

By Mr. HOYER (for himself, Mr. KOLBE, Mrs. TAUSCHER, Mrs. JOHNSON of Connecticut, Mr. MENENDEZ, Mr. KIRK, Mr. BOUCHER, Ms. DELAURO, Mr. FRANK of Massachusetts, Mr. HINCHEY, Mr. WYNN, Mr. SMITH of Washington, Mr. SCHIFF, Mr. KIND, and Mr. MOORE of Kansas):

H.R. 3746. A bill to prohibit certain abortions; 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. JINDAL:

H.R. 3747. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to assist victims of Hurricane Katrina and other major disasters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. HINOJOSA, Mr. ORTIZ, Mr. GENE GREEN of Texas, Mr. DOGGETT, Ms. JACKSON-LEE of Texas, Mr. REYES, Mr. CUELLAR, Ms. LEE, Mr. KENNEDY of Rhode Island, Mr. NADLER, Mr. BOREN, Mr. BROWN of Ohio, Ms. CARSON, Mr. HONDA, Mr. BERMAN, Mr. GRIJALVA, Mr. CUMMINGS, Mr. SCOTT of Georgia, Mr. McDERMOTT, Ms. SOLIS, Mr. OWENS, and Mr. CLEAVER):

H.R. 3748. A bill to provide additional funds to local educational agencies for elementary and secondary education and pupil services for students displaced by Hurricane Katrina, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LEACH:

H.R. 3749. A bill to establish a national commission to address the rebirth and renewal of neighborhoods and communities affected by Hurricane Katrina; to the Committee on Transportation and Infrastruc-

ture, and in addition to the Committees on Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia:

H.R. 3750. A bill to temporarily increase the standard mileage rate for use of an automobile for purposes of certain deductions allowed under the Internal Revenue Code of 1986 and to temporarily increase the reimbursement rate for use of an automobile by Federal employees; to the Committee on Ways and Means, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHENRY:

H.R. 3751. A bill to amend the Internal Revenue Code of 1986 to provide that withdrawals from section 401(k) and similar plans by victims of Presidentially declared disasters shall not be includible in gross income and shall not be subject to the additional tax on early distributions; to the Committee on Ways and Means.

By Mr. MENENDEZ:

H.R. 3752. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on crude oil and to ease gas prices for consumers, and for other purposes; to the Committee on Ways and Means.

By Mrs. MUSGRAVE (for herself, Mr. BOEHNER, Mr. ADERHOLT, Mr. AKIN, Mr. BARTLETT of Maryland, Mrs. BLACKBURN, Mr. BRADY of Texas, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CHOCOLA, Mrs. JO ANN DAVIS of Virginia, Mr. DOOLITTLE, Mr. FEENEY, Mr. FLAKE, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GINGREY, Mr. GOODE, Mr. GREEN of Wisconsin, Mr. HAYES, Mr. HAYWORTH, Mr. HOEKSTRA, Mr. HOSTETTLER, Mr. HYDE, Mr. INGLIS of South Carolina, Mr. ISTOOK, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. KENNEDY of Minnesota, Mr. KING of Iowa, Mr. LAHOOD, Mr. MCCAUL of Texas, Mr. MCCOTTER, Mr. MILLER of Florida, Mrs. MYRICK, Mr. NORWOOD, Mr. NUSSLE, Mr. OTTER, Mr. PAUL, Mr. PENCE, Mr. PITTS, Mr. PLATTS, Mr. RENZI, Mr. ROGERS of Alabama, Mr. RYUN of Kansas, Mr. SHIMKUS, Mr. SIMPSON, Mr. SOUDER, Mr. SULLIVAN, Mr. TANCREDO, Mr. TERRY, Mr. TIAHRT, Mr. WAMP, and Mr. WOLF):

H.R. 3753. A bill to amend selected statutes to clarify existing Federal law as to the treatment of students privately educated at home under State law; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, and 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.

By Mr. POMEROY:

H.R. 3754. A bill to provide disaster assistance to agricultural producers for 2005 crop and livestock losses, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Resources, and Small Business, 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. REICHERT (for himself and Mr. SOUDER):

H.R. 3755. A bill to amend the Controlled Substances Act (21 U.S.C. 848) to provide increased penalties for methamphetamine traffickers; to the Committee on the Judiciary,

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. REICHERT (for himself and Mr. SOUDER):

H.R. 3756. A bill to amend the Controlled Substances Act and title 18, United States Code, with respect to methamphetamine, and for other purposes; to the Committee on the Judiciary, 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. ROGERS of Michigan (for himself, Mr. BURGESS, Mr. BLUNT, and Mr. SHIMKUS):

H.R. 3757. A bill to amend titles XIX of the Social Security Act to provide for health opportunity accounts under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. SCHIFF:

H.R. 3758. A bill to improve foster care court capacity through grants, loan forgiveness, and performance measurement; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, 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. WYNN (for himself and Mr. LEWIS of Kentucky):

H.R. 3759. A bill to amend the Internal Revenue Code of 1986 to allow withdrawals from qualified retirement plans without penalty by individuals within areas determined by the President to be disaster areas by reason of Hurricane Katrina; to the Committee on Ways and Means.

By Mr. CLEAVER (for himself, Mr. BLUNT, Mrs. EMERSON, Mr. OSBORNE, Mr. HOYER, Mr. CLYBURN, Mr. BROWN of Ohio, Mr. HIGGINS, Ms. BALDWIN, Mr. WYNN, Mr. MOORE of Kansas, Mr. SKELTON, and Mr. DAVIS of Alabama):

H. Con. Res. 240. Concurrent resolution supporting the goals and ideals of a national day of prayer and remembrance for the victims of Hurricane Katrina and encouraging all Americans to observe that day; to the Committee on Government Reform.

By Mrs. WILSON of New Mexico (for herself, Mr. UDALL of New Mexico, and Mr. PEARCE):

H. Con. Res. 241. Concurrent resolution providing for acceptance of a statue of Po'Pay, presented by the State of New Mexico, for placement in National Statuary Hall, and for other purposes; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XII,

168. The SPEAKER presented a memorial of the General Assembly of the State of Colorado, relative to House Joint Resolution No. 05-1005 expressing sympathy for the victims of the earthquake and tsunamis that occurred on December 26, 2004, and thanks to Coloradans for their generous charitable donations; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. FILNER.

H.R. 23: Mr. SCHWARZ of Michigan and Mr. GIBBONS.

H.R. 25: Mr. BROWN of South Carolina and Mr. TANCREDO.

H.R. 49: Mr. KANJORSKI.

H.R. 111: Mr. COBLE.

H.R. 114: Mr. CROWLEY.

H.R. 115: Mr. FILNER.

H.R. 153: Mr. PALLONE and Ms. SCHAKOWSKY.

H.R. 226: Mr. ETHERIDGE and Mr. SMITH of Washington.

H.R. 303: Mr. ENGLISH of Pennsylvania.

H.R. 363: Mr. BERMAN and Mr. BISHOP of Georgia.

H.R. 376: Mr. BERRY.

H.R. 398: Mrs. TAUSCHER, Mr. CROWLEY, Mr. FILNER, Mr. KUCINICH, Mrs. MALONEY, Mr. LEWIS of Georgia, Mr. KENNEDY of Rhode Island, Mr. ACKERMAN, Ms. SCHAKOWSKY, Mr. MARKEY, Mr. BRADY of Pennsylvania, Mr. MICHAUD, Mrs. CAPPS, Mrs. NAPOLITANO, Mr. BECERRA, Mr. AL GREEN of Texas, Mrs. CHRISTENSEN, Mr. CLYBURN, Ms. WATERS, Mr. WATT, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MOORE of Wisconsin, Mr. SCHIFF, Mrs. MCCARTHY, Mr. NADLER, Mr. PASCRELL, Mr. CLEAVER, Mr. ENGEL, Mr. STARK, Mr. MCDERMOTT, Ms. HARMAN, Mr. ROTHMAN, Ms. BERKLEY, Mrs. LOWEY, Ms. ESHOO, and Ms. WOOLSEY.

H.R. 414: Mr. RYAN of Ohio, Ms. SLAUGHTER, Mr. SHIMKUS, Mr. POMBO, Mr. PLATTS, and Mr. JEFFERSON.

H.R. 415: Mr. PETERSON of Minnesota.

H.R. 515: Mrs. LOWEY.

H.R. 521: Mr. HOEKSTRA.

H.R. 550: Mr. CARNAHAN, Mr. NEAL of Massachusetts, Mr. MENENDEZ, and Mr. CLEAVER.

H.R. 552: Mr. HERGER and Mrs. MILLER of Michigan.

H.R. 583: Mr. NEAL of Massachusetts and Mr. MARKEY.

H.R. 602: Mr. MARCHANT.

H.R. 616: Mr. FILNER, Mr. HINCHEY, and Mr. TERRY.

H.R. 670: Mr. McCOTTER.

H.R. 687: Mr. DUNCAN.

H.R. 693: Mr. McCOTTER.

H.R. 699: Ms. LEE.

H.R. 700: Mr. COSTA and Mr. MICHAUD.

H.R. 705: Mr. SANDERS.

H.R. 745: Mr. CANNON and Mr. FORD.

H.R. 752: Mr. EMANUEL, Mr. MOORE of Kansas, and Ms. SLAUGHTER.

H.R. 768: Mr. MEEK of Florida.

H.R. 783: Mr. JINDAL, Mr. MARSHALL, and Mr. LARSON of Connecticut.

H.R. 808: Mr. BACA, Ms. SCHWARTZ of Pennsylvania, and Mr. PASTOR.

H.R. 813: Mr. GEORGE MILLER of California, Mr. SANDERS, and Mr. COSTELLO.

H.R. 819: Mr. BLUNT and Mr. RYAN of Wisconsin.

H.R. 839: Mr. MILLER of North Carolina.

H.R. 844: Mr. FILNER.

H.R. 856: Ms. HERSETH.

H.R. 867: Ms. SCHAKOWSKY.

H.R. 872: Mr. GRIJALVA, Ms. VELÁZQUEZ, Mr. PETERSON of Minnesota, Mr. PLATTS, and Mr. PRICE of North Carolina.

H.R. 896: Mr. McNULTY.

H.R. 917: Mr. SANDERS.

H.R. 920: Mr. ANDREWS and Mr. MCHUGH.

H.R. 921: Ms. SCHAKOWSKY.

H.R. 923: Mr. VAN HOLLEN and Mr. LAHOOD.

H.R. 949: Ms. SLAUGHTER.

H.R. 955: Mr. SANDERS.

H.R. 960: Mr. BUTTERFIELD and Mr. McINTYRE.

H.R. 968: Mr. GORDON.

H.R. 986: Mr. SCHIFF and Mr. BARTLETT of Maryland.

H.R. 997: Mr. SHADEGG.

H.R. 999: Mr. MARSHALL and Mr. WAMP.

H.R. 1000: Mr. SCHIFF, Mr. PLATTS, and Mr. CUMMINGS.

H.R. 1020: Mr. HOLT, Mr. HOLDEN, Mr. ANDREWS, Mr. BERMAN, Mr. OBERSTAR, and Mr. GRIJALVA.

H.R. 1043: Mr. NADLER, Mr. GRIJALVA, and Mr. BROWN of Ohio.

H.R. 1105: Mr. RENZI.

H.R. 1157: Mr. CROWLEY.

H.R. 1167: Mr. SENSENBRENNER and Mr. MCHUGH.

H.R. 1177: Mr. HOLDEN, Mr. MICHAUD, and Mr. McCOTTER.

H.R. 1217: Mr. OWENS, Mr. RAMSTAD, Mr. WEXLER, and Mr. TOWNS.

H.R. 1227: Mr. STUPAK, Mr. LANGEVIN, Mr. LATHAM, Mr. CLAY, and Mr. ALEXANDER.

H.R. 1232: Mr. GRIJALVA and Mrs. CHRISTENSEN.

H.R. 1246: Ms. MCCOLLUM of Minnesota, Mr. YOUNG of Florida, Mr. ADERHOLT, Mr. PETERSON of Minnesota.

Mr. PETERSON of Minnesota, Mr. BAIRD, Mr. CHABOT, Mr. POMBO, and Mr. FORBES.

H.R. 1298: Mr. SCHWARZ of Michigan, Ms. MATSUI, Mr. WICKER, and Mr. GONZALEZ.

H.R. 1351: Mr. SCHWARZ of Michigan.

H.R. 1355: Mr. CROWLEY.

H.R. 1365: Mr. MILLER of North Carolina.

H.R. 1402: Mr. SANDERS.

H.R. 1408: Mr. CROWLEY.

H.R. 1409: Mr. HIGGINS, Ms. WATSON, Mrs. MALONEY, Mr. BUTTERFIELD, Ms. WASSERMAN

SCHULTZ, and Ms. SOLIS.

H.R. 1424: Ms. VELÁZQUEZ.

H.R. 1554: Mr. CAPUANO.

H.R. 1588: Mr. MEEHAN and Mrs. LOWEY.

H.R. 1598: Mrs. KELLY.

H.R. 1602: Mr. BILLIRAKIS, Mr. TOM DAVIS of Virginia, Mrs. EMERSON, Mr. SHAYS, and Mr. MOORE of Kansas.

H.R. 1607: Mr. TERRY.

H.R. 1671: Mr. GONZALEZ.

H.R. 1696: Ms. LORETTA SANCHEZ of California.

H.R. 1714: Mr. POE, Mr. FILNER, and Mr. MARCHANT.

H.R. 1736: Mr. FILNER.

H.R. 1849: Mr. FITZPATRICK of Pennsylvania, Mr. HASTINGS of Florida, Ms. WASSERMAN SCHULTZ, Mr. BISHOP of Georgia, and Ms. MCKINNEY.

H.R. 1898: Mr. FRANK of Massachusetts, Mr. FRELINGHUYSEN, and Mr. SIMMONS.

H.R. 1946: Mr. KENNEDY of Rhode Island, Mrs. CAPPS, and Mr. CARDIN.

H.R. 1951: Mr. MCCAUL of Texas.

H.R. 1955: Mr. UDALL of New Mexico.

H.R. 1973: Mr. AL GREEN of Texas.

H.R. 2000: Mr. SCOTT of Virginia.

H.R. 2049: Mr. SHADEGG and Mr. MCCAUL of Texas.

H.R. 2106: Mr. HOEKSTRA and Mr. BISHOP of Georgia.

H.R. 2237: Ms. SCHAKOWSKY.

H.R. 2238: Mr. PRICE of North Carolina, Ms. LEE, and Mr. CROWLEY.

H.R. 2291: Mr. PAUL.

H.R. 2328: Mr. PRICE of North Carolina.

H.R. 2421: Mr. FRANK of Massachusetts, Mr. STUPAK, Mr. MURPHY, Mr. RUPPERSBERGER, Mr. HONDA, Ms. ZOE LOFGREN of California, Mr. STARK, Mr. FILNER, Mr. SESSIONS, Mrs. TAUSCHER, and Mrs. WILSON of New Mexico.

H.R. 2429: Mr. COSTELLO.

H.R. 2508: Mr. ANDREWS.

H.R. 2531: Mr. FILNER.

H.R. 2553: Mr. FILNER and Ms. VELÁZQUEZ.

H.R. 2658: Mrs. CUBIN.

H.R. 2662: Mr. BAIRD.

H.R. 2668: Mr. BOEHNER.

H.R. 2682: Mr. PRICE of North Carolina, Mr. BASS, and Mr. PUTNAM.

H.R. 2694: Ms. KAPTUR.

H.R. 2717: Ms. BERKLEY and Mr. PASCRELL.

H.R. 2719: Mr. LEACH and Mr. ROTHMAN.

H.R. 2736: Mr. FILNER.

H.R. 2793: Mr. KUHL of New York, Mr. HYDE, Mr. KILDEE, Mrs. KELLY, and Mr. EVANS.

- H.R. 2794: Mr. PRICE of North Carolina and Mr. SANDERS.
H.R. 2807: Mr. JEFFERSON.
H.R. 2811: Mrs. NAPOLITANO.
H.R. 2815: Mr. MEEKS of New York and Mr. CROWLEY.
H.R. 2822: Mr. GREEN of Wisconsin.
H.R. 2823: Mr. BARTLETT of Maryland.
H.R. 2949: Mr. CROWLEY.
H.R. 2961: Mr. DEFAZIO and Mr. MORAN of Kansas.
H.R. 2963: Ms. SCHAKOWSKY and Ms. WASSERMAN SCHULTZ.
H.R. 2989: Mr. BARTLETT of Maryland, Ms. HERSETH, Mrs. CAPITO, and Mr. SODREL.
H.R. 3042: Mr. WYNN.
H.R. 3127: Mrs. CAPPS, Ms. SCHWARTZ of Pennsylvania, Mr. SMITH of Washington, Ms. SOLIS, Mr. DAVIS of Florida, Mr. BRADY of Pennsylvania, Mr. BRADLEY of New Hampshire, and Mr. CALVERT.
H.R. 3128: Mr. FILNER.
H.R. 3135: Mr. AKIN and Mr. LOBIONDO.
H.R. 3150: Mr. POE and Mr. MARCHANT.
H.R. 3162: Mr. ANDREWS.
H.R. 3184: Mr. ACKERMAN.
H.R. 3185: Mr. LARSEN of Washington, Mr. PAYNE, Mr. MCGOVERN, and Mr. CROWLEY.
H.R. 3189: Mr. MCGOVERN, Mr. CROWLEY, and Mr. MARIO DIAZ-BALART of Florida.
H.R. 3192: Ms. MOORE of Wisconsin, Ms. MCKINNEY, and Mr. JEFFERSON.
H.R. 3195: Mr. LEWIS of Georgia.
H.R. 3255: Mr. BOREN.
H.R. 3282: Mr. MARCHANT, Mr. GREEN of Wisconsin, Mr. SAM JOHNSON of Texas, and Mr. GOODLATTE.
H.R. 3334: Mr. GONZALEZ, Ms. SCHAKOWSKY, Mr. SANDERS, Mr. KENNEDY of Rhode Island, Mr. McDERMOTT, Mr. RUSH, Mrs. MALONEY, Ms. CORRINE BROWN of Florida, and Mr. BROWN of Ohio.
H.R. 3360: Mr. GREEN of Wisconsin and Mr. PAUL.
H.R. 3361: Mr. GRIJALVA, Mr. WAXMAN, Mr. CALVERT, Ms. LORETTA SANCHEZ of California, Mr. GEORGE MILLER of California, Mr. SHERMAN, and Mr. ISSA.
H.R. 3373: Mrs. WILSON of New Mexico, Mr. RYAN of Ohio, Mr. CROWLEY, Mr. FATTAH, Mr. GUTIERREZ, Mr. EMANUEL, Mr. MARCHANT, Mr. WESTMORELAND, Mr. FORBES, Mr. ALEXANDER, and Ms. FOX.
H.R. 3405: Ms. JACKSON-LEE of Texas, Mr. ALEXANDER, Ms. KILPATRICK of Michigan, Mr. WELDON of Florida, Mr. COSTA, and Mr. MARCHANT.
H.R. 3417: Mr. JEFFERSON and Mrs. CAPITO.
H.R. 3420: Mr. TIERNEY.
H.R. 3502: Mr. SANDERS.
H.R. 3524: Mr. OWENS.
H.R. 3532: Mr. SCHWARZ of Michigan and Mr. UPTON.
H.R. 3547: Mr. PRICE of North Carolina and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3565: Mr. JEFFERSON and Mr. OWENS.
H.R. 3575: Mr. CROWLEY.
H.R. 3583: Mr. ALLEN.
H.R. 3584: Mr. HINCHEY.
H.R. 3602: Mr. LEWIS of Georgia.
H.R. 3616: Mr. WEXLER, Mr. FRANK of Massachusetts, Mr. LEACH, Mr. CONAWAY, and Mr. STARK.
H.R. 3617: Ms. HART and Mr. TERRY.
H.R. 3662: Mr. BERMAN, Mr. GRIJALVA, Mr. OWENS, Mr. VAN HOLLEN, Mr. MCGOVERN, and Mr. CUMMINGS.
H.R. 3666: Mr. MCGOVERN.
H.R. 3667: Mr. SCHIFF, Ms. LINDA T. SANCHEZ OF CALIFORNIA, Ms. WATSON, Mr. BECERRA, Ms. ESHOO, Mr. GEORGE MILLER of California, Mrs. TAUSCHER, Ms. WOOLSEY, Mrs. CAPPS, Mr. BERMAN, Mrs. DAVIS of California, Mr. HONDA, Mr. ISSA, Mr. LANTOS, Ms. ZOE LOFGREN of California, Ms. MILLENDER-McDONALD, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. FARR, Mr. CUNNINGHAM, Mr. CALVERT, Mr. POMBO, Ms. LEE, Mr. FILNER, Mr. RADANOVICH, Ms. MATSUI, Ms. PELOSI, Ms. ROYBAL-ALLARD, Mr. MCKEON, Mr. LEWIS of California, Mrs. BONO, Mr. ROHRABACHER, Mr. CARDOZA, and Ms. LORETTA SANCHEZ of California.
H.R. 3680: Mr. ENGLISH of Pennsylvania, Mr. HERGER, and Mrs. MILLER of Michigan.
H.R. 3681: Mr. ABERCROMBIE, and Mr. WATT.
H.R. 3690: Mr. SERRANO, Ms. CARSON, Mr. HONDA, Ms. WASSERMAN SCHULTZ, Ms. SCHAKOWSKY, Mr. WU, Mr. CUMMINGS, Mr. McDERMOTT, Mr. EVANS, and Mrs. MALONEY.
H.R. 3693: Mr. DEAL of Georgia, Mr. NORWOOD, Mr. WESTMORELAND, Mr. TANCREDO, and Mr. MARCHANT.
H.R. 3697: Mr. FARR, Mr. FILNER, Mr. CARNAHAN, Ms. SOLIS, Mr. SABO, Mr. WEINER, Mr. FORD, Mr. THOMPSON of California, Mr. AL GREEN of Texas, Mr. COOPER, Mr. PRICE of North Carolina, and Mr. PALLONE.
H.R. 3698: Mr. MARKEY, Mr. WYNN, Mr. PALLONE, Mr. ROSS, Mr. DAVIS of Florida, Mr. STRICKLAND, and Mr. GORDON.
H.R. 3699: Mr. CANNON.
H.R. 3706: Mr. CASE, Ms. WASSERMAN SCHULTZ, and Ms. BERKLEY.
H.R. 3710: Mr. CROWLEY, Mr. GRIJALVA, Mr. HINCHEY, Ms. LEE, and Mr. NADLER.
H.R. 3714: Mr. BACHUS, Mr. OWENS, Mr. REYES, Mr. PRICE of Georgia, and Mr. ALEXANDER.
H.R. 3717: Mrs. DRAKE, Mr. SHAYS, Mr. HERGER, and Mr. ALEXANDER.
H.R. 3722: Mr. SANDERS.
H.J. Res. 39: Mr. KING of Iowa and Mr. SAM JOHNSON of Texas.
H.J. Res. 58: Mr. BROWN of Ohio.
H.J. Res. 61: Mr. McDERMOTT, Mr. CASE, Ms. CARSON, Mr. HALL, Mr. PETRI, Mr. HIGGINS, Mr. CARNAHAN, Mr. ISRAEL, Ms. WASSERMAN SCHULTZ, and Mr. LYNCH.
H. Con. Res. 129: Ms. NORTON.
H. Con. Res. 137: Mr. CROWLEY.
H. Con. Res. 140: Mr. MCHUGH.
H. Con. Res. 172: Mr. THOMPSON of California and Mr. EMANUEL.
H. Con. Res. 178: Ms. WASSERMAN SCHULTZ, Mr. PRICE of North Carolina, and Mr. MILLER of North Carolina.
H. Con. Res. 190: Ms. SCHAKOWSKY.
H. Con. Res. 195: Ms. SCHAKOWSKY.
H. Con. Res. 197: Mr. FRANK of Massachusetts.
H. Con. Res. 209: Ms. BALDWIN, Mr. SANDERS, Ms. MCCOLLUM of Minnesota, Mr. PAYNE, Mr. KILDEE, Mr. BOSWELL, Ms. MATSUI, Mrs. MCCARTHY, Mr. HOLDEN, Mr. GOODE, Mr. GRIJALVA, Mr. KUCINICH, and Mr. SHERMAN.
H. Con. Res. 228: Ms. BALDWIN.
H. Con. Res. 231: Mr. MCHUGH, Ms. HART, and Mr. WAMP.
H. Con. Res. 234: Ms. SCHAKOWSKY, Mr. HINCHEY, Mr. SHERMAN, Mr. BUTTERFIELD, Mr. WATT, and Ms. SOLIS.
H. Con. Res. 237: Mr. AKIN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOOZMAN, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. CARDOZA, Mr. ENGEL, Mr. FORBES, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. HASTINGS of Florida, Mr. ISSA, Mr. KING of New York, Mr. MACK, Mr. MEEKS of New York, Mr. MENENDEZ, Mrs. NAPOLITANO, Mr. POE, Mr. REYES, Ms. ROSELEHTINEN, Mr. SCOTT of Georgia, Mr. SESSIONS, Mr. SIMPSON, Mr. SOUDER, Mr. TANCREDO, Mr. WATT, and Mr. YOUNG of Alaska.
H. Res. 15: Mr. NUNES, Mr. LEWIS of Kentucky, Mr. GINGREY, Mr. RYAN of Wisconsin, Mr. MARCHANT, Mr. WELDON of Pennsylvania, Mr. PETRI, Mr. KIND, Mr. ROGERS of Kentucky, Mr. BAKER, Mr. DAVIS of Kentucky, Mr. SHIMKUS, Ms. GINNY BROWN-WAITE of Florida, Mr. WHITFIELD, Mr. ROTHMAN, and Ms. WASSERMAN SCHULTZ.
H. Res. 38: Mr. ACKERMAN.
H. Res. 123: Mr. FARR and Mr. ENGLISH of Pennsylvania.
H. Res. 158: Mr. SHAYS, Mr. MURPHY, and Mr. CROWLEY.
H. Res. 192: Mr. LANTOS.
H. Res. 276: Mr. FITZPATRICK of Pennsylvania, Mr. SNYDER, Mrs. MCCARTHY, and Mr. PETERSON of Minnesota.
H. Res. 286: Mr. JEFFERSON and Mr. KUCINICH.
H. Res. 297: Mr. SHAYS.
H. Res. 325: Mr. ISSA.
H. Res. 368: Mr. MARSHALL, Mr. DOOLITTLE, Mr. MENENDEZ, Mr. CARDOZA, Mr. BOOZMAN, and Mr. BLUMENAUER.
H. Res. 375: Mr. MENENDEZ, Ms. CARSON, Mr. CARDIN, Ms. SOLIS, Mr. ROTHMAN, Ms. MATSUI, Mr. DOYLE, Mr. SCOTT of Virginia, Mr. CARDOZA, Mr. INSLER, Ms. LINDA T. SANCHEZ OF CALIFORNIA, Mr. MOLLOHAN, Ms. BERKLEY, Mr. NEAL of Massachusetts, and Mr. ANDREWS.
H. Res. 409: Mr. BISHOP of Georgia, Mr. MCGOVERN, Mr. PENCE, Mr. BLUMENAUER, Mr. McDERMOTT, Mr. SCHIFF, Mr. LEACH, Mr. CROWLEY, Mr. GRIJALVA, Mr. ENGEL, Mr. GREEN of Wisconsin, Mr. ACKERMAN, Mr. CHANDLER, Mr. VAN HOLLEN, Mr. GEORGE MILLER of California, and Mr. FRANK of Massachusetts.
H. Res. 413: Ms. GINNY BROWN-WAITE of Florida.
H. Res. 415: Mr. ROHRABACHER.
H. Res. 417: Mr. CROWLEY, Mr. SMITH of Washington, and Ms. BERKLEY.
H. Res. 418: Mr. CROWLEY, Mr. SMITH of Washington, and Ms. BERKLEY.
H. Res. 419: Mr. CROWLEY, Mr. SMITH of Washington, and Ms. BERKLEY.
H. Res. 420: Mr. CONYERS, Mr. KUCINICH, Mr. TIERNEY, Mr. McDERMOTT, Mr. ACKERMAN, Mr. DEFAZIO, Mr. HINCHEY, Mr. DELAHUNT, Mr. DOYLE, Mr. UDALL of Colorado, Mr. VIS-CLOSKY, Mr. MCGOVERN, Mr. PALLONE, Ms. LEE, Ms. MATSUI, Mr. CROWLEY, Mr. SMITH of Washington, and Ms. BERKLEY.
H. Res. 434: Mr. HOLDEN.

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. 2567: Mr. GENE GREEN of Texas.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 889

OFFERED BY: MRS. MILLER OF MICHIGAN

AMENDMENT NO. 1: At the end of title IV add the following:

SEC. . . TREATMENT OF S/V HIGHLANDER SEA.

The Secretary of the department in which the Coast Guard is operating may treat the vessel S/V HIGHLANDER SEA (United States official number 224289) as a small passenger vessel for purposes of chapter 33 of title 46, United States Code, if the Secretary determines that such treatment will not compromise safety.

H.R. 3132

OFFERED BY: MR. PENCE

AMENDMENT NO. 1: Add at the end the following new title:

TITLE VI—CHILD PORNOGRAPHY PREVENTION ACT OF 2005

SEC. 601. SHORT TITLE.

This title may be cited as the "Child Pornography Prevention Act of 2005".

SEC. 602. FINDINGS.

Congress makes the following findings:

(1) The effect of the intrastate production, transportation, distribution, receipt, advertising, and possession of child pornography on interstate market in child pornography.

(A) The illegal production, transportation, distribution, receipt, advertising and possession of child pornography, as defined in section 2256(8) of title 18, United States Code, as well as the transfer of custody of children for the production of child pornography, is harmful to the physiological, emotional, and mental health of the children depicted in child pornography and has a substantial and detrimental effect on society as a whole.

(B) A substantial interstate market in child pornography exists, including not only a multimillion dollar industry, but also a nationwide network of individuals openly advertising their desire to exploit children and to traffic in child pornography. Many of these individuals distribute child pornography with the expectation of receiving other child pornography in return.

(C) The interstate market in child pornography is carried on to a substantial extent through the mails and other instrumentalities of interstate and foreign commerce, such as the Internet. The advent of the Internet has greatly increased the ease of transporting, distributing, receiving, and advertising child pornography in interstate commerce. The advent of digital cameras and digital video cameras, as well as videotape cameras, has greatly increased the ease of producing child pornography. The advent of inexpensive computer equipment with the capacity to store large numbers of digital images of child pornography has greatly increased the ease of possessing child pornography. Taken together, these technological advances have had the unfortunate result of greatly increasing the interstate market in child pornography.

(D) Intrastate incidents of production, transportation, distribution, receipt, advertising, and possession of child pornography, as well as the transfer of custody of children for the production of child pornography, have a substantial and direct effect upon interstate commerce because:

(i) Some persons engaged in the production, transportation, distribution, receipt, advertising, and possession of child pornography conduct such activities entirely within the boundaries of one state. These persons are unlikely to be content with the amount of child pornography they produce, transport, distribute, receive, advertise, or possess. These persons are therefore likely to enter the interstate market in child pornography in search of additional child pornography, thereby stimulating demand in the interstate market in child pornography.

(ii) When the persons described in subparagraph (D)(i) enter the interstate market in search of additional child pornography, they are likely to distribute the child pornography they already produce, transport, distribute, receive, advertise, or possess to persons who will distribute additional child pornography to them, thereby stimulating supply in the interstate market in child pornography.

(iii) Much of the child pornography that supplies the interstate market in child pornography is produced entirely within the boundaries of one state, is not traceable, and enters the interstate market surreptitiously. This child pornography supports demand in the interstate market in child pornography and is essential to its existence.

(E) Prohibiting the intrastate production, transportation, distribution, receipt, advertising, and possession of child pornography, as well as the intrastate transfer of custody of children for the production of child pornography, will cause some persons engaged in such intrastate activities to cease all such

activities, thereby reducing both supply and demand in the interstate market for child pornography.

(F) Federal control of the intrastate incidents of the production, transportation, distribution, receipt, advertising, and possession of child pornography, as well as the intrastate transfer of children for the production of child pornography, is essential to the effective control of the interstate market in child pornography.

(2) The importance of protecting children from repeat exploitation in child pornography:

(A) The vast majority of child pornography prosecutions today involve images contained on computer hard drives, computer disks, and related media.

(B) Child pornography is not entitled to protection under the First Amendment and thus may be prohibited.

(C) The government has a compelling state interest in protecting children from those who sexually exploit them, and this interest extends to stamping out the vice of child pornography at all levels in the distribution chain.

(D) Every instance of viewing images of child pornography represents a renewed violation of the privacy of the victims and a repetition of their abuse.

(E) Child pornography constitutes prima facie contraband, and as such should not be distributed to, or copied by, child pornography defendants or their attorneys.

(F) It is imperative to prohibit the reproduction of child pornography in criminal cases so as to avoid repeated violation and abuse of victims, so long as the government makes reasonable accommodations for the inspection, viewing, and examination of such material for the purposes of mounting a criminal defense.

SEC. 603. STRENGTHENING SECTION 2257 TO ENSURE THAT CHILDREN ARE NOT EXPLOITED IN THE PRODUCTION OF PORNOGRAPHY.

Section 2257 of title 18 of the United States Code is amended—

(1) in subsection (a)(1), by striking “actual”;

(2) in subsection (b), by striking “actual”;

(3) in subsection (f)(4)(A), by striking “actual”;

(4) by amending paragraph (1) of subsection (h) to read as follows:

“(1) the term ‘sexually explicit conduct’ has the meaning set forth in subparagraphs (A)(i) through (v) of paragraph (2) of section 2256 of this title;”;

(5) in subsection (h)(4), by striking “actual.”;

(6) in subsection (f)—

(A) at the end of paragraph (3), by striking “and”;

(B) at the end of paragraph (4)(B), by striking the period and inserting “; and”; and

(C) by inserting after paragraph (4)(B) the following new paragraph:

“(5) for any person to whom subsection (a) applies to refuse to permit the Attorney General or his or her delegate to conduct an inspection under subsection (c).”.

(7) in subsection (h)(3), by striking “to produce, manufacture, or publish any book, magazine, periodical, film, video tape, computer generated image, digital image, or picture, or other similar matter and includes the duplication, reproduction, or reissuing of any such matter, but does not include mere distribution or any other activity which does not involve hiring, contracting for managing or otherwise arranging for the participation of the performers depicted” and inserting “actually filming, videotaping, photographing; creating a picture, digital image, or digitally- or computer-manipulated image of an actual human being; or

digitizing an image, of a visual depiction of sexually explicit conduct; or, assembling, manufacturing, publishing, duplicating, reproducing, or reissuing a book, magazine, periodical, film, videotape, digital image, or picture, or other matter intended for commercial distribution, that contains a visual depiction of sexually explicit conduct; or, inserting on a computer site or service a digital image of, or otherwise managing the sexually explicit content, of a computer site or service that contains a visual depiction of, sexually explicit conduct”;

(8) in subsection (a), by inserting after “videotape,” the following: “digital image, digitally- or computer-manipulated image of an actual human being, or picture,”; and

(9) in subsection (f)(4), by inserting after “video” the following: “digital image, digitally- or computer-manipulated image of an actual human being, or picture.”.

SEC. 604. PREVENTION OF DISTRIBUTION OF CHILD PORNOGRAPHY USED AS EVIDENCE IN PROSECUTIONS.

Section 3509 of title 18, United States Code, is amended by adding at the end the following:

“(m) PROHIBITION ON REPRODUCTION OF CHILD PORNOGRAPHY.—

“(1) In any criminal proceeding, any property or material that constitutes child pornography (as defined by section 2256 of this title) must remain in the care, custody, and control of either the Government or the court.

“(2)(A) Notwithstanding Rule 16 of the Federal Rules of Criminal Procedure, a court shall deny, in any criminal proceeding, any request by the defendant to copy, photograph, duplicate, or otherwise reproduce any property or material that constitutes child pornography (as defined by section 2256 of this title), so long as the Government makes the property or material reasonably available to the defendant.

“(B) For the purposes of subparagraph (A), property or material shall be deemed to be reasonably available to the defendant if the Government provides ample opportunity for inspection, viewing, and examination at a Government facility of the property or material by the defendant, his or her attorney, aid any individual the defendant may seek to qualify to furnish expert testimony at trial.”.

SEC. 605. AUTHORIZING CIVIL AND CRIMINAL ASSET FORFEITURE IN CHILD EXPLOITATION AND OBSCENITY CASES.

(a) CONFORMING FORFEITURE PROCEDURES FOR OBSCENITY OFFENSES.—Section 1467 of title 18, United States Code, is amended—

(1) in subsection (a)(3), by inserting a period after “of such offense” and striking all that follows; and

(2) by striking subsections (b) through (n) and inserting the following:

“(b) The provisions of section 413 of the Controlled Substance Act (21 U.S.C. 853) with the exception of subsection (d), shall apply to the criminal forfeiture of property pursuant to subsection (a).

“(c) Any property subject to forfeiture pursuant to subsection (a) may be forfeited to the United States in a civil case in accordance with the procedures set forth in chapter 46 of this title.”.

(b) AMENDMENTS TO CHILD EXPLOITATION FORFEITURE PROVISIONS.—

(1) CRIMINAL FORFEITURE.—Section 2253(a) of title 18, United States Code, is amended—

(A) in the matter preceding paragraph (1) by—

(i) inserting “or who is convicted of an offense under sections 2252B or 2257 of this chapter,” after “2260 of this chapter”;

(ii) inserting “, or 2425” after “2423” and striking “or” before “2423”; and

(iii) inserting “or an offense under chapter 109A” after “of chapter 117”; and

(B) in paragraph (I), by inserting “, 2252A, 2252B or 2257” after “2252”.

(2) CIVIL FORFEITURE.—Section 2254(a) of title 18, United States Code, is amended—

(A) in paragraph (1), by inserting “, 2252A, 2252B, or 2257” after “2252”;

(B) in paragraph (2) —

(i) by striking “or” and inserting “of” before “chapter 117”;

(ii) by inserting “, or an offense under section 2252B or 2257 of this chapter,” after “Chapter 117,” and

(iii) by inserting “, or an offense under chapter 109A” before the period; and

(C) in paragraph (3) by—

(i) inserting “, or 2425” after “2423” and striking “or” before “2423”;

(ii) inserting “, a violation of section 2252B or 2257 of this chapter, or a violation of chapter 109A” before the period.

(c) AMENDMENTS TO RICO.—Section 1961(1)(B) of title 18, United States Code, is amended by inserting “2252A, 2252B,” after “2252”.

SEC. 606. PROHIBITING THE PRODUCTION OF OBSCENITY AS WELL AS TRANSPORTATION, DISTRIBUTION, AND SALE.

(a) SECTION 1465.—Section 1465 of title 18 of the United States Code is amended—

(1) by inserting “**Production and**” before “**Transportation**” in the heading of the section;

(2) by inserting “produces with the intent to transport, distribute, or transmit in interstate or foreign commerce, or whoever knowingly” after “whoever knowingly” and before “transports or travels in”;

(3) by inserting a comma after “in or affecting such commerce”.

(b) SECTION 1466.—Section 1466 of title 18 of the United States Code is amended—

(1) in subsection (a), by inserting “producing with intent to distribute or sell, or” before “selling or transferring obscene matter”;

(2) in subsection (b), by inserting, “produces” before “sells or transfers or offers to sell or transfer obscene matter”; and

(3) in subsection (b) by inserting “production,” before “selling or transferring or offering to sell or transfer such material.”.

H.R. 3132

OFFERED BY: MR. NADLER

AMENDMENT NO. 2: Page 4, before line 1, at the end of the table of contents, add the following:

TITLE VI—MISCELLANEOUS PROVISION

Sec. 601. Ban on firearm for person convicted of a misdemeanor sex offense against a minor.

Page 69, after line 17, insert the following:

TITLE VI—MISCELLANEOUS PROVISION

SEC. 601. BAN ON FIREARM FOR PERSON CONVICTED OF A MISDEMEANOR SEX OFFENSE AGAINST A MINOR.

(a) DISPOSITION OF FIREARM.—Section 922(d) of title 18, United States Code, is amended—

(1) by striking “or” at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting “; or” ; and

(3) by inserting after paragraph (9) the following:

“(10) has been convicted in any court of a misdemeanor sex offense against a minor.”.

(b) POSSESSION OF FIREARM.—Section 922(g) of title 18, United States Code, is amended—

(1) by striking “or” at the end of paragraph (8);

(2) by striking the comma at the end of paragraph (9) and inserting “; or” ; and

(3) by inserting after paragraph (9) the following:

“(10) who has been convicted in any court of a misdemeanor sex offense against a minor.”.

(c) MISDEMEANOR SEX OFFENSE AGAINST A MINOR DEFINED.—Section 921(a) of such title is amended by adding at the end the following:

“(36)(A) The term ‘misdemeanor sex offense against a minor’ means a sex offense against a minor punishable by imprisonment for not more than one year.

“(B) The term ‘sex offense’ means a criminal offense that has, as an element, a sexual act or sexual contact with another, or an attempt or conspiracy to commit such an offense.

“(C) The term ‘minor’ means an individual who has not attained 18 years of age.”.

H.R. 3132

OFFERED BY: MR. PORTER

AMENDMENT NO. 3: At the end of title III of the bill, insert the following (and make such conforming changes to the table of contents as may be necessary):

SEC. 304. ACCESS TO FEDERAL CRIME INFORMATION DATABASES BY EDUCATIONAL AGENCIES FOR CERTAIN PURPOSES.

(a) IN GENERAL.—The Attorney General of the United States shall, upon request of the chief executive officer of a State, conduct fingerprint-based checks of the national crime information databases (as defined in section 534(e)(3)(A) of title 28, United States Code), pursuant to a request submitted by a local educational agency or State educational agency in that State, on individuals under consideration for employment by the agency in a position in which the individual would work with or around children. Where possible, the check shall include a fingerprint-based check of State criminal history databases. The Attorney General and the States may charge any applicable fees for these checks.

(b) PROTECTION OF INFORMATION.—An individual having information derived as a result of a check under subsection (a) may release that information only to an appropriate officer of a local educational agency or State educational agency, or to another person authorized by law to receive that information.

(c) CRIMINAL PENALTIES.—An individual who knowingly exceeds the authority in subsection (a), or knowingly releases information in violation of subsection (b), shall be imprisoned not more than 10 years or fined under title 18, United States Code, or both.

(d) DEFINITION.—In this section, the terms “local educational agency” and “State educational agency” have the meanings given to those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

H.R. 3132

OFFERED BY: MR. SCOTT OF VIRGINIA

AMENDMENT NO. 4: Page 31, line 17, strike “not less than 10”.

Page 43, line 10, strike paragraph (1) and redesignate succeeding paragraphs accordingly.

Page 44, beginning on line 5, strike “not less than 10 years and”.

Page 45, line 8, strike subparagraph (A) and redesignate succeeding subparagraphs accordingly.

Page 45, line 11, strike the semicolon and insert “; and”.

Page 45, line 18, strike the semicolon and insert a period.

Page 45, strike line 19 through line 6 on page 46.

Page 46, strike line 18 and all that follows through line 8 on page 47.

Page 47, line 4, strike the semicolon and insert “; and”.

Page 47, line 5, strike “; and” and insert a period.

Page 47, starting on line 6, strike clause (iii) and all that follows through line 13 on page 49.

Page 55, strike section 504 and all that follows through line 22 on page 57, and redesignate succeeding sections accordingly.

Page 68, line 21, strike the semicolon and insert “; and”.

Page 68, strike lines 22 through 23.

Page 69, strike lines 8 through 11.

H.R. 3132

OFFERED BY: MR. RYUN OF KANSAS

AMENDMENT NO. 5: At the end of title IV add the following:

SEC. 403. SENSE OF CONGRESS WITH RESPECT TO PROSECUTIONS UNDER SECTION 2422(b) OF TITLE 18, UNITED STATES CODE.

(a) FINDINGS.—Congress finds that—

(1) a jury convicted Jan P. Helder, Jr., of using a computer to attempt to entice an individual who had not attained the age of 18 years to engage in unlawful sexual activity;

(2) during the trial, evidence showed that Jan Helder had engaged in an online chat with an individual posing as a minor, who unbeknownst to him, was an undercover law enforcement officer;

(3) notwithstanding, Dean Whipple, District Judge for the Western District of Missouri, acquitted Jan Helder, ruling that because he did not, in fact, communicate with a minor, he did not commit a crime;

(4) the 9th Circuit Court of Appeals, in *United States v. Jeffrey Meek*, specifically addressed the question facing Judge Whipple and concurred with the 5th and 11th Circuit Courts in finding that “an actual minor victim is not required for an attempt conviction under 18 U.S.C. § 2422(b).”;

(5) the Department of Justice has successfully used evidence obtained through undercover law enforcement to prosecute and convict perpetrators who attempted to solicit children on the Internet; and

(6) the Department of Justice states, “Online child pornography/child sexual exploitation is the most significant cyber crime problem confronting the FBI that involves crimes against children”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is a crime under section 2422(b) of title 18, United States Code, to use a facility of interstate commerce to attempt to entice an individual who has not attained the age of 18 years into unlawful sexual activity, even if the perpetrator incorrectly believes that the individual has not attained the age of 18 years;

(2) well-established caselaw has established that section 2422(b) of title 18, United States Code, criminalizes any attempt to entice a minor into unlawful sexual activity, even if the perpetrator incorrectly believes that the individual has not attained the age of 18 years;

(3) the Department of Justice should appeal Judge Whipple’s decision in *United States v. Helder, Jr.* and aggressively continue to track down and prosecute sex offenders on the Internet; and

(4) Judge Whipple’s decision in *United States v. Helder, Jr.* should be overturned in light of the law as it is written, the intent of Congress, and well-established caselaw.

H.R. 3132

OFFERED BY: MR. SCOTT OF VIRGINIA

AMENDMENT NO. 6: Strike section 303. Redesignate any succeeding sections accordingly.

H.R. 3132

OFFERED BY: MR. SCOTT OF VIRGINIA

AMENDMENT NO. 7: Strike section 302. Redesignate any succeeding sections accordingly.

Page 44, strike line 10 and all that follows through line 2 on page 11.

H.R. 3132

OFFERED BY: MS. WASSERMAN SCHULTZ

AMENDMENT No. 8: Insert after section 511 the following new section (and redesignate succeeding sections accordingly):

SEC. 512. STATE CIVIL COMMITMENT PROGRAMS FOR SEXUALLY DANGEROUS PERSONS.

(a) GRANTS AUTHORIZED.—The Attorney General shall make grants to jurisdictions for the purpose of establishing, enhancing, or operating effective civil commitment programs for sexually dangerous persons.

(b) ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a jurisdiction must, before the expiration of the compliance period—

(A) have established a civil commitment program for sexually dangerous persons that is consistent with guidelines issued by the Attorney General; or

(B) submit a plan for the establishment of such a program.

(2) COMPLIANCE PERIOD.—The compliance period referred to in paragraph (1) expires on the date that is 2 years after the date of the enactment of this Act. However, the Attorney General may, on a case-by-case basis, extend the compliance period that applies to a jurisdiction if the Attorney General considers such an extension to be appropriate.

(c) ATTORNEY GENERAL REPORTS.—Not later than January 31 of each year, beginning with 2008, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the progress of jurisdictions in implementing this section and the rate of sexually violent offenses for each jurisdiction.

(d) DEFINITIONS.—As used in this section:

(1) The term “civil commitment program” means a program that involves—

(A) secure civil confinement, including appropriate control, care, and treatment during such confinement; and

(B) appropriate supervision, care, and treatment for individuals released following such confinement.

(2) The term “sexually dangerous person” means an individual who is dangerous to others because of a mental illness, abnormality, or disorder that creates a risk that the individual will engage in sexually violent conduct or child molestation.

(3) The term “jurisdiction” has the meaning given such term in section 111.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2006, 2007, 2008, and 2009.

H.R. 3132

OFFERED BY: MR. INGLIS OF SOUTH CAROLINA

AMENDMENT No. 9: Page 27, line 7, strike “not less than 5 years nor”.

Page 27, lines 17 through 18, strike “not less than 5 years nor”.

H.R. 3132

OFFERED BY: MR. MCDERMOTT

AMENDMENT No. 10: Page 69, after line 17, insert the following:

TITLE VI—MISCELLANEOUS PROVISIONS
SEC. 601. FOSTER CHILDREN IN AREAS AFFECTED BY HURRICANE KATRINA DEEMED ELIGIBLE FOR FOSTER CARE MAINTENANCE PAYMENTS.

(a) IN GENERAL.—As a condition of eligibility for payments under part E of title IV of the Social Security Act, each State with a plan approved under such part shall, during the 12-month period that begins with September 2005, make foster care maintenance payments (as defined in section 475(4) of such Act) in accordance with such part on behalf

of each child who is in foster care under the responsibility of the State, and who resides or, just before August 28, 2005, had resided in an area for which a major disaster has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of Hurricane Katrina.

(b) PAYMENTS TO STATES.—In lieu of any entitlement to payment under section 474 of the Social Security Act with respect to any child described in subsection (a) of this section, each State with such a plan shall be entitled to a payment for each quarter in which there is month in which the State has made a foster care maintenance payment pursuant to such subsection (a), in an amount equal to the sum of—

(1) the total of the amounts expended by the State during the quarter pursuant to such subsection (a) for children described in such subsection (a) who are in foster family homes (as defined in section 472(c)(1) of such Act) or child-care institutions (as defined in section 472(c)(2) of such Act); and

(2) the total of the amounts expended by the State during the quarter as found necessary by the Secretary for the provision of child placement services for such children, for the proper and efficient administration of the plan with respect to such children, or for the provision of services which seek to improve the well-being of such children.

H.R. 3132

OFFERED BY: MR. MCDERMOTT

AMENDMENT No. 11: Page 69, after line 17, insert the following:

TITLE VI—MISCELLANEOUS PROVISIONS
SEC. 601. FLEXIBILITY TO ESTABLISH SEPARATE STANDARDS FOR RELATIVE FOSTER FAMILY HOMES.

Section 471(a)(10) of the Social Security Act (42 U.S.C. 671(a)(10)) is amended by inserting before the semicolon the following: “, and, at the option of the State, that the authority or authorities may—

“(A) establish and maintain separate standards for foster family homes in which a foster parent is a relative of the foster child, that, at a minimum, protect the safety of the child and provide for criminal records checks as described in paragraph (20); and

“(B) apply the standards referred to in subparagraph (A) of this paragraph to any such relative foster care provider to whom funds are paid pursuant to section 472 or part B in lieu of the standards that would otherwise apply to a foster family home.”.

H.R. 3132

OFFERED BY: MR. HERGER

AMENDMENT No. 12: Page 54, beginning on line 21, strike “in furtherance” and all that follows through line 23 and insert “for the purpose of conducting the background checks required under section 471(a)(20) of the Social Security Act.”.

Page 55, beginning on line 18, strike “placement of foster or adoptive children” and insert “licensing or approval of foster or adoptive parents”.

H.R. 3132

OFFERED BY: MR. FLAKE

AMENDMENT No. 13: Page 42, line 6, strike the close quotation mark and the period that follows.

Page 42, after line 6, insert the following:

“(k) SENTENCING CLAIMS.—A court, justice, or judge shall not have jurisdiction to consider an application with respect to an error relating to the applicant’s sentence or sentencing that has been found to be harmless or not prejudicial in State court proceedings, or that was found by a State court to be procedurally barred, unless a determination that the error is not structural is contrary

to clearly established Federal law, as determined by the Supreme Court of the United States.”.

H.R. 3132

OFFERED BY: MR. BAIRD

AMENDMENT No. 14: Add at the end of title III the following:

SEC. 304. STUDY OF INTERSTATE TRACKING OF PERSONS CONVICTED OF OR UNDER INVESTIGATION FOR CHILD ABUSE.

(a) STUDY.—The Attorney General, in consultation with the Secretary of Health and Human Services, shall study the establishment of a nationwide interstate tracking system of persons convicted of, or under investigation for, child abuse. The study shall include an analysis, along with the costs and benefits, of various mechanisms for establishing an interstate tracking system, and include the extent to which existing registries could be used.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall report to the Congress the results of the study under this section.

H.R. 3132

OFFERED BY: MR. MCDERMOTT

AMENDMENT No. 15: Page 52, line 13, strike the close quotation marks and the period and insert “and”.

Page 52, after line 13, insert the following: “(D) provides that the preceding provisions of this paragraph shall not apply with respect to the placement of a child with a relative for not more than 60 days while the State is conducting a records check pursuant to this paragraph;”.

H.R. 3132

OFFERED BY: MR. GIBBONS

AMENDMENT No. 16: Page 26, after line 7, insert the following new section (and redesignate succeeding sections, and conform the table of contents, accordingly):

SEC. 134. GAO STUDIES ON FEASIBILITY OF USING DRIVER’S LICENSE REGISTRATION PROCESSES AS ADDITIONAL REGISTRATION REQUIREMENTS FOR SEX OFFENDERS.

For the purposes of determining the feasibility of using driver’s license registration processes as additional registration requirements for sex offenders to improve the level of compliance with sex offender registration requirements for change of address upon relocation and other related updates of personal information, the Congress requires the following studies:

(1) Not later than 180 days after the date of the enactment of this Act, the Government Accountability Office shall complete a study for the Committee on the Judiciary of the House of Representatives to survey a majority of the States to assess the relative systems capabilities to comply with a Federal law that required all State driver’s license systems to automatically access State and national databases of registered sex offenders in a form similar to the requirement of the Nevada law described in paragraph (2). The Government Accountability Office shall use the information drawn from this survey, along with other expert sources, to determine what the potential costs to the States would be if such a Federal law came into effect, and what level of Federal grants would be required to prevent an unfunded mandate. In addition, the Government Accountability Office shall seek the views of Federal and State law enforcement agencies, including in particular the Federal Bureau of Investigation, with regard to the anticipated effects of such a national requirement, including potential for undesired side effects in terms of actual compliance with this Act and related laws.

(2) Not later than October 2006, the Government Accountability Office shall complete a

study to evaluate the provisions of Chapter 507 of Statutes of Nevada 2005 to determine—

(A) if those provisions are effective in increasing the registration compliance rates of sex offenders;

(B) the aggregate direct and indirect costs for the state of Nevada to bring those provisions into effect; and

(C) whether those provisions should be modified to improve compliance by registered sex offenders.

H.R. 3132

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 17: Add at the end the following new title:

TITLE VI—PERSONAL DATA OF CHILDREN
SEC. 601. MISAPPROPRIATION OF DATA.

(a) IN GENERAL.—Chapter 88 of title 18, United States Code, is amended by adding at the end the following:

“§ 1802. Misappropriation of personal data of children

“Whoever, in or affecting interstate or foreign commerce, knowingly misappropriates the personally identifiable information of a person who has not attained the age of 18 years shall be fined under this title or imprisoned not more than 10 years, or both.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 88 of title 18, United States Code, is amended by adding at the end the following new item:

“1802. Misappropriation of personal data of children.”.

H.R. 3132

OFFERED BY: MR. CUELLAR

AMENDMENT NO. 18: Page 11, line 4, after the comma insert “and a minimum term of imprisonment that is no less than 90 days.”.

H.R. 3132

OFFERED BY: MR. POE

AMENDMENT NO. 19: At the end of title I, add the following new section (and amend the table of contents accordingly):

SEC. ____ . EXPANSION OF TRAINING AND TECHNOLOGY EFFORTS.

(a) TRAINING.—The Attorney General, in consultation with the Office of Juvenile Justice and Delinquency Prevention, shall—

(1) expand training efforts with Federal, State, and local law enforcement officers and prosecutors to effectively respond to the threat to children and the public posed by sex offenders who use the internet and technology to solicit or otherwise exploit children;

(2) facilitate meetings, between corporations that sell computer hardware and software or provide services to the general public related to use of the Internet, to identify problems associated with the use of technology for the purpose of exploiting children;

(3) host national conferences to train Federal, State, and local law enforcement officers, probation and parole officers, and prosecutors regarding pro-active approaches to monitoring sex offender activity on the Internet;

(4) develop and distribute, for personnel listed in paragraph (3), information regarding multi-disciplinary approaches to holding offenders accountable to the terms of their probation, parole, and sex offender registration laws; and

(5) partner with other agencies to improve the coordination of joint investigations among agencies to effectively combat on-line solicitation of children by sex offenders.

(b) TECHNOLOGY.—The Attorney General, in consultation with the Office of Juvenile Justice and Delinquency Prevention, shall—

(1) deploy, to all Internet Crimes Against Children Task Forces and their partner agencies, technology modeled after the Canadian Child Exploitation Tracking System; and

(2) conduct training in the use of that technology.

(c) REPORT.—Not later than July 1, 2006, the Attorney General, in consultation with the Office of Juvenile Justice and Delinquency Prevention, shall submit to Congress a report on the activities carried out under this section. The report shall include any recommendations that the Attorney General, in consultation with the Office, considers appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General, for fiscal year 2006—

(1) \$1,000,000 to carry out subsection (a); and

(2) \$2,000,000 to carry out subsection (b).

H.R. 3132

OFFERED BY: MR. WELDON OF FLORIDA

AMENDMENT NO. 20: At the end of the bill, add the following new section:

SEC. 5 ____ . DEFENDANTS IN CERTAIN CRIMINAL CASES TO BE TESTED FOR HIV.

(a) IN GENERAL.—A jurisdiction shall have in effect laws or regulations with respect to a defendant against whom an information or indictment is presented for a crime in which by force or threat of force the perpetrator compels the victim to engage in sexual activity that require as follows:

(1) That the defendant be tested for HIV disease if—

(A) the nature of the alleged crime is such that the sexual activity would have placed the victim at risk of becoming infected with HIV; or

(B) the victim requests that the defendant be so tested.

(2) That if the conditions specified in paragraph (1) are met, the defendant undergo the test not later than 48 hours after the date on which the information or indictment is presented, and that as soon thereafter as is practicable the results of the test be made available to—

(A) the victim;

(B) the defendant (or if the defendant is a minor, to the legal guardian of the defendant);

(C) the attorneys of the victim;

(D) the attorneys of the defendant;

(E) the prosecuting attorneys; and

(F) the judge presiding at the trial, if any.

(3) That if the defendant has been tested pursuant to paragraph (2), the defendant, upon request of the victim, undergo such follow-up tests for HIV as may be medically appropriate, and that as soon as is practicable after each such test the results of the test be made available in accordance with paragraph (1) (except that this paragraph applies only to the extent that the individual involved continues to be a defendant in the judicial proceedings involved, or is convicted in the proceedings).

(4) That, if the results of a test conducted pursuant to paragraph (2) or (3) indicate that the defendant has HIV disease, such fact may, as relevant, be considered in the judicial proceedings conducted with respect to the alleged crime.

(b) FAILURE TO COMPLY.—

(1) IN GENERAL.—For any fiscal year beginning 2 or more years after the date of the enactment of this Act, a jurisdiction that fails to implement this section shall not receive 10 percent of the funds that would otherwise be allocated for that fiscal year to the jurisdiction under each of the following programs:

(A) BYRNE.—Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), whether characterized as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(B) LLEBG.—The Local Government Law Enforcement Block Grants program.

(2) REALLOCATION.—Amounts not allocated under a program referred to in paragraph (1) to a jurisdiction for failure to fully implement this section shall be reallocated under that program to jurisdictions that have not failed to implement this section.

H.R. 3132

OFFERED BY: MR. KENNEDY OF MINNESOTA

AMENDMENT NO. 21: Add at the end of title IV the following:

SEC. 403. SEXUAL ABUSE, SEXUAL EXPLOITATION, OR COERCIVE PROSTITUTION OF CHILDREN WHILE ILLEGALLY MANUFACTURING, DISTRIBUTING, DISPENSING, TRANSPORTING, OR POSSESSING CONTROLLED SUBSTANCES.

(a) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended by adding at the end the following:

“§ 2260A. Sexual abuse, sexual exploitation, or coercive prostitution of children while illegally manufacturing, distributing, dispensing, possessing, or transporting controlled substances

“Whoever, during and in relation to—

“(1) manufacturing, distributing, dispensing, or possessing a controlled substance in violation of the Controlled Substances Act, or attempting or conspiring to do so; or

“(2) transporting or causing to be transported materials (including chemicals) for manufacturing a controlled substance in violation of that Act, or attempting or conspiring to do so, commits a sex offense (as defined in section 111 of the Children’s Safety Act of 2005) against an individual less than 18 years of age; shall be fined under this title, and imprisoned for life or for any term of years not less than 25.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 110 of title 18, United States Code is amended by adding at the end the following new item:

“2260A. Sexual abuse, sexual exploitation, or coercive prostitution of children while illegally manufacturing, distributing, dispensing, possessing, or transporting controlled substances.”.

H.R. 3132

OFFERED BY: MR. CONYERS

AMENDMENT NO. 22: At the end of title I, add the following new subtitle:

Subtitle C—Children’s Safety Office

SEC. 171. ESTABLISHMENT.

There is hereby established within the Department of Justice, under the general authority of the Attorney General, a Children’s Safety Office.

SEC. 172. PURPOSE.

The purpose of the Office is to administer the sex offender registration program under subtitle A and to coordinate with other departments, agencies, and offices in preventing sexual abuse of children, prosecuting child sex offenders, and tracking child abusers post-conviction .

SEC. 173. DIRECTOR.

(a) ADVICE AND CONSENT.—At the head of the Office shall be a Director, appointed by the President, by and with the advice and consent of the Senate. The Director shall report directly to the Attorney General.

(b) QUALIFICATIONS.—The Director shall be appointed from among distinguished individuals who have—

(1) proven academic, management, and leadership credentials;

(2) a superior record of achievement; and

(3) training or expertise in criminal law or the exploitation of children, or both.

(c) DUTIES.—The Director shall have the following duties:

(1) To maintain liaison with the judicial branches of the Federal and State Governments on matters relating to children's safety from sex offenders.

(2) To provide information to the President, the Congress, the Judiciary, State and local governments, and the general public on matters relating to children's safety from sex offenders.

(3) To serve, when requested by the Attorney General, as the representative of the Department of Justice on domestic task forces, committees, or commissions addressing policy or issues relating to children's safety from sex offenders.

(4) To provide technical assistance, coordination, and support to—

(A) other components of the Department of Justice, in efforts to develop policy and to enforce Federal laws relating to sexual assaults against children, including the litigation of civil and criminal actions relating to enforcing such laws; and

(B) other Federal, State, and local agencies, in efforts to develop policy, provide technical assistance, and improve coordination among agencies carrying out efforts to eliminate sexual assaults against children.

(5) To exercise such other powers and functions as may be vested in the Director pursuant to this or any other Act or by delegation of the Attorney General in accordance with law.

(6) To establish such rules, regulations, guidelines, and procedures as are necessary to carry out any function of the Office.

(7) To oversee—

(A) the grant programs under subtitle A; and

(B) any other grant programs of the Department of Justice to the extent they relate to sexual assaults against children.

SEC. 174. ANNUAL REPORT.

Not later than 180 days after the end of each fiscal year for which grants are made under subtitle A, the Attorney General shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report that includes, for each State or other jurisdiction—

(1) the number of grants made and funds distributed under subtitle A;

(2) a summary of the purposes for which those grants were provided and an evaluation of their progress;

(3) a statistical summary of persons served, detailing the nature of victimization, and providing data on age, sex, relationship of victim to offender, geographic distribution, race, ethnicity, language, and disability, and the membership of persons served in any underserved population; and

(4) an evaluation of the effectiveness of programs funded under subtitle A.

SEC. 175. STAFF.

The Attorney General shall ensure that the Director has adequate staff to support the Director in carrying out the responsibilities of the Director.

SEC. 176. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this subtitle.

SEC. 177. NONMONETARY ASSISTANCE.

In addition to the assistance provided under subtitle A, the Attorney General may request any Federal agency to use its authorities and the resources granted to it under Federal law (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) in support of State and local assistance efforts consistent with the purposes of this title.

H.R. 3132

OFFERED BY: MR. CONYERS

AMENDMENT NO. 23: At the end of title III insert the following:

SEC. 304. STATISTICS.

(a) COVERAGE.—Subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note) is amended by inserting "gender," before "or ethnicity".

(b) DATA.—Subsection (b)(5) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note) is amended by inserting "including data about crimes committed by and directed against juveniles" after "data acquired under this section".

H.R. 3132

OFFERED BY: MR. CONYERS

AMENDMENT NO. 24: At the end of title I, add the following new section (and conform the table of contents accordingly):

SEC. 1 ____ . GRANTS TO COMBAT SEXUAL ABUSE OF CHILDREN.

(a) IN GENERAL.—The Bureau of Justice Assistance shall make grants to law enforcement agencies for purposes of this section. The Bureau shall make such a grant—

(1) to each law enforcement agency that serves a jurisdiction with 50,000 or more residents; and

(2) to each law enforcement agency that serves a jurisdiction with fewer than 50,000 residents, upon a showing of need.

(b) USE OF GRANT AMOUNTS.—Grants under this section may be used by the law enforcement agency to—

(1) hire additional law enforcement personnel, or train existing staff to combat the sexual abuse of children through community education and outreach, investigation of complaints, enforcement of laws relating to sex offender registries, and management of released sex offenders;

(2) investigate the use of the Internet to facilitate the sexual abuse of children; and

(3) purchase computer hardware and software necessary to investigate sexual abuse of children over the Internet, access local, State, and Federal databases needed to apprehend sex offenders, and facilitate the creation and enforcement of sex offender registries.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for fiscal years 2006 through 2008 to carry out this section.

H.R. 3132

OFFERED BY: MR. CONYERS

AMENDMENT NO. 25: At the end of the bill, add the following new title:

TITLE VI—LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION

SECTION 601. SHORT TITLE.

This title may be cited as the "Local Law Enforcement Hate Crimes Prevention Act of 2005".

SEC. 602. FINDINGS.

Congress makes the following findings:

(1) The incidence of violence motivated by the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of the victim poses a serious national problem.

(2) Such violence disrupts the tranquility and safety of communities and is deeply divisive.

(3) State and local authorities are now and will continue to be responsible for prosecuting the overwhelming majority of violent crimes in the United States, including violent crimes motivated by bias. These authorities can carry out their responsibilities more effectively with greater Federal assistance.

(4) Existing Federal law is inadequate to address this problem.

(5) The prominent characteristic of a violent crime motivated by bias is that it devastates not just the actual victim and the family and friends of the victim, but frequently savages the community sharing the traits that caused the victim to be selected.

(6) Such violence substantially affects interstate commerce in many ways, including—

(A) by impeding the movement of members of targeted groups and forcing such members to move across State lines to escape the incidence or risk of such violence; and

(B) by preventing members of targeted groups from purchasing goods and services, obtaining or sustaining employment, or participating in other commercial activity.

(7) Perpetrators cross State lines to commit such violence.

(8) Channels, facilities, and instrumentalities of interstate commerce are used to facilitate the commission of such violence.

(9) Such violence is committed using articles that have traveled in interstate commerce.

(10) For generations, the institutions of slavery and involuntary servitude were defined by the race, color, and ancestry of those held in bondage. Slavery and involuntary servitude were enforced, both prior to and after the adoption of the 13th amendment to the Constitution of the United States, through widespread public and private violence directed at persons because of their race, color, or ancestry, or perceived race, color, or ancestry. Accordingly, eliminating racially motivated violence is an important means of eliminating, to the extent possible, the badges, incidents, and relics of slavery and involuntary servitude.

(11) Both at the time when the 13th, 14th, and 15th amendments to the Constitution of the United States were adopted, and continuing to date, members of certain religious and national origin groups were and are perceived to be distinct "races". Thus, in order to eliminate, to the extent possible, the badges, incidents, and relics of slavery, it is necessary to prohibit assaults on the basis of real or perceived religions or national origins, at least to the extent such religions or national origins were regarded as races at the time of the adoption of the 13th, 14th, and 15th amendments to the Constitution of the United States.

(12) Federal jurisdiction over certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes.

(13) The problem of crimes motivated by bias is sufficiently serious, widespread, and interstate in nature as to warrant Federal assistance to States and local jurisdictions.

SEC. 603. DEFINITION OF HATE CRIME.

In this title, the term "hate crime" has the same meaning as in section 280003(a) of the Violent Crime Control and Law Enforcement Act of 1994 (28 U.S.C. 994 note).

SEC. 604. SUPPORT FOR CRIMINAL INVESTIGATIONS AND PROSECUTIONS BY STATE AND LOCAL LAW ENFORCEMENT OFFICIALS.

(a) ASSISTANCE OTHER THAN FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—At the request of a law enforcement official of a State or Indian tribe, the Attorney General may provide technical, forensic, prosecutorial, or any other form of assistance in the criminal investigation or prosecution of any crime that—

(A) constitutes a crime of violence (as defined in section 16 of title 18, United States Code);

(B) constitutes a felony under the laws of the State or Indian tribe; and

(C) is motivated by prejudice based on the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of the victim, or is a violation of the hate crime laws of the State or Indian tribe.

(2) **PRIORITY.**—In providing assistance under paragraph (1), the Attorney General shall give priority to crimes committed by offenders who have committed crimes in more than 1 State and to rural jurisdictions that have difficulty covering the extraordinary expenses relating to the investigation or prosecution of the crime.

(b) **GRANTS.**—

(1) **IN GENERAL.**—The Attorney General may award grants to assist State, local, and Indian law enforcement officials with the extraordinary expenses associated with the investigation and prosecution of hate crimes.

(2) **OFFICE OF JUSTICE PROGRAMS.**—In implementing the grant program, the Office of Justice Programs shall work closely with the funded jurisdictions to ensure that the concerns and needs of all affected parties, including community groups and schools, colleges, and universities, are addressed through the local infrastructure developed under the grants.

(3) **APPLICATION.**—

(A) **IN GENERAL.**—Each State that desires a grant under this subsection shall submit an application to the Attorney General at such time, in such manner, and accompanied by or containing such information as the Attorney General shall reasonably require.

(B) **DATE FOR SUBMISSION.**—Applications submitted pursuant to subparagraph (A) shall be submitted during the 60-day period beginning on a date that the Attorney General shall prescribe.

(C) **REQUIREMENTS.**—A State or political subdivision of a State or tribal official applying for assistance under this subsection shall—

(i) describe the extraordinary purposes for which the grant is needed;

(ii) certify that the State, political subdivision, or Indian tribe lacks the resources necessary to investigate or prosecute the hate crime;

(iii) demonstrate that, in developing a plan to implement the grant, the State, political subdivision, or tribal official has consulted and coordinated with nonprofit, nongovernmental victim services programs that have experience in providing services to victims of hate crimes; and

(iv) certify that any Federal funds received under this subsection will be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this subsection.

(4) **DEADLINE.**—An application for a grant under this subsection shall be approved or disapproved by the Attorney General not later than 30 business days after the date on which the Attorney General receives the application.

(5) **GRANT AMOUNT.**—A grant under this subsection shall not exceed \$100,000 for any single jurisdiction within a 1 year period.

(6) **REPORT.**—Not later than December 31, 2006, the Attorney General shall submit to Congress a report describing the applications submitted for grants under this subsection, the award of such grants, and the purposes for which the grant amounts were expended.

(7) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2006 and 2007.

SEC. 605. GRANT PROGRAM.

(a) **AUTHORITY TO MAKE GRANTS.**—The Office of Justice Programs of the Department of Justice shall award grants, in accordance with such regulations as the Attorney Gen-

eral may prescribe, to State and local programs designed to combat hate crimes committed by juveniles, including programs to train local law enforcement officers in identifying, investigating, prosecuting, and preventing hate crimes.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 606. AUTHORIZATION FOR ADDITIONAL PERSONNEL TO ASSIST STATE AND LOCAL LAW ENFORCEMENT.

There are authorized to be appropriated to the Department of Justice, including the Community Relations Service, for fiscal years 2006, 2007, and 2008 such sums as are necessary to increase the number of personnel to prevent and respond to alleged violations of section 249 of title 18, United States Code, as added by section 607.

SEC. 607. PROHIBITION OF CERTAIN HATE CRIME ACTS.

(a) **IN GENERAL.**—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“§ 249. Hate crime acts

“(a) **IN GENERAL.**—

“(1) **OFFENSES INVOLVING ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, OR NATIONAL ORIGIN.**—Whoever, whether or not acting under color of law, willfully causes bodily injury to any person or, through the use of fire, a firearm, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person—

“(A) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and

“(B) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—

“(i) death results from the offense; or

“(ii) the offense includes kidnaping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

“(2) **OFFENSES INVOLVING ACTUAL OR PERCEIVED RELIGION, NATIONAL ORIGIN, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.**—

“(A) **IN GENERAL.**—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B), willfully causes bodily injury to any person or, through the use of fire, a firearm, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity or disability of any person—

“(i) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and

“(ii) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—

“(I) death results from the offense; or

“(II) the offense includes kidnaping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

“(B) **CIRCUMSTANCES DESCRIBED.**—For purposes of subparagraph (A), the circumstances described in this subparagraph are that—

“(i) the conduct described in subparagraph (A) occurs during the course of, or as the result of, the travel of the defendant or the victim—

“(I) across a State line or national border; or

“(II) using a channel, facility, or instrumentality of interstate or foreign commerce;

“(ii) the defendant uses a channel, facility, or instrumentality of interstate or foreign

commerce in connection with the conduct described in subparagraph (A);

“(iii) in connection with the conduct described in subparagraph (A), the defendant employs a firearm, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce; or

“(iv) the conduct described in subparagraph (A)—

“(I) interferes with commercial or other economic activity in which the victim is engaged at the time of the conduct; or

“(II) otherwise affects interstate or foreign commerce.

“(b) **CERTIFICATION REQUIREMENT.**—No prosecution of any offense described in this subsection may be undertaken by the United States, except under the certification in writing of the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General specially designated by the Attorney General that—

“(1) he or she has reasonable cause to believe that the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of any person was a motivating factor underlying the alleged conduct of the defendant; and

“(2) he or his designee or she or her designee has consulted with State or local law enforcement officials regarding the prosecution and determined that—

“(A) the State does not have jurisdiction or does not intend to exercise jurisdiction;

“(B) the State has requested that the Federal Government assume jurisdiction;

“(C) the State does not object to the Federal Government assuming jurisdiction; or

“(D) the verdict or sentence obtained pursuant to State charges left demonstratively unvindicated the Federal interest in eradicating bias-motivated violence.

“(c) **DEFINITIONS.**—In this section—

“(1) the term ‘explosive or incendiary device’ has the meaning given the term in section 232 of this title;

“(2) the term ‘firearm’ has the meaning given the term in section 921(a) of this title; and

“(3) the term ‘gender identity’ for the purposes of this chapter means actual or perceived gender-related characteristics.

“(d) **RULE OF EVIDENCE.**—In a prosecution for an offense under this section, evidence of expression or associations of the defendant may not be introduced as substantive evidence at trial, unless the evidence specifically relates to that offense. However, nothing in this section affects the rules of evidence governing impeachment of a witness.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The analysis for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“249. Hate crime acts.”.

SEC. 608. STATISTICS.

Subsection (b)(1) of the first section of the Hate Crimes Statistics Act (28 U.S.C. 534 note) is amended by inserting “gender and gender identity,” after “race.”.

SEC. 609. SEVERABILITY.

If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

H.R. 3132

OFFERED BY: MRS. KELLY

AMENDMENT No. 26: At the end of the bill add the following (and amend the table of contents accordingly):

TITLE VI—NATIONAL REGISTER OF CASES OF CHILD ABUSE OR NEGLECT

H.R. 3132

OFFERED BY: MR. SENSENBRENNER

SEC. 601. NATIONAL REGISTER OF CASES OF CHILD ABUSE OR NEGLECT.

(a) IN GENERAL.—The Attorney General, in consultation with the Secretary of Health and Human Services, shall create a national register of cases of child abuse or neglect. The information in such register shall be supplied by States, or, at the option of a State, by political subdivisions of such State.

(b) INFORMATION.—The register described in subsection (a) shall collect in a central electronic database information on children reported to a State, or a political subdivision of a State, as abused or neglected.

(c) SCOPE OF INFORMATION.—

(1) IN GENERAL.—

(A) TREATMENT OF REPORTS.—The information to be provided to the Secretary of Health and Human Services under this section shall relate to substantiated reports of child abuse or neglect. Except as provided in subparagraph (B), each State, or, at the option of a State, each political subdivision of such State, shall determine whether the information to be provided to the Secretary of Health and Human Services under this section shall also relate to reports of suspected instances of child abuse or neglect that were unsubstantiated or determined to be unfounded.

(B) EXCEPTION.—If a State or political subdivision of a State has an equivalent electronic register of cases of child abuse or neglect that it maintains pursuant to a requirement or authorization under any other provision of law, the information provided to the Secretary of Health and Human Services under this section shall be coextensive with that in such register.

(2) FORM.—Information provided to the Secretary of Health and Human Services under this section—

(A) shall be in a standardized electronic form determined by the Secretary of Health and Human Services; and

(B) shall contain case-specific identifying information, except that, at the option of the entity supplying the information, the confidentiality of identifying information concerning an individual initiating a report or complaint regarding a suspected or known instance of child abuse or neglect may be maintained.

(d) CONSTRUCTION.—This section shall not be construed to require a State or political subdivision of a State to modify—

(1) an equivalent register of cases of child abuse or neglect that it maintains pursuant to a requirement or authorization under any other provision of law; or

(2) any other record relating to child abuse or neglect, regardless of whether the report of abuse or neglect was substantiated, unsubstantiated, or determined to be unfounded.

(e) DISSEMINATION.—The Attorney General, in consultation with the Secretary of Health and Human Services, shall establish standards for the dissemination of information in the national register of cases of child abuse or neglect. Such standards shall preserve the confidentiality of records in order to protect the rights of the child and the child's parents or guardians while also ensuring that Federal, State, and local government entities have access to such information in order to carry out their responsibilities under law to protect children from abuse and neglect.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2006 and succeeding fiscal years.

AMENDMENT NO. 27: Page 11, line 2, after "jurisdiction" insert ", other than a Federally recognized Indian tribe".

Page 27, line 5, insert ", or resides in," after "enters or leaves".

Page 6, line 22, strike "A" and insert "To the extent provided and subject to the requirements of section 126, a".

Page 6, line 19, strike "Somoa" and insert "Samoa".

Page 6, line 20, insert "The" before "North-ern".

Page 10, line 4, strike "and interpret".

Page 10, line 5, strike "to implement the requirements and purposes of" and insert "and regulations to interpret and imple-ment".

Page 12, line 23, after "years" insert "(but such 20-year period shall not include any time the offender is in custody or civilly committed)".

Page 16, line 15, after "jurisdiction" insert "where the sex offender resides, works, or at-tends school, and each jurisdiction".

Strike section 124 and insert the following:

SEC. 124. IMMUNITY FOR GOOD FAITH CONDUCT.

The Federal Government, jurisdictions, po-litical subdivisions of jurisdictions, and their agencies, officers, employees, and agents shall be immune from liability for good faith conduct under this title.

Page 18, beginning in line 7, strike "a one-year extension" and insert "up to two one-year extensions".

Page 19, line 3, after "title" insert "or may be reallocated to a jurisdiction from which they were withheld to be used solely for the purpose of implementing this title".

Page 25, beginning in line 14, strike "for damages directly related to" and insert "arising from".

Page 26, beginning in line 20, strike "re-ceive a notice from an official that such person".

Page 27, line 16, insert "or section 1591," after "117".

Page 29, line 3, insert "or section 1591," after "117".

Page 29, strike lines 14 through 17 and in-sert the following:

(g) CONFORMING AMENDMENTS TO CROSS REFERENCES.—Paragraphs (1) and (2) of sec-tion 4042(c) of title 18, United States Code, are each amended by striking "(4)" and in-serting "(3)".

Page 10, line 26, after "Act" insert "or its effective date in a particular jurisdiction".

Page 19, after line 3, insert the following:

(c) RULE OF CONSTRUCTION.—The provisions of this title that are cast as directions to ju-risdictions or their officials constitute only conditions required to avoid the reduction of Federal funding under this section.

Page 11, line 20, after "plate number" in-sert "and description".

Page 26, after line 7, insert the following:

SEC. 135. TREATMENT AND MANAGEMENT OF SEX OFFENDERS IN THE BUREAU OF PRISONS.

Section 3621 of title 18, United States Code, is amended by adding at the end the fol-lowing new subsection:

"(f) SEX OFFENDER MANAGEMENT.—

"(1) IN GENERAL.—The Bureau of Prisons shall make available appropriate treatment to sex offenders who are in need of and suit-able for treatment, as follows:

"(A) SEX OFFENDER MANAGEMENT PRO-GRAMS.—The Bureau of Prisons shall estab-lish non-residential sex offender manage-ment programs to provide appropriate treat-ment, monitoring, and supervision of sex of-fenders and to provide aftercare during pre-release custody.

"(B) RESIDENTIAL SEX OFFENDER TREAT-MENT PROGRAMS.—The Bureau of Prisons shall establish residential sex offender treat-ment programs to provide treatment to sex offenders who volunteer for such programs and are deemed by the Bureau of Prisons to be in need of and suitable for residential treatment.

"(2) REGIONS.—At least one sex offender management program under paragraph (1)(A), and at least one residential sex of-fender treatment program under paragraph (1)(B), shall be established in each region within the Bureau of Prisons.

"(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Bureau of Prisons for each fiscal year such sums as may be necessary to carry out this subsection."

At the end of title I, insert the following:

SEC. 155. ASSISTANCE FOR PROSECUTIONS OF CASES CLEARED THROUGH USE OF DNA BACKLOG CLEARANCE FUNDS.

(a) IN GENERAL.—The Attorney General may make grants to train and employ per-sonnel to help investigate and prosecute cases cleared through use of funds provided for DNA backlog elimination.

(b) AUTHORIZATION.—There are authorized to be appropriated such sums as may be nec-essary for each of fiscal years 2006 through 2010 to carry out this section.

SEC. 156. AUTHORIZATION OF ADDITIONAL AP-PROPRIATIONS.

In addition to any other amounts author-ized by law, there are authorized to be appro-priated for grants to the American Prosecu-tors Research Institute under section 214A of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13003) \$7,500,000 for each of fiscal years 2006 through 2010.

Page 15, line 13, strike "Each" and insert "(a) IN GENERAL.—Except as provided in sub-section (b), each".

Page 15, after line 19, insert the following:
(b) EXCEPTION.—To the extent authorized by the Attorney General, a jurisdiction need not make available on the Internet informa-tion about a sex offender required to register for committing a misdemeanor sex offense against a minor who has attained the age of 16 years.

Page 8, line 15, insert "a" before "sexual act".

Page 12, line 13, insert ", including the date of the offense, and whether or not the sex offender was prosecuted as a juvenile at the time of the offense" before the period.

Page 5, after line 23, insert the following:

(1) Polly Klaas, who was 12 years old, was abducted, sexually assaulted and murdered in 1993 by a career offender in California.

Page 24, beginning in line 7, strike "in a range" and all that follows through "by" in line 9 and inserting "that is one of".

Page 21, after line 15, insert the following (and redesignate succeeding subsections ac-cordingly):y-24

(f) INNOVATION.—In making grants under this section, the Attorney General shall en-sure that different approaches to monitoring are funded to allow an assessment of effec-tiveness.

(g) ONE-TIME REPORT AND RECOMMENDA-TIONS.—Not later than April 1, 2008, the At-torney General shall submit to Congress a report—

(1) assessing the effectiveness and value of programs funded by this section;

(2) comparing the cost-effectiveness of the electronic monitoring to reduce sex offenses compared to other alternatives; and

(3) making recommendations for con-tinuing funding and the appropriate levels for such funding.

H.R. 3132

OFFERED BY: MR. SENSENBRENNER

AMENDMENT NO. 28: Page 26, after line 7, in-sert the following:

SEC. 136. ASSISTANCE IN IDENTIFICATION AND LOCATION OF SEX OFFENDERS RELOCATED AS A RESULT OF HURRICANE KATRINA.

The Attorney General shall provide technical assistance to jurisdictions to assist them in the identification and location of sex offenders relocated as a result of Hurricane Katrina.

H.R. 3132

OFFERED BY: MR. SENSENBRENNER

AMENDMENT NO. 29: Page 69, after line 17, insert the following:

SEC. 514. NO LIMITATION FOR PROSECUTION OF FELONY SEX OFFENSES.

Chapter 213 of title 18, United States Code, is amended—

(1) by adding at the end the following:

“§ 3298. Child abduction and sex offenses.

“Notwithstanding any other law, an indictment may be found or an information instituted at any time without limitation for any offense under section 1201 involving a minor victim, and for any felony under chapter 109A, 110, or 117, or section 1591.”; and

(2) by adding at the end of the table of sections at the beginning of the chapter the following new item:

“3298. Child abduction and sex offenses.”.

SEC. 515. CHILD ABUSE REPORTING.

Section 2258 of title 18, United States Code, is amended by striking “Class B misdemeanor” and inserting “Class A misdemeanor”.

H.R. 3132

OFFERED BY: MR. SENSENBRENNER

AMENDMENT NO. 30: Page 54, strike line 10 and all that follows through line 19 on page 55 and insert the following:

SEC. 503. ACCESS TO FEDERAL CRIME INFORMATION DATABASES BY CHILD WELFARE AGENCIES FOR CERTAIN PURPOSES.

(a) IN GENERAL.—The Attorney General of the United States shall, upon request of the chief executive officer of a State, conduct fingerprint-based checks of the national crime information databases (as defined in section 534(e)(3)(A) of title 28, United States Code) submitted by a local child welfare agency for the purpose of conducting a background check required under section 471(a)(20) of the Social Security Act on individuals under consideration as prospective foster or adoptive parents. Where possible, the check shall include a fingerprint-based check of state criminal history databases. The Attorney General and the states may charge any applicable fees for the checks.

(b) LIMITATION.—An officer may use the authority under subsection (a) only for the purpose of conducting the background checks required under section 471(a)(20) of the Social Security Act.

(c) PROTECTION OF INFORMATION.—An individual having information derived as a result of a check under subsection (a) may release that information only to appropriate officers of child welfare agencies or another person

authorized by law to receive that information.

(d) CRIMINAL PENALTIES.—An individual who knowingly exceeds the authority in subsection (a), or knowingly releases information in violation of subsection (c), shall be imprisoned not more than 10 years or fined under title 18, United States Code, or both.

(e) CHILD WELFARE AGENCY DEFINED.—In this section, the term “child welfare agency” means—

(1) the State or local agency responsible for administering the plan under part B or part E of title IV of the Social Security Act; and

(2) any other public agency, or any other private agency under contract with the State or local agency responsible for administering the plan under part B or part E of title IV of the Social Security Act, that is responsible for the licensing or approval of foster or adoptive parents.

H.R. 3132

OFFERED BY MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 31: At the end of the TITLE V, add the following new section:

SEC. . SENSE OF CONGRESS.

It is the sense of Congress that background checks conducted as a precondition to approval of any foster or adoptive placement of children affected by a natural disaster or terrorist attack should be expedited in order to ensure that such children do not become subjected to the offenses enumerated in this act.