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House of Representatives

The House met at 10 a.m.

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

Lord, our God, source of all life and love, the Members of Congress join with all the people of this Nation as we pray for our military troops deployed in harm's way in Afghanistan, Somalia and elsewhere, but especially in Iraq. Protect them, Lord. Strengthen them and guide them. Be for them a light, a mighty force and a safe refuge. Speak to their families words of consolation and assurance.

May all military efforts bring about security and peace and make this nation grateful and worthy of their sacrifice.

''Lord, be a stronghold for the oppressed, a stronghold in times of distress'' both now and forever. Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentleman from New York (Mr. BISHOP) come forward and lead the House in the Pledge of Allegiance.

Mr. BISHOP of New York 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.

OPPOSING THE PRESIDENT'S PLAN FOR IRAQ

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

Mr. KUCINICH. Madam Speaker, the President's new plan is a plan for more door-to-door fighting, more civil war, more civilian casualties, more troop deaths, more wasted money, more destabilization in the region and more separation from the world community.

Does anyone in this administration have any sense at all? They are sending our troops into the middle of a civil war, setting the stage for a wider war.

The President is blaming Iran for attacks on Americans in Iraq; he is vowing to disrupt Iran. He is adding an aircraft carrier to the shores of Iran. He is promising to give Patriot missiles to our friends and allies. Isn't one war enough for this President?

Congress needs to challenge the position of the President, take necessary steps to bring our troops home. We need to begin talks with Iran and Syria, not blame them for our misguided war in Iraq. Diplomacy is the only way to avoid a widening war. If we follow this President's path of war, we will get more war.

OPPOSING THE PRESIDENT'S PLAN FOR IRAQ

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

Mr. KELLER of Florida. Mr. Speaker, I rise to discuss the troop surge in Iraq. I believe the motives of President Bush and other prominent leaders, such as Senator JOHN MCCAIN, who are pushing for more troops, are pure and well meaning. I believe they sincerely think this is the best way forward. Three years ago, I would have agreed with them. However, at this late stage, interjecting more young American troops into the crossfire of an Iraqi civil war is simply not the right approach. We are not going to solve an Iraqi political problem with an American military solution.

Regardless of how one feels about the war in Iraq or the proposed surge in troops, as long as our American troops are in harm's way, it is our duty and responsibility to support these troops one hundred percent.

May God bless our troops and our country.

OPPOSING THE PRESIDENT'S PLAN FOR IRAQ

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of New York. Mr. Speaker, after watching last night's Presidential address, I must question whether or not our President actually listens to anyone besides the same neoconservative ideologues who are the architects of the fiasco in Iraq and who have insisted that victory in Iraq is just around the corner.

Clearly the President is not listening to his top generals on the ground who have expressed doubt in the President's call for a surge in troops; nor is he listening to the advice of the bipartisan Iraq Study Group, which has called for a redeployment of troops and additional training for Iraqi security forces; nor is he listening to the Iraqi people, 78 percent of whom say the presence of American troops is adding to, rather than controlling, the violence.

Most importantly, the President isn't listening to the American people, who sent a clear message last November that his policies in Iraq aren't working, and that a change of course is needed.

Mr. Speaker, I am opposed to the President's plan to escalate this war. I believe the solutions to the problems in Iraq are political ones. And I will support my colleagues in using the constitutional authority vested in the Congress to control our future involvement in Iraq.

☐ 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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SUPPORTING THE PRESIDENT'S PLAN FOR IRAQ

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

Ms. FOXX. Last night, the President addressed the Nation about the war in Iraq. No one is happy that we are at war, but we must remember that we were attacked by the terrorists; that the war in Iraq is critical to the global war on terror, and we must continue to fight and defend against the terrorists there as much as at home.

We must maintain our efforts to provide security and stability for the Iraqi government and its people until they are able to do so themselves. We cannot walk away or we will face increased bloodshed at home and abroad.

I applaud the President for recognizing the need for a new direction in the Iraq war in order to achieve this and presenting tangible alternatives to the problems we currently face there.

I support making sure that the Iraqis take the lead and act aggressively and swiftly against any violence. Prime Minister Maliki has issued a commitment to meet these challenges, and the President must hold him accountable to this pledge. It is my hope the proposals put forth will lead to success in Iraq.

Our troops deserve unwavering support, and this new direction the President has implemented must show progress. Now is the time to unite as Americans and not as partisan politicians.

I look forward to the day when a free and democratic Iraqi government and its people can defend themselves and be a model for others in the Middle East.

ALICE PAUL

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

Mr. BACA. Mr. Speaker, I rise today to honor Alice Paul, a woman who dedicated her life to equality, to give her a Congressional Gold Medal.

Alice Paul was a remarkable person who made America more democratic by fighting for equal rights and creating opportunities for women to participate in politics. Thanks to Alice Paul, NANCY PELOSI was able to become Speaker of the United States House of Representatives. Even after her death, her influence continues to be significant on our society and culture.

Yesterday marked the day that on January 10, 1918, the House of Representatives first voted to give women the right to vote by approving the 19th amendment to the U.S. Constitution. Alice Paul spearheaded the effort to pass the 19th amendment, granting all American women the right to vote.

Because of Alice Paul's legacy, my daughters, Natalie and Jennifer, have the right to participate in the electoral process. My grandchildren and their children will forever have this right.

Alice Paul's contribution to America cannot be understated. Without her, women may not enjoy many of the rights they have today.

Please cosponsor this important legislation.

SOCIAL SECURITY FOR ILLEGALS?

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

Mr. POE. Mr. Speaker, in the darkness of back rooms and the whisper of secret phone calls, American citizens may have been betrayed. Has our government become the Judas?

For the past 2 years, our Federal Government has secretly negotiated and cooperated with the Mexican government to provide illegals a reward for breaking American law. Not only will illegal entry be forgiven by amnesty but, get this, illegals will be able to apply for and collect American Social Security. The cost of such betrayal is millions of dollars. Hardworking citizens are going to be robbed of Social Security money that they are entitled to. Now many Americans and legal immigrants may not receive Social Security benefits because they will be going to illegals.

Mr. Speaker, illegals are not citizens of this country, and they should not be taking the benefits entitled to law-abiding American citizens and legal immigrants. It is morally wrong to expect Americans to pay money to people that are not even supposed to be on our soil. Illegals should not receive Social Security benefits. The welfare of America is being sold for 30 pieces of silver.

And that's just the way it is.

ESCALATION OF FAILURE

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

Mr. DOGGETT. President Bush has been wrong at every step along the descent into chaos in Iraq, and he is wrong once again. The terrible price for his repeated miscalculations is paid for by the blood of the brave, by hundreds of billions of dollars squandered and by greater insecurity for our families. He has no new plan, just an old delusion. This isn't a surge. It is a costly, long-term escalation that only endangers more young Americans.

Apparently the only troops he will bring home are the many generals who disagree with him. He has rejected the advice of the Iraq Study Group. He has rejected military counsel. He has rejected the voices of the people and their elected representatives. And we must firmly reject his escalation of what can only be called a spend-and-bleed policy.

STEM CELL BILL

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

Mr. PITTS. Mr. Speaker, today the House will consider H.R. 3, an expansion of taxpayer funding for embryonic stem cell research. And while today's debate is sure to be full of rhetoric about the promise of future cures, let's be clear from the outset about what is working and what is not. Embryonic stem cell research, that is, research that requires the destruction of a living human embryo, is yet to produce a single cure or treatment in humans. Not one. What many say is a false hope.

The good news is that there is an alternative that is not only successfully treating human patients but doesn't require killing little human embryos. In fact, what many consider ethical, adult stem cell research has now provided dozens of laboratory successes, successful treatments of human patients and even a handful of FDA-approved therapies.

Mr. Speaker, tax dollars are not unlimited. They should be directed towards methods that are proven to work and ethical research. H.R. 3 fails to do this.

IN SUPPORT OF EMBRYONIC STEM CELL RESEARCH

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mrs. CHRISTENSEN. Mr. Speaker, I rise today, as a physician, a mother and a representative of many who would benefit from H.R. 3, in strong support of H.R. 3 which would expand Federal funding for embryonic stem cell research, increase stem cell lines and impose strict ethical guidelines. These stem cells would otherwise be destroyed. So this is not a faith issue, a theological conundrum or a partisan issue. It is a public health issue and one of maintaining this country's leadership in the world.

This bill is important to minorities and the Congressional Black Caucus because embryonic stem cell research will help reduce and even eliminate the health care disparities that now leave African Americans and other people of color more likely to be disabled or die from the diseases it can cure.

As a physician I have treated individuals with some of these diseases—Parkinson's, sickle cell, ALS and others—and despite using all we had available too often stood helplessly with their families as the conditions took their toll. Today we can change that and we must.

As a mother and a grandmother of three, I ask my colleagues to support H.R. 3 and create a healthier and better country for all of us.

□ 1015

VOTE ''NO'' ON MEDICARE PRESCRIPTION DRUG PRICE NEGOTIATION ACT

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

Mrs. BLACKBURN. Mr. Speaker, I rise today in opposition to H.R. 4, the Big Government Prescription Drug Price Negotiation Act. This bill is politically driven, and it will result in a one-size-fits-all program that gives us higher drug prices, less consumer choice, and will certainly not uphold some of the access that has been made available through Medicare part D. And we know that seniors want choice. We hear that from them. They want to preserve the doctor-patient relationship, and they want access to prescriptions in their local communities.

What H.R. 4 does is to open the door for Big Government to decide what medicines patients receive instead of their doctors.

Unfortunately, the Democrats are rushing the bill to the floor to undo the hard work of Medicare part D. We know from survey after survey that over three-fourths of seniors are satisfied with this program.

There have been no discussions, no hearings, no analysis on how this proposal will impact the access of seniors. I urge my colleagues to vote ''no.''

AUTHORIZING EMBRYONIC STEM CELL RESEARCH

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

Mrs. CAPPS. Mr. Speaker, today we will fulfill an important promise to the American people by authorizing ethical embryonic stem cell research.

Millions of people across our Nation and around the world will be paying close attention as we affirm our commitment to finding cures for diseases that have touched all of us: Alzheimer's, Parkinson's, diabetes, cancer, heart disease, multiple sclerosis, spinal cord injury, and many more.

I have been truly touched by letters of hope from constituents and from organizations representing those suffering from illnesses that may eventually be cured through stem cell research.

And our Nation's leading scientists are eagerly awaiting the opportunity to make the United States the world leader in this groundbreaking research.

As Members of Congress, we are blessed with the opportunity to take such an important vote that will pave the way to saving lives. I urge all of my colleagues to vote in favor of H.R. 3 today and be part of this monumental effort.

SMALL TOWNS HEART AND SOUL OF AMERICA

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

Mrs. CAPITO. Mr. Speaker, I have the honor of representing one of the largest congressional districts east of the Mississippi, the West Virginia Second District.

Some of the best-kept secrets in West Virginia, and certainly my district, are the wonderful small towns and the sense of community they provide. Treasures like these are worth celebrating every single day.

Last Sunday, the city of Ripley in Jackson County, West Virginia, celebrated its 175th anniversary, and I had the privilege of attending the celebration with the mayor and many fine citizens of Ripley.

I thought it was very fitting to read the city's motto, ''Ripley: Proud of our past—Excited about our future.''

Much has changed in America since 1832 when Ripley was founded, but the fact is that Ripley remains one of the best small towns in the country.

In fact, when the President was looking for a place to celebrate our Nation's birthday in 2002, he looked no further than Ripley, West Virginia. It was a great decision. Every year, Ripley has the largest Independence Day celebration of any small town in America. We welcomed the President, and he enjoyed his West Virginia visit.

Let us all remember that small towns are truly the heart and soul of America, just as they were in 1832 at Ripley's founding. I am honored to represent them here in Washington.

FAILURES IN IRAQ

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

Mr. MCNERNEY. Mr. Speaker, last night President Bush accepted responsibility for the failures in Iraq. Yet he offered no real strategy for winning the war in Iraq or the broader struggle with terrorism.

Many military and foreign policy experts, including the Joint Chiefs of Staff, have acknowledged that the President's proposal to increase troop strength is not a solution to the ongoing instability in Iraq.

I believe that an influx of troops will actually worsen the situation on the ground. Not only that, but redeploying 20,000 additional troops in Iraq will stretch our already fully deployed Armed Forces even further.

I am particularly concerned that deploying additional troops will significantly hinder our ability to effectively combat the global terrorist threat. In fact, the very consideration of redeploying troops in Iraq means that we are distracted from the wider war on terrorism, especially in Afghanistan where additional forces may be necessary to rein in al Qaeda and the Taliban.

DEMOCRATS NEED TO LAY OUT IRAQ PLAN

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

Mr. KINGSTON. Mr. Speaker, you know, it is time for the Democrat Party to lay out its plan for Iraq. I understand the echo chamber of liberalism is going to be teeing off on the President all week long. I understand that, because that is what has been going on for 6 months and, indeed, in some circles for a year.

There are 65 Members, in fact, of the Get Out of Iraq Now Caucus, and I actually have a lot of respect for them because they have a vision, they have a plan. The plan is: get out of Iraq.

Now there is no answer to the question: What happens then? What happens then when you have an American defeat internationally in the Middle East, when you turn over the third largest oil producing nation in the world to a terrorist state? What happens to the people over there who are pro-America or pro-democracy? They don't answer that question, and I understand that.

But for the other Democrats who are so enthusiastically piling on the President right now, and certainly I want to say as a Republican it has not been going well and we do need a new change in direction, but I would say to the majority party, put your plan on the table.

PASS EMBRYONIC STEM CELL RESEARCH

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

Mr. UDALL of New Mexico. Mr. Speaker, my uncle, Mo Udall, served here in the House of Representatives for 30 years. For the last 10 years, he served with Parkinson's disease, and every day his friends and colleagues saw this crippling disease take a little piece of him. Millions of families are facing the same kind of disabling diseases: Parkinson's, Alzheimer's, lupus and many more.

The bill we will consider today on the House floor gives these millions of American families hope. There is great promise in stem cell research. This bipartisan bill would increase the number of embryonic stem cell lines eligible for Federal research.

I hope that the President will reconsider his ill advised veto and give American families hope.

MIDDLE EAST DISASTER

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

Mr. GEORGE MILLER of California. Mr. Speaker, Members of the House, the disaster that we now see unfolding in the Middle East with the war in Iraq was set in motion when this President, against the advice of so many generals and military people, and against the advice of so many Middle East experts, made the decision to invade Iraq.

It was a war of choice, a choice not made by the American people, but a choice made by this President. And he set in motion the disaster that we now see. We understand that this decision that he made has been paid for by the lives and the injuries and the harm done to our men and women in uniform.

Last night he asked for a continuation of that disastrous choice with no new plan to change the outcome, but to simply extend the time in which our military will be engaged in Iraq.

It is foolhardy to believe that we should be sending our troops into Iraq based upon the theory that the Shia majority in Iraq for the first time in 100 years and the growing Shia majority across the Middle East is going to negotiate away their ability to act as a majority. This is a foolhardy trip, and we ought to vote against the President's proposal.

IRAQ NEEDS TO DEFEND ITSELF

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

Mr. AL GREEN of Texas. Mr. Speaker, it is time for the Iraqis to stand up and defend themselves.

Mr. Speaker, we have freed them from a ruthless dictator. We have lost more than 3,000 lives. We have more than 20,000 wounded. We have helped them to construct a constitution, to reestablish their constabulary. We have helped them hold an election, and we are spending more than $177 million, not per year, not per month, not per week, but per day.

It is time for them to stand up and defend themselves. Do not send 20,000 in; bring 20,000 troops home. It is time for them to stand up and defend themselves.

OPPOSE PRESIDENT ON ESCALATION

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

Ms. WATERS. Mr. Speaker and Members, last night the President of the United States addressed the Nation. He had promised us that he was going to come up with creative solutions because he acknowledged his failures. He has designed what he called ''a new way forward.'' That is another one of his sound bites.

He tried to cloud the escalation by saying sending 20,000 new troops was a surge of some kind. There was nothing new or creative about his message.

Remember, it was the President of the United States who promised us that they were going to get rid of the weapons of mass destruction, only for us to find out there were no weapons of mass destruction.

Remember when he rolled out on the battleship saying ''Mission Accomplished''?

Remember when he promised us that we would get the proceeds from the oil in Iraq and that would be used to rehabilitate Iraq?

Remember when they promised us that we would be welcomed with open arms and we were winning the war?

Well, there this is no new real exit strategy. This is no new way forward. As a matter of fact, this is a new way backwards. And then on top of that, he had the audacity to tell us he wants a billion dollars to give to the Iraqis for jobs and employment. Give me some of that money for our cities and our rural communities. We could really use it. We have to oppose the President on this escalation.

DON'T VETO HOPE

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

Mr. COOPER. Mr. Speaker, the American people want us to stop bickering in Washington and to start making progress on the many problems we face.

Well, many millions of American families face dreaded diseases: cancer, diabetes, Parkinson's, Alzheimer's, you name it. And today we have an exciting opportunity to vote for a chance towards curing those diseases.

Last year in the Republican Congress, the vast majority of this body and the Senate voted for embryonic stem cell research. This year, the majorities will be even larger.

I urge the President not to veto this legislation as he did last year. It is the only veto of his entire Presidency. He is the first President since Thomas Jefferson to have vetoed so few bills, but he chose last year to veto hope. I urge the President not to veto hope this year.

FAILED IRAQI POLICY

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

Mr. DEFAZIO. Mr. Speaker, the President persists, despite the contrary advice of his most experienced and senior military officers in the field, that escalation is the answer to the chaos, the sectarian strife, in Iraq.

He is not only perpetuating his failed status quo stay-the-course strategy; he actually is going to undermine the U.S. forces and our allies in the most critical conflict.

Remember his phrase, ''Fight them there or fight them here''? Well, that is true, but not in Iraq. That is true in Afghanistan.

Remember ''Osama bin Ladin: dead or alive''? The Taliban, al Qaeda? Well, they are resurgent and they are going to threaten Kandahar we are told by our commanders in the field in the spring, and they have asked for reinforcements.

And what is the President doing to perpetuate his failed policy in Iraq, an unnecessary war in an area that doesn't threaten the United States of America? He is withdrawing U.S. troops from southern Afghanistan and sending them on a failed mission in Iraq.

He could be the only President to lose two wars at the same time.

□ 1030

SAVING LIVES OF AMERICANS

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is not often that we have such serious moments in the House to save lives, so I rise today to offer to the President an opportunity to not use the United States military for 9/11 calls, to bring our troops home, and to focus on a political-diplomatic solution of solving the contentious civil disunity between Sunnis and Shiites. I oppose the escalation.

But I rise today to save the lives of those who suffer from Parkinson's disease and Alzheimer's by asking for an outstanding and enthusiastic vote for stem cell research. We must realize that even though amniotic fluid research is going on, it is not a substitute for embryonic stem cell research.

We can do this together. We can save American lives. We can do the right thing and ask the President, do not utilize your veto. Help to save the lives of Americans. Bring our troops home, and support stem cell research.

ALLOW IRAQIS TO CONTROL THEIR FUTURE

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

Mr. KAGEN. Mr. Speaker, we must begin to think differently in America, because the path we are on now is morally unacceptable. More than 3,000 brave Americans have perished in Iraq and more than 650,000 Iraqi civilians are dead. President Bush's newest war proposal is not a complete and comprehensive plan, and more importantly, it is not based on realities on the ground and in the region.

The President believes that 20,000 additional U.S. troops will change the outcome in Iraq. He was wrong to invade Iraq, and he is wrong now. Instead of decreasing the violence, last night's proposal will increase the risks to everyone in Iraq and the surrounding region, and it will not bring an end to the Iraqi civil war. Clearly it was bad judgment to have invaded Iraq. It will be even worse judgment to remain.

Simply put, we do not belong in Iraq, and we are still headed in the wrong direction. We all support our troops, but we must not support the administration's policy of more of the same poor judgment. We must begin to withdraw our forces and allow the Iraqis to take control of their own future.

AMERICAN PEOPLE HAVE SPOKEN ON IRAQ

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

Mr. CUMMINGS. Mr. Speaker, I rise today to say to our President that the people have spoken and they have spoken quite loudly. Just the other night I ran into the family of Sergeant Kendall Waters-Bey, who was one of the first military folks who died in the war. He is from my district.

His family just said one thing. ''Ask the President what his plan is, his true plan for getting us out of there. Ask why is he being so stubborn. Ask how many have to die, like our relative died, and we still don't fully understand why.''

The President presented us with some statements last night, but we have heard them before. The American people have been patient, and they have simply run out of patience. So we must continue to loudly speak into the President's ear that the people do not want this war. They want to get our folks out of Iraq. Three thousand have already been killed, and others are being harmed every day.

FINDING CURES FOR DEBILITATING AND DEVASTATING DISEASES

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

Mr. COSTA. Mr. Speaker, I rise today in support of H.R. 3, a bill that I consider a pivotal step toward the fight against devastating and debilitating diseases.

The narrow view of stem cell research espoused by the administration places unrealistic limitations on the medical research capabilities of this Nation. The administration's position on this critical issue leaves patients across the country without the hope that they can be cured of the effects of medical conditions, including but not limited to Parkinson's and Alzheimer's diseases, as well as spinal cord injuries.

Every person who has had to watch a mother, a brother, a friend, a family member, knows of this terrible, terrible, difficult problem. I know. I have had that experience.

These conditions may be curable through stem cell research, but it will only be possible if Congress asks for full-fledged research to take place. We owe it to the afflicted and their families to put forth the best efforts to find cures for these debilitating medical conditions.

I urge the House to put political posturing aside and give hope to patients and families by passing this important measure today.

IN SUPPORT OF EMBRYONIC STEM CELL RESEARCH

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker, today, we will vote on a bill to provide changes to a merciless Federal stem cell policy, changes that are still relevant and still necessary despite the recent discovery of stem cells derived from amniotic fluid cells.

To be sure, this is an important discovery, but the same scientists championing this research have stressed the amniotic cells are not a substitute for embryonic stem cells. While they hold the great promise of turning into some cell types, only embryonic stem cells can divide indefinitely and evolve into any cell type in the body.

If anything, the recent amniotic stem cell study proves that it is critical to explore all kinds of stem cell research, since advancements in one area of stem cell research could lead to life-saving discoveries in others. By prohibiting Federal funds of more embryonic stem cell research, the current policy shuts the door on this collaborative research and slams it in the face of millions of Americans suffering from incurable diseases.

We have the opportunity today to advance this promising research that could offer cures for the scourges of our times. To purposefully keep the doors to a cure closed is a patent failure of our responsibility to ease human suffering from scores of incurable diseases.

HELPING KEEP CHILDREN FREE FROM DISEASE

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

Ms. SHEA-PORTER. Mr. Speaker, I am the parent of two children with asthma, and my husband has asthma also. When my children were young, I spent many hours beside their bed helping them to breathe with machines, giving them medicine that had side effects that were very unpleasant and kept both my children and myself up. We had a great deal of worry in those early years.

It is my great hope that science will find a cure. I ask all of my colleagues to reach out and help my children and the children of America to be free of these diseases.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FRANK of Massachusetts). The Chair announces that the Speaker has delivered to the Clerk a letter dated January 11, 2007, listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule I.

STEM CELL RESEARCH ENHANCEMENT ACT OF 2007

Mr. DINGELL. Mr. Speaker, pursuant to section 509 of House Resolution 6 and as the designee of the majority leader, I call up the bill (H.R. 3) to amend the Public Health Service Act to provide for human embryonic stem cell research, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3

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 ''Stem Cell Research Enhancement Act of 2007''.

SEC. 2. HUMAN EMBRYONIC STEM CELL RESEARCH.

Part H of title IV of the Public Health Service Act (42 U.S.C. 289 et seq.) is amended by inserting after section 498C the following:

''SEC. 498D. HUMAN EMBRYONIC STEM CELL RESEARCH.

''(a) IN GENERAL.—Notwithstanding any other provision of law (including any regulation or guidance), the Secretary shall conduct and support research that utilizes human embryonic stem cells in accordance with this section (regardless of the date on which the stem cells were derived from a human embryo) .

''(b) ETHICAL REQUIREMENTS.—Human embryonic stem cells shall be eligible for use in any research conducted or supported by the Secretary if the cells meet each of the following:

''(1) The stem cells were derived from human embryos that have been donated from in vitro fertilization clinics, were created for the purposes of fertility treatment, and were in excess of the clinical need of the individuals seeking such treatment.

''(2) Prior to the consideration of embryo donation and through consultation with the individuals seeking fertility treatment, it was determined that the embryos would never be implanted in a woman and would otherwise be discarded.

''(3) The individuals seeking fertility treatment donated the embryos with written informed consent and without receiving any financial or other inducements to make the donation.

''(c) GUIDELINES.—Not later than 60 days after the date of the enactment of this section, the Secretary, in consultation with the Director of NIH, shall issue final guidelines to carry out this section.

''(d) REPORTING REQUIREMENTS.—The Secretary shall annually prepare and submit to the appropriate committees of the Congress a report describing the activities carried out under this section during the preceding fiscal year, and including a description of whether and to what extent research under subsection (a) has been conducted in accordance with this section.''.

The SPEAKER pro tempore. Pursuant to section 509 of House Resolution 6, the gentleman from Michigan (Mr. DINGELL) and the gentleman from Ohio (Mr. BOEHNER) each will control 90 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material into the RECORD on the pending bill.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the House passed last year, on May 24, 2005, the Stem Cell Research Enhancement Act of 2005 by a vote of 238–194. On July 18, 2006, the Senate followed suit and passed the bill by a vote of 63–37. The President then vetoed this legislation on July 19, the first and only veto of his 6 years in office.

President Bush's veto came in the face of bipartisan and bicameral Congressional backing for the legislation, as well as strong public support for embryonic stem cell research. The language before us today is identical to the language we passed on May 24. It is identical to the language that passed the Senate on July 18. It is identical, regrettably, to the language vetoed by the President.

By considering the Stem Cell Research Enhancement Act of 2007 today, we are reasserting our commitment and dedication and devotion to the passing of this lifesaving legislation. The time has come for it to be in law and for President Bush to join us in signing this legislation into law.

Stem cells are the foundation cells for every organ, tissue and cell in the body. Embryonic stem cells, unlike adult stem cells, possess a unique ability to develop into any type of cell, and their capacity to do this exceeds any other self which we are aware now.

Embryonic stem cell research holds the potential for developing treatments for many dreaded diseases, including Lou Gehrig's disease, cancer, cystic fibrosis, heart disease, lupus, multiple sclerosis, osteoporosis and pulmonary fibrosis.

The unique properties of embryonic stem cells were not lost on everyone, and I will now quote from an individual who has thought rather considerably on this matter. On August 1, this statement was made:

''Scientists believe further research using stem cells offers great promise that could help improve the lives of those who suffer from many terrible diseases, from juvenile diabetes to Alzheimer's, from Parkinson's to spinal cord injuries. And while scientists admit they are not yet certain, they believe stem cells derived from embryos have unique potential. Most scientists, at least today, believe that research on embryonic stem cells offer the most promise because those cells have the potential to develop in all of the tissues of the body.''

The man who said this was our beloved President, Mr. Bush, and I think it is time that the House should listen to his words and disregard his veto.

I urge my colleagues to pass a piece of legislation that the public wants, that the scientific community needs, that will benefit our people and that will move forward scientific research of vast help and importance to our people.

Mr. Speaker, I ask unanimous consent that I be permitted to yield the remainder of my time to the distinguished gentlewoman from Colorado (Ms. DEGETTE), and that she be permitted to control the time.

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

There was no objection.

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

Mr. Speaker, today I rise in opposition to H.R. 3, a bill to expand taxpayer funding of human embryonic stem cell research. I support stem cell research with only one exception, research that requires the killing of human life. Taxpayer-funded stem cell research must be carried out in a way that is ethical and in a way that respects the sanctity of human life.

Fortunately, ethical stem cell alternatives continue to flourish in the scientific community. Earlier this week we learned that amniotic non-embryonic stem cells may offer the same research possibility as stem cells obtained through the destruction of human embryos. We have also seen stem cells from noncontroversial sources, like umbilical cord blood, be used to treat humans afflicted with more than 70 afflictions. I think we need to be funding the research that shows the most promise.

I am deeply disappointed today that Democrat leaders have pressed ahead with this vote, rather than having hearings and markups where breakthroughs like amniotic fluid cell research could have been fully examined. This research offers the potential for a new consensus approach to the difficult issue of stem cell research, and I am disappointed that the Democrat majority was not willing to allow time for this new development to be thoroughly examined.

We all know what is going to happen with this bill. This bill is going to move through the House. It will move through the Senate and go to the White House, where it was vetoed last year, and it will be vetoed again.

We have a bill that has been introduced by Mr. BARTLETT from Maryland and Mr. GINGREY from Georgia that says, let's put more funding into amniotic stem cell research. This is a bill that I think the Congress can support, the House, the Senate and the White House, that really will provide new breakthroughs in medical science.

□ 1045

But that isn't going to be allowed today, and it is not going to be on the floor today. Instead, we are going to go through a political exercise that will get us nowhere. And for that, I am deeply disappointed.

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

Ms. DEGETTE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, it has been nearly 2 years since the House of Representatives passed the Stem Cell Research Enhancement Act in an attempt to lift the crippling ban on lifesaving research. During those 2 years, a lot has happened. The Senate overwhelmingly passed the bill, President Bush issued the first veto of his 6-year Presidency to kill it, new elections were held, and a rash of new pro-research Members won, in many cases defeating incumbents who oppose this research.

Public support has surged for stem cells. Over 71 percent of the public now supports this research, a stunning 20 percent increase since the vote in 2005.

There are other developments that have happened in the last 2 years. Great progress in research is being conducted overseas, out of the hands and out of the oversight of our distinguished scientists here at home. Stem cell research is proceeding unfettered and, in some cases, without ethical standards in other countries. And even when these countries have ethical standards, our failures are allowing them to gain the scientific edge over the U.S.

In Japan, scientists have used embryonic stem cell therapies to reduce hepatic failure in mice. In the U.K., the government has now committed to spending $1.3 billion on stem cell research in the next 10 years. Singapore is spending $7.5 billion on biomedical research over the next 5 years and is actively courting American stem cell researchers.

The first embryonic stem cell line may have been created in the United States, but the majority of new lines are being created overseas. We were once on the cutting edge of this groundbreaking research, but we have now effectively handed over the reins to those outside our borders while our own researchers remain tethered by a restrictive 6-year-old policy and we still have no Federal ethical standards over this research.

But there is one thing that has not changed since we last considered this bill. Millions of people in this country and around the world are still stricken by disease, accidents are still leaving people paralyzed, too many people are becoming victims of Alzheimer's, Parkinson's, heart disease, sickle cell anemia, diabetes, and many other debilitating diseases. Cancer hasn't been cured.

Some suggest that it is Congress' role to tell researchers what kinds of cells to use, adult stem cells, cord blood, so-called ANT, amniotic, and others. I suggest we are not the arbiters of research. Instead, we should foster all of these methods, and we should

adequately fund and have ethical oversight over all ethical stem cell research. Embryonic stem cell research has shown the most promise of almost any current research today for potentially curing these and hundreds of other diseases and injuries.

The distinguished minority leader is wrong when he says amniotic stem cells are a substitute for embryonic stem cells. The researcher at Wake Forest University in fact says specifically that these cells are not a substitute, and we need to have both types of research, as well as all of the other kinds to have the maximum potential to cure disease.

The minority leader said we need to foster the kind of research that has the most promise. And there is the one place we will agree today, because the most promise, all researchers agree, is held by embryonic stem cell research.

Well, here we are again, and here we are going to come time after time until this bill passes. This bill will become law, and we will not tire in our efforts until it does for the millions of Americans who suffer from diseases.

Mr. President, today, we want to give you another chance to do the right thing. Today, the House will vote to give hope to millions of Americans. I urge my colleagues to vote for life, to vote for hope, to vote ''yes'' on H.R. 3.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members that remarks are to be addressed to the Chair and not to the President.

Mr. BOEHNER. Mr. Speaker, I yield 15 minutes to the gentleman from Texas (Mr. BARTON) and the remainder of my time to the gentleman from Texas (Mr. BURGESS) and I ask unanimous consent that they be allowed to control that time.

The SPEAKER pro tempore. Is the gentleman from Texas (Mr. BARTON) on the floor?

Mr. BOEHNER. Not as yet.

The SPEAKER pro tempore. Does the gentleman wish to yield first to the gentleman from Texas (Mr. BURGESS)?

Mr. BOEHNER. I will.

The SPEAKER pro tempore. The gentleman has yielded the remainder of his time to Mr. BURGESS, and then 15 minutes of Mr. BURGESS' time to Mr. BARTON; is that correct?

Mr. BOEHNER. That is correct.

The SPEAKER pro tempore. Without objection, the gentleman from Texas is recognized as the controller of the time.

There was no objection.

Mr. BURGESS. I thank the distinguished Republican leader for yielding.

Mr. Speaker, here we are back again, not quite two years from when we had this debate the last time, and a good deal has changed in the world of science over that 2-year time interval. Unfortunately, the bill that we have before us has not significantly changed.

We have already heard mention of the amniotic fluid stem cells that are now available to open a broad new area of research. Have we had one hearing in our committee, the Committee on Energy and Commerce, of which the distinguished chairman spoke to us this morning? I think the American people would welcome us having a hearing to understand more about this promising new area of science. As it stands today, we will simply have to debate the bill on the merits of information that is well over 2 years old, and I think that is unfortunate.

Mr. Speaker, regenerative medicine, the words themselves, speaks to great hope among the healer and patient alike that some of the most tragic of human afflictions may one day find relief. This concept is powerful. It is a powerful lure to participants on both sides of this debate. And I would stress, Mr. Speaker, that on both sides of this debate are people of good character and good will. We simply disagree about a single point. As we proceed with today's debate on H.R. 3, I would like to ask my colleagues whether there is any common ground by which the two sides may seek resolution of this conflict.

The recent findings of the pleuripotent epithelial cells, an undifferentiated mesenchymal cell that is present in all amniotic fluid at all stages of fetal development, demonstrates how quickly the world has changed since we last held this debate less than a year ago. Mr. Speaker, we don't know, we don't know what the mesenchymal cell will do if it is extracted at 11 weeks versus 40 weeks. Wouldn't it be nice to have the researcher before our committee and be able to ask those questions so we may make the best possible judgment for the American people?

Well, those individuals, the researchers at the Institute for Regenerative Medicine at Wake Forest, have determined these cells they have extracted from amniotic fluid can adapt and form other types of tissue, such as brain, muscle, and skeletal cells, and remain stable for years and not form tumors into those in whom they are implanted.

That is a pretty powerful piece of information, Mr. Speaker. If I were given the choice of a stem cell that might cure an affliction but one might cause a tumor and the other wouldn't, I think that is information I would like to have before I made that decision.

Clearly, this new technology, as it is further developed, may well prove a way toward that path of regenerative medicine without sacrificing nascent human life and in fact sacrificing human dignity.

For almost a decade, clinicians have used what is called preimplantation genetics, where a single cell is taken from an early gestation, the 8-cell blastocyst, a single cell is taken through micromanipulative techniques without causing harm to the donor embryo. This single cell is then used for genetic studies.

I have had patients in my practice who have undergone preimplantation genetics. But this same procedure could be used to create new embryonic stem cell lines without sacrificing human life and without endangering fundamental human dignity. This technique was proposed by Mr. BARTLETT in the last Congress. It was brought up under suspension, and, unfortunately, did not pass. But I believe this Congress should be considering this again as a means towards achieving that elusive common ground between the two sides.

As we have witnessed, science moves faster than we do here in the United States Congress. At the very least we should strive to defend life and attempt to establish the ethical boundaries of this potentially lifesaving research.

Consider the words spoken by President Kennedy at his inaugural almost half a century ago: ''Let both sides seek to invoke the wonders of science instead of its terrors.'' H.R. 3 does not strike this balance and does not allow us to invoke the wonders of science. Instead, it offers a very vague outline posing as ethical guidelines but is in no such way an ethical guideline; and, unfortunately, as a consequence, human dignity is discarded by the wayside.

We can do better, and we should do better. Instead, we offer false promises to those that suffer from some of the most debilitating chronic conditions and we fail to protect what is human life and erode the concept of humanity.

Mr. Speaker, again, let me express my regret that we are not holding hearings in arguably what is the most powerful committee in this United States Congress, and that is the Committee on Energy and Commerce, so that we may fully evaluate this area of science.

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

The SPEAKER pro tempore. The gentleman, for his information, has consumed 5½ minutes. If there is any uncertainty, the Chair wants to clarify it.

Pursuant to the unanimous consent request of the gentleman from Ohio, the gentleman from Texas (Mr. BARTON) will control 15 minutes of the remaining time, and the gentleman from Texas (Mr. BURGESS) will control the rest of that time. So those two gentlemen, pursuant to the request of the gentleman from Ohio, were recognized to control the time on that side; 15 minutes for Mr. BARTON, the remainder of the time is left to Mr. BURGESS.

The Chair recognizes the gentlewoman from Colorado.

Ms. DEGETTE. Mr. Speaker, I am honored now to yield to the distinguished gentleman from Rhode Island (Mr. LANGEVIN) 3 minutes.

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

Mr. LANGEVIN. Mr. Speaker, I want to thank the gentlewoman for yielding and also in particular thank and recognize the gentlewoman from Colorado

(Ms. DEGETTE) and the gentleman from Delaware (Mr. CASTLE) for their exceptional leadership, and that of many others on the stem cell research bill who have fought so hard to bring us to where we are today. I am proud to be a partner with them in this effort.

Mr. Speaker, America has waited a long time for the Stem Cell Research Enhancement Act, and I am proud to rise in support of H.R. 3 and be a part of a Congress that has made this a top priority. This legislation has strong bipartisan support in both Chambers of Congress and enjoys the support of up to 70 percent of the American people. Most importantly, it offers hope and the promise of a cure to millions of people who are living with the constant challenges and burdens of chronic disease and disability.

Mr. Speaker, when I was injured in an accidental shooting almost 26 years ago, I was told that I would never walk again. Now, I always held out hope that someday that would change, that through the miracles of science and prayer, someday there would be a cure for spinal cord injuries.

□ 1100

It is only until now that that possibility of a cure has become truly real.

I am the first to admit that my understanding of stem cell research has involved ongoing education, thought and prayer. As a pro-life Member of Congress, I have not taken my decision to support this legislation lightly. But I have come to the conclusion that being pro-life also has to be about caring about those people who are living among us with some of life's most challenging conditions and diseases and caring about the possibility of both extending and improving the quality of life itself. That is what the promise of stem cell research offers.

Over the years, I have had the good fortune to learn about stem cell research from some of America's most renowned scientists as well as pro-life leaders like Senator ORRIN HATCH and a dear friend of mine who is certainly on my mind today, Christopher Reeve.

My education on this issue has filled me with tremendous hope not only that stem cell research might lead one day to a cure for spinal cord injuries, but that one day a child with diabetes will no longer have to endure a lifetime of painful shots and tests. I truly believe that families will no longer one day have to watch in agony as loved ones with Parkinson's or Alzheimer's disease gradually decline. I am thrilled to be able to share this hope with millions of others.

We live in exciting times, truly at the threshold of a new generation in medicine. Today, newly spinal-cord-injured patients, many of them teenagers as I was, are told about developing treatments and scientific progress. They face a world, very much the same challenges that I faced in 1980. But they also face a time with real hope and the real promise of a cure.

I urge my colleagues to support H.R. 3. It is the right thing to do.

Mr. BURGESS. Mr. Speaker, I don't disagree with a word that was just said.

The SPEAKER pro tempore (Mr. FRANK of Massachusetts). How much time does the gentleman yield himself?

Mr. BURGESS. Mr. Speaker, may I ask a question? May I yield 2 minutes to the gentleman from Texas (Mr. BARTON) before he begins the 15 minutes?

The SPEAKER pro tempore. You may. Let me explain once again. Pursuant to the request of the gentleman from Ohio, the gentleman from Texas controls, as a matter of right, 15 minutes of the debate time. The gentleman from Texas (Mr. BURGESS) controls the remainder. Either may yield to anyone, including each other. So if the gentleman wishes, at this point, to yield to the gentleman from Texas, he may do that, or the gentleman from Texas (Mr. BARTON) may proceed under his own time. It is the gentleman's choice.

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that we withdraw the unanimous consent request of the gentleman from Ohio.

The SPEAKER pro tempore. Does the gentleman have a new unanimous consent request?

Let me clarify where we stand. Both gentlemen from Texas have a right under the previous request to control time. The gentleman from Texas (Mr. BARTON) has 15 minutes. The gentleman from Texas (Mr. BURGESS) has the remainder of the time. They may be recognized at either time. Whichever one seeks recognition will be granted that recognition.

Mr. BURGESS. Mr. Speaker, I appreciate that patient clarification. In that case, I will reserve my time. And I am going to yield to Mr. BARTON the 15 minutes.

The SPEAKER pro tempore. Well, you needn't do that. He already has 15 minutes. So the gentleman from Texas (Mr. BARTON) is now recognized. And Mr. BURGESS's time will be reserved.

Mr. BARTON of Texas. Mr. Speaker, it is good to see you in the Chair. To have one of our distinguished parliamentarians is a positive on the body.

Mr. Speaker, I yield 3 minutes to the Republican sponsor of the bill, Mr. CASTLE, at this time.

Mr. CASTLE. Mr. Speaker, I rise today in support of H.R. 3, the Stem Cell Research Enhancement Act, legislation I have authored with the distinguished lady from Colorado, Ms. DEGETTE, to ethically expand the current Federal embryonic stem cell research policy.

We have a real opportunity to make history, to pass legislation that will jump start research and may lead to treatments and cures for countless diseases, including diabetes, HIV/AIDS, Parkinson's Disease, Alzheimer's, ALS, multiple sclerosis and cancer. There is overwhelming support for this research, with 70 percent of the American people backing it.

There are also 500 universities, medical societies and advocacy groups backing this research, ranging from the American Medical Association and the Academy of Physicians to universities like the University of California and Harvard University and advocacy groups like the Juvenile Diabetes Research Foundation and the Michael J. Fox Foundation.

This research may also provide a better understanding of the biological origins of certain diseases, as well as an opportunity for pharmaceutical testing.

However, this Nation and, more importantly, our scientists are being held back by a policy that is out of date, short-sighted, arbitrary and, most of all, based on politics and not science.

When the decision was made by President Bush in 2001 to allow Federal funding for stem cell research on lines that had already been created, it seemed that a compromise may have been struck. However, the number of lines has shrunk from 78 to 22, and all of the lines have been compromised.

Since that time, over 150 new and improved stem cell lines have been created in the United States and throughout the world. Despite the fact that these lines are much easier for scientists to use and, in some cases, are disease specific, they are off limits to Federal researchers.

Throughout this debate, you will hear many mistruths, and I think it is important to set the stage early about what this bill does and doesn't do. First, you will hear that this bill expands Federal funding. To the contrary, this bill has nothing to do with funding. It has to do with the source of the embryos and the quality of stem cell lines.

Second, you will hear this bill discourages destruction of human life, or that it uses taxpayer dollars to destroy human life. To the contrary, this bill has nothing to do with destroying lives and everything to do with saving lives.

It is important to understand we are only talking about embryos that are going to be thrown away otherwise as medical waste. We support all options for couples, including embryo adoption, but if the couple decides to discard their embryos as medical waste, we would like them to be available to research.

You will hear this legislation will encourage the creation of embryos for the sake of research. Again, not true. Our bill specifically states that the embryos must have been created for the purpose of fertility treatment, and no money may have exchanged hands.

Even worse, you will hear mistruths spread by a physician hired by the pro-life movement. Specifically, he says cures and treatments have been found using adult stem cells for 65 to 72 diseases. However, if you look at the science and not the hype, you will see a scientific research study published by three leading researchers in the Science Magazine this past summer who found that, in truth, the number is 9, far less than 65.

Mr. Speaker, I would like to enter this study into the RECORD.

ADULT STEM CELL TREATMENTS FOR DISEASES?

(By Shane Smith, William Neaves, Steven Teitelbaum)

Opponents of research with embryonic stem (ES) cells often claim that adult stem cells provide treatments for 65 human illnesses. The apparent origin of those claims is a list created by David A. Prentice, an employee of the Family Research Council who advises U.S. Senator Sam Brownback (R–KS) and other opponents of ES cell research (1).

Prentice has said, ''Adult stem cells have now helped patients with at least 65 different human diseases. It's real help for real patients'' (2). On 4 May, Senator Brownback stated, ''I ask unanimous consent to have printed in the Record the listing of 69 different human illnesses being treated by adult and cord blood stem cells'' (3).

In fact, adult stem cell treatments fully tested in all required phases of clinical trials and approved by the U.S. Food and Drug Administration are available to treat only nine of the conditions on the Prentice list, not 65 [or 72 (4)]. In particular, allogeneic stem cell therapy has proven useful in treating hematological malignancies and in ameliorating the side effects of chemotherapy and radiation. Contrary to what Prentice implies, however, most of his cited treatments remain unproven and await clinical validation. Other claims, such as those for Parkinson's or spinal cord injury, are simply untenable.

The references Prentice cites as the basis for his list include various case reports, a meeting abstract, a newspaper article, and anecdotal testimony before a Congressional committee. A review of those references reveals that Prentice not only misrepresents existing adult stem cell treatments but also frequently distorts the nature and content of the references he cites (5).

For example, to support the inclusion of Parkinson's disease on his list, Prentice cites Congressional testimony by a patient (6) and a physician (7), a meeting abstract by the same physician (8), and two publications that have nothing to do with stem cell therapy for Parkinson's (9, 10). In fact, there is currently no FDA-approved adult stem cell treatment-and no cure of any kind-for Parkinson's disease.

For spinal cord injury, Prentice cites personal opinions expressed in Congressional testimony by one physician and two patients (11). There is currently no FDA-approved adult stem cell treatment or cure for spinal cord injury.

The reference Prentice cites for testicular cancer on his list does not report patient response to adult stem cell therapy (12); it simply evaluates different methods of adult stem cell isolation.

The reference Prentice cites on non-Hodgkin's lymphoma does not assess the treatment value of adult stem cell transplantation (13); rather, it describes culture conditions for the laboratory growth of stem cells from lymphoma patients.

Prentice's listing of Sandhoff disease, a rare disease that affects the central nervous system, is based on a layperson's statement in a newspaper article (14). There is currently no cure of any kind for Sandhoff disease.

By promoting the falsehood that adult stem cell treatments are already in general use for 65 diseases and injuries, Prentice and those who repeat his claims mislead laypeople and cruelly deceive patients.

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The SPEAKER pro tempore. There was a general permission granted under the request of the gentleman from Michigan so that any extraneous material may be entered under a unanimous consent request already granted.

Mr. CASTLE. Mr. Speaker, I would also like to point out that adult stem cells were discovered in 1960, and embryonic stem cells were only isolated in 1998. And since 1998, there have been great advances in animal models in the areas of diabetes, spinal cord injury and macular degeneration.

Finally, you will hear about the research concerning amniotic fluid stem cells conducted by Dr. Atala at Wake Forest University. While exciting, this is nothing new, nor do these stem cells have the same capacity to divide into all cell types in the body, as embryonic stem cells do. Yet you will hear opponents say they do.

Mr. Speaker, I would like to enter the letter in the RECORD on that as well.

WAKE FOREST INSTITUTE FOR REGENERATIVE MEDICINE,
Winston-Salem, NC, January 8, 2007.

Hon. DIANA DEGETTE,
Hon. MICHAEL CASTLE,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVES DEGETTE AND CASTLE: I am writing in regard to my research that was published in Nature Biotechnology that found that stem celts obtained from amniotic fluid have been able to differendate into several cell types. This research has the potential to open up an important field of inquiry that could be critically important to the development of treatments within the field of regenerative medicine.

I understand that some may be interpreting my research as a substitute for the need to pursue other forms of regenerative medicine therapies, such asthose involving embryonic stem cells. I disagree with that assertion. It is very possible that research involving embryonic stem cells will have critical implications for advancing research into amniotic fluid stem cells. It is essential that National Institute of Health-funded researchers are able to fully pursue embryonic stem cell research as a complement to research into other forms of stem cells.

Your legislation, the Stem Cell Research Enhancement Act of 2007, H.R. 3, would update the current federal embryonic stem cell policy and allow federally funded researchers to conduct research on an expanded set of embryonic stem cells within an ethical framework. I believe this legislation would speed science in the regenerative medicine field, and I support its passage.

Sincerely,

ANTHONY ATALA, MD.

The SPEAKER pro tempore. The Chair just would repeat that under a unanimous consent request from the gentleman from Michigan, Members already have permission to insert extraneous material into the RECORD.

Mr. BURGESS. Mr. Speaker, if it is appropriate, I would like to yield 2 minutes to the gentleman from Illinois (Mr. MANZULLO).

The SPEAKER pro tempore. To clarify, the gentleman has 67 minutes, these two would then come out of that, and may at any time rise to be recognized and yield to whomever he wishes.

Mr. MANZULLO. Mr. Speaker, today I rise in opposition to H.R. 3, a bill that compels taxpayers to support the destruction of early human life.

This legislation, which calls for taxpayer funding of embryonic stem cell research, is unnecessary.

First, it is already legal to conduct research on human embryos with private or State funds. It is also legal to conduct research on embryonic stem cell lines that come from human embryos already destroyed prior to August 9 of 2001. Thus, the debate today is not aimed at stopping embryonic stem cell research; it is aimed at prohibiting the Federal funding of it because it is so controversial.

Second, plenty of more successful alternatives of non-embryonic stem cell research already exist and are treating

patients every day. Despite a quarter-century's research in mouse embryonic stem cells and 7 years in human variety, embryonic stem cells have yet to yield any successful clinical trials in humans. Adult stem cells, however, have treated patients suffering from 72 different diseases in published clinical applications. Researchers have also achieved similar results with stem cells derived from umbilical cord blood, treating more than 70 different types of diseases.

And just last week, Wake Forest and Harvard University announced breakthrough technology in amniotic fluids.

In May of 2006, a poll conducted by the International Communications Research showed 48 percent of Americans oppose Federal funding of stem cell research that requires the destruction of human embryos, and only 39 percent support such funding.

I believe the most effective way to counter disease in the long run is to support research that will prevent the occurrence of the disease. That is why I strongly supported efforts in 1998 to double the funding for the National Institutes of Health, which we accomplished over a 5-year period of time. We should continue to prioritize that research and continue to work on the stem cell research that does not involve the taking of the human life.

Ms. DEGETTE. Mr. Speaker, I am delighted to yield now 2 minutes to the distinguished new Member from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I thank the gentlelady from Colorado for her efforts on this issue which are so important to America.

Mr. Speaker, when I think of stem cell research, I think of Ronald Reagan slumbering through the twilight of his life with Alzheimer's, and I think of Christopher Reeve, Superman, laid low by paralysis and the host of physical ailments that accompany paralysis. Those are images we all share in our national consciousness.

When I think of my father's struggles with Alzheimer's, I think how science might one day through stem cell research find a way to prevent others from suffering as he did and as my mother did as his caretaker.

Many people like to frame the stem cell debate as pro-life and pro-choice. For Ronald Reagan and Christopher Reeve, the question was a matter that they had no choice in. And for each public face of a political leader or a movie star, there are thousands of ordinary citizens like my father who suffer daily from diseases for which there are no cures.

My hometown, Memphis, Tennessee, is the proud home of St. Jude Children's Research Hospital. St. Jude is the patron saint of forgotten and impossible causes. Saint Jude's Hospital has given hope where no hope existed. It has made possible the impossible. This is because St. Jude is a research hospital focused on medical advancement.

Let us each remember that science is our friend, not our foe, and we must embrace science. The issue of stem cell research should not be a political football tossed about with callous disregard for the very real suffering of people with Parkinson's, Alzheimer's, spinal cord injuries, cancer, stroke, burns, heart disease, diabetes, osteoarthritis and rheumatoid arthritis. We must not tie the hands of scientists and physicians with the bureaucracy and red tape. We must commit ourselves to the health of our citizenry. Like St. Jude, we must remember the forgotten, and we must have the vision to see possibilities in what appears impossible.

I ask all of my Members to join in voting for this bill.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentlelady from Florida, the distinguished Congresswoman GINNY BROWN-WAITE.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in very strong support of H.R. 3, the Stem Cell Research Enhancement Act.

I stand with 500 of America's most respected research groups in support of this bill. The bottom line is that this bill is about saving and improving lives.

As a mother and grandmother, I fear that the untapped potential of stem cell research may be falling by the wayside. Let us remember, only when the embryo is implanted in a uterus to grow can life be sustained.

Unless a couple has an option of donating remaining embryos, a failure to pay storage fees means the embryos will be disposed of as medical waste.

Listen up, America. H.R. 3 gives us a choice. We can use the promise of embryonic stem cell research to save lives, or we can let that promise be thrown away.

Millions of people around the country support this life-affirming and life-enhancing research. People with cancer, Parkinson's and Alzheimer's want this bill to pass. Your friends and neighbors and your constituents back home want this bill to pass because it gives hope where hope doesn't exist now.

It will let the research on stem cells continue under ethical guidelines and will provide millions of Americans suffering from debilitating and terminal diseases the hope that they need and want.

I urge my colleagues to support this bill. And I certainly commend Ms. DEGETTE, as well as Mr. CASTLE, for their leadership on this bill.

□ 1115

Mr. BURGESS. Mr. Speaker, at this point I would like to recognize and yield 3 minutes to a new Member, the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Thank you for yielding.

Mr. Speaker, I am honored to come before you today and join my distinguished colleagues to address an issue close to my heart. My initial entry into politics came as a member of a right-to-life organization, my home county of Lenawee, Michigan. I am proud to say that during my 16 years in the Michigan House of Representatives, I established a 100 percent pro-life voting record.

As I begin my first term in the U.S. House with the same ardent commitment to the sanctity of life, I want to preface my remarks by saying I wholeheartedly support stem cell research in all cases except one, any form of research that requires the eradication of human life.

The legislation this Congress is considering not only destroys human life and could ultimately lead to human cloning, but also is antiquated. Embryonic stem cell research has seen consistently disappointing and with fruitless results, while nearly every month more studies come out showing that ethical, adult stem cell research continues to flourish.

Just this week my wife and I were heartened to learn about stem cells derived from amniotic fluid and placentas. It is time for Congress to catch up with the remarkable and ethical developments taking place in the scientific community.

In truth, this debate isn't really even about the science of stem cell research, but rather how such research will be financed. Taxpayers should not be expected to fund this research, especially when it continues to be illegal in the private sector, though unsuccessful to date.

On behalf of the men and women in my district and across the pro-life districts of the country, I urge my colleagues to cast a vote for both the sanctity of life and fiscal responsibility.

This vote was made even more personal and poignant to me this past Sunday when I read an article talking about a couple who will be giving birth to a child this next week as a result of having an embryo saved 2 weeks after Katrina hit, where literally National Guard troops, the Governor of Louisiana, troops from Illinois as well, moved literally hell and high water to save not only this couple's embryo, but 1,400 other embryos.

The question comes, if we are going to talk about discarded embryos, or those not wanted, which ones of those 1,400 that were saved as a result of moving hell and high water by our government would be the ones that we would discard?

Mr. Speaker, I would ask my colleagues to support life and to support good science and vote against this proposal.

Ms. DEGETTE. Mr. Speaker, I am delighted to yield 2 minutes to the distinguished new Member from Pennsylvania (Mr. ALTMIRE) for his maiden floor speech.

Mr. ALTMIRE. Mr. Speaker, I rise in support of this bill. Having worked for a large academic medical center, I have

seen the promise that embryonic stem cell research holds for Americans suffering from chronic disabilities such as Parkinson's, Alzheimer's, diabetes, and spinal cord injuries.

We all know people with these disabilities and a vote for this bill is a vote for them. This bill says specifically that it only applies to embryos that would otherwise be discarded by the fertility clinics. So a vote for this bill is a pro-life vote. We must pass this bill for the millions of Americans that suffer from debilitating medical conditions today and the millions more that will tomorrow.

This is something that is deeply personal to me. I am a pro-life Democrat. The reason I am supporting this bill is because this is a pro-life vote. There is nothing more important that we can do in this Congress than to support life. This is a pro-life vote. I urge my colleagues to pass this bill.

Mr. BURGESS. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. I thank the gentleman from Texas.

Mr. Speaker, I rise today in support of ethical, moral, and effective stem cell research. This debate is not whether embryonic stem cell research is permitted. It already is. This debate is not about whether the Federal Government should fund embryonic stem cell research. It already does. What I do believe is that embryonic stem cell research crosses ethical boundaries, and that is the bigger question today. But given the track record of stem cell research, where should we focus taxpayers' dollars today?

Now, this is bowl season in America, championship season. So we go to the scoreboard to see where we are with stem cell research in this country today, and the score is very clear. Adult stem cell research, there are 72 clinical applications currently available today and more being developed. Where are we with embryonic stem cell research today? We are at zero. So the score today is 72–0.

So you can talk about the ethical and the moral issues, and certainly I stand on the side of life. But when we start talking about one of the other stewardships that this body has, it is what is our responsibility to the taxpayers with the limited amount of dollars that we have for research in this country today. Certainly one of the things that we should be looking at is results, a novel thing for Congress sometimes to look at.

I come from the private sector recently to Congress. We didn't invest our money in things that were losers. One of the things we know today is that currently embryonic stem cell research is not yielding any clinical applications that we can use in an effective way.

So doesn't it make sense that as we sit down and allocate our resources, look at our research patterns as we move forward, we ought to be investing our money where we are getting results? Certainly there are a lot of people who will get up and talk and make emotional appeals. I am not insensitive to that.

There are a lot of people that have huge issues going on today in their lives. One of the things we want to do is make sure that we are applying Federal resources in a way that we can actually benefit from them and not talk about the politics.

So if you want to vote for effective stem cell research in this country today, you are going to want to vote against H.R. 3, the Stem Cell Research Enhancement Act of 2007.

Ms. DEGETTE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, we have heard from several speakers on the other side that allegedly adult stem cells have cured a myriad of diseases. Apparently, the scorecard is now up to 72. In fact, as the researchers have shown, Dr. Shane Smith, William Neaves and Steven Teitelbaum, the opponents say that a myriad of diseases have been cured by adult stem cells, but, in fact, adult stem cell treatments fully tested, fully tested in all required phases of clinical trials, have cured nine conditions, not 65 or 72; and all of those conditions were blood-related conditions.

They were not the kinds of conditions that embryonic stem cells have shown promise for and have shown hope for. Embryonic stem cells have only been around for about 8 years, and the President's restrictions have greatly hampered research; but, nonetheless, these cells show great promise.

The researchers conclude: ''By promoting the falsehood that adult stem cell treatments are already in general use for 65 or more diseases and injuries, Prentice and those who repeat his claims mislead lay people and cruelly deceive patients.''

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. I want to thank Congresswoman DEGETTE and Congressman CASTLE for bringing this bill before the House. It is something for me that is personal. I have a child with epilepsy.

Mr. Speaker, quite frankly, this bill holds out promise for millions and millions of people across the country, whether they have Alzheimer's or diabetes or Parkinson's or Huntington's or someone who has epilepsy. It is something that we need to allow science to move forward on. It is this kind of promise, this kind of opportunity, and it is my job, I believe, as a Congressman, and it is this House's job, to improve people's lives. This has been done in so many laboratories, but now is being hampered.

I want to thank Congresswoman DEGETTE and Congressman CASTLE for the way they have managed this particular bill. I want to thank the House for the way it has been civil and respectful of both sides of the aisle on both sides of the issue.

This is one where there are firm convictions on either side. But for someone like me, who has a child with epilepsy, where there is hope, there is promise for her, that she can get better from this disease, this is something we need to pass, we must pass.

This is a pro-life bill, as one of my colleagues said earlier, and I urge the passage of this bill. I ask all of our colleagues to support this bill, and I hope that the President, Mr. Speaker, will take a second look at this and will certify and support this bill and not veto it as he has in the past.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Missouri (Mrs. EMERSON).

Ms. DEGETTE. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Speaker, 2 years ago I talked about the process and the people that convinced me to vote for H.R. 810. I discussed what the idea of pro-life means to me. I remembered my late husband, Bill Emerson, to this body and talked about the victims of cancer and paralysis and muscular dystrophy and dementia in my district and throughout the Nation. We talked about something upon which we can all agree: human life is precious.

It is a sad reality, though, that human embryos are discarded in this country every day. They are certified as waste and disposed of in the earliest stages of their prenatal lives.

Defeating this legislation will not change that fact. Embryos that can't live outside the mother's womb will be discarded regardless of what we do today.

Where we have the opportunity to make a difference is to take the pleuripotent stem cells which hold great promise for medical research and the afflictions I mentioned earlier and use them to help other precious lives survive, to defeat diseases for which we know no cures and to give a fulfilling, meaningful existence to millions. Like all medical breakthroughs, it will take a lot of hard work and a little luck.

But I can't stand in this House today and say to a little boy I know with muscular dystrophy named James, to a young man suffering from paralysis in Campbell, Missouri named Cody, to my daughter's friend, Will, I will not say to them, never. I will not stand in the way of their progress. I will not help them extinguish their dreams for themselves and others with their same afflictions. I will not let any of our short lives be shortened unnecessarily so.

This bill is not about hope. This bill is about the pursuit of cures for diseases that afflict us, diseases that take our loved ones and destroy families and freeze us in single moments of time in which we become helpless. This bill is about fighting back and not letting any part of human life, no matter how small, be wasted.

No one I have met who has urged the support of this issue to me would mind

going to the grave untreated by the benefits of embryonic stem cell research as long as we are trying, as long as we never say never to them. No one I have ever met who has urged the support of this issue to me, Mr. Speaker, would mind going to the grave untreated by the benefits of embryonic stem cell research as long as we are trying, as long as we never say never to them.

Mr. BURGESS. Mr. Speaker, I yield myself 30 seconds.

I would point out in response to one of the previous speakers that embryonic stem cell research has actually been present on the animal model for over 25 years.

Mr. Speaker, it is now my great pleasure to yield 3 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, in one of my favorite plays of all time, ''Inherit the Wind,'' the attorney Henry Drummond is talking to his client and his client's fiancee about a lesson of life based upon an experience that Drummond had when he was 7 years old, and by his own admission, a self-described expert on rocking horses.

He saw in the store window, Golden Dancer, a rocking horse with a red mane, blue eyes, beautiful gold with purple spots on it, and there would always be a plate glass window between him and Golden Dancer because it would have cost a week of his father's salary. But on his next birthday as he woke, he saw at the foot of his bed, Golden Dancer. His mother had scrimped on groceries, his father had worked nights for a month and they had purchased the very high-priced Golden Dancer.

He jumped out of the bed and jumped on to the rocking horse. As he began to rock, it broke. It busted in half. Golden Dancer was made of rotten wood. Despite all the glitz and glamour around it, it was held together by spit and sealing wax. They had purchased Golden Dancer, but at too high a price.

□ 1130

Often for us as individuals as well as society, we go after Golden Dancers, and they are purchased at too high a price. Embryonic stem cell research in my opinion is a Golden Dancer, and it would be purchased at too high a price. It is a glitzy golden dream that is out there.

Last year we were discussing this bill, a lot of doctors and genetic researchers on this floor, the overwhelming majority of whom were opposed to this process, because we can do the research without having to go through objectionable processes and procedures to do it, without having to deal with the issue of innocent life.

If embryos are being destroyed, it is not right that taxpayer money should be used to expand that process in what I find to be a morally objectionable way and objectionable process regardless of what that Golden Dancer may or may not be. To me, this is still an issue of ethics: Does the manner in which we spend our tax dollars promote a policy that one form of innocent life at a stage is more important than another innocent life at a different stage? Will we, by our tax policies, condone tax spending, condone a policy that says innocent life can be destroyed for utilitarian purposes? Because if we do that, whatever the reason may be, in my contention that cheapens society and it cheapens us, and it gives us a cavalier attitude of life at the beginning of the process which leads to a cavalier attitude of life at the end of the process and who knows in between.

This is a Golden Dancer that for me is too high a price for what it does to us as a people and as a society.

Ms. DEGETTE. Mr. Speaker, I am now pleased to yield 2 minutes to the distinguished new Member from Ohio (Mr. SPACE).

Mr. SPACE. Mr. Speaker, I rise today to ask you to support Federal funding of embryonic stem cell research. My remarks today are made, Mr. Speaker, both as a legislator and as a father.

My wife, Mary, and I are the proud parents of two beautiful children. My youngest child, my son, Nicholas is 16 years old. He is a great kid, typical in so many ways. He loves football, argues with his sister and struggles with the awkward challenges of adolescence. But Nicholas also suffers from juvenile diabetes.

For the last 10 years, he has waged a battle against this devastating disease, undergoing thousands of injections and blood tests. He has done so without complaint and without self pity as his parents, my wife and I, are extraordinarily proud.

As Nicholas approaches adulthood, Mr. Speaker, our family fears for what the future brings. For as difficult as this disease is to live with on a daily basis, most troubling of all is what potentially awaits someone who suffers from this disease: amputations, blindness, kidney failure, even premature death.

Mr. Speaker, we have before us not simply an opportunity to help my son and the millions of other Americans who depend upon the promise of this science; we have an obligation. This research represents the only meaningful hope for a cure in my son's lifetime.

While this measure is likely to pass, our President is likely to veto it. I am addressing my remarks not to the cameras, not to those who are inclined to vote for this legislation, but to those of you who do not have the will to stand up to a Presidential veto. We as a Congress must be resolute in making life better for our citizens. We are compelled to promote a society where the value of life rules supreme, where compassion prevails and where light overcomes darkness.

The measure before you does not destroy life; it potentially gives life to those who need it, and it affords purpose to embryos that are otherwise destined for destruction. There is no time to wait. For every hour we debate, lives are being lost. This is no Golden Dancer. This is indeed a golden opportunity.

Mr. BURGESS. Mr. Speaker, at this time, I yield 3½ minutes to the gentlewoman from North Carolina.

Ms. FOXX. Mr. Speaker, some of my colleagues who have spoken before me on the side of life have been extremely eloquent, and I am very glad that they have spoken this morning.

I have listened to the debate this morning, and I want to say that many people are very cynical about our government and about Congress in general, and I can understand why this debate would make even more people cynical. To say to the American people that by approving more Federal dollars to do embryonic stem cell research would cure all of these diseases that are brought out and that those of us who oppose spending more Federal dollars on embryonic stem cell research are stopping the advance of science is one of the most cynical things I have ever heard said on this floor and, I think, will tend to make more people think that Members of Congress who are pro-life are cruel and unkind.

As my colleagues have said, the score board is 72–0. Nothing efficacious has come out of embryonic stem cell research in 25 years of research. In fact, a lot of negative things have happened. And to mislead the American public is cruel. It is just absolutely cruel to make people think again that they could be cured.

Thirty years ago, I lost a side of my right eye completely from a detached retina. You can't implant retinas. You can't transplant retinas. The only thing that could possibly help me would be a new retina to be grown.

So I support stem cell research. I support Dr. Atala's work in North Carolina at Wake Forest because they are actually growing organs from people's own stem cells. That research has enormous potential. Adult stem cell research has done good things. Embryonic stem cell research creates tumors and rejection. Dr. Atala would tell you that himself. It is not the way to go.

What we need to be doing is promoting stem cell research and to do all that we can. My husband is diabetic. I am very empathetic to the fact that research could do a lot to help us with diseases, but this is not the route to go. Killing human life does not have to be accomplished to create efficacious treatments for people and diseases.

Again, I am so disappointed in the way this has been presented to the American people. We are doing embryonic stem cell research. Embryonic stem cell research and stem cell research are two different things. My colleagues never use the word embryonic. They always say stem cell research. Pro-lifers support stem cell research; we just don't support the destruction of life to get there.

Ms. DEGETTE. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the previous speaker alleged that Dr. Atala, who is doing the embryonic stem cell research, said that it is not the way to go, that embryonic stem cell research is not the way to go.

In fact, in the letter that my distinguished colleague Mr. CASTLE has already submit for the record, Dr. Atala specifically says that amniotic stem cell research is not a substitute for embryonic research. And he further says: It is essential that National Institutes of Health funded researchers are able to fully pursue embryonic stem cell research as a complement to research into other forms of stem cells.

Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished new member from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. I thank the gentlewoman from Colorado.

Mr. Speaker, if I could just tell one story about a small State in the northeast, Connecticut, a place where we made 2 years ago a historic $100 million investment in stem cell research. And there will be others that will speak much more ably about the moral and ethical and scientific rationales for the bill before us; let me talk about the practical rationales from our standpoint in Connecticut.

Our success investing $10 million a year in stem cell research was a bittersweet one, because it was only made necessary by the failure of the Federal Government to act on this question. We responded to the cries of thousands of families throughout Connecticut that wanted us to give them not only hope but tangible support when it came to researching cures and treatments for the diseases that afflicted their family members.

The problem being that, because of the Federal prohibition on the use of Federal funds for scientific research, Connecticut is now having to do back flips to find ways to invest our money. We are having to invest in bricks and mortar, invest in stealing sciences from other of the few remaining States that allow for State funding of stem cell research.

This is a highly inefficient means to spend the State of Connecticut's money, and one of the reasons that I was sent down to this august body was to make stem cell research, to make investment in scientific research, not a 50-State strategy, but to make it a national priority.

We hear from people on the other side of the aisle, I think, a very wise caution that we shouldn't make promises today or throughout the debate that embryonic stem cell research will definitely lead to a cure of this disease or a treatment for that disease. But the point being here is that there are no promises, there are no guarantees, but that what our families wants is a removal of the ceiling that we have placed on scientific research in our States and our Federal institutions so that that hope may become a reality.

From the citizens of Connecticut who have made great strides on this, as the author of that bill in the State of Connecticut, I am very proud, ten times prouder than I was to vote for it in the State of Connecticut, to vote for it today.

Mr. BURGESS. Mr. Speaker, I am now pleased to yield 2 minutes to the gentlewoman from Ohio (Mrs. SCHMIDT).

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

Mrs. SCHMIDT. I thank the gentleman for yielding to me.

Mr. Speaker, I rise in opposition to H.R. 3, and urge a ''no'' vote on this question before the House. I strongly oppose H.R. 3, the Stem Cell Research Enhancement Act. A human embryo is human life.

H.R. 3 would use Federal tax dollars, tax dollars of hardworking Americans to fund the destruction of human life. This research is already permitted. The debate is not about stopping it but about who is going to pay for it.

To my colleagues who support this legislation, I share your concern for finding future medical treatments to improve lives, but disagree with your focus on embryonic stem cell research. There are other promising techniques to produce stem cells, techniques that do not involve the destruction of human life. Moreover, these techniques have actually achieved results. Cord blood has saved the lives of people with leukemia and other blood-related diseases.

This week a series of encouraging research reports reveal the promise of stem cells obtained from amniotic fluid. These share the characteristics of embryonic stem cells, but obtaining them does not damage the embryo. We should focus on funding alternative sources of stem cell research, something we can all support.

H.R. 3 advances the proposition that this body must choose between science and ethics. That is not the case. Let's be aggressive in looking at alternative ways to save human lives through stem cell research, ways that do not compromise our moral values and the lives of the unborn.

I ask my colleagues to vote ''no'' on this bill and work towards finding and funding methods that do not involve the destruction of human life.

Ms. DEGETTE. Mr. Speaker, I am now delighted to yield 2 minutes to another new Member, the distinguished gentleman from Pennsylvania (Mr. PATRICK J. MURPHY).

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I rise today as an original cosponsor of this legislation and a strong supporter of the medical miracle of embryonic stem cell research.

Mr. Speaker, there is a woman named Shelbie Oppenheimer who is watching today in my district of New Hope, Pennsylvania, who simply wants to see her 8-year-old daughter Isabella go to her senior prom in 10 years.

Shelbie lives with her husband Jeff and their 8-year-old daughter, and over a decade ago, Shelbie was diagnosed with ALS, Lou Gehrig's disease. She was 28 years old. Shelbie vowed to fight the disease and looked at embryonic stem cell research as her best and perhaps only hope to fill her dream of seeing her daughter grow up.

□ 1145

Now confined to a hospital bed in her own living room, Shelbie continues to fight on. Though forced to speak through a respirator, she told me, ''PATRICK, my voice is too soft to be heard, so please tell my story.''

There are countless stories of heartache and hope across America just like Shelbie's. Mr. Speaker, I know Shelbie is watching us today, and I hope we make her proud.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from the Keystone State of Pennsylvania (Mr. DENT).

Ms. DEGETTE. Mr. Speaker, I would be delighted to yield 1 minute to the gentleman from Pennsylvania (Mr. DENT).

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

Mr. DENT. Mr. Speaker, I rise today in strong support of H.R. 3, the Stem Cell Research Enhancement Act of 2007.

Although the purpose of this legislation is straightforward, the significance cannot be understated. H.R. 3 would expand the limited number of embryonic stem cell lines currently available for federally funded research. Permitting research on additional embryonic stem cell lines will advance a field that scientists agree holds the greatest potential to provide groundbreaking therapies for some of the most vexing diseases of our time.

I believe stem cell research, all forms of stem cell research, adult, cord blood, amniotic, embryonic, should be pursued. This discussion is not about a competition. The promise of stem cell research, to find treatments for the most devastating diseases like Parkinson's, juvenile diabetes, coronary heart diseases, cancer and spinal cord injuries, is too great not to explore every single possibility.

That said, embryonic stem cell research raises serious ethical questions that have been raised by some of my colleagues today. I strongly believe that H.R. 3 is the most responsible way to ensure that we are observing the highest possible standards of ethical and clinical practice by setting meaningful ethical guidelines for embryonic stem cell research that will serve as the benchmark for scientific study throughout the world. H.R. 3 provides these ethical guidelines.

First, in order to be considered for this research, the donated cells must come from an in vitro fertilization clinic, have been created for the purpose of fertility treatment and be in excess of the clinical need of the individuals seeking treatment.

Second, the in vitro facility has to certify that these cells would be otherwise discarded if not donated and that the cells are not destined for implantation.

Third, the donors of these cells have to sign a written consent form providing for such a donation and confirm that they have not received any inducements, financial or otherwise, to make the donation.

We took one important step last year in Congress in addressing these ethical dilemmas that are raised by this emerging field of science. We enacted a law which prohibits the practice of fetal farming where human fetal tissue would be deliberately created for the purpose of scientific research. H.R. 3 will take another step in ensuring that research is adhered to the highest possible principles of scientific inquiry and respects critical ethical boundaries while advancing some of the most critical research of our time.

Mr. BURGESS. Mr. Speaker, at this time I would like to yield 5½ minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding.

Mr. Speaker, by now, most of my colleagues know that, on Sunday, a team of scientists from Wake Forest University and Harvard Medical School announced the stunning news that they had discovered a new, readily available source of potentially lifesaving stem cells derived exclusively from amniotic fluid.

For those of us who passionately support extending ethical stem cell research to effectuate cures and mitigate disease, news of this breakthrough was particularly encouraging. News media around the world seemed to appreciate the enormity and the historical significance of the findings. ABC News said, ''Stem cells discovered in amniotic fluid: Researchers say stem cells can be taken from amniotic fluid with no harm to mother or fetus.'' They pointed out that stem cells they drew from the amniotic fluid donated by pregnant women hold much the same promise as embryonic stem cells.

The L.A. Times said, ''Stem cells in amniotic fluid show great promise, a study finds they offer key therapeutic benefits but avoid controversy.''

Mr. Speaker, for those of us who strongly support taxpayer funding for ethical stem cell research, and I would note parenthetically that the Bush administration spent over $600 million on stem cell research at NIH in 2006 alone, the news of this breakthrough suggests that we can and must do more to finance this kind of ethical research.

And for those of us who oppose taxpayer subsidies to facilitate the destruction of human embryos, this latest breakthrough is yet another vindication and underscores the fact that ethical alternatives to embryo-destroying research are available now, and they are likely to expand.

Let me reiterate one more time, especially for the press, that we on the pro-life side strongly support stem cell research as long as it does not require the killing of human embryos. In that vein, let me remind my colleagues that I was the prime sponsor of the bipartisan Stem Cell Therapeutic Research Act of 2005, a law that authorized $265 million for cord blood and bone marrow stem cell programs, including a new nationwide program to collect, research and help disseminate these vital stem cells.

By way of update, last fall, pursuant to the new law, the Bush administration issued contracts to establish a national inventory of umbilical cord blood. Contracts totaling $12 million were awarded and more contracts are expected this year. The establishing of this national cord blood inventory marks the beginning of the effort to increase the total number of available umbilical cord blood units, making lifesaving cord blood stem cells available to Americans in need of a transplant. I believe that is really good news to patients suffering from a myriad of diseases such as sickle cell anemia and leukemia.

Mr. Speaker, it was just 6 months ago, in July, on this floor that opponents of ROSCOE BARTLETT's alternative pluripotent stem cell legislation belittled and scoffed that adult and cord blood stem cells were capable of pluripotency, the ability of stem cells to grow into any cell in the body. Despite the fact that numerous scientists had published findings of pluripotency in cord blood stem cells and adult stem cells, Ms. DEGETTE dismissed alternative sources for pluripotent stem cells as ''fake.''

She called it ''fake research that doesn't really exist'' and that ''alternative methods for creating pluripotent stem cells are not a real scientific prospect at this time.''

Mr. Speaker, that statement was false then, and it is false now. The scientific evidence clearly refutes it. In 2005, researchers from the University of Minnesota Medical School verified that umbilical cord blood stem cells expressed pluripotency genes and can repair neurological damage.

In like manner, researchers at the University of Pittsburgh demonstrated that placental stem cells express pluripotency genes and potentially form any tissue with no signs of tumor formation. As I think my colleagues know by now, tumor formation is a catastrophic problem with embryonic stem cells.

Recently, researchers in France and Switzerland discovered that they could turn pluripotent bone marrow stem cells into insulin-secreting cells, an important step in curing diabetes, and the list goes on.

And now Wake Forest has come to this same conclusion, this time about amniotic-fluid-derived stem cells. And I will quote from the report. This is their report issued this weekend: ''We conclude,'' the authors say, ''that amniotic-fluid-derived stem cells are pluripotent stem cells capable of giving rise to multiple lineages including representatives of all three embryonic germ layers. Newsweek got it, and they also talked about it as well: ''A New Era Begins: Stem Cells derived from amiotic fluid show great promise in the lab and may end the divisive ethical debate once and for all.''

Let me just finally say, where will this all take us if this bill were to be passed and signed into law? We would see the demise, the destruction over time, if it worked, of millions of embryos. Let me just quote Robert Lanza, medical director of Advanced Cell Technology, an advocate of embryonic stem cell research, who said that because of the likelihood of immune rejection, it may require, his words, ''millions'' of embryos to be destroyed. Is that the future you want to promote with the DeGette bill? Millions of embryos killed? Let's adopt them, as we are seeing now.

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Mr. FRANK of Massachusetts). The gentleman may state his parliamentary inquiry.

Mr. BARTON of Texas. What would I need to do to yield the time I am controlling to Mr. CASTLE?

The SPEAKER pro tempore. Make a unanimous consent request to do that.

Mr. BARTON of Texas. Mr. Speaker, I yield the balance of my time to the gentleman from Delaware (Mr. CASTLE) and ask unanimous consent that he be allowed to control that time.

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

There was no objection.

Ms. DEGETTE. Mr. Speaker, I am delighted to yield 2 minutes to the distinguished new Member from Florida (Mr. KLEIN).

Mr. KLEIN of Florida. Mr. Speaker, my name is RON KLEIN, and I represent Florida's 22nd Congressional District, which is in Southeast Florida. I am truly honored to be here today and to be part of this incredibly important effort led by Congresswoman DIANA DEGETTE and Congressman MIKE CASTLE, both of whom have been relentless crusaders toward leading this bipartisan effort in Congress to expand the use of embryonic stem cell research.

As a member of the Florida State Senate for the past 10 years, leading efforts to utilize and fund embryonic stem cell research was not just a priority of mine but a passion. We all have our own family stories about why medical cures need to be discovered today, not 10 years from now.

In my district, which includes Ft. Lauderdale, Boca Raton, Pompano Beach and West Palm Beach, we have so many retirees who moved to Florida to live out their golden years. But as they age, as we know with our own

families, many of them are afflicted with Alzheimer's, Parkinson's and many other serious ailments. To them, the stem cell battle is critically important, and every day that passes without scientists and researchers having all the tools at their disposal is another day of suffering.

From juvenile diabetes to paralysis, the potential of stem cell research in all of its forms presents one of humanity's greatest leaps toward the ultimate goal of preserving, prolonging and improving the quality of our lives.

Funding stem cell research is also a great investment in our future, not only from a personal health standpoint but also from an economical and cost-efficiency perspective. Finding cures and therapies may reduce the cost of hospitalization and other expensive aspects of our health care system. It will also create careers and jobs in the 21st Century that will lead the world.

I am incredibly proud to be part of this effort to increase stem cell funding resources, and I look forward to casting my vote and doing whatever is necessary to support comprehensive stem cell research and funding in the United States.

Thank you for your attention, your vote, and thank you to the millions of Americans who are watching and waiting.

Mr. BURGESS. Mr. Speaker, at this point I would like to yield 5 minutes to the distinguished gentleman from Georgia, Dr. LINDER.

Mr. LINDER. Mr. Speaker, I thank the gentleman for yielding.

In January of 2005 University of Florida scientist Michael Atkinson, a gene therapy advocate, said: ''Two years ago, the embryonic stem cell field was hype, hype, hype. It is still that way in California, but I think that field has hit a bit of a wall.''

Why? Because after 25 years of animal research, embryonic stem cells have produced not one single instance of cure or even a palliative result. Not one.

They have produced some results, though. Their versatility is now believed to be a disadvantage. As explained in a letter to Senator JOHN KERRY, signed by 57 noted scientists in the fields of biology, microbiology, chemistry and medicine, they said: ''Embryonic stem cells are difficult to develop into a stable cell line. They spontaneously accumulate genetic abnormalities in culture and are prone to uncontrollable growth and tumor formation when placed in animals.''

Why is this such an important issue for politicians? Why don't we pay some attention to what does work?

Multipurpose adult progenitor cells have been or are being assessed in human trials for treatment of spinal cord injury, Parkinson's, stroke, cardiac damage, multiple sclerosis and more. These cells can be taken from the patient so they have no risk of rejection and no ethical problems.

□ 1200

They are showing positive results in 72 different diseases, and I will submit that list for the RECORD.

STEM CELL RESEARCH TREATMENTS—ADULT 72 AND EMBRYONIC 0

[Check the Score: Adult Stem Cells vs. Embryonic Stem Cells Benefits in Human Patients (from Peer-Reviewed Studies).]

Adult Stem Cells	Embryonic Stem Cells
Cancers:	
1. Brain Cancer.	0
2. Retinoblastoma.	
3. Ovarian Cancer.	
4. Skin Cancer: Merkel Cell Carcinoma.	
5. Testicular Cancer.	
6. Tumors Abdominal Organs Lymphoma.	
7. Non-Hodgkin's Lymphoma.	
8. Hodgkin's Lymphoma.	
9. Acute Lymphoblastic Leukemia.	
10. Acute Myelogenous Leukemia.	
11. Chronic Myelogenous Leukemia.	
12. Juvenile Myelomonocytic Leukemia.	
13. Chronic Myelomonocytic Leukemia.	
14. Cancer Of The Lymph Nodes: Angioimmunoblastic Lymphadenopathy.	
15. Multiple Myeloma.	
16. Myelodysplasia.	
17. Breast Cancer.	
18. Neuroblastoma.	
19. Renal Cell Carcinoma.	
20. Soft Tissue Sarcoma.	
21. Various Solid Tumors.	
22. Ewing's Sarcoma.	
23. Waldenstrom's Macroglobulinemia.	
24. Hemophagocytic Lymphohistiocytosis.	
25. Poems Syndrome.	
26. Myelofibrosis.	
Auto-Immune Diseases:	
27. Systemic Lupus.	
28. Sjogren's Syndrome.	
29. Myasthenia.	
30. Autoimmune Cytopenia.	
31. Scleromyxedema.	
32. Scleroderma.	
33. Crohn's Disease.	
34. Behcet's Disease.	
35. Rheumatoid Arthritis.	
36. Juvenile Arthritis.	
37. Multiple Sclerosis.	
38. Polychondritis.	
39. Systemic Vasculitis.	
40. Alopecia Universalis.	
41. Buerger's Disease.	
Cardiovascular:	
42. Acute Heart Damage.	
43. Chronic Coronary Artery Disease.	
Ocular:	
44. Corneal Regeneration.	
Immunodeficiencies:	
45. Severe Combined Immunodeficiency Syndrome.	
46. X-Linked Lymphoproliferative Syndrome.	
47. X-Linked Hyper Immunoglobulin M Syndrome.	
Neural Degenerative Diseases And Injuries:	
48. Parkinson's Disease.	
49. Spinal Cord Injury.	
50. Stroke Damage.	
Anemias And Other Blood Conditions:	
51. Sickle Cell Anemia.	
52. Sideroblastic Anemia.	
53. Aplastic Anemia.	
54. Red Cell Aplasia.	
55. Amegakaryocytic Thrombocytopenia.	
56. Thalassemia.	
57. Primary Amyloidosis.	
58. Diamond Blackfan Anemia.	
59. Fanconi's Anemia.	
60. Chronic Epstein-Barr Infection.	
Wounds And Injuries:	
61. Limb Gangrene.	
62. Surface Wound Healing.	
63. Jawbone Replacement.	
64. Skull Bone Repair.	
Other Metabolic Disorders:	
65. Hurler's Syndrome.	
66. Osteogenesis Imperfecta.	
67. Krabbe Leukodystrophy.	
68. Osteopetrosis.	
69. Cerebral X-Linked Adrenoleukodystrophy.	
Liver Disease:	
70. Chronic Liver Failure.	
71. Liver Cirrhosis.	
Bladder Disease:	
72. End-Stage Bladder Disease.	

The record of embryonic stem cells today is zero. In an animal model of Parkinson's, rats injected with embryonic stem cells showed a slight benefit in about 50 percent of the rats, but one-fifth of them died of brain tumors caused by the embryonic stem cells.

Just recently, we have heard the promise of research using the mother's amniotic fluid. We have been told by some that we are doing this to give people hope. How cruel. They are not looking to the Federal Government for hope. They are looking to scientists for cures, and adult cells show by far the most promise.

One of the cruelest examples of political demagoguery I have ever heard was in the last Presidential campaign when John Edwards said, ''If JOHN KERRY were President, Christopher Reeve would walk.'' A spokeswoman for the Howard Hughes Medical Institute said, not in response to that, but she said no one in human embryonic stem cells will tell you that therapies are around the corner. Dr. John Edwards seemed not to agree.

We are not here speaking on behalf of the half-therapies that show promise because private capital is flowing into that research. Private investors look for hope, too. They hope to make money, and they invest their dollars where they can do so.

Do you wonder why private investment is not flowing into embryonic stem cell research? Might there be a hidden agenda here? Might there be a hidden agenda at play in this issue? Could it be that the proponents of this bill want to succeed in getting a bill signed into law in which the government approves the ending of a human life? Are we seeking here a way to get the government's imprimatur on ending life that is not useful so that the product of that death can be put to more useful purposes? That is called the Hegelian Principle, that which is not useful can be destroyed for the benefit of useful purposes.

This has been used by governments before. Hitler believed in it. I want to hastily assure everyone on both sides of this issue that I compare no one to Hitler. But he believed that that which was useful was good, and that which was not useful was not good. The first Germans in the gas ovens were not Jews. They were retarded children in Catholic homes cared for by nuns. They were exterminated. The line was then moved slightly, and the next to go were the crippled soldiers from World War I. The line was then moved to include the Jews, and the German people, being desensitized, accepted it. That is what we are doing here today, we are laying down a line between that life which is useful and that which is not. Moving that line in the future will be less of a lift.

In closing, let me point out that if these researchers were taking this embryonic tissue from the just-laid eggs of loggerhead turtles or bald eagles, they would be fined and jailed. Surely we can do as much for humans.

Ms. DEGETTE. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished new Member from Pennsylvania (Mr. SESTAK).

Mr. SESTAK. I thank the gentlewoman from Colorado for yielding.

Mr. Speaker, I rise today in support of this bill, H.R. 3. While I am about to

talk to a personal story, the issue of stem cell research is not just personal, it is much more than that.

A year and a half ago, I retired from the U.S. Navy as my then-4-year-old daughter, Alex, was diagnosed with a malignant brain tumor. She is here today thanks to the wonderful medical treatment that she received from our Nation's doctors and nurses including high-dose chemotherapy with stem cell infusion.

The medical coverage I received from our country as a military member allowed my daughter to receive the best care it had to offer, the care every American child should have access to. And that is why I ask to speak to this bill today above all others.

The best of medical care today may not be good enough for tomorrow. Take a case such as my daughter's: there is a chance that brain tissue may be harmed by the very treatments intended to save young lives.

Why would we preclude the medical promise that stem cell research offers for tomorrow's recuperative treatment or cure, not just for my daughter, but for all those Americans whose lives are inflicted by serious disease, or who now pass prematurely from us when they might not?

Embryonic stem cell research may mean that every day 3,000 of our loved ones affected by Alzheimer's, Parkinson's, or diabetes or spinal cord injury might have the quality and the full time of life they would not otherwise have.

I thought about life every day as I lived in the pediatric oncology ward at Children's Hospital, just down the street from here. I always wondered if the children there would have a chance to experience life to its fullest.

I understand debates, and I respect those couched in moral terms; but when the bargain we are offered is the opportunity that a child might live, how can we not strike that bargain?

I would hope that we would not let young or old lives be shortened by the worst of plagues, which is, ''what might have been'' for them. For the promise of life, its quality, is the congressional tasking we are most charged with to promote the general welfare. I urge all my colleagues to support this bill.

Mr. BURGESS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. TIM MURPHY).

Mr. TIM MURPHY of Pennsylvania. I thank the gentleman from Texas for yielding.

Mr. Speaker, over 200 years ago, Thomas Jefferson told us: ''I tremble for my country when I reflect that God is just and that His justice cannot sleep forever.'' Although he was talking about the issues of the day, those words ring true for all of us in this Chamber because all of us want to do the right and the just thing. Our words here for or against embryonic stem cell research will not change what is true and just. We seek knowledge, we pray for wisdom, but our thinking does not make it so in one way or the other.

I believe life begins at conception. Others do not. If we are to err on any side, on what side should we err? There are opinions on each side of this issue about when life begins. There are common opinions that we all must work together to help treat disease. There is confused information regarding what works. Research tells us adult stem cell research works. Amniotic stem cell research has been revealed to have much promise. Embryonic stem cells after 20 years of research tells us it does not.

What is important to know is there is nothing in Federal law that limits academic research. We do not stop the States from pursuing research. We do not limit private companies. Research has not been hampered. And nothing is stopping research from treating disease. What we are all commonly pursuing is ways to treat disease, and our concern is how do we do this in a just and ethical way.

When I would be involved in pursuing medical research studies at the University of Pittsburgh, we had to put forth our study in front of the human subjects review panel. They scrutinized research very carefully to make sure it did no harm to anyone. Sometimes what one researcher considered to be a small and innocuous risk, others said, no, you cannot get involved in that portion of research. Whatever it is, sometimes just evaluating the outcome of some treatment on a child that someone thought, as small as it might be, might be invasive. That was because we were guided by the ethical principle of ''first do no harm.''

But here we are faced with recent studies that say amniotic stem cell research has tremendous promise, and for some reason we are rushing this week to say we must pass this bill on embryonic stem cell research when perhaps we should really be pursuing further scientific information so this House can do its job with hearings, with gathering information to give us the knowledge we need and pray for the wisdom we seek.

I hope in all of this that we would continue to be guided by the idea of first doing no harm, and I would hope that we would also look at the fundamental basis of this bill that refers to the idea that these children would otherwise be discarded. I don't think that is a road we want to use.

Ms. DEGETTE. Mr. Speaker, I am pleased to now yield 1 minute to the distinguished majority leader, Mr. HOYER.

Mr. HOYER. I thank the gentlelady from Colorado for her leadership on this issue over the years, and I thank the former Governor of Delaware, our colleague, Congressman CASTLE, for his leadership on this. This bill in my opinion reflects the best in bipartisan cooperation to try to respond to the American public and their concerns and their needs.

Mr. Speaker, today for the third consecutive day in this 110th Congress, the new Democratic majority in the House is considering very important legislation that will pass on a bipartisan basis. On Tuesday, we passed legislation implementing the 9/11 Commission's recommendations to make America safer. That bill passed 299–128 with 68 Republican votes. Yesterday we passed a long overdue increase in the Federal minimum wage by a vote of 315–116 with 82 Republican votes. That is a positive message to the American public that we can and we want to work together. There will not be unanimity, but today we will pass H.R. 3, the Stem Cell Research Enhancement Act of 2007, legislation offered, again, by the gentlewoman from Colorado and the gentleman from Delaware.

Mr. Speaker, it is not a bold prediction to say that this legislation will pass today, because this House approved identical legislation last May by a vote of 238–194 with 50 Republicans joining 187 Democrats and one Independent. There are, as that vote reflects, bipartisan concerns about this legislation. It is my personal belief that they have been addressed in this legislation carefully drafted to do so. The Senate passed the bill by a vote of 63–37 before the President vetoed it last July.

Mr. Speaker, in short, the DeGette-Castle bill would increase the number of embryonic stem cell lines eligible for federally funded research. Current policy limits, as we all know, the use of Federal funds for research only to those stem cell lines that existed when President Bush issued an executive order on August 9, 2001. This policy severely restricts the potential for life-saving breakthroughs because only 22 of those 78 stem cell lines are available for research and a vast majority of those 22 lines are aged, contaminated or have been developed through obsolete methods.

It cannot be stressed enough, Mr. Speaker, that this legislation only authorizes Federal research funds for stem cell lines generated from embryos that would otherwise be discarded by fertility clinics. That seems to me to be a critical consideration for all who will vote on this legislation.

I believe this legislation does not seek to destroy life. Others disagree. I understand that. It seeks to preserve and protect life. In fact, former Senate majority leader Dr. Bill Frist who formerly opposed this legislation but now supports it has stated: ''I strongly believe that embryonic stem cells uniquely hold specific promise for some therapies and potential cures that adult stem cells cannot provide.''

I believe, Mr. Speaker, we have a moral obligation to provide our scientific community with the tools it needs to save lives and this legislation in my view accomplishes exactly that. We understand this is a difficult issue to many Americans and that it raises important questions that humanity

has yet to adequately answer. That is why this legislation also directs HHS and the National Institutes of Health to issue ethical guidelines that will ensure the highest standards of scientific investigation.

Mr. Speaker, this legislation enjoys the overwhelming support of Members of this Congress and the American people, many of whom are affected by diseases such as ALS, Alzheimer's and Parkinson's and injuries of the spinal cord and nervous system. This legislation represents the hope of millions of Americans who are waiting for us to take action. That is why we have urged action early in this session.

I strongly urge my colleagues to support this bill, as they have before; and I urge the President to reconsider his veto when this bipartisan legislation reaches his desk. Again I congratulate Ms. DEGETTE and Mr. CASTLE for working together assiduously and without flagging on behalf of the American people. This is a good bill for our country and for those who face great challenges of health.

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Mr. CASTLE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, the gentlewoman from Colorado and the gentleman from Delaware deserve our thanks for sponsoring the Stem Cell Research Enhancement Act and working with so many families on a bipartisan basis who have been impacted by diseases that may find cures as a result of this vital research. Their work and dedication on this legislation has been tremendous and praiseworthy. I also thank them for giving me the opportunity to cast one of the most important votes I will ever make in Congress.

Almost everyone has lost some family members and friends prematurely. Embryonic stem cell research has the potential to cure disease and save lives, and it is only 8 years old. These are stem cells that come from the inner cells of discarded embryos that were never in a mother's womb, are being destroyed as we speak. Thus, this is not a matter of pro-life versus pro-choice, but rather a matter of humanity and the potential of life versus disease and the certainty of death.

I am grateful the new Democratic leadership is making this legislation a priority in this Congress, just as I was grateful the Republican leadership gave us an opportunity for clean up-or-down vote on legislation in the last Congress.

I pray we pass the Stem Cell Research Enhancement Act of 2007 and that the President reconsiders his position and signs this bill into law. Sometimes ideology can box you in and cause you to make wrong and harmful decisions. I think it is time we recognize the dark ages are over. Galileo and Copernicus have been proven right. The world is in fact round. The Earth does revolve around the sun.

I believe God gave us the intellect to differentiate between imprisoning dogma and sound ethical science, which is what we must do here today. I want history to look back at this Congress and say in the face of the age-old tension between religion and science, the Members here allowed critical scientific research to advance while respecting important ethical questions that surround it.

Mr. BURGESS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. I thank the gentleman.

Mr. Speaker, today I rise in opposition to the taking of human life. The question that is before the House is whether or not the Federal Government should force taxpayers to fund a procedure that requires the destruction of innocent human life.

Congress has always refused to allow this on the issue of abortion, only allowing Federal funding if the pregnancy endangers the life of the mother or is because of rape or incest. There is no reason why this same principle should not apply here. Even President Clinton's bioethics council, the National Bioethics Advisory Commission, wrote in 1999 that most would agree that human embryos deserve respect as a form of human life.

Is it showing respect to kill embryos for research? To allow the seeds of the next generation to be used for the doubtful sake of our own? Furthermore, does it show respect to the consciences of Americans who oppose the research to provide public funding for it?

President Clinton's bioethics council also wrote that the derivation of stem cells from embryos remaining following infertility treatments, the killing of embryos that H.R. 3 would encourage, is justifiable only if no less morally problematic alternatives are available for advancing the research.

Regrettably, the supporters of this bill seem to have forgotten that advice, and their continued support for embryonic stem cell research seems to display ignorance at the recent developments of stem cell science. Far less morally problematic alternatives are exactly what scientists are continuing to find. We have heard this referred to several times.

This was the front page of the Fort Wayne News Sentinel just last weekend: ''Stem cell find gives new hope to compromise.'' In this, in addition to the hearing that we had last year, where we heard multiple scientists receive testify of promising advances in non-embryonic stem cell research, what he points out here is ''the fetus is swallowing fluid and breathing in through the nose. Not only does it travel through the respiratory tract, it gets into the gastrointestinal tract, the bladder and the kidney. The stuff is chock full of fetal cells.''

They are no longer combined but are separated, and that is why the research is working, and that is why so many scientists don't even believe embryonic stem cells will ever work.

There are two fundamental questions here: What is the science, and, in this case, we have proven research that is working and additional research that shows incredible promise of working; versus embryonic stem cell going on for 25 years, not 8 years, that is, in humans, 25 years with nothing. Not a single animal. Nothing has worked in embryonic stem cell research. Yet we are underfunding the research that actually works. Why?

I would argue the second point, and that is it is political. It has to do with the fundamental question of abortion. We have deep differences in America and in here on the taking of innocent human life at conception, deep differences and honest differences.

But why should I, with my view, be forced, and the many Americans who believe this is the taking of innocent life and killing and murder for that matter, why should we be forced to pay for it? I just do not understand the intensity of trying to drive this down our throats.

Mr. Speaker, I rise today in opposition to the taking of human life.

Mr. Speaker, the question that is today before the House is whether or not the Federal Government should force taxpayers to fund a procedure that requires the destruction of innocent human life. Congress has always proudly refused to allow this on the issue of abortion, only allowing federal funding if the pregnancy endangers the life of the mother or is due to rape or incest. There is no reason why the same principle should not apply here.

Even President Clinton's bioethics council, the National Bioethics Advisory Commission) wrote in 1999 that ''[M]ost would agree that human embryos preserve respect as a form of human life.'' Mr. Speaker, is it showing respect to kill such embryos for research—to allow the seeds of the next generation to be used for the sake of our own? Furthermore, does it show respect to the consciences of Americans who oppose this research to provide public funding for it?

President Clinton's bioethics council also wrote that, ''the derivation of stem cells from embryos remaining following infertility treatments''—the killing of embryos that H.R. 3 would encourage—''is justifiable only if no less morally problematic alternatives are available for advancing the research.'' Regrettably, supporters of H.R. 3 seem to have forgotten this advice, and in their continued support for embryonic stem cell research seems to display ignorance at the recent developments of stem cell science, for less morally problematic alternatives are exactly what scientists are continuing to find.

Mr. Speaker, as scientists have worked to find useful therapies using embryonic stem cells, such research has encountered only problems. Such stem cells have shown to be too unstable and likely to form tumors when transplanted into adult tissues. Indeed, despite more than 80 research projects investigating human embryonic stem cells funded by the National Institutes of Health since 2002, to date there have been no verifiable reports of any human clinical trials being conducted using embryonic, not adult, stem cells—in the U.S. or anywhere else.

Despite these facts, the sponsor of H.R. 3 has stated publicly that embryonic stem cell research could help cure diseases that affect 110 million Americans. Unfortunately, scientists have been complicit in this deceit. For example, to justify this hype, stem cell researcher Ron McKay has said bluntly that people need a fairy tale.

Meanwhile, adult stem cell research continues to show increasing promise. There are currently 72 therapies showing human benefits using adult stem cells. In fact, it seems our whole scientific paradigm of cellular development has been wrong. It now appears that stem cells do not lose their pluripotency as they develop from the embryo to differentiated tissue types, and that adult stem cells are much more elastic than previously thought. This means that embryos are no longer the unique source of pluripotent stem cells we once thought they were. Pluripotency is the real goal; and if that can be found in adult stem cells, embryonic stem cells and the destruction of human life are no longer necessary.

In conclusion, Mr. Speaker, I ask my opponents to consider that they do not need to believe a human embryo is the moral equivalent of a child in order to oppose this bill. Rather, they need merely to consider the drastic step it would be to provide public sanction—through federal funding—for life-destructive research that has, at best, ambiguous potential; when more promising and more ethical alternatives are available. Most importantly, Mr. Speaker, this bill and this research are morally wrong, but also, they are simply unnecessary. I urge my colleagues to oppose H.R. 3.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, July 17, 2006.

EFFORTS TO DISCREDIT ADULT STEM CELL ADVANCES OR ''SCIENCE BY FAIRY TALE''

This week's debate on federal funding for embryonic stem cell research is full of disinformation. Among the many pieces of distortion you may come across is a recent letter published in ScienceExpress, written to discredit Dr. David Prentice, a high profile critic of embryonic stem cell research. Dr. Prentice is formerly Professor of Life Sciences at Indiana State University, and Adjunct Professor of Medical and Molecular Genetics for Indiana University School of Medicine. He is now Senior Fellow for Life Sciences, Center for Human Life and Bioethics, at the Family Research Center.

Apparently, in the ''open-minded'' spirit of scientific inquiry, since Dr. Prentice opposes destructive embryonic stem cell research (as do more Americans, when fully informed about the nature of the research), his credibility is being attacked by ''scientists'' who have an agenda of research-at-all-costs-including-creation-of-human-embryos-purely-for-destructive-research.

I am attaching Dr. Prentice's useful guide demonstrating the 72 adult stem cell applications for humans. I also want to emphasize, that after twenty- five years of embryo stem cell research, there are zero human applications for using embryonic stem cells in patients.

I am also attaching a response to the distortions printed in ScienceExpress—distortions which I expect will be abused in this week's debate. As this response points out, illuminating the scientific facts about embryonic vs. adult stem cell research:

''It remains absolutely true that adult stem cells have benefited patients suffering from at least 72 diseases and conditions, where patient improvement is documented by peer-reviewed scientific publications.''

Pointing out that ClinicalTrials.gov shows 565 currently active FDA-approved clinical trials (and a total of 1170 total trials, including those that no longer need to recruit patients), the response also notes this critical fact about embryonic stem cell research:

''There are no human trials of embryonic stem cells, and there never have been. Nor are there any peer-reviewed references for human treatments with embryonic stem cells, because animal trials have yet to show that embryonic stem cells are safe or effective enough to initiate even Phase I human trials for any condition.''

I hope this information is helpful to you.

DO NO HARM, THE COALITION OF AMERICANS FOR RESEARCH ETHICS,
Washington, DC.

MISLEADING, OR AN INCONVENIENT TRUTH?

Do No Harm is disappointed to see a new low in scientific publishing with Science's June 13 online posting of a Letter to the Editor that is a transparent personal attack on Dr. David Prentice, a founding member of Do No Harm.

The Letter purports to analyze Do No Harm's list of adult stem cell treatments, which lists diseases and conditions in which human patients have benefited from stem cell treatments and provides peer-reviewed references on these trials. Do No Harm clearly states that these are simply cases where adult stem cells have shown ''benefits to human patients'', have produced ''therapeutic benefit to human patients''; Dr. Prentice is quoted here as saying that adult stem cells have ''helped patients.''

But the authors of the Letter engage in semantic gymnastics, creating a straw man so they can knock it down and then claim they have discredited Do No Harm. They twist our statements into claims that these treatments all currently provide a ''cure,'' are ''generally available,'' or are ''fully tested in all required phases of clinical trials and approved by the U.S. Food and Drug Administration.'' (Such a claim would have been ridiculous, in part because some dramatic advances have occurred in other countries where FDA approval is not a relevant factor.)

Regarding two diseases, the Letter implies that the list cites only one peer-reviewed reference and does so inaccurately. However, the Letter's supplement acknowledges an additional four references showing ''improved long-term survival'' for patients receiving adult stem cells.

Do No Harm thanks the Letter's authors for pointing out some references that were inadvertently included, as well as some new references to include, so the list could be properly updated. Dr. Prentice is submitting a formal response to Science, and we hope the journal will belatedly give him the courtesy of a published reply. This courtesy is normally accorded by prior notice, and simultaneous publication of the response with an original Letter of this nature.

That the authors of the Letter should bring up the subject of FDA-approved clinical trials is especially odd, because the federal government documents a great number of current trials using adult stem cells at various phases of investigation. A check of ClinicalTrials.gov shows 565 such trials currently active and recruiting patients, and a total of 1170 trials in all (including trials that no longer need to recruit more patients). There are no human trials of embryonic stem cells, and there never have been. Nor are there any peer-reviewed references for human treatments with embryonic stem cells, because animal trials have yet to show that embryonic stem cells are safe or effective enough to initiate even Phase I human trials for any condition.

It remains absolutely true that adult stem cells have benefited patients suffering from at least 72 diseases and conditions, where patient improvement is documented by peer-reviewed scientific publications. There are likely others, undoubtedly more to come, and many more accounts of people who have benefited from such research. That is the real success of adult stem cells: helping human patients. It is a success that no one can claim for embryonic stem cells.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Arizona (Mr. MITCHELL).

Mr. MITCHELL. Mr. Speaker, I thank the gentlewoman.

Mr. Speaker, just a few months ago, the American people sent a clear message to Washington: It is time to expand our investment in embryonic stem cell research. I heard that message loud and clear from my constituents in Arizona who believe as I do that the best way we can honor life is to use science and ethical research to discover treatments for the millions of Americans who suffer from diseases such as Alzheimer's, Parkinson's, Lou Gehrig's and Huntington's disease.

The people of my district understand that we have a moral obligation to invest in embryonic stem cell research because it provides the best hope for a cure for these diseases and many others.

Last year, I met a fellow Arizonan who helped me understand just how important this fight for cures is to so many people and so many families. His name is Phil Hardt, and he suffers from Huntington's disease. Huntington's disease results from the genetically programmed degeneration of brain cells that causes uncontrolled movements, loss of intellectual faculties and emotional disturbances. It is a terrible and agonizing disease that has no cure. But with the promise of embryonic stem cell research, there is hope for a cure.

But, Mr. Speaker, today Phil and people like him all over the country need more than hope. They need action. They need action from this Congress, for us to once again pass this important legislation. And they need action from the President.

Mr. Speaker, I am asking you to urge the President that he has in his hands the opportunity to improve the lives of so many people and help so many families. The American people support ethical embryonic stem cell research, and so does a vast bipartisan majority in Congress. When this legislation reaches the President, I hope he does the right thing, to honor life by signing this legislation into law.

Mr. BURGESS. Mr. Speaker, at this time I yield 3 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Speaker, I rise today in respectful opposition to H.R. 3, the

Stem Cell Research Enhancement Act of 2007, a bill, Mr. Speaker, that authorizes the use of Federal tax dollars to fund the destruction of human embryos for scientific research.

The late President Ronald Reagan wrote, ''We cannot diminish the value of one category of human life, the unborn, without diminishing the value of all human life.''

The supporters argue that this debate today is between science and ideology or dogma; that destroying human embryos for research is necessary to cure a whole host of maladies, from spinal cord injuries to Parkinson's. But the facts suggest otherwise, and physicians on our side have and will continue to make the case for the ethical alternative of adult stem cell research and new breakthroughs, past and present.

But, Mr. Speaker, the debate over the legitimacy or potential of embryonic stem cells, I believe, is actually not the point of our debate today. We are here simply to decide whether Congress should take the taxpayer dollars of millions of pro-life Americans and use them to fund the destruction of human embryos for research.

This debate is not really about whether embryonic stem cell research should be legal. Sadly, embryonic stem cell research is completely legal in this country and has been going on at universities and research facilities for years. But proponents of this legislation apparently don't want to just be able to do embryonic stem cell research, they want me to pay for it. And like more than 40 percent of Americans, I have a problem with that.

You see, I believe that life begins at conception and that a human embryo is human life. And I believe it is morally wrong to create human life to destroy it for research. But I believe it is also morally wrong to take the taxpayer dollars of millions of Americans who believe that life begins at conception and use it to fund research that they find morally offensive.

This debate then, Mr. Speaker, is not about what an embryo is. This debate is about who we are as a nation. Not will we respect the sanctity of human life, but will we respect the deeply held moral beliefs of nearly half of the people of this Nation who find the destruction of human embryos for research to be morally wrong.

Despite what may be uttered in this debate today, I say again, this debate is not about whether we should allow research that involves the destruction of human embryos. This debate is about who pays for it.

Last year here in Congress, I was surrounded by dozens of snowflake babies, Mr. Speaker, children born from frozen embryos. I couldn't help but think of that ancient verse: I have set before you life and blessings and curses. Now choose life, so that you and your children may live.

It is my fervent hope, Mr. Speaker, and my prayer, as we stand at the crossroads of science and the sanctity of life, that we will choose life.

Ms. DEGETTE. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the gentleman from Indiana and several other people have said they don't think taxpayers should fund this research. But, in fact, we have a national consensus in this country in support of taxpayer funding for embryonic stem cell research, 72 percent, to be exact. We fund all other types of this research, so we have this national consensus.

My constituents in the First Congressional District of Colorado, the vast majority, the majority, do not want to fund this war. That doesn't mean, Mr. Speaker, that they don't have to pay their taxpayer dollars.

We should fund this with taxpayer dollars because the NIH and our public institutions are the driving force behind basic research for the private researchers, for the foreign researchers and for all of this wonderful research that is going to, we hope, cure diseases.

Mr. Speaker, I am delighted to yield 2 minutes to the distinguished new Member from Illinois (Mr. HARE).

Mr. HARE. Mr. Speaker, I would like to thank my colleagues, Congresswoman DEGETTE and Congressman CASTLE, for introducing the Stem Cell Research Enhancement Act of 2007 and for their strong leadership on this issue.

Mr. Speaker, last Thursday was a bittersweet day for me. I had the incredible honor of being sworn in as a new Member of the United States Congress in front of my family, friends and constituents. Yet part of me was sad that my friend and mentor, Congressman Lane Evans, wasn't in my place.

Lane served as a distinguished Member of this body for 24 years until Parkinson's disease forced him to retire at the end of the 109th Congress. Lane's battle with Parkinson's is a testament to his incredible spirit that never caused him to ask, Why me, although retiring meant he had to leave Congress when there was still so much he wanted to do, helping veterans, working families and his constituents.

Mr. Speaker, Lane is just one of millions of Americans struggling with chronic illnesses that are curable with the advancement of stem cell research.

Spencer House is the son of my very good friend Doug. He suffers from diabetes and must take four insulin shots each and every day. But Doug is encouraged by the hope that lies in embryonic stem cell research to offer his son a more normal life. And he is not alone. Poll after poll shows that the majority of Americans support ethical embryonic stem cell research as a way towards preventing others from having to live with illnesses like Parkinson's disease, diabetes, cancer, Alzheimer's and spinal cord injuries.

I am an original cosponsor of this commonsense legislation because the science of stem cell research is clear: Embryonic stem cell research has the potential to treat and cure some of our most debilitating injuries and diseases.

Mr. Speaker, today we decide whether to give the American people hope or continue to prolong the suffering of those who struggle with curable chronic diseases. I urge all my colleagues to vote yes on H.R. 3.

Mr. CASTLE. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. KIRK).

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

Mr. KIRK. Mr. Speaker, I thank my colleague from Illinois and rise in strong support of Federal funding to accelerate stem cell research.

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In the last Congress, I helped craft the bipartisan consensus to back stem cell research here in the House, and our bipartisan coalition is even stronger today.

America is home to more Nobel prizes in medicine than any other nation. Our record of medical achievement led the way to eliminating smallpox and saves half of all people diagnosed with cancer. This legislation will help us save the other half. It offers hope to anyone suffering from diabetes, Alzheimer's, and Parkinson's. It represents the strong will of parents and patients who have banded together with effective voices, like the Juvenile Diabetes Research Foundation, the American Heart Association, and the American Cancer Institute.

This legislation offers a powerful message to both political parties, Republican and Democrat, that one of our American legacies is to lead the world in the freedom of intellectual inquiry, in scientific research, in medical science, and especially in that most quintessential American value, optimism and the expectation of better days for our children.

Mr. Speaker, this legislation directly supports the research of Dr. John Kessler at Northwestern University and his work to treat spinal injuries, Dr. Mary Hindrix at Childrens and her work to prevent metastasis in cancer and Professor Robert Goodman of Northwestern for his research to explore a cure for ALS.

We are going to pass this bipartisan bill with a thunderous bipartisan majority, sending to the Senate as an expression of the American people as pro-research, pro-science pro-American leadership and supporting hope for patients everywhere.

Mr. BURGESS. Mr. Speaker, I reserve my time.

Ms. DEGETTE. Mr. Speaker, I am delighted now to yield 1 minute to the distinguished new Member from New York (Mr. HALL).

(Mr. HALL of New York asked and was given permission to revise and extend his remarks.)

Mr. HALL of New York. I thank the gentlewoman. Today, I rise in support of H.R. 3, the Chamber's effort to improve the lives of millions of Americans by once again advancing the Stem Cell Research Enhancement Act.

For many Americans, including relatives and friends of mine who suffer from the effects of Alzheimer's, Parkinson's, paralysis, and other devastating illnesses, embryonic stem cell research provides the hope of a better life or even perhaps a cure.

Last year, Johns Hopkins University released the results of stem cell therapy tests on frogs in the laboratory using frog embryonic stem cells which showed paralyzed frogs recovering the use of their hind quarters. Now, one can't necessarily extrapolate from laboratory experiments to humans; but until we try, we will not know.

There has been a lot of debate about this bill, what it is and what it is not. I would just suggest that by allowing the Federal Government to support research on embryonic stem cells, regardless of when they were derived, this bill will allow science to move forward unimpeded in the quest to cure some of our most crippling diseases.

Mr. Speaker, today I rise to speak in support this chamber's effort to improve the lives of millions of Americans by once again advancing the Stem Cell Research Enhancement Act.

For many Americans suffering from the effects of Alzheimer's, Parkinson's, paralysis, and other devastating illnesses embryonic stem cell research provides the hope of a better life, or even perhaps a cure.

There has been a lot of debate about what this bill is, and what it isn't.

What this bill is an opportunity to expand the resources the federal government can bring to bear in supporting breakthroughs in medical technology.

Under current policy, only stem cell lines derived before August 2001 can be used for research. But according to the National Institutes of Health, of the 78 stem cell lines that were declared eligible for federal funding by the President, less than one third are still available.

To make matters worse, many of the available lines are contaminated with "mouse feeder" cells, making their therapeutic use for humans uncertain.

By allowing the federal government to support research on embryonic stem cells regardless of when they were derived, this bill would allow science to move forward unimpeded in the quest to cure some of our most crippling diseases.

What this bill isn't is an attempt to devalue human life.

Under this bill, stem cells could only be used for research if they would never be used by fertility clinics and be discarded, and only if the donor of the embryo gave full consent.

Instead of being discarded, these embryos could help researchers unlock the cures to Parkinson's, Alzheimer's, MS, cancer, and other conditions. Certainly, advancing these goals is consistent with a reverence for human life.

Last year, Congress overwhelmingly passed this bill on a bipartisan basis, and it's clear that the majority of the American people want this research to go forward.

It is my sincere hope that we will again pass this bill by an overwhelming and bipartisan margin, and send it to the President for his signature.

I would urge the President not to repeat his previous mistake of allowing ideology to trump science by vetoing this bill. Instead of placating his narrow political base, the President should heed the will of the great majority of the American people by signing this bill into law.

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

Ms. DEGETTE. Mr. Speaker, I am delighted to yield now to the gentleman and new Member from Kentucky (Mr. YARMUTH) 1 minute.

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

Mr. YARMUTH. I thank the gentlewoman.

Mr. Speaker, the progress that has been made of late in the area of adult and amniotic fluid stem cell research is astounding. In my own district, the University of Louisville is curing paralysis in lab animals using adult stem cells. But with each new discovery, the scientists say the same thing: none of these areas of research can replace the vast unique and still unchartered potential of embryonic stem cells.

Politics interfering with scientific advancement is nothing new. In Louisville, public controversy was a major obstacle before our pioneering doctors successfully implanted the first artificial heart and performed the first hand transplant. Had the politics of the day prevailed, additional lives would have been lost and incredible progress halted.

Today, again on the cusp of discoveries that could save lives, we find ourselves at a similar crossroads. Will we aid progress or impede it?

And none—not one of the embryos in question could ever grow into a human life. The researchers are speaking exclusively of embryos that would otherwise be discarded.

We can no longer afford to let politics stand in the way of science and allow America to fall behind the rest of the world's medical advances, especially now as the research being conducted with embryonic stem cells holds the unprecedented potential to revolutionize medicine. I urge my colleagues to pass H.R. 3.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair at this point would remind Members to be careful not to pass between the Chair and Members speaking and also to be careful not to have conversations in direct proximity to Members who are addressing the House.

Mr. BURGESS. Mr. Speaker, at this time I would like to recognize the gentleman from Nebraska (Mr. FORTENBERRY) for 2 minutes.

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

Mr. FORTENBERRY. Mr. Speaker, I thank the gentleman from Texas.

Mr. Speaker, I would like to begin with a story. Several weeks ago, I was reading some of our national publications, and I came across a very small article that reported how Swiss scientists were taking amniotic fluid from preborn children, children who had been diagnosed in the womb with heart disease, and they were taking adult stem cells from that amniotic fluid and beginning the process of growing heart valves that would inevitably be placed in those children because of that heart disease.

Mr. Speaker, my spirits lifted. I had hope again. You see, my daughter Kathryn is 6 years old and she suffers from complete atrial ventricular septal defect, a severe form of heart disease. She has had three open-heart surgeries thus far. We are probably looking at a fourth in the coming months, and in that surgery it is likely she will need a mechanical valve which further complicates her difficulties. This is why this article was so meaningful to me.

You see, adult stem cells from bone marrow sources and umbilical cord sources and now amniotic fluid are showing real therapeutic value in the treatment of 72 diseases currently, and this avoids the ethically divisive issue of the destruction of unborn human life, the destruction of unborn human embryos.

Embryonic stem cell research has shown no therapeutic value to date, is highly controversial, and many taxpayers do not wish to have their money spent here. So, Mr. Speaker, I say, why not? Why not invest our limited resources in adult stem cell research that is showing great promise and giving real hope? This is good public policy. This is the right thing to do.

Ms. DEGETTE. Mr. Speaker, I am now pleased to yield to the distinguished gentlewoman from the Energy and Commerce Committee, my colleague, Ms. ESHOO, 2 minutes.

Ms. ESHOO. Mr. Speaker, I thank my colleagues Congresswoman DEGETTE and Mr. CASTLE for the outstanding work they have done in bringing this bill before the House. I am proud to support it, and I think that this is a very important moment for the Congress. Why? Because this bill really represents hope for the American people.

I often say to my constituents that I am in the business of hope, to give hope to people with what I do and the vote that I cast. There is a reason why this bill is an overwhelmingly bipartisan bill, because 72 percent of the American people support stem cell research.

There is only one type of stem cell research that is not funded by the Federal Government today and that is embryonic stem cell research. There are tax dollars for all the others: for cord blood, for amniotic, and for adult. That is why we have the bill before us today.

We all have constituents, we all have members of our families that have diseases that have befallen them and injuries that have befallen them and where they come to us and say, please, take action on this. So as someone that considers herself in the business of hope, I am especially proud to not only be a part of this effort but also be part of a new Congress that is giving hope to

people that a Congress will take action on those things that are really relevant to people in their day-to-day lives: that the American people, the working people of our country, be given a raise in the minimum wage; that people across this country will be given substantial hope that we will take action on this bill; and that, hopefully, the President will continue the line of hope by changing his mind and signing the legislation into law.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would again urge Members not to cluster around the floor manager. The Chair understands it is necessary to have conversations, but please respect the Members speaking and to approach the floor manager, when it is necessary, no more than one at a time.

Ms. DEGETTE. Mr. Speaker, I am now very pleased to recognize my friend and colleague from Michigan (Mr. STUPAK) for 3 minutes.

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

Mr. STUPAK. Mr. Speaker, I thank the gentlewoman for yielding.

This debate is really one of the most fundamental, important debates this body can undertake. Let me be clear, Mr. Speaker: I support stem cell research using adult stem cells, cord blood, and amniotic stem cells. I do not, however, support destroying life in the name of research.

H.R. 3 fails to address the most basic essential ethical question of when does life begin and when should life, including human embryos, be open to experimentation and scientific research.

As elected representatives, we have been cloaked with America's legislative responsibility. With this responsibility we are entrusted to determine the ethical and moral bounds of scientific research and to determine what value America places on human life. I believe our work today must reflect America's belief that all life has value, from the human embryo to those in the twilight of their life. We must not legislate shortcuts for one life over another.

Embryonic stem cell research requires the killing of human embryos, which if left to grow would become children. Where do we as a Nation draw the ethical and moral line on scientific research as to when life begins, and at which stage of human life are we willing to sacrifice one life to promote the life of another?

The good intentions of the proponents of H.R. 3 do not answer these questions. The proponents do not allow us, as America's elected representatives, to draw the ethical and moral line for human life. Under H.R. 3, when do embryos become human life? After 40 hours? After 2 days or 14 days?

H.R. 3 leaves the research guidelines to an administration official. As elected leaders, we should not entrust an unnamed individual to set America's guidelines on the value of human life. Mr. Speaker, I believe that human embryos, as life, should be treated and valued with the same respect as you and me.

While the promise of embryonic stem cells is still questionable, adult stem cells are being used today to save lives. Recognizing this, the National Institutes of Health spent $568 million in fiscal year 2006 on adult stem cell research.

Adult stem cells are being used today in clinical trials and in clinical practice to treat 72 diseases and injuries. As science learns more about the building blocks of life, researchers announced this week that stem cells found in the placenta and the amniotic fluid hold the key stem cells for research. These stem cells can be obtained while protecting life. This research offers science the ability to provide hope to those who suffer from disabling injuries and diseases while protecting all human life.

Let me be clear: I am committed to funding ethical scientific research that will unlock the origins of diseases and develop cures that can help my constituents. We cannot, however, let science leapfrog our ethics. I urge Members to protect life at all stages and vote ''no'' on H.R. 3.

Mr. Speaker, this debate on H.R. 3, the Stem Cell Research Enhancement Act, is really one of the most fundamental, important debates that this body can undertake.

Let me be clear, Mr. Speaker, I support stem cell research using adults stem cells, cord blood, and amniotic stem cells. I do not, however, support destroying life in the name of research.

H.R. 3 fails to address the most basic, essential, ethical question of when does life begin? And when should life, including human embryos, be open to experimentation and scientific research?

As elected representatives of the people, we have been cloaked with America's legislative responsibility. With this responsibility, we are entrusted to determine the ethical and moral boundaries of scientific research and to determine what value America places on human life?

I believe our work today must reflect America's belief that all life has value from the human embryo to those in the twilight of their life. We must not legislate "short cuts" for one life over another, which this legislation does. Embryonic stem cell research which requires the killing of human embryos, which if left to grow would become children.

Where do we, as a nation draw the ethical and moral line on scientific research as to when life begins? And at which stage of human life are we willing to sacrifice one life to promote the life of another?

The good intentions of the proponents of H.R. 3 do not answer these questions. The proponents do not allow us, as America's elected representatives, to draw the ethical and moral line for human life.

Under H.R. 3, when do embryos become human life? After 40 hours? After 2 days? H.R. 3 is silent on when embryos become human life—it doesn't specify how long these embryos are allowed to grow before they are killed—2 days, 5 days, 14 days, or more!

Proponents of H.R. 3 will claim that this legislation will leave the research guidelines to an unelected and unnamed administration official within 60 days. A bureaucrat will set the guidelines, for scientific research and experimentation on human life!

As elected leaders we should not entrust an unnamed individual to set America's guidelines on the value of human life.

Mr. Speaker, I believe that human embryos, as life, should be treated and valued with the same respect, as you and me.

While the promise of embryonic stem cells is still questionable, adult stem cells are being used today to save lives. Recognizing this, the National Institutes of Health spent $568 million in Fiscal Year 2006 on adult stem cell research.

Adult stem cells are being used today in clinical trials and in clinical practice to treat 72 diseases including, Parkinson's disease, spinal cord injury, Juvenile Diabetes, brain cancer, breast cancer, lymphoma, heart damage, rheumatoid arthritis, juvenile arthritis, stroke, and sickle cell anemia.

As science learns more about the building blocks of life, researchers announced this week that stem cells in human amniotic fluid hold the key stem cells for research. These stem cells can be obtained while protecting human life.

These stem cells are found in the placenta and the amniotic fluid of pregnant women. These stem cells hold the same promise as embryonic stem cells, including an ability to grow into brain, bone, muscle and other tissues that could be used to treat a variety of diseases. This research offers science the ability to provide hope for those who suffer from disabling injuries and diseases while protecting all human life.

Let me be clear, I am committed to funding ethical scientific research that will unlock the origins of diseases and develop cures that can help my constituents.

We cannot, however, let science leap-frog our ethics, our morals, and our responsibility to protect human life at every stage of development. I urge Members to protect human life at each stage of development. Vote "No" on H.R. 3.

Mr. BURGESS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman for yielding, and I rise in opposition to this bill.

If this bill becomes law, it will establish a new precedent for our government. For the first time, we will be funding researchers who are knowingly destroying human embryos in the course of their research, and that is really what this debate is essentially about.

This Congress enacted legislation over 10 years ago, and President Bill Clinton signed it, specifying that no Federal funds will be used for research that involves the destruction of a human embryo. This piece of legislation takes us down a path that overturns that.

Now, the advocates for this legislation assert that this is necessary because of the great potential of embryonic stem cells, and I rise essentially as a physician and a concerned American to challenge that notion based on

my understanding of embryonic stem cells. And by the way, we have heard it said repeatedly that embryonic stem cells have only been studied for 8 years. They have been studied for 25 years in the mouse. Eight years in the human model, but 25 years in the mouse.

All embryonic stem cells form tumors. All of them. Indeed, if you are in the research lab, that is how you determine you actually have an embryonic stem cell. You put it in an animal, and it forms a tumor called a teratoma.

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They have never been shown not only to be really good and therapeutic, but they have never been shown to be safe. Before an embryonic stem cell therapy could ever be approved by the FDA, it would have been to be shown to be both effective, which embryonic stem cells have never been shown to be; and as well, safe, and the very nature of embryonic stem cells renders them unsafe.

So why is this such a critical debate? Why is this such an important debate? It is simply because this is not necessary and it is morally wrong. It is morally wrong because it takes us down a path where we will be saying certain forms of human life are expendable and can be discarded. And it is totally unnecessary, because they have never been shown to be therapeutically useful.

Furthermore, we were just amazed to discover that in the amniotic fluid are cells that behave just like these embryonic stem cells, but they don't form tumors. It is not ethically controversial to use them, and they have all the potential that embryonic stem cells have been shown to have in the lab.

So I would encourage all of my colleagues to vote ''no'' on this legislation. Support the President of the United States, and just remember, just remember, that there are absolutely no restrictions on this research in the private sector. This is all about Federal dollars and how they are going to be used.

Ms. DEGETTE. Mr. Speaker, I yield 3 minutes to the distinguished Member from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Mr. Speaker, let me, first of all, say that, for the most part, this discussion has gone on without name calling, although it has happened once today, and so I want to start out by saying, I am coming to this floor to make a point, and not an accusation.

It is important for me to say because there are words used here, morality and moral and ethical, and in the last election, in my State, the word religion was used with this discussion because stem cell research was on the ballot.

I want to say very clearly, there is no conflict between religion and science. There was a man by the name of Paul who visited Turkey, and while in a city called Ephesus, he learned the people, went back and wrote a letter to them. And he said, ''Now Glory be to God who, by his mighty power at work within us, is able to do far more than we would ever dare to ask or even dream of, infinitely beyond our highest prayers, desires thoughts or hopes.''

Science is but another word for hope. And hope stands on tippy toes looking for healing, looking for cures, searching for the ideal.

I will not be a hopeless pessimist. I realize that whenever we are able to use the scientific advancements, that we are not becoming the enemies of faith, but rather it is another way to praise God and his constantly evolving creation.

Now, there was a great Baptist clergyman by the name of Harry Emerson Fosdick, and in his book, ''The Modern Use of the Bible,'' he says, ''If there are fresh things to learn concerning the physical universe, let us have them, that we may find deeper meaning when we say 'The heavens declare the glory of God.' ''

Now, it is my hope that we will not be as troglodytic as our ancestors who refused to peer through the lens of Galileo's telescope; that we are men and women who will do every single thing we can to bring about whatever we can, within our human powers, to cure the beastly diseases that wreak havoc in the lives of Americans and people all over this country.

Should science succeed in fulfilling the much vaunted optimism expressed by advocates of stem cell therapy, much of the credit should go to the community of faith.

Because I accept the Holy Bible as the inspired and interminable Word of God, I consider myself to be a Christian fundamentalist. I accept, as an inseparable component of my faith, the omnipotence, omnipresence, and omniscience of God. Therefore, I am baffled by my fellow fundamentalists who seem to be utterly opposed to and terror-stricken by the advancement of science, including stem-cell research. The propagation of knowledge and the dismantling of the boundless awe-inspiring mysteries of God's world are viewed by some in our faith as a foreboding foray toward undermining and diminishing the glory of the Creator. However, the opposite is true. When the human intellect makes strides that sets the world agog, it is God, from whom all knowledge stems, who is honored. Let us keep in mind that scientific advancement is not an enemy of faith, but yet another way to praise God and His constantly evolving creation.

Contemporary men and women of faith, as always, stand at the crossroads. In a real sense, religion has always been impelled to wage war in some area or another. The pressing question is shall we march across the battlefields of faith with open arms toward the magnificent revelations of God's great truths, or, do we use our inherent power and influence to signal a retreat from the bright and simmering sunshine of expanding scientific scholarship. The potential life-saving issue of stem cell research is before us. The scepter is in the hands of the enlightened community of believers. Our failure to speak out on the medical need for stem-cell research will allow earnest but erroneous or misguided souls who wish to constrain such study to force us back to a time when the faithful waged its fiery finger of scorn at the irreverence of scientific inquiry. Like the majority of people of faith, I totally reject the notion that today's community of believers are as troglodytic as our ancestors who refused to peer through the lens of Galileo's telescope. Nonetheless, this is a testing time.

Doctor Harry Emerson Fosdick, the legendary Baptist clergyman of the first half of the 20th century, profoundly addresses the issue of flowering faith in his wonderfully inspiring book, The Modern Use of the Bible: "If there are fresh things to learn concerning the physical universe, let us have them, that we may find deeper meaning when we say, 'The heavens declare the glory of God.' "

Should science succeed in fulfilling the much vaunted optimism expressed by advocates of stem-cell therapy, much of the credit should go to the community of faith. Every experiment that leads to greater medical breakthroughs is a discernible display of the earthly presence of God and of the presence of particles of His divinity in us.

Mr. BURGESS. Mr. Speaker, might I inquire as to the time that is left.

The SPEAKER pro tempore (Mr. FRANK of Massachusetts). The gentleman from Texas (Mr. BURGESS) has 26½ minutes remaining. The gentleman from Delaware (Mr. CASTLE) has 3½ minutes remaining, and the gentlewoman from Colorado (Ms. DEGETTE) has 46 minutes remaining

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

Ms. DEGETTE. Mr. Speaker, I yield 2½ minutes to the gentlewoman from New York (Ms. SLAUGHTER), the chairwoman of the Rules Committee.

Ms. SLAUGHTER. Mr. Speaker, I thank both my colleagues, Mr. CASTLE and Ms. DEGETTE, for their tenacity on this bill. Stem cell research has the potential of reaching every man, woman, child on the planet. And without your tenacity, I am not sure we would still be here today. Thank you for that.

Mr. Speaker, I rise today not just as a Member of Congress, but as a microbiologist and a citizen.

During recent years in Washington, politics has often stood in the way of the consensus and conclusions of the scientific community.

One of the victims of that reality has been funding for stem cell research. I hope that today we can put aside our differences and together, achieve something that not just our scientists believe in, but the American people both want and deserve.

New medical technologies are always met with concern, but today many of the technologies are saving lives. Many of you remember the debate about organ transplants, in vitro fertilization, that we should never do that. The same will soon be said about embryonic stem cells, if we want it to be.

While all forms of stem cells should be researched, none offer as much promise as embryonic stem cells. An overwhelming body of international scientific research has shown them to be the only cells capable of becoming any element of the body. They are the key to so many of the cures that we have long sought.

Let me provide just one example of how powerful this research could be. There is growing evidence linking embryonic cell mutations to cancer, including testicular and breast cancer. As a result, future breakthroughs could one day eradicate many forms of cancer at their source.

Because of its potential, 70 percent of Americans support embryonic stem cell research, and we all know someone who has suffered from a disease that embryonic stem cells could one day cure. Why would we choose to deny hope to millions of Americans and people all over the world?

I should add that nations throughout the world have embraced embryonic stem cell research.

I just want to say that, for all my colleagues who have second thoughts about this bill, let me ask you to step back and think about a loved one who could possibly benefit from this research, a neighbor, a friend. We have all got many of them.

Your vote today should be clear. Vote for scientific research to help people.

Mr. Speaker, I rise today not just as a Member of Congress, but also as a microbiologist and a citizen who stands in awe of the life-saving potential we hold in our hands.

During recent years in Washington, politics has often stood in the way of the consensus and conclusions of the scientific community.

One of the victims of that reality has been funding for stem cell research. The opinions of those on both sides of this issue are both heartfelt and sincere. But I hope that today, we can put aside our differences and unite to achieve something that not just our scientists believe in, but that the American people both want and deserve.

New medical technologies have always been met with skepticism and concern. There was a time in America when organ donations were experimental, and blood transfusions were considered too dangerous to consider. And yet today, these procedures are saving lives every hour.

The same will soon be said of embryonic stem cells—if we want it.

We may hear from some today that adult stem cells, cord blood cells, and amniotic fluid cells are just as promising as embryonic stem cells. But while they all show promise and should be researched, none of them offer as much promise as embryonic stem cells.

An overwhelming body of international scientific research has shown embryonic stem cells to be the only type of stem cells capable of becoming any cell type in the body. They are the key to so many of the cures we have long sought after.

Let me provide just one example of how powerful this research could be.

There is growing evidence linking embryonic cell mutations to cancer. At UC San Francisco, scientists have discovered elevated activity of several embryonic stem cell genes in both testicular and breast cancers.

Based on this new finding, scientists are hypothesizing that misregulated embryonic stem cell genes could cause or at least advance cancer.

In fact, recent research is showing that up to 20 percent of all breast tumors are now suspected to originate in stem cells.

Scientists hope to learn more about the functions of genes in the cells that make up tumors. Their examinations could show why stem cells become cancerous and how doctors can treat them.

These breakthroughs could one day eradicate many forms of cancer at their source.

Because of its potential, fully 70 percent of Americans support embryonic stem cell research. And that's not surprising. Nearly everyone has suffered from a disease, or knows someone who has, that embryonic stem cell research could one day cure. Who wouldn't want to end the suffering of their son, sister, father, or friend? Why would we choose to deny this hope to millions of Americans?

Nations throughout the world have embraced embryonic stem cell research. Their scientists are taking great strides forward. In the end, enforcing restrictive federal research policies will only ensure that the United States will continue to lose many of our best and brightest scientists in this field to other countries.

Mr. Speaker, many of history's greatest medical killers now have cures because of scientific research. Tens of millions of lives have been saved as a result. Today, we have the potential to save millions more, and to leave other deadly diseases behind us.

I believe people in wheelchairs will one day walk again. I believe that we can bring about an entirely new form of health care in America—one defined by shorter hospital stays, fewer invasive procedures, and increasing benefits to both our patients and our bottom line.

The bill before us today presents an ethical solution to research that could potentially benefit almost every American. It gives our country hope—hope that one day we won't have to watch our mothers die of breast cancer, our grandparents suffer from Alzheimer's, and our own children endure Type I diabetes.

If we fail to fund embryonic stem cell research, I do not believe that we will be able to look our children and grandchildren, our mothers or fathers, or our grandparents in the eye and tell them we did everything we could to help them live a better, healthier, longer, happier life.

I urge my colleagues who have second thoughts about this bill to step back and think of a loved one who could possibly benefit from this research. Your vote today should be clear.

Ms. DEGETTE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. GENE GREEN), a member of the Energy and Commerce Committee.

Mr. GENE GREEN of Texas. Mr. Speaker, I gave a 1-minute earlier that compared the hope for embryonic research with the new research that is being done on other stem cells. But, in all honesty, we need to be looking at everything to deal with the illnesses that we have.

Embryonic stem cell research is the hope for millions of Americans. Embryonic stem cell research is now supported by educational and religious affiliated institutions, but they need Federal Government help to find the cures for spinal cord injuries, Alzheimer's and many other illnesses.

Let me talk about two personal examples of the imperative need for this Federal assistance to find these cures. I know of a young lady named Monica who had her spinal cord severed in an auto accident. She is young enough to benefit from aggressive research on a cure. We need all the research dollars we can get into embryonic stem cell, adult stem cells and others to be able to deal with this young lady who has the possibility that her spinal cord could be regenerated. It may be next year. It may be 10 years or 20 years. But let's don't take that hope away.

Another example is my mother-in-law. She was diagnosed in 1996 with Alzheimer's. And my wife and I have lived for the last 10 years watching my mother-in-law die. She died the day after Christmas. She hasn't known either of us for over 2 years. She was in a research facility in Houston, at Baylor College of Medicine, that could just monitor her progress on a yearly basis. For the last 2 years, we couldn't take her to the hospital or to the doctor's office. And we watched Alzheimers make that happen.

It is too late for my mother-in-law's generation. But it is not too late to change it for the next generation, Mr. Speaker, and Members. And to stand up here today and say it is a sin to do this research, it is a sin not to do the research. It is not a sin to try and use embryonic cells. It is a sin not to do this research.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING).

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

Mr. HENSARLING. Mr. Speaker, I rise today in favor of the unalienable right to life and in opposition to H.R. 3.

This legislation would require increased Federal support for embryo-destructive research, abrogating, I believe, our responsibility to protect life as declared by our Founders in the Declaration of Independence.

Yet, some in this Chamber, I believe, would inadvertently end life, even in its earliest moments, in order to try to improve the lives of others. And they do so by using research that has shown little promise to develop effective treatments.

Mr. Speaker, there are alternatives. I support ethical stem cell research that does not spend Federal taxpayer dollars to fund studies that so many Americans find morally reprehensible. For example, we know that adult stem cell research has now, to date, led to 72 different treatments and clinical applications in humans. Additionally, we know that umbilical cord blood is already being used successfully against diseases like leukemia, sickle cell anemia and lymphoma.

And just this week, we all know, worldwide we heard the news that a new source of stem cells had been found in amniotic fluid. These cells, which can be retrieved without doing harm to a developing child, and have

been described as having all the positive potential of embryonic stem cells but with much greater stability.

But, Mr. Speaker, for those who are committed only to embryonic stem cell research, it is important for all Americans to know there is no current prohibition on this research. Any individual, any university, any medical center is free to use their resources to conduct this type of research. And, indeed, hundreds of millions have already been spent, unfortunately, with little result.

In this body we debate a number of vitally important issues. But is there any issue more important than preserving the sanctity of life? And shouldn't we ask ourselves, how can we preserve liberty if we cannot preserve life? And should there be doubt, we should err on the side of life.

Ms. DEGETTE. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I want to thank the gentlewoman so much for her relentless and effective leadership, and express my gratitude to Congressman CASTLE.

Mr. Speaker, I rise in strong support of H.R. 3. I have been struck and moved by the number of colleagues who have come here and cited their own family members, including their children, as the driving force behind their support. But none of us should be surprised, since 100 million Americans are afflicted with diseases that potentially could be cured by embryonic stem cell research. And I have heard from so many of them from my own district. Why destroy their hope?

And I rise today in the name of our beloved friend and part of our Congressional family, Lane Evans. Lane is one of the million Americans who suffer from Parkinson's Disease, and that has cut his career short. And during his time in Congress, Lane was dedicated to advancing stem cell research because he understands what it is like to struggle with an incapacitating disease. And he understands the hope that embryonic stem cell research holds. Why would we want to destroy that hope?

And I want to thank all of my friends from the Juvenile Diabetes Foundation from my district and their children, who have served as advocates in such an effective way and met with me on a regular basis and educated me about this. And my dear friend, Bonnie Wilson, whose daughter, Jenna, has juvenile diabetes and has lived with that for her whole life. Why would we want to destroy their hope?

□ 1300

Since I have been in Congress, I have received letters from people like Liz O'Malley, and she describes the daily struggle of her son, Seamus. Seamus has muscular dystrophy. He is only 11 years old. Stem cell treatment may be his only hope. Why would we destroy that hope?

Illinois has already awarded $10 million in grant funding to research institutes and hospitals because Governor Blagojevich recognizes the advances. Now we can do it on a Federal level.

I urge my colleagues to support H.R. 3.

Ms. DEGETTE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentlewoman for yielding and thank her for her strong leadership on this issue. The bill that we are considering today addresses shortcomings in current stem cell policy while maintaining strict ethical standards in stem cell research. Embryonic stem cell research offers promise to millions of Americans suffering from spinal cord injuries and chronic illnesses, including cancer, Parkinson's disease, Lou Gehrig's disease, and diabetes.

Neither Congress nor the administration should prohibit the medical community from pursuing a promising avenue of research that can improve the lives of millions of Americans. Embryonic stem cell research is supported by the majority of my constituents in Maine and has overwhelming bipartisan support across this country. I have heard from hundreds of constituents who support this bill, including Virginia, from Gardiner, Maine, whose mother is stricken with Parkinson's disease.

She describes the conditions of limited mobility her mother faces as horrific. Celia, in Madison, Maine, says her twin sister, Maura, was paralyzed from an auto accident and hopes for a better life.

We need to ensure that our scientists can pursue the promising research of embryonic stem cells to help these people and millions like them. We cannot allow the politics of this issue to undermine groundbreaking research, impede science and place at risk the health and well-being of victims and their families.

I urge my colleagues to vote for H.R. 3.

Mr. BURGESS. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. I thank my colleague for the time.

Mr. Speaker, I rise in strong opposition to H.R. 3, but definitely not in opposition to stem cell research; indeed, not in opposition to embryonic stem cell research. That is the position, my colleagues, of this President and most of the Republicans in this House. It is not an issue of being opposed to research on embryonic stem cells, but it is in opposition to research that results in the destruction of human life.

Certainly if you ask the American public when they look at this picture on television if they would be in favor of embryonic stem cell research, if you could help this man, or, even more compelling, our colleagues in this body, Lane Evans and JAMES LANGEVIN, the answer would be a resounding, yes, 80 percent. I think maybe I would be one of those who would be inclined to so vote.

But on the other hand, Mr. Speaker, if you held up this picture, snowflake babies, and asked them, would you be willing to support embryonic stem cell research if it meant the destruction of these lives, or not giving these lives an opportunity to ever develop, I think the answer, with the statistics, would be completely reversed.

Now, the Members in this body, some are strongly pro-life, some are mostly pro-life, some are slightly pro-life and some are pro-choice, whether we are Republicans or Democrats. But I think most of us would say we are pretty much opposed to abortion, and we wish there would be no need for abortions.

Well, we have an opportunity with H.R. 322, the Bartlett bill, of which I am a very proud original cosponsor, to do it another way, to do research, indeed, to obtain embryonic stem cells without destroying the embryo, either through a biopsy or through using embryos that have no chance to live. We can get viable embryonic stem cells.

The point is, we don't have to divide this body and this Nation. We have lots of things that we can argue about legitimately in a friendly atmosphere, and that is the way it should be in this body.

We have gotten Members, a Republican and a Democrat, Mr. CASTLE and Ms. DEGETTE, who are very popular Members, very persuasive, but are very committed to this issue. We have a better choice. Now with this research from Wake Forest utilizing amniotic cells and the provisions within the Bartlett bill, H.R. 322, let us give that a chance. Let us give life a chance.

Ms. DEGETTE. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, my colleague from Georgia holds up a picture of two beautiful little girls and says we would not want to destroy them for research. He absolutely has that right. In fact, Mr. Speaker, I take deep offense at any insinuation that we would kill children for this type of research.

The thing to know, H.R. 3 specifically says the only embryos we will allow for this research is embryos created for IVF clinics which are slated to be thrown away, embryos which are never implanted and will never become babies.

Mr. Speaker, I yield 2 minutes to my distinguished colleague from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Last year, the President vetoed the hope and crushed the dreams of millions of patients and their families. With the stroke of a pen, the President used his very first veto to block this bill, the Stem Cell Research Enhancement Act, and to continue to impose severe restrictions on stem cell research. We are now giving the President a second chance to move beyond his Luddite moment in American scientific history to a new moment of scientific enlightenment

and hope. We must let hope triumph over fear and science, triumph over ideology.

Diseases like diabetes, Alzheimer's, and cancer wreak havoc on the lives of millions of Americans. We can free our loved ones from this pain, but only if we free science to find the keys.

Embryonic stem cell research is the flickering candle of medical promise that gives hope for the treatment and cure of these devastating diseases, researchers' medicines' field of dreams from which we can harvest the findings that can give hope to millions of families.

Please do not condemn the afflicted to another generation of darkness. It is past time to take this critical step towards fulfilling our moral obligation to do all we can to reduce pain and suffering around the world and to support ethical, comprehensive stem cell research.

I thank the gentlelady from Colorado, and I thank all Members for their work on this critically important historic litigation.

Mr. CASTLE. Mr. Speaker, at this time I yield to the gentlewoman from Illinois (Mrs. BIGGERT) for a unanimous-consent request.

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

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of H.R. 3.

Everyone has a family member or friend who suffers from diabetes, Alzheimer's, Parkinson's or other diseases. Unfortunately, without Federal Government support, scientists won't have access to the stem cells they need to develop treatments and cures for these and a host of other diseases that touch the lives of every American.

We already are using Federal funds to support embryonic stem cell research. But science has advanced rapidly since the President announced his stem cell research policy. These cells were just identified less than ten years ago, and already, the technology is progressing by leaps and bounds. The 22 lines currently available under the President's policy were developed using outdated techniques and have been contaminated, possibly skewing the outcome of experiments.

There are now 125 good, pure cell lines available for use. Because they are more diverse, not only can scientists use them to research more conditions, but they better reflect the genetic diversity of individuals.

I support lifting the ban on Federal funding for embryonic stem cell research, so long as the donors give their consent and the cells made available would otherwise be discarded and destroyed. It is simply tragic that something so valuable would just be thrown away when it has so much potential to alleviate so much suffering.

Given the promise that these stem cells hold, it is time to drop the restrictions and allow researchers to do what they do best. Let's let researchers go where the science leads them, not where politicians dictate. In order to truly explore all the possibilities, scientists must have access to all kinds of stem cells: adult, embryonic and those from umbilical cord blood and amniotic fluid. That is why I plan to vote for H.R. 3.

I am proud to support H.R. 3, and for the sake of the millions suffering from debilitating diseases, I ask my colleagues to do the same.

Mr. BURGESS. Mr. Speaker, at this time I would like to recognize the gentleman from Louisiana, Dr. BOUSTANY, for a unanimous-consent request.

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

Mr. BOUSTANY. I thank the gentleman for yielding.

Mr. Speaker, I rise to oppose H.R. 3. As a heart and lung surgeon, I've seen the power of hope and the harms caused by those who give misinformation and false hope to patients and families.

Too often, proponents of embryonic stem cell research promise an immediate cure to dying patients and their families.

From a medical standpoint, embryonic stem cells have yet to produce a single human treatment. Embryonic cells also produce tumors and cause transplant rejection.

Such techniques also raise grave ethical problems. The claim that most human embryos in fertility clinics ''will be discarded anyway'' is disingenuous. Research shows that ''the vast majority of stored embryos (88.2 percent) are being held for family building.''

Fortunately, science continues to discover more promising lines of stem cell research.

Adult stem cells have already been used to treat a growing number of human diseases.

Scientists at Harvard and Wake Forest University recently reported their success using stem cells in amniotic fluid and the placenta.

They explained that these stem cells ''remain stable for years without forming tumors.''

All Americans depend on medical breakthroughs. Federal funding for all types of stem cell research rose above $609 million last year.

It's disappointing that the Speaker would not permit a vote today to increase funding for the most productive stem cell research.

Last year, the Bartlett bill passed the Senate unanimously. It would have increased funding for embryonic stem cell research that doesn't destroy an embryo, including embryo biopsy. The current House leadership defeated it to score political points against the President.

It's irresponsible for Congress to spend scarce federal tax dollars on lines of scientific research that have proven least effective.

Evidence proves it's possible to advance stem cell research without paying biomedical firms to destroy human embryos.

Conclusion: For these reasons, I oppose H.R. 3 and urge my colleagues to oppose this bill as well.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would repeat that the gentleman from Michigan did get general leave for all Members to insert into the RECORD. All Members have general leave to insert statements in the RECORD and to also include therein extraneous material.

Ms. DEGETTE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. I thank my friend from Colorado for yielding this time.

Mr. Speaker, I rise in support of federally funded ethical stem cell research. This important legislation would lift the ban on which stem cell lines can be researched using Federal dollars. It provides sound rules and regulations to govern the research of stem cells, rules such as preventing human cloning for embryos or the deliberate destruction of embryos. This legislation will give doctors and scientists the ability to perform more research, to find new cures for degenerative diseases such as Alzheimer's, spinal cord injuries, and diabetes. We as a country excel in so much. Let us push forward on important research rather than regressing.

With embryonic stem cell research, we could potentially save or extend the lives of an estimated 100 million Americans. While this bill has overwhelming support from our country's leading scientists, biomedical researchers, patient advocacy groups and health organizations, along with many religious leaders, and 72 percent of all Americans.

In the past, President Bush has emphatically stated that he will veto this legislation. I hope that this time around the President listens to the overall majority of Americans and approves this important legislation. I support this legislation and stand with my colleagues here in the House.

To President Bush, I ask you to reconsider your stance on stem cell research. Don't make your second veto of your administration as detrimental as your first. Democrats promised America a new direction, and we are delivering a new direction forward.

I thank the gentlelady from Colorado.

Mr. CASTLE. At this time I yield 1½ minutes to the distinguished gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, I rise in support, but let me say not support in the traditional sense. There are those of us who are parents who have lost young ones and have watched and had to make the decision of what to do with embryos that they have. I think the sanctity of life works both ways.

One of the sanctity of life concepts is to make sure that if you are going to lose a loved one, you respect the life and try to maximize the benefit from that loss. I think this bill is trying to address that. I would ask both sides not to point fingers, but to try to find that sanctity of life is something that is interpreted in many ways.

One of them is to make sure that if a life is going to be lost, we have a moral obligation to maximize the potential benefit from that loss. That is a respect for sanctity of life that is not discussed enough.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members to address all remarks to the Chair and not to other individuals not present in the body.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, a couple of numbers, there has been a suggestion an overwhelming number of the American people support the approach contained in this bill. In fact, the latest poll that was taken just last spring shows that only 39 percent support Federal funding of the approach found in this bill when they are informed that it requires the destruction of embryos.

The CBS poll taken a year ago shows that only 37 percent of the American people support more Federal funds for more stem cell lines. Another number that is important is 70–0. That is the score of the diseases that have been successfully treated by the use of stem cells from adult and blood cord stem cells, zero of the number that have been treated successfully by embryonic stem cells.

But more importantly, it seems to me as we deal with this issue, we should recall the words of Dr. Nigel Cameron, the founder of the journal called ''Ethics and Medicine,'' when he said in his testimony: ''Our membership in the human species is enough to distinguish the human embryo from all other laboratory artifacts.''

It is important for us to understand that human dignity is not reserved for adult human beings. And for us to say here at this time that human dignity is contingent upon arbitrary criteria such as size or location is a profound judgment that we make. It is for that reason that President Clinton's National Bioethics Advisory Commission decided not to permit stem cell research using IVF embryos after finding that ''the derivation of stem cells from embryos remaining following fertility treatments is justifiable, only,'' it said, ''only if no less problematic alternatives are available for advancing the research.''

We have seen the evidence compounding, even since we were here on this floor, just last year, that there are morally appropriate alternatives. Let us not follow in this direction.

Ms. DEGETTE. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. This bill is about hope. Scientists call them stem cells; but they are really cells of hope, the hope of a life with dignity, the hope of increased mobility, the hope of a time without pain, and the hope of a parent to spare a newborn a life of illness and impairment. With this bill, scientists' hands are freed to find cures for Alzheimer's and ALS, for cancer and MS and Parkinson's and much more.

Blocking this bill will not prevent the destruction of embryos, but it will ensure the destruction of hopes like that of the young 19-year-old Daniel from Austin, who wrote, ''Every day that embryonic stem cell research is delayed will be another day of my life confined to a wheelchair.''

□ 1315

How cruel to block hope for those suffering from lingering diseases that slowly drain away life and happiness and energy.

Publicly-funded, responsible stem cell research is coming. It is just a question of how many lives are lost first, of how many families will still be suffering before we here in Congress are able to secure the votes to pry open the politically inspired restraints that this administration has imposed on expediting the cures and the treatments long awaited by so many who are afflicted and those who care for them.

Affirm life today by affirming life-saving science. Vote hope over obstruction.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 2½ minutes to the distinguished gentlewoman from California, a member of the committee, Mrs. CAPPS.

Mrs. CAPPS. I thank my colleague.

Mr. Speaker, I rise in strong support of the Stem Cell Research Enhancement Act. I have been so proud to be a part of the bipartisan effort to advance federally funded stem cell research and commend the tireless work of the bill's cosponsors DIANA DEGETTE and MIKE CASTLE.

It is evident that we will pass this bill today, but we know that hurdles remain before the measure is signed into law. Along the way, opponents of this legislation have been spreading mistruths about what embryonic stem cell research entails and what its promises are. How many times have we heard here on the floor today the claim that this research involves the creation of life in order to destroy it? So I reiterate again, the bill explicitly states that only embryos created for in vitro fertilization that would otherwise be discarded and are being discarded every day can be used for this type of research and only with the explicit consent, permission given explicitly by the donors; and also that no Federal dollars are used in the extraction process.

It is important above all that we enact this Federal legislation even for a State like mine, California, which does have stem cell research, because we need in this Nation the highest ethical standards which is what the Federal legislation can do.

By allowing research to make use of embryonic stem cells slated to be thrown out, we are in fact giving purpose to this. And of course through this research lives will be saved for millions now suffering from debilitating illnesses.

Today, we have also been hearing the argument that adult or amniotic stem cell research alone will be enough, but this is not the case. The world's leading scientists concur that all stem cell research should be conducted together in order to maximize the benefits.

Our President himself has stated his desire to put the United States at the forefront of science and innovation. Getting him to sign this bill is one way to make that happen. A vote against H.R. 3 would be setting us back even further and would let other countries get much further ahead of us in the effort to cure the world's most chronic and devastating diseases.

So I urge my colleagues to vote enthusiastically in favor of H.R. 3.

Mr. BURGESS. Mr. Speaker, I yield 2¼ minutes to the gentleman from Georgia, JACK KINGSTON.

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

Mr. KINGSTON. Mr. Speaker, I want to point out that this is a debate which so many of us feel passionately about on both sides. It is such a shame, though, that it was not allowed to go to committee. I hear over and over again how important this bill is and actually to both sides, proponents and opponents, yet no committee, no hearing, no amendments. It is a pity. I certainly hope that the Democrats do go back to their party's promise of last week and start opening things up.

Now, having said that, I wanted to make two points, and then I am going to extend my remarks. But there is no Federal law against embryonic stem cell research right now. Many people seem to think that this will allow something to happen that it doesn't. The debate is more about what types of lines.

Now, as you know, the President has approved research on 78 lines. Twenty-two of them are being used currently in Federal funding, and I have the list of where those 22 are, their locations, which I will submit to the RECORD.

TABLE 1. NATIONAL INSTITUTES OF HEALTH FUNDING

[$ in millions]

Stem cell research	FY03	FY04	FY05	FY06	FY07
Human Embryonic	20	24	40	38	39
Non-Human Embryonic	113	89	97	97	96
Human Non-Embryonic	191	203	199	200	200

TABLE 1. NATIONAL INSTITUTES OF HEALTH FUNDING—Continued

[$ in millions]

Stem cell research	FY03	FY04	FY05	FY06	FY07
Non-Human Non-Embryonic	192	236	273	274	273
Total, Stem Cell Research	517	553	609	609	608

Source: NIH Budget Office, March 10, 2006.

Table 2. NIH LIST OF HUMAN EMBRYONIC STEM CELL LINES ELIGIBLE FOR USE IN FEDERAL RESEARCH

Name [a]	Number of stem cell lines	
	Eligible	Available
BresaGen, Inc., Athens, GA	4	3
Cell & Gene Therapy Institute (Pochon CHA University), Seoul, Korea	2	
Cellartis AB, Goteborg, Sweden	3	2
CyThera, Inc., San Diego, CA	9	0
ES Cell International, Melbourne, Australia	6	6
Geron Corporation, Menlo Park, CA	7	
Goteborg University, Goteborg, Sweden	16	
Karolinska Institute, Stockholm, Sweden	6	0
Maria Biotech Co. Ltd.—Maria Infertility Hospital Medical Institute, Seoul, Korea	3	
MizMedi Hospital—Seoul National University, Seoul, Korea	1	1
National Center for Biological Sciences/Tata Institute of Fundamental Research, Bangalore, India	3	
Reliance Life Sciences, Mumbai, India	7	
Technion University, Haifa, Israel	4	3
University of California, San Francisco, CA	2	2
Wisconsin Alumni Research Foundation, Madison, WI	5	5
Total	78	22

Source: [http://stemcells.nih.gov/research/registry/eligibilityCriteria.asp].

[a] Six table entries do not have stem cell lines available for shipment to U.S. researchers because of a variety of scientific, regulatory and legal reasons. The zeros entered in the ''Available'' column indicate that ''the cells failed to expand into undifferentiated cell cultures.''

Mr. Speaker, I also want to say that $200 million is being spent by private foundations and institutions on stem cell research, in addition to $39 million over at the National Institutes of Health; in addition to that $39 million, on nonhuman embryonic stem cell research, $96 million; on human nonembryonic stem cell research, $200 million; on nonhuman nonembryonic stem cell research, $273 million. This is very important.

The other thing that we keep hearing over again is that these are leftover embryos. In fact, of the 400,000 embryos which keep getting referred to, the RAND Corporation, which is nonpartisan, says only 11,000 have been designated for research, and of those they will probably yield 275 stem cell lines.

And why is that important? It is important because eventually you run out and then you start deciding to produce something. And I want to point out, England has already crossed this path. They have already voted on an H.R. 3, and today they are debating the hybrid stem cell creation of an animal-human embryonic stem cell. That is a debate going on in England today. So don't think that this bill will stay within the boundaries of the bill if it is passed.

My colleagues today will try to tell you that all of those against this bill are against science. That is just not the case. You can be pro-life and pro-science; the two are not mutually exclusive. To say we are anti-science is just a complete falsehood.

Stem cells are cells with the unique ability to divide and grow colonies of the specialized cells that make up the tissues and organs of the body.

Adult stem cells: unspecialized cells that can reproduce and mature into the specialized cells of the surrounding tissue. For example: Stem cells found in the heart can divide into more heart tissue cells.

Embryonic stem cells: unspecialized cells found in the early stages of an embryo that can reproduce and mature into the specialized cells of any organ or tissue in the body. For example: Stem cells found in the early stages of an embryo can divide into and create more cells of heart tissue, liver tissue, or any other tissue in the body.

Stem cells have been found in many tissues in the developed human body (adult stem cells), and are found in the largest quantities in the early stages of embryonic development in: the umbilical cord (cord cells), embryos (embryonic stem cells), and just this week, it was announced that stem cells have been discovered in the amniotic fluid (amniotic stem cells) that surrounds an unborn child in the womb.

A ''stem cell line'' is created by removing a cluster of cells from an embryo in its early stages of development. The embryo is destroyed and the cells are grown in a culture that under the right conditions will yield colonies of stem cells. Once the initial stem cells are isolated they can be manipulated to reproduce over and over again.

While the Democrats will try to make this a vote for or against embryonic stem cell research that is just a falsehood. There is no federal law against embryonic stem cell research. On August 9, 2001, President Bush announced that his administration would allow federal funding for research using the 78 approved lines. Of the 78 original derivations held to meet the August 9, 2001 criteria, there are now twenty-one embryonic stem cell lines available and in use.

This has been the number available for about a year now, up from 17 in 2004 and just 1 in 2002. The 78 eligible lines break down as follows:

Twenty-one available and used.

One in development (which could yet become available, that remains unclear).

One temporarily on hold due to irregularities in its use (this is a South Korean line, NIH investigation continues).

Thirty-one owned by foreign institutions that have not made them available.

Sixteen of these are frozen in an undeveloped state for use when culturing methods are perfected. These are owned by a Swedish institution, they could very well become available when that institution decides techniques for developing them are sufficiently developed (i.e. high efficiency, no animal cells etc.) but we have no control over that and cannot know how many of them will prove viable when they are thawed.

The remaining 15 have never been made available and NIH suspects (reasonably) they are not viable.

Seventeen have proven unviable and cannot be made usable.

Seven are duplicates of some of the 22 available lines, and are being held in reserve to avoid over-development of those lines. These are not being distributed and not counted among the available lines (a common and logical practice in cell biology.)

Since each line can be replicated almost without limit, these 21 lines have made for more than 700 shipments to individual researchers since 2001.

NIH has the capacity to make more than 3,000 more shipments available upon request. There has been no shortage of lines.

Funding for use of the lines has been growing each year.

In FY 05, NIH spent $39 million on human embryonic stem cell work, an increase of 61 percent over FY 04. In total, more than $130 million have been spent.

Now, to me, it seems the Democrat party, who chose to vote against the Alternative Pluripotent Stem Cell Enhancement Act by a vote of 273–154 under suspension, would be the party against science. This bill, which was supported by the President and was voted for unanimously by the Senate, would have directed HHS to research and develop techniques for ''the isolation, derivation, production, or testing of stem cells that are capable of producing all or almost all of the cell types of the developing body, but are NOT derived from a human embryo''. And on H.R., once again, the Democrats are NOT allowing for an open and transparent process which would allow amendments in the form of the substitute of some of this language.

While any potential treatments from embryonic stem cells are decades away at best (in

fact, there have been no therapeutic applications or even human trials at this point) patients being treated today with adult stem cell treatments have been found to benefit 72 different ailments, ranging from cancers, auto-immune diseases to wounds and injuries. (Note that though none of these are cures, peer journals show adult stem cells benefit Leukemia and Parkinson's patients, who have gone into remission, and those who have MS can walk more, etc.) Embryonic stem cells have the capacity to grow and reproduce rapidly, but that same tendency causes them to form tumors.

When cells derived from embryonic stem cells are transplanted into adult animals, their most common fate is to die. This is in striking contrast to the survival of adult cells when transplanted in adult tissue. This failure of embryonic stem-cell derived tissue to survive when transplanted seems to show that science hasn't determined how to generate normal adult tissue from embryonic stem cells.

Embryonic stem cell science relies on the assumption that embryonic stem cells can grow into any type of cell just because they can within the embryo. But in reality, scientists have found that it is hard to control the direction of the cells, and they often grow faster than surrounding tissue, forming tumors.

Proponents of embryo-destructive research claim that there are 400,000 leftover embryos that could be used for research.

It's deeply troubling to describe any human being as ''leftover''. This is not a matter of religious belief but of biology. A human embryo is a human being, and each of us was once an embryo.

However, according to the non-partisan RAND corporation, the ''vast majority of frozen embryos are held for family building'' and ''only 11,000 have been designated for research, and those 11,000 embryos will likely yield just 275 stem cell lines''. This same study found that of the roughly 400,000 human embryos currently frozen in storage; only 2.8 percent have been designated for research.

In Vitro Fertilization clinics are most commonly used by Caucasian Americans—not the diverse population that the scientists claim to need for research purposes.

As of 2006, 110 children have been born through the Nightlight Christian Adoption agency's Snowflake Baby program.

The NIH spent 38 million federal taxpayer dollars for human embryonic stem cell research in 2005 and through 2006, they spent $122 million on human embryonic stem cell research. The Bush policy does not limit the level of NIH funding and NIH determines how many grant proposals to give. Additionally, the Journal of the American Medical Association published an article in September 2005 that found when public funding for research lapses, private funders almost always step in to take up the slack.

The President will stand firm in his stance that it is possible to advance scientific research ''without violating ethical principles by enacting appropriate policy safeguards and pursuing appropriate scientific techniques'' (statement of Admin. policy).

Proponents of this research will not be satisfied with the 275 stem cell lines they may be able to get from frozen embryos. They will move to the next step, human cloning, and begin to create custom ordered embryos on which to experiment. In fact, DIANA DEGETTE herself has said ''therapeutic cloning is the way to take stem cell research and all of its promise from the lab to the patient'' (July 31, 2001 floor debate).

Harvard scientists already want to grow disease specific lines of stem cells, which of course you would need cloning to do. According to their website, ''To be maximally useful, stem cell science requires using a process in which the nucleus of an egg, which contains its genetic material, is removed and replaced by the genetic material from an adult cell. This egg, with its new nucleus, then grows into a cluster of cells from which investigators can derive stem cells matching the genetic identity of the patient who donated the implanted cells, and which are therefore unlikely to be rejected by the patient's immune system. This technique is called somatic cell nuclear transfer, or therapeutic cloning''.

Proponents claim that adult stem cells are no match for embryonic stem cells. I guarantee you that those who vote in favor of this bill today will then say embryonic stem cells are no substitute for cloned cells. It will never be enough.

Democrats will also argue that our current quote restrictions are causing us to fall behind other countries in research in this arena. This is just not the case. Of the number of scientific publications on the matter, 40 percent of those on embryonic stem cells are by researchers in the U.S. and the others are divided by 20 countries.

A paper in the April issue of Nature Biotechnology showed that 85 percent of all human embryonic stem cell publications in the world have used the approved lines, with the great bulk of them appearing between 02 and 05. This is a much higher number than expected.

The same study also showed that American researchers easily lead the world in human ES cell publications, and the number of American publications has been growing each year of this administration (as has the number of foreign publications).

The Stem Cell Therapeutic and Research Act of 2005—which is now public law—made genetically matched cord blood stem cells available to patients who need them.

Cord blood is the blood leftover from the placenta after the birth of a child and has been used for years. In fact, it has been used to treat more than 70 diseases including sickle cell disease, cancer, and genetic disorders. These cells have the ability to change into many different types of cells in the body.

The Act is beginning to be implemented into the National Cord Blood Inventory. HHS has begun developing contracts which are then authorized by the Stem Cell bill to collect and store 150,000 new units of cord blood. Cord blood stem cell research and treatment is a good way to promote cures while still maintaining ethics.

One example of a patient who has benefited: Nathan Salley, who had leukemia at age 11, did not respond to intense chemotherapy sessions. When this treatment didn't work, doctors performed a cord blood transplant which involved killing off Nathan's bone marrow cells, then regrowing new (healthy) ones by injecting healthy umbilical cord blood stem cells. Nine years after his initial diagnosis, Nathan is preparing for his final year of college.

PrimeCell Therapeutics has created the first non-embryonic, adult-derived stem cell showing the ability to transform into any cell type found in the body (pluripotency). They have taken stem cells from one part of the body and turned them into cells from another part of the body, including into beating heart cells as well as brain, bone and cartilage cells.

They are derived from the germ line, which is the most protected and genetically pure cell line in the body, since they normally would develop into eggs and sperm. This is the one line that remains unaffected by the aging process.

They are autologus, meaning they come from you and are transplanted back into you for treatment. Therefore, there is a reduced chance of infection following transplantation and there is no risk of rejection—meaning there will no longer be the worries involving immunosuppressant drugs.

Other successful treatments: Scientists have grown human heart valves using stem cells from amniotic fluid. The new valves are created in the lab while the pregnancy progresses and are then implanted in a baby with heart defects after it is born (AP/Wash Post).

On January 8, 2007, scientists from Wake Forest University reported that these amniotic cells, which are easily retrieved during routine prenatal testing and can be isolated as early as 10 weeks after conception, were ''easier to maintain in laboratory dishes than embryonic stem cells'' (Wash. Post). They also grow ''as fast as embryonic stem cells, show great pluripotentiality, and remain stable for years without forming tumors'' (Dr. Anthony Atala, Wash. Post). If the goal of using embryonic stem cells (versus adult stem cells) is pluripotency, we may have an even better and more flexible solution with these amniotic cells without the complications of tumor formation.

Researchers at Northwestern have found that adult stem cells derived from bone marrow gives rise to blood cells, which can then be transformed into a wide variety of tissue types. In fact, they have found like a certain type of bone marrow cell has been transformed into white blood cells that are responsible for fighting infections (medicalnewstoday).

Bone marrow cells have also been shown to be stretched into patterns that could potentially transform them into smooth muscle cells similar to blood vessel tissue (DC-Berkeley experiment, medical news today).

In conclusion, science has shown us that there are several alternative ways to explore stem cell research without destroying an embryo. We need to direct the NIH to fund and research these alternatives and make them a priority. Science is flexible, and researchers need the incentive to pursue the already proven research of adult stem cells—not the questionable and unproven helpfulness of embryonic stem cells.

Mr. MCHENRY. Mr. Speaker, would the gentlewoman yield for a question?

Ms. DEGETTE. No. The gentleman can use his own time.

Mr. MCHENRY. I just have a question about——

The SPEAKER pro tempore. The gentlewoman has declined to yield.

Mr. MCHENRY. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Well, does the gentlewoman yield for the purpose of a parliamentary inquiry?

Ms. DEGETTE. No. He can use his own time.

The SPEAKER pro tempore. The gentlewoman does not yield.

Mr. MCHENRY. Mr. Speaker, a parliamentary inquiry does not count against anyone's time.

The SPEAKER pro tempore. A parliamentary inquiry may be propounded only if the Member holding the floor yields for that purpose and would, in that event, count against her time.

The gentlewoman from Colorado has been recognized, and she may proceed.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Missouri (Mr. CARNAHAN).

Mr. CARNAHAN. Mr. Speaker, special thanks to the leaders on this debate, the gentlewoman from Colorado (Ms. DEGETTE) and the gentleman from Delaware (Mr. CASTLE). They have been great leaders in a strong bipartisan effort that has brought us here to this floor again.

I stand here today for my constituents in Missouri in strong support of H.R. 3 and its strong ethical standards. Stem cell research holds real promise of cures for many, many diseases we have heard about today.

Expanding the President's artificially restrictive policy will support the hopes of millions of Americans who struggle every day to survive under the burden of a life-altering diagnosis or a life-ending disease. Science, not politics, should determine the future of this vital research.

Last Congress, this House passed this legislation with extraordinary bipartisan effort. It is my sincere hope that we will not have to wait much longer before this bill becomes law. Every day we wait is another day that people suffer needlessly. We stand here with the tools in our hands to ease the pain of so many across this country.

Decades ago, Martin Luther King called Americans to act with fierce urgency of now. Today, it is time to act with fierce urgency on life-saving cures. Let's pass H.R. 3 and the Stem Cell Research Enhancement Act again, and we all urge the President to reconsider his veto.

PARLIAMENTARY INQUIRY

Mr. MCHENRY. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. MCHENRY. Mr. Speaker, inquiry of the contents of this legislation. Would it be appropriate to offer an amendment at this time exempting American Samoa just as it was from the minimum wage bill?

The SPEAKER pro tempore. The gentleman will suspend. Under the rule that was adopted, no amendment is in order at this time.

Mr. MCHENRY. So the gentleman——

The SPEAKER pro tempore. The gentleman has asked the parliamentary inquiry, and he has received the answer.

Mr. MCHENRY. Further parliamentary inquiry. Further parliamentary inquiry.

The SPEAKER pro tempore. Yes. The gentleman may state the inquiry.

Mr. MCHENRY. So the Chair is saying that I may not offer an amendment exempting American Samoa from this legislation.

The SPEAKER pro tempore. The gentleman is making a speech and will suspend.

Mr. MCHENRY. If the Chair will let me finish my question.

The SPEAKER pro tempore. The gentleman will suspend. The Chair has answered the gentleman's question, not by the Chair's own decision but by the rule. The rule does not provide for amendments. That is the answer to the gentleman's question.

Mr. BARTON of Texas. Point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. BARTON of Texas. Mr. Speaker, is the rule that we are operating under coming out of the Rules Committee?

The SPEAKER pro tempore. The gentleman from Texas has not stated a point of order, but rather a parliamentary inquiry. The House has adopted procedures which do not allow amendments. Therefore, Members will now proceed, and the Chair will recognize anyone who wishes to yield time.

Mr. BARTON of Texas. Another point of order.

The SPEAKER pro tempore. The gentleman will state the point of order.

Mr. BARTON. How many times——

The SPEAKER pro tempore. No. ''How many times'' could not conceivably be a point of order. It could be a parliamentary inquiry, but it could not conceivably be a point of order.

Mr. MCHENRY. Mr. Speaker, I have one additional parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state it.

Mr. MCHENRY. Is American Samoa exempted from this bill before us on the House floor?

The SPEAKER pro tempore. The Chair will respond to the gentleman: that is not a parliamentary inquiry; that is an inquiry about the substance of a bill. Questions about substance of legislation are not parliamentary inquiries. Parliamentary inquiries pertain to the procedures.

Mr. MCHENRY. Additional inquiry.

The SPEAKER pro tempore. No. The Chair will not recognize the gentleman.

Mr. MCHENRY. So the gentleman will not recognize me for an additional parliamentary inquiry?

The SPEAKER pro tempore. No. The Chair will say that having heard several parliamentary inquiries which were not parliamentary inquiries——

Mr. MCHENRY. Well, the Chair will not answer my question.

The SPEAKER pro tempore. The gentleman will not interrupt. The gentleman asked several, he said, parliamentary inquiries; the Chair answered them. The gentleman has tried to respond by making speeches which are not in order at this point. If the gentleman wishes to get time from the manager of the time to make his remarks——

Mr. MCHENRY. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the nature of the parliamentary inquiry.

Mr. MCHENRY. Is there a way by which I can derive whether or not American Samoa, like the minimum wage bill, is exempted from this legislation?

The SPEAKER pro tempore. While the Chair is presiding, the gentleman will not make speeches in the guise of a parliamentary inquiry. He has asked a legitimate one, can he find out, how does he find out that information?

The answer is as follows: he asks the gentleman on his side who controls debate time to yield him time. He may then with that time under the rule make the question.

The other way I could say the gentleman could find out would be by reading the bill. Read the bill and it will tell you. But the gentleman may get debate time and then may propound any question to the other side that he wishes.

Mr. MCHENRY. Thank you, Mr. Speaker.

Mr. BARTON of Texas. Point of order. My point of order is, the distinguished Speaker when he was in the minority numerous times made points of order that were——

The SPEAKER pro tempore. The gentleman will suspend. Comments on the past behavior of the Speaker might be interesting, but they are not points of order.

Mr. BARTON of Texas. Point of order. Then the distinguished Speaker was out of order in the past.

The SPEAKER pro tempore. The gentleman from Texas will suspend. And the gentleman from Texas (Mr. BURGESS) is recognized to yield time for someone who might actually want to debate the bill. The gentleman is recognized for yielding time.

Mr. BURGESS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to H.R. 3, the Stem Cell Research and Enhancement Act of 2007. We all support advancing science to fight disease, particularly those diseases that may have already affected our loved ones or might affect them sometime in the future.

Like so many other areas within science and technology, discoveries in stem cell research are occurring every day. Just this week, news reports highlighted a significant breakthrough made by researchers from Wake Forest University in the use of amniotic stem cells to treat diseases and other conditions. This discovery, coupled with the advances made in the therapeutic use

of cord blood, bone marrow, and other stem cells, demonstrates that effective and ethical research are not mutually exclusive.

In fact, Congress came together last May to support ethical stem cell research. By an overwhelming majority, Congress passed the Stem Cell Therapeutic and Research Act of 2005, which made cord blood units collected by cord blood banks available for stem cell transplantation or peer-reviewed research. Since its passage, cord blood banks from around the country have collected and stored approximately 150,000 new units of cord blood which will allow the pleuripotent stem cells within the cord blood to be used to treat one of a number of diseases and conditions such as heart disease, nerve damage, and certain cancers, as well as to be used for research.

These important advances illustrate that science can and should be advanced in an ethically minded manner. On Tuesday, the distinguished gentleman from Maryland (Mr. BARTLETT) reintroduced H.R. 322, the alternative Pleuripotent Stem Cell Therapeutic Enhancement Act.

□ 1330

I urge my colleagues to support and invest taxpayer dollars in stem cell research that is comprehensive, ethical, and effective. The bill before us today falls short of these goals, and therefore I urge opposition.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield now 2 minutes to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Speaker, I wish to thank the gentlewoman from Colorado and also Congressman CASTLE for their leadership on this issue.

Today I rise in strong support of H.R. 3.

Stem cell research, as you know, is a promising science that provides hope for millions of our families whose loved ones suffer from Parkinson's disease, cancer, Alzheimer's disease and, even more, diabetes.

And as one who chairs the Hispanic task force on health, I know how very important it is that research be done on diabetes treatment because Latinos have a disproportionate large number in our community that suffer from this illness. Puerto Rican Americans and Mexican Americans are nearly twice as likely to have diabetes. The promising potential of stem cell research for those with diabetes provides a real opportunity to eliminate one of the most blatant health disparities for Latinos and African Americans.

Nearly three out of every four Americans support stem cell research. The American public have clearly stated that stem cell research is important to them and their families and their well-being. Let us make sure that we do the right thing today and we support this very important piece of legislation that went out of this House not too long ago. As a country, we have a moral obligation to support life, especially those who are ill and who need this treatment and cures. With stem cell research we would help to provide assistance to over 100 million Americans suffering from these various diseases. We cannot ignore a valuable research tool that might provide real cures for millions of Americans.

In my congressional district, the City of Hope, a grand research facility, is ready, willing and able to conduct promising cancer research using stem cells. For my constituents and for all Americans, I hope that we can remove this cumbersome limitation on federally funded research.

I urge my colleagues to strongly support H.R. 3.

Mr. CASTLE. Mr. Speaker, at this time I yield myself 1 minute.

Mr. Speaker, I would just like to continue the discussion that the gentlewoman from Colorado had on the IVF process in the clinics. There is a methodology that many people, even perhaps here, have taken advantage of in terms of being able to procreate, and that is going to an in vitro fertilization clinic, and that is done commonly in this country.

Right now, by survey, there are about 400,000 embryos frozen in those clinics around the country. About 2 percent a year are disposed of. That is about 8,000. Why are they disposed of? For a variety of reasons. People may divorce. Perhaps they have children. Who knows what the reasons may be, but they are disposed of. How are they disposed of? How are those 8,000 disposed of? A decision is made by the original creators of that particular embryo and by the physician running the in vitro fertilization clinic that they will be disposed of, and then they are put in as hospital waste; so they are not going to be life. It is only those embryos that would be used in this situation to develop the stem cell lines that we are talking about. It is very important to understand that they are going to be disposed of anyhow as hospital waste or are they going to be used for research.

Mr. BURGESS. Mr. Speaker, it is now my great privilege to yield 4 minutes to the gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, this has been a very difficult issue for me for quite some time and I think for many of my colleagues also. It involves deeply held convictions by conscientious people of good faith, by some of my closest friends, on both sides of this question.

So I would like to begin with some things we can all agree upon. Principles about which there is no real debate today.

First of all, this bill is not about the legality or illegality of embryonic research. Surprisingly, I have had constituents say to me that they weren't asking for Federal funding for embryonic stem cell research, only that it be legal. This represents a misunderstanding of existing law.

So let us be clear at the outset. Embryonic stem cell research is legal today, has always been legal, and few people are suggesting that it be otherwise.

Secondly, there is currently a great deal of embryonic research going on today. Over the past 6 years, under the Bush guidelines, more than $130 million has been devoted to human embryonic stem cell research. Such research is also being conducted by State governments to the tune of $140 million. I happen to believe that this type of research is ethically troubling, but for my colleagues who feel otherwise, let us at least acknowledge that a lot of embryonic research is being done under current law.

Next, I think we can all agree that the Federal Government alone cannot possibly fund all the medical and scientific research we would want. The annual appropriation for the NIH is $28 billion. But even if that figure were to be doubled or even tripled this year, we couldn't afford all the potential research that is out there.

It is our job as Federal legislators to pick and choose. We have to allocate scarce resources, and we can't do it all.

Which brings us to the real philosophical difference in the debate today. For me and many of my fellow Americans, the destruction of a human embryo involves profound ethical and moral questions. This is a matter of conscience for millions of taxpayers who are deeply troubled by the idea of their tax dollars being used to destroy another human life.

We have been told by proponents of this bill that all they want to do is use embryos from fertility clinics which would otherwise be thrown away. I do not believe it will end there. After a period of time with no progress, we will be asked to approve and fund therapeutic human cloning, the creation of a human life for the express purpose of destroying that embryo for research purposes. This is the very real slippery slope upon which we are perched. Indeed, many proponents of this bill have voted against legislation to prohibit human cloning.

So, Mr. Speaker, given the admitted ethical problems involved in destroying human embryos, given the lack of any results so far from embryonic research and the proven cures and accomplishments from adult stem cells, given the great potential of germ cells, cord blood cells and amniotic stem cell research without the ethical drawbacks, and given the limited Federal resources and the fact that we can't fund everything, shouldn't we concentrate Federal dollars on research that does not involve the destruction of human embryos?

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentlewoman from Ohio, Mrs. TUBBS JONES.

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, I would like to compliment my colleague DIANA DEGETTE and my colleague Mr. CASTLE for their leadership in this area.

I rise today on behalf of my 86-year-old father, who carried bags for United Airlines for 40 years, who currently is suffering from dementia and Alzheimer's.

I go visit him, and he knows who I am. But this man used to walk and play 18 holes of golf. He used to talk to me about golf. He used to talk to me about being just a great daughter and how proud he was of me. And now I do get, ''I love you,'' but I would have loved to have been able to see him be more of the Andrew Tubbs that I grew up with.

So I rise in support of my father, and I rise to say to the American public and my colleagues, it is time for us to understand the difference between being able to do research ethically and to get caught up and lost in some conversation about what we should or should not be doing.

In my congressional district, the Center for Stem Cell and Regenerative Medicine, composed of investigators from Case Western Reserve University, University Hospitals, Case Medical Center, the Cleveland Clinic, Athersys, and Ohio State University, is doing fantastic research. The mission of the center is to utilize adult human stem cells and tissue engineering technology to treat human disease. It would be wonderful for them to be able to expand the research they are doing.

I met a young woman who is having a problem walking. Based on the research that was done, they took her tissue, did some research, and I don't know all the details, and now she is able to walk. I met a young man who was having problems with cancer. Based on the research they have done at that center, this young man is fostering and doing well.

I just say, ladies and gentlemen, vote for this legislation. We need the research.

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

Ms. DEGETTE. Mr. Speaker, I am pleased now to yield 2½ minutes to the gentleman from New York (Mr. ENGEL), a member of the committee.

Mr. ENGEL. Mr. Speaker, I thank the gentlewoman for yielding, and I thank her for her leadership on this very important issue, as well as Mr. CASTLE.

I am proud to stand here today as an original cosponsor of H.R. 3, the Stem Cell Research Enactment Act.

We all remember that dark day last July when President Bush cast the first veto of his Presidency on legislation approved overwhelmingly by the House and Senate, the Stem Cell Research Enhancement Act. To veto a bill that has the support of 72 percent of the American people and will do such good is simply unconscionable and indefensible as far as my concerned.

Despite what the critics may say, H.R. 3 doesn't end life. It honors life. As anyone who suffers from diabetes, Parkinson's disease, ALS, or a host of other debilitating health conditions knows, scientists believe that embryonic stem cells provide a real opportunity for devising unique treatments for these serious diseases.

Now, let me be absolutely clear. This is not about abortion. This is not about cloning. This is about the use of embryonic stem cells which would be discarded anyway, as the gentlewoman has pointed out. It has been estimated that there are currently 400,000 frozen embryos created during fertility treatments which would be destroyed if they are not donated for research. I would never condone the donation of embryos to science without the informed written consent of donors and strict regulations prohibiting financial compensation for potential donors. Our Nation's scientific research must adhere to the highest ethical standards, and H.R. 3 protects this.

The National Institutes of Health have admitted that U.S. science has fallen behind Europe and Asia in stem cell research because of President Bush's policy. While the number of States have committed significant funding towards embryonic stem cell research, NIH Director Zerhouni has noted that a patchwork collection of different stem cell policies in States could inhibit critical collaborations. We need a national commitment and a national directive on stem cell research.

Over 200 patient groups, universities and scientific societies have urged President Bush to expand the Federal policy on embryonic stem cell research. We must not allow those standing in the way of health and science to compromise the future well-being of our families and loved ones. Simply put, that would not be ethical. We must honor life by passing H.R. 3 today.

Ms. DEGETTE. Mr. Speaker, I am pleased now to yield 2 minutes to the distinguished new Member from Wisconsin, Dr. KAGEN.

Mr. KAGEN. Mr. Speaker, as a physician for 30 years, I know something about human diseases and the personal suffering of my patients and their families. I support stem cell progress, which is what H.R. 3 represents, because it will fulfill the promise of finding a cure to the many life-altering and painful disorders such as Alzheimer's, juvenile diabetes, heart disease and spinal injuries and more.

Saying ''no'' to stem cell progress is extremely unkind to patients, patients who will benefit from these potential cures yet to come. If one truly cares about life and believes in improving the quality of life of all of our people that we represent, then one should say ''yes'' to stem cell progress.

To all my colleagues, be not afraid. Be not afraid to take this important step forward. This Congress should be proud to be in favor of progress and should become pro-cure.

Ms. DEGETTE. Mr. Speaker, I am now very pleased to yield 2 minutes to the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

□ 1345

Ms. SCHWARTZ. Mr. Speaker, I thank the gentlelady from Colorado for her leadership on this work and bringing this forward again and, of course, the gentleman from Delaware (Mr. CASTLE) as well.

Today, the Democratic majority will advance life-saving medical research. We will give American families hope, not lost opportunity. We will give them medical cures, not politics.

Mr. Speaker, we will give grandparents and parents, children and loved ones the promise of stem cell research. President Bush's policies have let the ideology of a few dictate and degrade matters important to safeguarding the public's health.

That will change. No longer will the promise of stem cell research and sound and ethical medical science be stifled.

Instead, we will expand stem cell research. H.R. 3 will mandate and maintain the United States' stance as a world leader in medical research and scientific advancement. It will advance scientific discovery in an ethical and responsible manner. It will enhance the ability of our medical professionals to care for their patients.

It will use Americans' ingenuity and intelligence for the greater good. And most importantly, it will benefit millions of people who are battling disease and injury.

My own home State, and in particular southeastern Pennsylvania, is in the forefront of science and medicine. Our hospitals, medical schools, biotechnology and pharmaceutical institutions are home to the best and brightest scientists who are working every day to provide new medicines and diagnostics. These scientists deserve access to the tools they need to find the cures for 100 million Americans suffering from diseases like cancer and Parkinson's disease, Alzheimer's, diabetes, spinal cord injuries, and other debilitating diseases and disorders.

Support ethical scientific research. Support hope. Vote ''yes'' on the Expanding Stem Cell Research Act.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, you know, I do believe that everybody engaged in this debate today does have the best intentions at heart. And the beauty of this House is that important issues like this that face our country can be debated, and passionately debated, right here on the floor of the House for the public to see.

But this is not a debate about passion, and it is not a debate about style. It is, Mr. Speaker, a debate about substance. And the substance of this debate today is life. Clear and simple, it is life. That is why I rise to support ethical stem cell research and to oppose H.R. 3.

We hear from a lot of proponents of stem cell research that they have suggested that embryonic stem cells would provide potential benefits to all mankind, and some of them insinuate that those of us or anybody who opposes their brand of research doesn't care about the suffering of their fellow man, and that is completely untrue.

There are many of us with family and friends who look for breakthroughs for debilitating diseases. But the presumption that only embryonic stem cells have the most potential for success is inaccurate. The growth of these cells can be erratic and uncontrollable. We have had people speak to that today. And we all know that embryonic stem cell research has not given science any successes in treating diseases.

In my opinion, I think we would be giving away a little part of our humanity and our sense of ethics for mere hope that this form of research would some day at some point yield results that would surpass ongoing research.

So let's focus on the efforts that are proven alternatives, adult stem cell, cord blood research that have made great leaps, significant success. This past week, the researchers from Wake Forest and Harvard, using the latest in technology, made reports showing advances in stem cell research that can be achieved faster and safer with amniotic fluids.

I encourage everyone to vote ''no'' on H.R. 3 and to support our motion to recommit.

Ms. DEGETTE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I rise in strong support of H.R. 3.

I was listening to the previous speaker, my colleague on the Republican side, and I have to say all we are really saying with this bill is we should have options and that those options should be allowed to proceed.

I believe strongly, regardless of your ethics or your theology, that the way this bill has been crafted by the gentlewoman from Colorado there is no reason why anyone here should not support it, regardless of how they are thinking of this theologically or from an ethical point of view.

Each day we wait to lift the ban that President Bush has placed on advancing embryonic stem cell research is another day that we waste in discovering new cures for the chronic diseases and medical conditions that so many of our friends and families suffer from.

Instead of embracing the potential embryonic stem cell research holds in developing new life-saving and life-enhancing therapies, the President has chosen to cater to the fringe of his party and has continually blocked this important legislation from becoming law.

This misguided policy has significantly impeded scientific progress over the years and needlessly placed American lives at risk. As a result, States like my own, New Jersey, are moving forward with their own initiatives to advance embryonic stem cell research. The State legislature in New Jersey and the Governor recently signed legislation setting up stem cell research institutes in my town, in my district, New Brunswick, and in two other parts of the State.

But the State should not have to go it alone. We need to leverage Federal, State and private dollars in order to unlock the potential of embryonic stem cells in the quickest fashion possible and bring new life-saving therapies to the patients who need them.

An overwhelming majority of Americans support embryonic stem cell research and their representatives in this Congress should do so as well. The time has come to put an end to these absurd restrictions. There shouldn't be restrictions. Today, let's vote for hope for millions of Americans and pass H.R. 3.

Ms. DEGETTE. Mr. Speaker, I am pleased to now yield 2 minutes to the distinguished gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I thank the gentlelady from Colorado for yielding me time, although today I rise in opposition to H.R. 3.

Mr. Speaker, no one likes to see another human suffer or struggle. This bill intends to provide hope. I can personally appreciate hope because I have juvenile diabetes. I take at least four shots a day and draw blood at least five times a day. But the bigger struggle is steering myself through the shoals of high and low blood sugar levels, and the very serious long-term and short-term consequences of both of those.

I want a cure for diabetes and for other diseases that are far more devastating, but I don't believe this bill is the way to get there.

I sit on the Science Committee because I believe a key to our better future is scientific research, especially in medicine. Last year I helped introduce and get signed into law the Stem Cell Therapeutic and Research Act that provides for the collecting and researching of human cord blood stem cells.

This week it was reported that a hospital in my district, Hope Children's Hospital, cured a girl suffering from leukemia using cord blood stem cells.

This year we need to pass the Alternative Pleuripotent Stem Cell Therapies Enhancement Act that recognizes that there are many forms of stem cells that offer great promise. Very recently, we were shown great promise that amniotic stem cells are pleuripotent, and this feature gives them the same advantage as sought in embryonic stem cells. But amniotic cells avoid not only the ethical pitfalls of embryonic cells; they also have been shown to be much better because they do not tend to produce tumors as embryonic stem cells do.

This is all in addition to adult stem cells that are being used today in clinical trials and clinical practice to treat 72 diseases.

Yes, I desperately want to be cured of diabetes, and I want to see the suffering end for so many other people; but science continues to demonstrate we don't have to choose between advancing medical techniques and contentious life issues.

So, today, I urge my colleagues to reconsider this bill and defeat it.

Mr. BURGESS. Mr. Speaker, at this point I am pleased to yield 2½ minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise in opposition to H.R. 3, which has been steamrolled to the House floor without any committee consideration, without even the chance to amend a bill that puts theoretical research, and I have heard the words ''a promise'' and ''hope'' and ''we hope,'' ''potential,'' over real cures for real patients.

Supporters of H.R. 3 have offered no solutions to two problems that have plagued embryonic stem cells. Even with 25 years of research with embryonic stem cells in mice and almost a decade in humans, researchers still find that the cells tend to form cancerous tumors and can be subject to immune rejection, with not one successful treatment or therapy for human application using embryonic stem cells.

In fact, Ronald McKay, an NIH researcher who is supportive of embryonic stem cell research, says, ''To start with, people need a fairy tale. Maybe that is unfair, but they need a story line that is relatively simple to understand.'' That was in The Washington Post.

In other words, embryonic stem cell research is a false hope in addition to being destructive and unethical. Patients, many think, will be the last to benefit from H.R. 3. But biotech firms and research universities will reap millions of taxpayer dollars for research that may never help a single patient.

However, Wake Forest University and Harvard Medical Center recently released a study that shows that stem cells taken from amniotic fluid are pleuripotent, adding these cells to the growing list of ethical stem cell treatments that are available to researchers.

Embryonic stem cells have not treated a single human patient and have not been proven effective in good animal models. Conversely, ethical and successful adult and cord blood stem cell therapies are lab tested and are treating dozens of human patients today. In fact, there are several FDA protocols using adult stem cells for treating patients.

The score is zero, not one successful treatment for embryonic stem cell research, to 72 and counting, successful

treatments for human patients using adult stem cells. H.R. 3 is an empty promise that uses old science when there are real cures for real people with ethical research today.

I urge a ''no'' vote on H.R. 3 and support the motion to recommit.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 1 minute to the distinguish gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, every American has a very personal stake in today's discussion because everyone knows people who would benefit from breakthrough research using stem cells. Indeed, with 100 million Americans at risk from a variety of diseases, ranging from Lou Gehrig's disease to Parkinson's, it is almost impossible not to know somebody impacted. The most profound beneficiaries are our family and friends who have not yet shown any symptoms, but may fall victim to one of these devastating diseases.

The stakes in this debate are both high for potential benefit to the physical condition of all human kind, as well as the establishment of appropriate boundaries between public policy and personal theology. The President failed the latter test when he exercised the only veto in his entire career.

In the last election, the American voter made it clear their families deserve an opportunity for embryonic stem cell research to be conducted in a reasonable, controlled manner, to hasten the day of vital life-saving, life-enriching therapy for all.

Mr. BURGESS. Mr. Speaker, at this time I would like to yield 1 minute to the distinguished Member from Texas, Judge Lou Gohmert.

Mr. GOHMERT. Mr. Speaker, I have a couple of pages here on great stem cell research that has been going on: adult stem cells, amniotic fluid stem cells. But my time is so limited. Let us just clarify. This is not about no research on embryonic stem cells. That is ongoing. That is not illegal.

We have funded tremendous amounts of stem cell research. Frankly, some of us don't need lectures on what it is to watch someone you love suffer and die and diminish and want to help them. Most all of us know that.

This is about prying money from taxpayers' hands who believe it is illegal and immoral and unethical to kill living embryos, and some of us have seen our little embryo mature into a beautiful person. This is about taking taxpayer dollars away from them and funding this research.

We are in a free market society. Pharmaceuticals have been demonized. Gee, they are making a profit. They are out to make a profit. If the money were there, they would be doing this.

Ms. DEGETTE. Mr. Speaker, I would inquire as to the time remaining on each side.

The SPEAKER pro tempore. The gentlewoman from Colorado has 13½ minutes, the gentleman from Texas has 6½, and the gentleman from Delaware has 2.

Ms. DEGETTE. Mr. Speaker, I now recognize the gentleman from New Jersey (Mr. PASCRELL) for 1 minute.

□ 1400

Mr. PASCRELL. Mr. Speaker, I rise in support of H.R. 3.

Mr. Speaker, I strongly support all the efforts to encourage responsible research in this area. Indeed, I think it is a moral imperative for the Congress to pursue all prudent policies for the benefit of our people.

I want to commend both the manager and all of the other managers on both sides of the aisle, because they have not shrunk from addressing the moral issues here, which are very, very important to the whole issue.

I am not afraid of those issues, I want you to know, Mr. Speaker, at all. Even as a Christian, I say this: The principle of double effect is in play here. More good will come out of this, the saving of many lives. I think this is critical. If we are afraid to face the moral issues, then we should not have presented this bill in the first place. That is why I want to commend the sponsors.

This is not inherently wrong. It is not intended to be wrong. The good effort and result may not be a direct casual result. Finally, the good result must be proportionate to the bad result.

Prudence and reflection are critical here, and I want to address this, and the debate should be on a moral plane. There is nothing wrong with that, that we debate this issue. But the moral correctness of this thing isn't all on one side, I want everybody to understand that. Thomas Aquinas laid out the principles of double effect. It is absolutely inherent in this particular issue.

I say support H.R. 3, and, again, I commend the moral fortitude of all the sponsors of this legislation.

Ms. DEGETTE. Mr. Speaker, I yield 1 minute to the gentlelady from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FRANK of Massachusetts). The Chair would caution Members to heed the gavel.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank Mr. CASTLE and Ms. DEGETTE for their outstanding leadership.

Might I just simply call the roll: Parkinson's disease, diabetes, Alzheimer's, ALS, cancer, spinal cord injuries, and the many soldiers that are in the hospitals of America, Walter Reed, Bethesda, who have suffered from spinal cord injuries in the battle of Iraq and Afghanistan. We owe them hope. We owe them hope for the hopeless.

As I listened to my friends talk about the existing research, let it be clear that the NIH approved lines lack the genetic diversity that researchers need in order to develop effective treatment for millions of Americans.

We know that there is amniotic fluid, and there is some suggestion that that is a substitute. But George Daley from Harvard says that these newly discovered cells are not a replacement for embryonic stem cells. On the contrary, research for these is entirely complimentary.

As Michael J. Fox has said, I respect and counsel and thank those who prayerfully disagree with me. I respect their moral standing. But ethicists and others believe this is the right way to go. Let us give hope to the hopeless. Support stem cell research.

Mr. Speaker, I rise today in support of H.R. 3, the ''Stem Cell Research Enhancement Act of 2007.'' Once again we find ourselves in a position to pass a bill that will provide our nation's scientists with the valuable opportunity to save lives. It is our duty as representatives of the people to help Americans who are suffering.

In 1998, the very first stem cells were isolated, leading to the immediate realization of the enormous possibilities this discovery presents. Suddenly treatments, even cures, seemed possible for devastating illnesses like Parkinson's disease, diabetes, Alzheimer's, Amyotrophic Lateral Sclerosis (ALS), cancer, and spinal cord injuries.

Despite restrictions on federal funding imposed by President Bush in 2001, the states of California, New Jersey, Connecticut, Illinois, and Maryland have provided funding for this important research. In 2005 and again last year, we learned that in spite of the President's continued opposition to stem cell research, support for it in Congress transcended party lines.

Unfortunately, the embryonic stem cells currently permitted by law for research are not sufficient for scientists needs. According to the National Institute of Health (NIH), of more than 60 stem cell lines that were declared eligible for federal funding in 2001, only about 22 lines are actually available for study by and distribution to researchers. These NIH-approved lines lack the genetic diversity that researchers need in order to develop effective treatments for millions of Americans. Opponents of this bill repeat statistics on the little progress that has been made with embryonic stem cell research, but I must remind them that the restrictions placed on it have greatly hindered its success.

In spite of recent scientific breakthroughs that suggest alternate means of obtaining stem cells, I must caution my colleagues from thinking that embryonic stem cell research is no longer necessary. I applaud Dr. Anthony Atala and his team at Wake Forest University and Harvard University for their very recent outstanding discoveries. However, I must repeat the caution of Harvard researcher George Daley in saying that these newly discovered cells ''are not a replacement for embryonic stem cells''—on the contrary, research for these is entirely complementary. In addition, while we know very little about these new methods, much progress has already been made in the research of embryonic, or pluripotent, stem cells, the most adaptable and

unique of all the stem cell varieties. They currently provide scientists with the most possibilities for research and for the discovery of life-saving treatments; as such, we must allow these scientist the opportunity to do so.

It is understandable that many Americans may have moral conflicts with this issue, but this bill is ethical in every respect. First, embryonic stem cells are only clusters of cells, and do not have the capability to develop into a fetus or a human being. Also, not a single embryo will be destroyed in order for this research to be implemented, because there is no need to do so. It is estimated that more than 400,000 excess frozen embryos exist in the United States today and that tens of thousands, and perhaps as many as 100,000, are discarded every year.

Further, H.R. 3 ensures that none of the embryos used in stem cell research is intended for implantation in a woman. All of these embryos would otherwise be discarded. Mr. Speaker, denying people in our nation who suffer from debilitating illnesses the possible medical benefits that could result from embryonic research is not only cruel but a waste of these valuable life-sustaining stem cells.

This is indeed a matter of ethics—we cannot morally argue that it is better to deny suffering people hope for a cure. Let us provide all people in this world with possibilities for a better future by supporting stem cell research. Let us create the potential for miracles in the lives of paralyzed individuals, those with cancer, or those in need of organ transplants.

This bill provides a limited—yet significant—change in current policy that would result in making many more lines of stem cells available for research. If we limit the opportunities and resources our researchers have today, we only postpone the inevitable breakthrough. Our vote today may determine whether that breakthrough is made by Americans, or not.

I urge my colleagues to vote in favor of this bill, to vote in favor of scientific innovation, and to vote in favor of a perfect compromise between the needs of science and the boundary of our principles. Finally, the Texas Medical Center is located in Houston, it is a major research site and in desperate need for being giving the hope of Stem Cell Research—I urge support for H.R. 3—Stem Cell Research.

JANUARY 9, 2007.

Hon. SHEILA JACKSON-LEE,
Rayburn HOB,
Washington, DC.

DEAR REPRESENTATIVE: I am writing today to express my strong support for the Stem Cell Research Enhancement Act.

As you may know, I am pro-research, pro-science and support all forms of stem cell research. Every scientist I've spoken to (and a lot more I haven't) believes that embryonic stem cells may hold the key to better treatments and cures—not only for Parkinson's disease but for cancer, diabetes, spinal cord injuries, heart disease, Alzheimer's and countless other illnesses that cut short or diminish millions of lives every year.

My own Foundation has funded this promising research, giving hope to millions of people worldwide. But under current restrictions, our ability to build on early breakthroughs is deeply compromised.

No matter where you are on the issue of stem cell research, one thing is fundamentally clear: disease is a non-partisan issue that requires a bi-partisan solution.

A majority of the House of Representatives, a majority of the United States Senate, and over two-thirds of Americans support expanded funding for stem cell research. We understand that embryonic stem cell research holds the potential to transform microscopic cells already marked for destruction into life-saving treatments.

I have great respect for those who have concluded, after much thought, reflection, and prayer, that they cannot support embryonic stem cell research.

But the debate today is over the use of embryos discarded by in vitro fertilization clinics. Indeed, this is the ultimate rescue operation. These embryos have the potenital to rescue millions or people from terrible diseases and in doing so they will not be created then discarded in vain.

Personally, I can't think of a greater affirmation of the culture of life than to advance the fight against disease by increasing federal funding for biomedical research. Equally crucial is to remove undue restrictions on important paths forward, including embryonic stem cell research.

The Senate and House of Representatives will soon consider the Stem Cell Research Enhancement Act, a vital piece of legislation that could lift current federal funding prohibitions and improve oversight of embryonic stem cell research.

You can make a difference by co-sponsoring and voting yes on the Stem Cell Research Enhancement Act. I urge you with all my heart to support this bill and deliver hope to every person affected by debilitating disease.

America is about optimism, about promise, about always moving forward. The idea of rejecting one of the most promising areas of research is shortsighted. We have no way of knowing where the next breakthrough will emerge.

I very much appreciate your consideration of this matter and look forward to working with you this year to pass this important legislation and allow the science to move forward.

Thank you,

MICHAEL J. FOX.

Mr. BURGESS. Mr. Speaker, I yield 1 minute to a new Member, the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN of Ohio. Mr. Speaker, I thank the gentleman.

Mr. Speaker, the Founders had it right. We are created with certain inalienable rights, and among these are life, liberty and the pursuits of happiness. It is interesting the order the Founders placed the rights they chose to mention. Can you pursue happiness if you first don't have liberty? Can you ever go after your goals and dreams if you first don't have freedom? And do you ever have true freedom if government doesn't protect your most fundamental right, your right to live?

H.R. 3 devalues human life. It ends human life, and it does so with taxpayer dollars. This is the wrong kind of message to send. It is the wrong thing to do.

On this issue, the science is also clear. The morals are clear, and the ethics are clear. We do not have to end life to protect it. Today, as has been pointed out earlier, American doctors are performing all kinds of positive research without taking human life. Embryonic stem cell research is not producing results, even after 25 years and millions of dollars of taxpayer money.

Like other pro-life Members of this body, I support ethical research that protects life, but embryonic stem cell research does not.

Mr. Speaker, the ethical decision is the smart decision. That is why I oppose this bill, and hope others do as well.

Mr. Speaker, the Founders of our great Nation got it right. We are created with certain inalienable rights, and among those rights are life, liberty and the pursuit of happiness. It is in defense of the first of these rights—the right to life—that I rise today to express my opposition to H.R. 3, the Stem Cell Research Enhancement Act of 2007. Like its cousin, H.R. 810, which failed to pass the legislative process during the last Congress, H.R. 3 would provide new Federal auspices and funding to destroy embryos for use in embryonic stem cell research.

Like the other pro-life members of this House, Mr. Speaker, I enthusiastically support the many forms of ethical stem cell research taking place in our country today—research that has already yielded invaluable treatments for over 70 health conditions. Among these are successful treatments for Brain Cancer, Breast Cancer, various forms of Lymphoma and Leukemia, Multiple Sclerosis, Parkinson's Disease, spinal cord injury, Sickle Cell Anemia and Krabbe Disease.

Research has demonstrated that various forms of adult stem cell materials, umbilical cord blood and, as described in a Washington Times article from January 8th, amniotic fluid are an excellent source of pluripotent stem cells. Such ethical sources have yielded all of these effective treatments and offer hope for Americans suffering the ravages of disease. In many cases, these materials are taken from the patients themselves and so offer a better therapeutic match than materials taken from the embryos of other humans. Furthermore, expansion of the resources designed to gather and store these materials will increase the number and frequency of successful treatments.

Despite these significant facts, many in this House are pressing for Federal funding for embryonic stem cell research, which necessitates destroying human embryos and, thus, human lives. The pre-born are precious human beings from the moment of conception. They deserve our protection and love and no benefit—perceived or otherwise—should persuade us to allow their destruction. All of this added to the fact that embryonic stem cell research has never yielded a successful treatment for any disease, in spite of millions in annual funding (the NIH spent $38 million on human embryonic stem cell research in 2005) and 25 years of animal and human research. In recent years, embryonic stem cell research has also been marred by fraud through the falsified cloning reports of Dr. Hwang Woo Suk.

Some people have argued that pre-existing human embryos now in storage must be used for research because they

are destined for destruction anyway. This is not borne out by the fact that the vast majority of human embryos were created for family-building and that families can adopt and have adopted these embryos and had children.

Mr. Speaker, we must not make a morally repugnant choice in the interest of expedience and we must not play God with human lives. We must defend the lives of the pre-born while facilitating ethical forms of stem cell research that have produced concrete results and hold great promise for the future. This is most consistent with a compassionate regard for all life—young and old.

STEM CELL RESEARCH TREATMENTS—ADULT 72 AND EMBRYONIC 0

[Check the Score: Adult Stem Cells vs. Embryonic Stem Cells Benefits in Human Patients (from Peer-Reviewed Studies).]

Adult Stem Cells	Embryonic Stem Cells
Cancers:	
1. Brain Cancer	0
2. Retinoblastoma.	
3. Ovarian Cancer.	
4. Skin Cancer: Merkell Cell Carcinoma.	
5. Testicular Cancer.	
6. Tumors Abdominal Organs Lymphoma.	
7. Non-Hodgkin's Lymphoma.	
8. Hodgkin's Lymphoma.	
9. Acute Lymphoblastic Leukemia.	
10. Acute Myelogenous Leukemia.	
11. Chronic Myelogenous Leukemia.	
12. Juvenile Myelomonocytic Leukemia.	
13. Chronic Myelomonocytic Leukemia.	
14. Cancer Of The Lymph Nodes: Angioimmunoblastic Lymphadenopathy.	
15. Multiple Myeloma.	
16. Myelodysplasia.	
17. Breast Cancer.	
18. Neuroblastoma.	
19. Renal Cell Carcinoma.	
20. Soft Tissue Sarcoma.	
21. Various Solid Tumors.	
22. Ewing's Sarcoma.	
23. Waldenstrom's Macroglobulinemia.	
24. Hemophagocytic Lymphohistiocytosis.	
25. Poems Syndrome.	
26. Myelofibrosis.	
Auto-Immune Diseases:	
27. Systemic Lupus.	
28. Sjogren's Syndrome.	
29. Myasthenia.	
30. Autoimmune Cytopenia.	
31. Scleromyxedema.	
32. Scleroderma.	
33. Crohn's Disease.	
34. Behcet's Disease.	
35. Rheumatoid Arthritis.	
36. Juvenile Arthritis.	
37. Multiple Sclerosis.	
38. Polychondritis.	
39. Systemic Vasculitis.	
40. Alopecia Universalis.	
41. Buerger's Disease.	
Cardiovascular:	
42. Acute Heart Damage.	
43. Chronic Coronary Artery Disease.	
Ocular:	
44. Corneal Regeneration.	
Immunodeficiencies:	
45. Severe Combined Immunodeficiency Syndrome.	
46. X-Linked Lymphoproliferative Syndrome.	
47. X-Linked Hyper Immunoglobulin M Syndrome.	
Neural Degenerative Diseases And Injuries:	
48. Parkinson's Disease.	
49. Spinal Cord Injury.	
50. Stroke Damage.	
Anemias And Other Blood Conditions:	
51. Sickle Cell Anemia.	
52. Sideroblastic Anemia.	
53. Aplastic Anemia.	
54. Red Cell Aplasia.	
55. Amegakaryocytic Thrombocytopenia.	
56. Thalassemia.	
57. Primary Amyloidosis.	
58. Diamond Blackfan Anemia.	
59. Fanconi's Anemia.	
60. Chronic Epstein-Barr Infection.	
Wounds And Injuries:	
61. Limb Gangrene.	
62. Surface Wound Healing.	
63. Jawbone Replacement.	
64. Skull Bone Repair.	
Other Metabolic Disorders:	
65. Hurler's Syndrome.	
66. Osteogenesis Imperfecta.	
67. Krabbe Leukodystrophy.	
68. Osteopetrosis.	
69. Cerebral X-Linked Adrenoleukodystrophy.	

STEM CELL RESEARCH TREATMENTS—ADULT 72 AND EMBRYONIC 0—Continued

[Check the Score: Adult Stem Cells vs. Embryonic Stem Cells Benefits in Human Patients (from Peer-Reviewed Studies).]

Adult Stem Cells	Embryonic Stem Cells
Liver Disease:	
70. Chronic Liver Failure.	
71. Liver Cirrhosis.	
Bladder Disease:	
72. End-Stage Bladder Disease.	

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I want to commend first of all Representative DEGETTE and Representative CASTLE for their strong and persistent leadership on this issue, and I rise in strong support of it.

I have five important research institutions in my Congressional district, and it is their position, it is my position, it is the position of a majority of my constituents, that we don't know all of the possibilities or potentialities of stem cell research, but we sure know that we have a responsibility to try and find out. Therefore, on their behalf, I express strong support for passage of this important legislation and look forward to unleashing the potential that it has.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. Speaker, I want to commend my colleague from Colorado (Ms. DEGETTE) as well as Mr. CASTLE, for the bipartisanship that they have shown in bringing forward this important piece of legislation. I do rise in support, because my State is home to one the premier research institutions in the entire world for stem cell research, the University of Wisconsin at Madison. But the point is this: This research is going to go forward. The question is where and under what ethical guidelines it does so.

If we want to remain the most creative and innovative country in the world, at the forefront of medical and scientific discovery, we need to allow this research to occur here and not abroad. We are currently experiencing a serious brain drain in the medical research community of some of our best and brightest going overseas so they can conduct this research in this promising field of study.

I would rather see us, through our watchful guidance and oversight, see this being done here under very strict ethical guidelines, which are laid out in this legislation, as given to us by the National Institutes of Health, guidelines that prohibit human cloning, that prohibit the creation of embryos for the sole purpose of medical research.

This should be here, and I hope today we receive bipartisan support in passing this important legislation.

Mr. Speaker, I rise today in strong support of H.R. 3, the Stem Cell Research Enhancement Act of 2007. This bill would expand the current Federal policy on embryonic stem cell research by allowing federally funded research on stem cell lines derived after August 9, 2001, while implementing strong ethical guidelines to ensure Federal oversight of the research. I am pleased the 110th Congress has taken immediate steps to address this important issue, and it is my hope that members will once again unite in support of this bill.

Most of the scientific community believes for the full potential of embryonic stem cell research to be reached, the number of cell lines readily available to scientists must increase. A number of NIH Directors have testified before the Senate Appropriations Committee that the current policy is restrictive and hinders scientific progress.

We are already at risk of losing our scientific and technological edge because of increasing competition around the world. As a nation of opportunity and innovation, we have a responsibility to embrace policies that create breakthroughs in both medicine and technology for the benefit of our citizens.

Important advances in the science of embryonic stem cell research have been made since the August 2001 policy was set. Recently, researchers at the University of Wisconsin in Madison developed a method to grow human embryonic stem cells without using mouse feeder cells. This is exciting news since mouse feeder cells are thought to be a source of contamination if the cells are ever to be used therapeutically in humans.

From its earliest days, Wisconsin has been at the forefront of embryonic stem cell research. The University of Wisconsin—Madison is one of the leading facilities for stem cell research, and I believe with continued study, the possible medical benefits of stem cell research are limitless; lives affected by diseases, damaged tissue, and faulty organs would be greatly improved. Additionally, this legislation would ensure the important work of our scientists is not unnecessarily sidetracked by politics.

The significance of this legislation extends beyond the potential for advances in science and technology. More importantly, embryonic stem cell research could lead to new treatments and cures for the over 100 million Americans afflicted with life-threatening and debilitating diseases. Scientists believe these cells could be used to treat many diseases, including Alzheimer's, Parkinson's, diabetes, and spinal cord injuries. However, the promise of this research may not be reached if the Federal policy is not expanded.

Mr. Speaker, it has become increasingly clear that the American public supports expanding the Federal stem cell policy. Thus, I strongly urge my colleagues to respond to the interests and needs of our Nation's citizens. Please join me in supporting this important legislation that will reinvigorate embryonic stem cell research in this country and allow science to move forward unimpeded, revolutionize the practice of medicine, and offer hope to the millions of Americans suffering from debilitating diseases.

Mr. BURGESS. Mr. Speaker, I yield 1 minute to a distinguished Member from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. Mr. Speaker, my heart goes out to all those struggling with crippling diseases and disabilities, but I do not believe that destroying a human life or the potential for human life is the answer.

Over the weekend, a study done by Wake Forest and Harvard Universities was released, and it suggests that researchers may be able to use amniotic fluid, further proof that embryonic stem cell research is not the only alternative. In fact, research has shown that stem cells derived from adults and umbilical cords are already used in over 70 successful therapies today and hold the most promise for the future. We do not have to choose between the need to encourage the advancement of science with the need to protect life.

I voted against this bill in the 109th Congress, and as long as I am a United States Congressman, my constituents can count on me to protect human life. That is why I urge my colleagues to join me in voting against H.R. 3.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished Democratic Caucus Chair, the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, I rise in strong support of this legislation. The vote we cast today is a vote that can and will have a direct impact on the life and health of those suffering from the most debilitating and painful diseases.

This is not a Democratic issue. This is not a Republican issue. This is an issue that all Americans overwhelmingly support. We owe it to them to stand up and support this research that is groundbreaking in the area of health.

As I listen to the debate, I hear the moral objections of those who oppose, and I acknowledge them. And at the same time, for those who support this, I hear their moral, which I view, come from this from both a public health position as well as a moral position about the responsibility where you can find cures, to lead that way. And I don't see a way of resolving the divide of two moral positions held firmly in conviction.

Sometimes I think of this, half in jest, that the only way to get around this issue is that those who have moral objections to this, that when we find the cures going forward on stem cells, you waive your right to the cure to Parkinson's disease, Alzheimer's, diabetes. I say that not seriously.

But the only way to get past this is in some way allow the research to go, and those that don't agree with it, whatever cures emanate from it, they would waive their right to it. And I don't say that in any seriousness, but I do not see how you resolve those two morally held beliefs on conviction.

I would hope those who object and do it in good conscience understand why those of us who support this, which is why 10 States around the country have approved it, let alone other countries, all the possibility that emerges here to be unlocked to deal with major diseases that not only affect the individual but those families; the potential on Parkinson's, Alzheimer's, ALS, diabetes, and all the other type of money that goes to deal with those at one level, here we can come up finally with a cure. And we know one of the things that is affecting our research is the fact that we do not deal with cures, but only with managing the ailments.

I am pleased that we have this opportunity to vote on this today.

Mr. BURGESS. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Speaker, I rise to voice my opposition to the expansion of Federal funding of embryonic stem cell research that is represented by this bill, H.R. 3.

This bill unnecessarily opens the door to research that sacrifices one life for the potential health of another. I will never believe that this is a fair and equitable trade, especially when there are other avenues of research that are available.

On its own, stem cell research is a worthy pursuit to help solve many of today's medical mysteries, but a line must be drawn when this research destroys human life, as in the case of embryonic stem cell research.

There are ethical stem cell alternatives which no one objects to, and they are flourishing. In fact, as of today, and it has already been noted here on the floor, stem cells from noncontroversial sources, like umbilical cord, have been used to treat humans suffering from more than 70 different afflictions.

In debating this issue, we need to be clear on the facts, and I would urge my colleagues to oppose this bill and respect the sanctity of human life.

Mr. BURGESS. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Speaker, it is never, never, justifiable to deliberately end the life, especially when there are alternative sources of stem cells that do no harm.

Proponents of embryonic stem cells state the greatest advantage is the pluripotency of these cells, cells with the amazing ability to grow into any type of cell in the human body. It is this unique adaptability that they claim makes embryonic stem cells more promising, more promising, than adult stem cell treatment of human diseases.

But my colleagues, the truth, however, is that embryonic stem cells have not, have not, produced a single viable human treatment for any disease, whereas adult stem cells have produced numerous therapies that have been successfully administered. Treatments derived from adult stem cells have been successfully treating patients for years, with measurable improvement in their conditions, and that is the real story.

Mr. Speaker, whether you believe that life begins at conception or not, the mere potential for human life needs to be protected—not destroyed. It is never justifiable to deliberately end a life especially when there are alternative sources of stem cells that do no harm.

Proponents of embryonic stem cells state the greatest advantage is the "pluripotency" of these cells, cells with the amazing ability to grow into any type of cell in the human body. It is this unique adaptability that they claim makes embryonic stem cells more promising than adult stem cells for treatment of human diseases. The truth however, is that embryonic stem cells have not produced a single viable human treatment for any disease—whereas adult stem cells have produced numerous therapies that have been successfully administered.

Treatments derived from adult stem cells have been successfully treating patients for years with measurable improvement in their conditions. Over 600 Americans were treated last year with umbilical cord blood transplants. After transplant these cord blood cells move deeply into the patients' bones and produce new blood and immune cells for the remainder of their lives. These cord cells literally give patients a new lease on life.

For example, researchers at the Burnham Institute and the Rebecca and John Moores Cancer Centers in San Diego found that pancreatic cells could be altered into insulin producing stem cells, foreshadowing a possible cure for both type 1 and 2 diabetes.

Recently, researchers at Wake Forest University and Harvard University reported that stem cells drawn from amniotic fluid donated by pregnant women hold the same promise as embryonic stem cells without causing harm to the mother or the fetus.

These stem cells are able to differentiate into fully grown cells representing the three major kinds of tissue found in the human body. Researchers also discovered that amniotic stem cells do not form tumors, a problem that commonly plagues embryonic stem cells.

The findings contained in this study point to a promising avenue of research that sidesteps the hurdles facing embryonic stem cell research. Moral objections to the destruction of embryos occurring when cells are harvested are avoided because no embryos are destroyed.

The Washington Post recently stated, "The new cells are adding credence to an emerging consensus among experts that the popular distinction between embryonic and adult stem cells is artificial."

With more than 4 million U.S. births a year, it would not take long to collect the estimated 100,000 amniotic donations necessary to provide enough cells of sufficient genetic diversity to provide compatible tissue for virtually everyone in the United States.

I also want to remind my colleagues that the current ban on embryonic research does not prevent private funding for embryonic stem cell research. Microsoft Chairman Bill Gates and Newport Beach bond trader Bill Gross are among several private donors who have provided millions of dollars toward embryonic stem cell research.

In fact the Federal Government has spent over $161 million dollars on existing stem cell lines where the embryo had already been destroyed. The bill before us today advocates the further destruction of new life to expand human embryonic stem cell research. This research on NIH-approved embryonic stem cell lines accounts for 85 percent of all embryonic stem cell publications published.

Adult stem cells have provided human treatments, have a lower rate of immune rejection in patients, and show less likelihood of tumor formation. We should aggressively pursue this avenue of research. In seeking new treatments for the ills of humanity, let us also strive to protect the future of humanity, We too must uphold the first tenet of the Hippocratic oath—"First do no harm."

It is unnecesary and morally offensive to force all taxpayers to pay to expand embryonic stem cell research. I urge my colleagues to vote against this legislation.

Mr. BURGESS. Mr. Speaker, I yield myself 15 seconds to just mention it is my sincere regret after hearing the remarks of the Representative from Illinois who just spoke that we were not allowed the alternative of fully vetting this in a committee hearing.

Mr. Speaker, I yield the balance of my time to the gentleman from Maryland (Mr. BARTLETT).

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Mr. BARTLETT of Maryland. Mr. Speaker, in a former life, I received a doctorate in human physiology, I taught medical school, and I had a course in advanced embryology. With this background, my heart just bleeds when these diabetic kids come through my office every year, because I know there are options which have not been discussed on this floor; and I have two charts here which point that out.

The assumption is being made by many people that you need to kill embryos to get embryonic stem cells. That just isn't true, and these slides point that out. Let me go quickly to the slide that is really important here.

These are several different ways of getting embryonic-like stem cells, and I want to go to the embryonic biopsy. This was a procedure that I had suggested to the President before he came out with his executive order. The medical community has now run past us with this, Mr. Speaker. What I suggested was you ought to be able to take a cell from an early embryo without harming an embryo, because I knew that God or nature, whoever you think does it, does that every day. When identical twins are produced, half the cells are taken away, and each half produces a perfectly normal baby.

What the medical community is now doing is what is called preimplantation genetic diagnosis. They take a cell from an early embryo and they do a genetic diagnosis on it. If there is no genetic defect, they implant the remaining cells. It may be six or seven cells. Sometimes they get an extra cell. And more than 2,000 times now we have had perfectly normal babies born.

There are hundreds of clinics in this country doing that. The procedure started in England. All that we need is that second cell that they inadvertently get when they do the biopsy for preimplantation genetic diagnosis. Two professionals have now developed stem cell lines, Verlinski and Lanz have developed stem cell lines from single embryonic cells.

Mr. Speaker, we can have embryonic stem cell research without killing embryos. I think that is the real message.

Every professional I know believes there ought to be more potential medical applications from embryonic stem cells and adult stem cells. Many of my colleagues are opposing embryonic stem cell research needlessly because they believe you have to kill embryos to get embryonic stem cells. You don't have to kill embryos. The medical community is doing this every day by the thousands in preimplantation genetic diagnosis with in vitro fertilization.

Mr. CASTLE. Mr. Speaker, I yield the balance of my time, 2 minutes, to the very distinguished gentleman from Texas (Mr. BARTON).

Ms. DEGETTE. Mr. Speaker, I do not know if now would be the time to yield 2 of my last minutes also to Mr. BARTON.

The SPEAKER pro tempore. Yes, that would be appropriate. The gentleman is now recognized for a total of 4 minutes.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I thank Mr. CASTLE and Ms. DEGETTE. I also want to compliment the Speaker on his management of time. He has done an excellent job. I will say it is better to have him up there so he can't debate us down here. So I appreciate that.

Mr. Speaker, and Members of the House of Representatives, I have been in the Congress for 22 years. Until the last Congress, my pro-life voting record, over 21 years, was 100 percent. One hundred percent. In the last Congress, I did vote for what was then the Castle-DeGette bill. I also voted to override the President's veto. So coming into this Congress, my pro-life voting record is 100 percent, minus two votes. Now, in anybody's book, that has got to be an A-plus.

I am going to support what is now DeGette-Castle because I am pro-life, and I strongly support the pro-life effort in every way. But having said that, when it comes to research and when it comes to stem cell research, I think Members on both sides and of all various persuasions in which your view is the pro-life or pro-choice issues, unless you think we shouldn't do research at all, and there are certainly Americans who do not believe it is proper to do medical research, or unless you don't think we should do medical research at all in embryos or in stem cells, then it is appropriate to have a debate about this bill.

Now, I hope the amniotic research works. I had a baby son, Jack, 16 months ago. My wife, Terry, and I saved his cord blood. It is stored right now in California, and if he ever needs it, it is there.

I hope that the adult stem cell work that is being done is successful. I am disappointed that so far the embryonic stem cell research has not yielded the results that we hope, but it is that one time that works that we are hoping for.

The Chicago Cubs have not been in the World Series, since when, 1916? But every spring they start out that they are going to get to the World Series this year. We don't know which researcher will find the cure to Parkinson's or the cure to Alzheimer's, and it may be through adult stem cell or amniotic stem cell, or it might be through embryonic.

Now, the bill before us would take the approximately 7,000 to 8,000 embryos a year that are disposed of as medical waste and make it possible for the custodian, the parent, the custodian of those embryos to donate them for medical research purposes that is federally funded. Seven to eight thousand.

To me, as a pro-life Congressman for over 22 years, the choice is: Medical research, medical waste; which is the most pro-life? Medical research that might, might find a cure for my mother's Alzheimer's or my brother's liver cancer that he died of, or medical waste that literally goes in the trash bin? That is what is happening now. Why cannot we make it possible to pursue cord blood, amniotic, adult stem cell, and embryonic stem cell?

So I respectfully, for those Members yet to cast their vote on this issue, please vote "yes."

Mr. Speaker, stem cell legislation has been debated on this floor before, and I welcome the opportunity to again speak in support of legislation to expand embryonic stem cell research.

In August of 2001, the President issued his policy on federally funded stem cell research. President Bush announced that for the first time Federal research dollars would be available for research using existing stem cell lines. Originally it was believed that there were nearly 60 viable stem cell lines, however, for a variety of reasons, that number was reduced to 22. Furthermore, many of those 22 lines cannot practically be used for research. This legislation will help create enough lines of embryonic stem cells to allow for science and medicine to progress.

In order to ensure that these embryonic stem cell lines are ethically derived, the legislation provides strict ethical constructs. The lines must come from embryos that have been donated, that were specifically created for fertilization treatments and would otherwise be discarded. Those donating the embryos must provide written consent and they may not receive financial incentives.

Understandably, this is not a simple vote for anyone on this floor. This is a vote of conscience for all members. In the 109th Congress, identical legislation was agreed to by a vote of 238 to 194 in the House and later passed the Senate by a vote of 63 to 37.

However, the House was unable to capture enough votes to override the Presidential veto this past summer, and the legislation never became law.

Throughout my tenure in Congress, I have consistently defended human life and opposed all forms of abortion. I also respect the need for progress in medicine that will help protect and improve existing human lives. My decision to support this legislation puts me one vote short of a perfect, 100 percent pro-life voting record, and it was not reached carelessly. It is the product of much personal contemplation and plenty of prayer. I have lost members of my family to illnesses that stem cell research might have cured. I have concluded that I am just not ready to require that sacrifice from other families, to watch lives slip away that could be saved.

Recently, a study was issued by Wake Forest University in which the ability to reclaim embryonic stem cells from amniotic fluid was demonstrated. This is an important step forward in stem cell research, and I applaud it. However, this important step should not preclude the use of other forms of stem cell research that could one day become a cure for many diseases that too many Americans suffer. The researcher of this very study has restated his support for passage of H.R. 3.

This will be one of the most difficult votes that many of us cast in this Congress. It is literally about life and death. It is about the lives and the deaths of real people, people we know and love. Regardless of our differing positions, this is an issue on which it is impossible to be insincere. I ask that we respect one another during this debate, and that we honor each other's views, especially the ones with which we differ.

Ms. DEGETTE. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, I want to thank Ranking Member BARTON for his thoughtful, thoughtful approach and his support of this issue. I also want to thank my friend and compadre, Mr. CASTLE, who has fought hand in hand for this legislation with me for years now. And I also want to thank the many Members who have helped us through this long process and will be helping us long after today.

This is the first time I can remember a bipartisan whip effort in the 10 years I have been in Congress. Ms. BALDWIN, Mrs. BONO, Mr. Bradley, Mrs. CAPPS, Mr. CARNAHAN, Mr. DENT, Mr. KIRK, Mr. LANGEVIN, Mr. PERLMUTTER, and Mr. UPTON. Thank you, thank you, and our work is not completed.

I want to talk for a minute about what H.R. 3 does, because there are a lot of misstatements that have been made today on this floor. H.R. 3 simply expands the number of stem cell lines that can be used for research that is done in an ethical manner.

In 2001, President Bush restricted stem cell research to lines that existed as of that date. In the ensuing years, we have learned there were not 73 lines, as has been asserted today, but somewhere between 19 and 22 lines. We learned that all of those lines are contaminated with mouse feeder cells and are not appropriate for clinical use. We learned that the research is going offshore and into private hands. Perhaps most disturbingly, we learned that the U.S. Government has no ethical control over current private research or State research into embryonic stem cell lines.

For that reason, we drafted a bill that both expands the research and sets forward a rigid code of ethics. Only cells that are created to give life for in vitro fertilization but then are slated to be thrown away as medical waste, thrown away, can be donated for this research, by informed consent. It is very narrow and it is very ethical. That is why 522 patient advocacy groups, health organizations, research universities, scientific societies, religious groups, and other associations have endorsed this bill. It expands research, and it does it in an ethical way.

Embryonic stem cells were first identified from mouse embryos in 1981 and primate embryos in 1995; but until November 1998, animal embryos were the only source for research. In 1998, for the first time, researchers learned that embryonic stem cells could be used in humans, and that is when we found so much potential, potential for diseases that affect 110 million Americans and their families, Americans suffering from diabetes, Parkinson's, nerve damage, and on and on.

The great promise of this research is why people like Nancy Reagan, Michael J. Fox, ORRIN HATCH, Mary Tyler Moore, pro-life and pro-choice, have come together to say, we cannot deny this research. We must not say let's just throw these cells away and discard them. Let's allow people to donate them in order to give life and to give hope.

Now, the opposition tries to obfuscate this issue time and time again, and we simply cannot let that happen. We are not researchers; we are Congress. It is our job to promote all ethical scientific research, not to pick and choose among methods. I can't think of a time when Congress says, oh, scientists, use that method to research cancer cures but not this method. That is not our job. Our job is to say let's support all ethical research, adult stem cells, cord blood, alternative methods, amniotic stem cells, and embryonic stem cell research.

In conclusion, I will say that this is the next step on a long road; and I implore all of you to think not about yourself, not even about your parents, but your grandchildren and your great grandchildren. When we find these cures, we will say we did the right thing today. Vote ''yes'' on H.R. 3.

Mr. LANTOS. Mr. Speaker, I rise in strong support of H.R. 3, the Stem Cell Research Enhancement Act of 2007. This bill is a result of the tireless efforts of my esteemed colleagues DIANA DEGETTE and MIKE CASTLE. I am proud to count myself among the more than 200 Members of Congress on both sides of the aisle who have cosponsored this legislation. It is a bipartisan, bicameral bill that passed both Houses of Congress last year.

It was one of the very few truly bipartisan bills to leave this building during the previous Congress. Unfortunately, despite all the public support, despite all the bipartisan support, despite all the hope millions of Americans invested in this legislation, the President decided to invoke his first, and only, veto.

This important piece of legislation authorizes the Department of Health and Human Services, HHS, to support research involving embryonic stem cells, regardless of the date on which the stem cells were derived from an embryo. There are stringent ethical guidelines included in this bill. First among them requires that researchers work only with stem cells from embryos that would have otherwise been discarded by fertility clinics. Furthermore, the legislation stipulates that embryos can be used only if the donors give their written consent and receive no money or other inducement in exchange for the embryos.

These strict ethical standards are critical to the advancement of this ground breaking science. The scientific community has the opportunity to ease the suffering of thousands of Americans and their families. A new round of federally funded stem cell research is desperately needed in order to find cures and treatments for diseases such as diabetes, Parkinson's disease, Alzheimer's, ALS, multiple sclerosis, and cancer.

The State of California recognized early on the extraordinary significance of stem cell research. The people of California voted for Proposition 71 to provide $3 billion to unleash the dynamic force of medical research and unlock the promise of life saving scientific research. Researchers in my district are already hard at work and with the enactment of this legislation the scientific community in the bay area will be unshackled. They will lead the way to help those who have been stricken with debilitating diseases.

Mr. Speaker, it is my great hope that this legislation will soon be on the President's desk awaiting his signature. I urge the President to listen to the will of Congress and the pleas of the American people and sign this bill into law.

Mr. WAXMAN. Mr. Speaker, I rise today in strong support of H.R. 3

Since President Bush announced his stem cell funding restrictions, we've learned a number of things that, in my opinion, make the policy even less ethical than it was in 2001.

We learned that the President was wrong about how many stem cell lines would be available to researchers under his ban. The President said there were more than 60 available lines, and soon after it was claimed that there were 78. We learned later that year that only 24 or 25 of those lines were ready for research. In 2003, the administration was conceded that only 11 lines were available to researchers. Today only about 20 lines are available, and all of them were grown on substances that might make them unfit for future use in therapies.

We've also learned that since the President's announcement, the proportion of stem cell research conducted in the United States has shrunk. There's a recent analysis that looked at all scientific papers on human embryonic stem cell research published over the last several years. The White House has cited this study to point out that almost half of the labs producing papers on the topic from 1998 through 2004 were in the U.S. But in pulling out this overall statistic, the White House seems to have ignored the study's title: ''An international gap in human embryonic stem

cell research.'' The authors found that after the restrictions, the U.S. contribution to embryonic stem cell research dropped. In 2001, about one-third of all stem cell research papers were produced here. But by 2004—just three years later—that proportion had dropped to about one-quarter.

The study's authors wrote that the U.S. is ''falling behind'' in embryonic stem cell research. They wrote that this growing gap could put U.S. patients at a disadvantage if therapies are discovered. In fact, they concluded that ''U.S. congressional delays and the Bush administration's resistance to an expansion of Federal funding suggest a real danger for U.S. biomedicine.''

Scientists are saying that the administration's ban stymies their research. Many U.S. scientists are getting offers to work overseas because funding is available there and policies are clear. The most discouraging news is that young scientists are reportedly hesitating to even enter this field because it's not being funded in proportion to its potential.

The White House is pushing other distorted interpretations of the issue. In a report released yesterday, the White House pointed out that there are many clinical trials related to adult stem cells, but none related to embryonic stem cells. This is truly an Alice-in-Wonderland style argument. The administration sharply restricts researchers' ability to work with embryonic stem cells and pushes researchers to work with adult stem cells. Then, it turns around several years later and notes, to no one's surprise, that most of the clinical trials are being done with adult stem cells. One can only wonder where we'd be if America's top researchers were free to work with the most powerful tools.

Some of you may have noticed last week's news reports on amniotic stem cells. These cells appear to hold some potential for research because they can develop into multiple cell types. We all want to understand what this research means for this debate. And I think we can probably agree that the lead researcher, Dr. Anthony Atala, is a good interpreter.

What he has said, consistently, is that amniotic stem cells do not substitute for embryonic stem cells. He has said that the cells have different qualities, may have different potentials for growing into different cell types, and may have different applications down the road.

I think we should listen to the scientist behind this study, and not those who want to distort this promising news to suppress other potentially life-saving research.

Dr. Atala's explanation makes one thing very clear. The most important reason amniotic stem cells can't replace embryonic stem cells is that we do not know enough about either type. A growing body of research has made clear that stem cells of all kinds have much to teach us about the human body and disease. Hopefully this knowledge will lead to treatments and cures. But if we're going to get there, we need a serious Federal commitment to funding all promising and ethical stem cell research.

That is what this bill will do. I respect the beliefs of those who are concerned about protecting human life. But it is my opinion—widely shared by most Americans—that the use of cells from embryos that will otherwise be discarded is well within ethical boundaries.

Like many of my colleagues here, what I consider unethical is telling people suffering from diseases like Parkinson's and Alzheimer's that their suffering doesn't justify the strongest possible federal commitment to finding a cure.

What I consider unethical is turning to the generations following us and telling them that we didn't make as much progress, and we won't be passing on as much scientific understanding, as we could have.

We have already squandered valuable time, but it is not too late. It's time to recover lost ground—and reclaim the leadership role our country has earned in biomedical science—by supporting this ethical and important research.

Mr. LEVIN. Mr. Speaker, I rise in strong support of the Stem Cell Research Enhancement Act.

Embryonic stem cell research holds potential for some of the most far-reaching breakthroughs seen in modem medicine. This is a field filled with promise, with the potential to cure the incurable and to heal that which was once thought impossible to mend.

We're bringing this bill up again with the hope that the President will hear the scientists and researchers and hear the voices of the American people that he do the right thing and sign this vital measure into law. We need to take action now so that this crucial research can go forward for the sake of the millions of people dealing with incurable or debilitating diseases—diseases such as juvenile diabetes, Parkinson's, Alzheimer's, multiple sclerosis, and cancer. We can never guarantee the results of scientific research, but without it we guarantee there can be no results.

The President's current stem cell policy is not working. Research is practically at a standstill in this country. Of the 78 existing stem cell lines permitted for use in Federally funded research, only 21 of these lines are currently used for research, and many of the available stem cell lines are contaminated, making their therapeutic use for humans questionable.

The Stem Cell Research Enhancement Act is a well-crafted, bipartisan approach. Let me be clear that the bill only allows the use of stem cell lines generated from embryos that would otherwise be discarded by fertility clinics. The legislation contains strict ethical guidelines, including the requirement that embryos can be used only if the donors give their written consent and receive no money or other inducement in exchange.

There has been recent news regarding ongoing research using non-embryonic stem cells. While I believe it is necessary to support study on all stem cell types, this research alone is in no way a substitute for embryonic stem cell research, whose potential is different from that of other stem cell types.

We need to pass this bill today on a strong, bipartisan vote. I truly hope the President will reconsider and do the right thing and sign this bill into law. This legislation is so important to millions of Americans, and we stand with them as we vote for the Stem Cell Research Enhancement Act today.

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

Mr. LARSON of Connecticut. Mr. Speaker, today I rise in strong support of H.R. 3, the Stem Cell Research Enhancement Act of 2007, which holds tremendous hope for the 100 million Americans affected by devastating diseases and medical conditions.

In 2001, President George W. Bush announced his final decision on the use of Federal funds for embryonic stem cell research. According to the National Institutes of Health, of the 78 stem cell lines that were declared eligible for Federal funding in the President's executive order of August 2001, only 21 lines are now still available for researchers. The 21 stem cell lines that remain available today are contaminated with ''mouse feeder'' cells, making their therapeutic use for humans uncertain.

I am proud to be an original cosponsor of the Stem Cell Research Enhancement Act, which increases the number of embryonic stem cell lines eligible to be used for Federally-funded research. The bill also authorizes the Department of Health and Human Services to support research involving embryonic stem cells meeting certain criteria, regardless of the date on which the stem cells were derived from an embryo. This legislation authorizes the use of stem cell lines generated from embryos that would otherwise be discarded by fertility clinics and it has strict ethical guidelines. These guidelines include stipulating that embryos can be used only if the donors give their written consent and receive no money or other inducement in exchange for the embryos.

In the 109th Congress, this bill passed the House by a vote of 238–194 and in the Senate by a vote of 63–37. Unfortunately, the President used his first veto to stop lifesaving stem cell research and set back the hopes of so many who are suffering. Today, we owe it to the millions of Americans with chronic diseases like Parkinson's, Multiple Sclerosis, Alzheimer's, diabetes, and ALS to invest in this promising research and renew the hopes of millions.

Expanding stem cell research has the support of more than 70 percent of Americans. This vote today has the potential to unlock the doors to treatments and cures to numerous debilitating and life-threatening diseases and will send a clear signal that this Congress is committed to improving the lives of millions of patients affected by these diseases. Passage of H.R. 3 is critical and I hope the President listens to the American people by signing this bill that will allow this groundbreaking research to move forward.

Mr. CONYERS. Mr. Speaker, I rise in strong support of H.R. 3, the DeGette-Castle stem cell research bill. Our Nation's top scientists agree that embryonic stem cell research has the potential to unlock the doors to treatments and cures to numerous diseases, including diabetes, Parkinson's disease, Alzheimer's, ALS, multiple sclerosis and cancer. Tens of millions of Americans and their families stand to benefit from this life-saving research.

Current policy allows Federal funds to be used for research only on those stem cell lines that existed when President Bush issued an executive order on August 9, 2001. However, few of the stem cell lines authorized by President Bush are now useful for research. According to the National Institutes of Health, of the 78 stem cell lines that were declared eligible for Federal funding in the President's executive order of August 2001, only about 22 lines are now still available for researchers; and, many of these 22 ''available'' stem cell lines are contaminated with ''mouse feeder'' cells, making their therapeutic use for humans uncertain.

H.R. 3 authorizes government support of research involving embryonic stem cells that

meet certain criteria, regardless of the date on which the stem cells were derived from an embryo. The bill creates an ethical framework for this research. It prohibits funding for research unless the cell lines were derived from excess embryos that were created for reproductive purposes and would otherwise be discarded. It also requires voluntary informed consent from the couples donating the excess embryos and prohibits any financial inducements.

H.R. 3 represents real hope to the tens of millions Americans suffering from devastating illnesses, and I encourage my colleagues to support it.

Mr. BOSWELL. Mr. Speaker, I would like to thank the gentlewoman from Colorado for yielding me the time. I would also like to thank Mrs. DEGETTE for her leadership on this very important issue. And I rise in support of H.R. 3, the Stem Cell Research Enhancement Act.

Today, I want to talk about a young girl who I have the honor of knowing, Karle Borcherding from Ankeny Iowa. In 2005, at the age of 10, Karle was diagnosed with juvenile or Type I diabetes. Over the course of the past year she has had to give herself 4 to 5 shots a day. A burden no 10 year old should have to deal with. Karle and her mother, Darcy, have been leaders on the finding a cure for Type I diabetes across Iowa, the Midwest, and all the way to Washington, DC, with the Juvenile Diabetes Research Foundation.

Karle is a vibrant young girl who does not let her disease control her life. When asked why Karle wants to find a cure she responds "Not just so I will be cured and can be a normal kid, but because other kids will be cured too." I am hopeful that, for Karle's sake and every child affected by debilitating diseases, we will pass this vital legislation today.

Opponents of this legislation will argue that we should focus our attention to adult stem cell research. And while adult stem cell research can be useful, embryonic stem cell research offers hope to cure diseases. Some of the leading scientists in the country have stated that adult stem cells would not be able to find a cure for disease such as ALS, Parkinson's, Alzheimer's, or Type I diabetes.

I ask my colleagues to join me today and vote on the side of hope and science, and support H.R. 3.

Mr. CUMMINGS. Mr. Speaker, I rise today in strong support of H.R. 3 and of the promise that it offers to the literally millions of Americans battling terrible illnesses and the effects of devastating injuries for which we currently have no cures and few effective treatments.

I approach stem cell research with deep respect for the significant ethical concerns that it raises, and I strongly believe we must never lose our diligent focus on ensuring that these research techniques are not abused for immoral ends.

H.R. 3 will guarantee the highest ethical standards will be applied to stem cell research and will allow only embryos that would otherwise be destroyed to be used for research purposes.

Critically, H.R. 3 will also fulfill our duty to recognize the sanctity of human life by supporting the research that may one day yield the cures and treatments that could help so many in our nation who are being robbed of their sacred lives by disease.

I urge the passage of H.R. 3 and strongly urge the President to reconsider his past veto and let this bill of compassion become law.

Mr. PORTER. Mr. Speaker, I rise today in strong support of H.R. 3, Expanding Stem Cell Research.

I believe stem cell research holds enormous promise for easing human suffering for people like my constituents Judy Reich and Jake Page, both of whom suffer from diabetes. Embryonic stem cell research could lead to a cure that could dramatically improve their lives. Federal support is critical to its success which is why I was pleased when President Bush announced his stem cell policy in August 2001.

Scientists have learned a great deal about stem cells in the five and a half years since that announcement. Medical researchers believe that embryonic stem cell research has the potential to change the face of human disease. A number of current treatments already exist, although the majority of them are not commonly used because they tend to be experimental and not very cost-effective. Medical researchers anticipate being able to use technologies derived from stem cell research to treat cancer, Parkinson's disease, spinal cord injuries, and muscle damage, amongst a number of other diseases, impairments and conditions.

Current federal policy on human embryonic stem cell research allows federally funded research be conducted on those stem cells derived before August 9, 2001. Today, only 22 stem cell lines are available to federally funded scientists. The United States Congress has passed legislation which would lift the date restriction and allow federally funded scientists to research a greater number of stem cell lines; however, the President has vetoed this legislation. The legislation would also provide stronger ethical requirements on those stem cell lines eligible for funding including donor consent, certification that embryos donated are in excess of clinical need, and that the embryos would be otherwise discarded.

While I disagree with the creation of human embryos for scientific purposes, I agree that embryos created as a by-product of in vitro fertilization, which would otherwise be destroyed, should be allowed to provide greater insight into the myriad afflictions that can potentially be alleviated through stem cell research.

As with all scientific endeavors, we must ensure that the limitless bounds of science do not infringe on the beliefs that we hold as ethical human beings. For this reason, I categorically oppose the harvesting of embryos for scientific research as well as any attempt to use our scientific knowledge to clone human beings.

I urge my colleagues to support H.R. 3, Expanding Stem Cell Research.

Mrs. MALONEY of New York. Mr. Speaker, a founder and co-chair of the Congressional Working Group on Parkinson's Disease, I rise in strong support of H.R. 3, the Stem Cell Research Enhancement Act.

This bill expands current policy by providing for federal funding of embryonic stem cell research on lines derived after August 9, 2001 while still requiring strong ethical guidelines for research.

I am grateful to the new Democratic Leadership for bringing up this legislation during the first 100 hours after both the House and Senate passed the bill last summer, only to see the President veto it, without regard for the millions of suffering Americans and their families.

An overwhelming 72% of the American people support federal funding for stem cell research because they know that by lifting the arbitrary ban that the President put in place in 2001, research will move forward and mil1ions of Americans will benefit.

Let's be clear: this bill is very simple—it's about saving lives.

It's about preventing devastating diseases from ravaging and ending people's lives.

I urge my colleagues to think about their loved Ones when deciding how to cast their vote. It's literally a matter of life and death.

According to the National Institutes of Health (NIH), of the 78 stem cell lines that were declared eligible for federal funding in the President's executive order of August 2001, only about 22 lines are now still available for researchers.

And many of these 22 "available" stem cell lines are contaminated with "mouse feeder" cells, making their therapeutic use for humans uncertain.

Just this week, a new study was released noting that scientists see potential in Amniotic Stem Cells.

This is extraordinary new finding highlights the importance of continued research in all types of stem cell research and regenerative medicine.

It does not lessen the need to increase the number of embryonic stem cell lines which will ultimately lead to therapy and treatment.

Instead, it demonstrates the relative infancy of this area of research and the need for a significant federal commitment.

Today, we have the opportunity to make a difference in the lives of millions of afflicted people and their families.

Let's each do the right thing. I urge a "yes" vote on H.R. 3.

Mr. TIAHRT. Mr. Speaker, I rise in strong opposition to H.R. 3, the Stem Cell Research Enhancement Act, a bill that is both morally and ethically compromising. H.R. 3, sponsored by Rep. DIANA DEGETTE, would expand federal funding of embryonic stem cell research. Supporters of this legislation are encouraging the destruction of human embryos in the hope of one day treating diseases.

The timing of this bill is especially ironic as we learned on January 7, 2007 that amniotic fluid stem cells were found to have pluripotent properties and grow as fast as embryonic stem cells. This is yet another example of a successful ethical alternative to embryonic stem cell research.

To date, there are 72 diseases and injuries that have been successfully treated with adult stem cells unlike embryonic stem cells which have yet to yield a single successful human treatment. Proponents of embryonic stem cell research would like you to believe there is no ongoing federal research using embryonic stem cell lines approved by the NIH, however, the United States leads the world in embryonic stem cell research.

Embryonic stem cell research received no federal funding through the NIH prior to 2001 when President Bush established a policy to allow for embryonic stem cell research on a line of existing cells. This was the first time the federal government had ever made funding available for embryonic stem cell research. Since then, more than $130 million of federal money has been spent on human embryonic stem cell research and over $3 billion has been spent on all stem cell research. This does not include the billions of dollars raised in the private sector for stem cell research.

While bioethics and science have brought about medical advancements and breakthroughs, our society should promote the protection of human life and dignity in all its forms. We can promote science and technology while applying ethical and moral guidelines that err on the side of life. Science can and should be used to improve the quality of lives, to save lives, cure fatal diseases and bring hope to those who are suffering, yet I cannot support legislation that would require the destruction of human embryos. Adult stem cell research has provided treatments of diseases while applying ethical standards.

I will continue to support legislation that promotes ethical science and produces an uncompromised standard that values all human life. H.R. 3 would only further expand the destruction of human life.

I will vote against this unethical and morally compromising bill, and I urge my colleagues to do the same.

Mr. PAUL. Mr. Speaker, the issue of government funding of embryonic stem cell research is one of the most divisive issues facing the country. While I sympathize with those who see embryonic stem cell research as providing a path to a cure for the dreadful diseases that have stricken so many Americans, I strongly object to forcing those Americans who believe embryonic stem cell research is immoral to subsidize such research with their tax dollars.

The main question that should concern Congress today is does the United States Government have the constitutional authority to fund any form of stem cell research. The clear answer to that question is no. A proper constitutional position would reject federal funding for stem cell research, while allowing the individual states and private citizens to decide whether to permit, ban, or fund this research.

Federal funding of medical research guarantees the politicization of decisions about what types of research for what diseases will be funded. Thus, scarce resources will be allocated according to who has the most effective lobby rather than allocated on the basis of need or even likely success. Federal funding will also cause researchers to neglect potential treatments and cures that do not qualify for federal funds.

In order to promote private medical research, I will introduce the Cures Can Be Found Act. The Cures Can Be Found Act promotes medical research by providing a tax credit for investments and donations to promote adult and umbilical cord blood stem cell research and providing a $2,000 tax credit to new parents for the donation of umbilical cord blood from which to extract stem cells. The Cures Can Be Found Act will ensure greater resources are devoted to this valuable research. The tax credit for donations of umbilical cord blood will ensure that medical science has a continuous supply of stem cells. Thus, this bill will help scientists discover new cures using stem cells and, hopefully, make routine the use of stem cells to treat formerly incurable diseases.

The Cures Can Be Found Act will benefit companies like Prime Cell, which is making great progress in transforming non-embryonic stem cells into any cell type in the body. Prime Cell is already talking to health care practitioners about putting its findings to use to help cure diseases.

Companies like Prime Cell are continuing the great American tradition of private medical research that is responsible for many medical breakthroughs. For example, Jonas Salk, discoverer of the polio vaccine, did not receive one dollar from the federal government for his efforts.

Mr. Speaker, there is no question that forcing taxpayers to subsidize embryonic stem cell research violates basic constitutional principles. Therefore, I urge my colleagues to vote against HR 3, and support the Cures Can Be Found Act.

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong support of the Stem Cell Research Enhancement Act of 2007 (H.R. 3).

This bipartisan legislation will provide countless number of Americans hope of finding cures for many life-threatening diseases. I strongly believe stem cell research holds the promise of scientific breakthroughs that could improve the lives of millions of Americans afflicted with a debilitating disease—such as Parkinson's, diabetes, spinal cord injuries, autoimmune diseases, cardiovascular disease, and cancer—for which there is currently no cure. For these patients and their families, stem cell research is the last hope for a cure.

I wholeheartedly believe we should allow the expansion of federally supported research of human embryonic stem cell lines. The Stem Cell Research Enhancement Act of 2007 would provide federal for a wider range of stem cell research while establishing ethical guidelines. In addition, the legislation would provide that embryos that are otherwise likely to be discarded can be used to develop treatments for debilitating diseases and life-saving cures.

I was extremely disappointed that the President exercised his first veto on a piece of legislation that has bipartisan support. A majority ofthe American people support stem cell research. In the last election, Missouri voters approved a ballot measure to allow stem cell research in that state.

It is expected that the Senate will pass H.R. 3. If that is the case, I hope the President will listen to Congress and the American people rather than to the extreme right of his own political party and not wield his veto pen on this promising legislation. We must put the health of the American people over politics.

Mr. Speaker, this is an issue that affects every family in America. I strongly urge my House colleagues to support this bipartisan legislation.

Mr. STARK. Mr. Speaker, this bill to allow federal funding for stem cell research involves a simple question: should we use frozen cells to help millions of Americans with Parkinson's, Alzheimer's, and diabetes, or throw them away and claim moral superiority?

A supermajority of the American people wants to advance medical science. Congress has already passed this same legislation only to be met with President Bush's veto. Because we know that the President never lets the facts get in the way of his decisions, we know he won't change his mind. It is up to a handful of Republicans to say yes to the voters and no to the Christian Right so we can pass this bill by a veto-proof majority.

I urge my colleagues to prove that they heeded the message of the recent election to stop posturing and start passing commonsense legislation.

Ms. WOOLSEY. Mr. Speaker, I'm so pleased to have another opportunity to support this stem cell research bill today. But let me say that we cannot allow this crucial legislation to once again come so close, only to—in the end—be kept so far from those who would benefit from its outcome on a daily basis.

Change does not come easily. This is a big step in providing America's world-class researchers with the resources they need to make a difference in the lives of those with serious illnesses. But let us take a moment to weigh the kind of change in federal policy it would take to provide researchers with access to new embryonic stem cell lines, with the kind of change a person faces when he or she hears the words Parkinson's, or diabetes, or spinal cord injury.

The debilitating symptoms of these diseases can alter the course of a person's life—not to mention their family's—and change their day-to-day lives in ways it is impossible for most of us to even imagine. I ask you to take a moment to think of the changes you would have to make to accommodate a chronic illness in your life.

Our scientists and researchers need new cell lines so they can move beyond the contaminated, and often unusable, lines that were in existence before 2001. Let's transform the way we experience disease in this country and take the first step today by supporting H.R. 3.

Mr. MCGOVERN. Mr. Speaker, time and time again, the American people have spoken on this issue—they overwhelmingly support the expansion of embryonic stem cell research. And today, Congress has the opportunity to take heed and do the bidding of the people by passing H.R. 3.

Recent developments have proven that we are not far off from recognizing the true potential of embryonic stem cell research. In meetings with researchers at ViaCell and New World Laboratories, two small biotech companies in my home state of Massachusetts, I have seen first-hand the notable progress made in their research on spinal cord injuries and tissue regeneration. All around the world, researchers are gaining similar ground. However, our nation's current policy stands to limit such critical advancements.

And that is why I am proud to be an original cosponsor of H.R. 3. It marks the way for an increased number of embryonic stem cell lines while also developing strong ethical guidelines to protect the integrity of this research.

We have the rare opportunity to help spur scientific innovation that could, with the proper research and development, produce better treatments—or even cures—for diseases like diabetes, Parkinson's disease, and cancer. But absent a federal investment in embryonic stem cell research, we will never witness its true potential. I urge my colleagues to join me in supporting this bill.

Mr. GINGREY. Mr. Speaker, I rise today in strong opposition to H.R. 3, the Stem Cell Research Enhancement Act. I do so not because

I oppose embryonic stem cell research but because as an OB/GYN physician I oppose federally funded embryonic stem cell research that destroys life. And the truth of the matter is, Mr. Speaker, I am not alone in this belief; in fact I am joined by nearly half of the American public.

Let me say that again, nearly half of the American public opposes using taxpayer dollars to fund embryonic stem cell research when a human embryo is destroyed in the process.

I know that the supporters of this bill claim that an overwhelming majority of Americans whole-heartedly endorse their bill. However, when individuals in our society are asked specifically whether or not they would like the Federal Government to fund research that destroys a human embryo, the survey results are absolutely divided.

And that Mr. Speaker is what we are actually debating on the floor of the House today. We are debating the question of whether or not the American taxpayer should pay for research that encourages the destruction of human embryos.

We are not debating whether or not embryonic stem cell research is legal in this country, because, of course, it is not only completely legal but also well funded in both the private and public sector. In fact, between state governments and the private sector there is nearly $4 billion committed to embryonic stem cell research over the next 10 years.

I also want to dispel the myth that the Federal Government currently does not fund human embryonic stem cell research. In actuality, by the end of 2007, the Federal Government will have spent over $160 million. When President Bush signed the Executive Order in 2001, he made possible the federal funding of embryonic stem research. His executive order merely limited federal funds to support research which utilized already established stem cell lines. This decision removed any backdoor federal incentive and separated the United States government from the business of encouraging the destruction of human embryos.

Mr. Speaker, another policy issue we are unfortunately not debating today, is the use of federal funds to research alternative and ethical ways to extract embryonic-like or pluripotent stem cells. The fact of the matter is the hope held dearly by many individuals of this country with respect to embryonic stem cell research is not grounded solely in the fact that these cells are embryonic. Rather, researchers are interested in embryonic stem cells because they are flexible, that is they can specialize into any type of human tissue. This characteristic is also true of pluripotent stem cells, and the good news is that pluripotent stem cells can be obtained in a variety of ethical and scientifically promising ways.

Mr. Speaker, this point cannot be illustrated anymore clearly than in the study made public this weekend by researchers at Wake Forest and Harvard. This study shows not only the capability of researchers to obtain pluripotent stem cells from amniotic fluid but that these stem cells grow fast and show great flexibility.

This new, cutting edge research has great relevance in the debate we are engaged in today. The fact of the matter is that this study is yet another reminder that science moves faster than the Federal Government. We no longer need to engage in a passionate debate that divides our country in half. We no longer need to contemplate a unilateral decision to spend taxpayer dollars on research methods that nearly 50 percent of the public oppose.

No, Mr. Speaker, let us instead bring to the floor legislation that unites this country and does not divide. Let us examine and debate the multitude of alternative and ethical methods of obtaining pluripotent stem cells, methods similar to the research recently published regarding amniotic stem cells.

Representative BARTLETT and I have introduced such a piece of legislation, it is bill H.R. 322. Today, on the hallowed floor of the House of Representatives, I ask my colleagues on both sides of the aisle to join with us and half of the American public, in supporting a bill that promotes lifesaving medical research that does not sacrifice life in the process.

Mr. SENSENBRENNER. Mr. Speaker, I rise today in opposition of H.R. 3, a bill authorizing taxpayer funding for human embryo-destroying stem cell research. This bill would reverse the reasonable embryonic stem cell policy, set in place by the President in 2001, which allows federal funds to be used for research on existing stem cell lines where the life and death decision has already been made.

There have been exciting and dramatic developments in adult stem-cell research that hold great promise for medical advancements. I strongly support the need to pursue new treatments and cures to the diseases affecting millions of people world wide. However, in this pursuit we must be careful not to compromise our values of respecting human life. Embryonic stem cell research destroys human life at its earliest stage for experimental research purposes.

There are many types of stem cell research that are worthwhile and that do not raise such ethical and moral concerns. Alternative sources such as umbilical cord and adult tissue cells are currently being used to treat people, and successfully. Earlier this week, scientists reported that amniotic non-embryonic stem cells may offer the same research possibilities as stem cells obtained through the destruction of living human embryos. Not only are these cells highly versatile, they are readily available. Such alternatives make clear that we are capable of achieving successful stem cell research without the intentional destruction of human embryos.

The debate today is not about blocking embryonic stem cell research. There are vast financial resources available to fund this controversial research and any company or organization that wants to conduct or fund embryonic stem cell research may do so. And yet, despite extensive private research, there have been no successful therapeutic treatments with embryonic stem-cell research—none. With adult stem cells, physicians have successfully treated patients with diabetes, multiple sclerosis, sickle cell anemia, heart disease, Crohn's disease and rheumatoid arthritis, among many others. These examples are a strong testament to the amazing power of adult stem cells.

By voting against this bill, we can avoid not only the ethical and moral questions that are raised, but we can make sure that taxpayer dollars are invested wisely.

Congress can provide and must help scientists realize the promise of embryonic stem cell research without authorizing the destruction of human life in the process. Once again, I urge my colleagues to support ethical stem cell research and to vote against this bill.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of H.R. 3, the bipartisan DeGette-Castle bill on stem cell research that is identical to legislation passed by the Republican 109th Congress and vetoed last year by President Bush.

This bill allows federal funding for stem cell research that gives hope to 100 million Americans and their families afflicted by debilitating or life-threatening diseases. This research is critical to find new treatments and possible cures to terrible diseases like diabetes, Parkinson's disease, Alzheimer's, ALS, multiple sclerosis, and cancer.

It is important to note this bill's ethical safeguards, including requirements that forbid financial inducements for donations, mandate informed and written consent for donation, and requires HHS and the National Institutes of Health to produce ethical guidelines. DeGette-Castle promotes the most ethical use of discarded fertility clinic products because rather than flushing them down the drain, ethically-monitored scientists can utilize them to promote life-saving research.

Mr. Speaker, this is important policy matter, but for me, it's personal. My college basketball coach, a friend and mentor for several decades is a victim of Alzheimer's disease. Others I am close to suffer from Lou Gehrig's disease. After prayerful consideration, I have arrived at the strong conclusion that we must allow the ethical advance of research to relieve human suffering.

I urge my colleagues to join me in passing H.R. 3, and I urge the President to sign it into law.

Mr. THOMPSON of California. Mr. Speaker, I rise in support of H.R. 3, legislation to expand Federal research on devastating diseases like Alzheimer's, diabetes, spinal cord injuries, and various cancers.

When President Bush announced in 2001 that Federal funds would be available for research performed using currently existing embryonic stem cell lines, I truly believed we had begun to open the door for life-saving research. Unfortunately for all Americans, less than a quarter of those lines proved suitable for research. As a result, research conducted in the United States has slowed considerably.

Federal restrictions on new lines have dashed the hopes of millions of Americans who are impacted by life-threatening illnesses stem cell research may cure. In addition, America is losing top medical researchers and scientists to other nations without such restrictions.

A handful of States have stepped in where the Federal Government has failed. My home state of California was the first to act, passing a ballot initiative in 2005 that authorized $3 billion in funding for embryonic stem cell research. I strongly supported that ballot initiative, and I would like to acknowledge the other States that have stepped up to the plate in a similar fashion.

Last year, I voted with 237 of my colleagues in the House and 63 Senators to pass Federal legislation to fund stem cell research. Tragically, the President ignored the will of the Congress and the American people by casting the only veto of his administration against this bill.

I am very proud that the Democratic majority has made facilitating this life-saving research a cornerstone of our agenda. Today's

vote signifies a Federal commitment to exploring every possible option available for curing these terrible illnesses.

Today, we cast a vote for hope. I urge my colleagues to vote in support of H.R. 3, the Stem Cell Research Enhancement Act.

Mr. TERRY. Mr. Speaker, I rise in strong opposition to H.R. 3, legislation to expand taxpayer funding of human embryonic stem cell research and give a ''stamp of approval'' from the Federal government for scientists to destroy human embryos to harvest stem cells for medical experiments.

The pain and suffering of citizens afflicted with debilitating diseases concerns me greatly. I served for 7 years on the board of directors for the Great Plains Region of the American Diabetes Association because I am committed to finding a cure for people afflicted with this disease.

I strongly support scientific research to find cures and effective treatments to relieve human suffering. I voted to double the Federal investment in biomedical research from $13.6 billion in fiscal year 1998 to $27.1 billion in fiscal year 2003. The National Institutes of Health received $28.5 billion from Congress last year to do research on new cures for diseases.

Embryonic stem cell research is not the ''silver bullet'' for every disease. The potential benefits of this research have been blown out of proportion by eager scientists and some in the news media. The fact is that 25 years of human embryonic stem cell research have not produced even one treatment for suffering Americans.

Adult stem cell research, on the other hand, is producing real and tangible results with no ethical concerns. In fact, adult stem cells have produced treatments for 72 serious diseases and conditions in humans, and shown strong potential for permanent reversal of severe diseases such as diabetes and Parkinson's.

Research has consistently shown that human embryonic stem cells grow tumors once implanted in an animal, became uncontrollable, or form various and wrong types of tissues. Some studies have shown moderate improvement in rats with spinal cord injuries, but some of those rats were not kept alive long enough to see if tumors formed. Many scientists argue this is a new medical field and limitations such as cancerous tendencies can be overcome through additional Federal funding and more time in the lab.

These arguments callously gloss over the fact that embryonic stem cell research requires the destruction of human embryos—and 48 percent of Americans surveyed last year opposed this type of research after being informed of that fact. We have a responsibility as public officials to direct limited Federal dollars toward the most promising and ethical research possible.

The strongest potential for cures at this time is not in embryonic stem cells, but in ethical research using adult stem cells, umbilical cord blood stem cells, and most recently, amniotic fluid stem cells, all of which uphold and support human life. These ethical approaches show promise that rivals the potential of embryonic stem cells without forcing many American taxpayers to fund research that threatens the dignity of human life.

Amid all the scientific jargon in today's debate, let us not forget the fact that each one of us started life as a human embryo. There is no way around that basic fact, no matter how many scientific terms are used to conceal or confuse it. Embryos are the tiniest of human lives, but they are nevertheless human lives, and we must defend the defenseless.

If embryos are not fundamentally human lives, how can you explain the fact that frozen embryos from in vitro fertility clinics grow into children once they are implanted in a woman's womb? Does an embryo somehow become less of a human being if we choose to donate it to a scientist to be experimented upon and ultimately destroyed? Those same human embryonic stem cells lying in a cold Petri dish will undeniably grow into a human child if given a chance at life. We must not allow scientific terminology to desensitize us to the miracle and sanctity of human life.

Here are some published examples of the differences between embryonic stem cell research and adult stem cell research:

Numerous attempts over the last 5 years to use human embryonic stem cells to cure diabetes repeatedly produced tumors or failed to generate insulin to reverse the disease. In the most successful experiment, human embryonic stem cells produced only one-fiftieth the amount of insulin needed to sustain life, and the mice died.

For Parkinson's disease, researchers found that human embryonic stem cells grew uncontrollably in 100 percent of rats with the condition. All the animals showed indications of early tumor formation. These findings were duplicated by scientists in Sweden and Japan.

Adult stem cells, on the other hand, have treated multiple types of cancers, including breast cancer and Leukemia, as well as autoimmune diseases, heart defects, heart disease, osteoporosis and spinal cord injuries, and demonstrated excellent potential to treat diabetes and to reverse Parkinson's.

In 2003, researchers used adult stem cells to help regenerate pancreatic islet cells that produce insulin, permanently reversing diabetes in mice. The lead researcher stated that: ''Patients with fully established diabetes possibly could have their diabetes reversed.'' The FDA has approved a human clinical trial for diabetes based on this successful research. In 2005, a mother donated live stem cells for her diabetic daughter, alleviating the diabetic symptoms. Human umbilical cord blood stem cells can also generate insulin to reverse diabetes.

Just last year, scientists used adult umbilical cord stem cells to treat rats with Parkinson's, and found significant recovery in motion and behavior. In 2002, a Parkinson's patient testified that his symptoms were 80 percent reversed after being treated with his own adult neural stem cells. British researchers in 2003 injected a natural protein into the brains of five Parkinson's patients and found that it stimulated existing adult neural stem cell growth, yielding a 61 percent improvement in motor function. University of Kentucky researchers treated 10 Parkinson's patients with similar results.

And just this week, researchers at Harvard University and Wake Forest University reported a breakthrough discovery that stem cells found in amniotic fluid show incredible promise for cures without concerns for tumor growth or immune system rejection.

Amniotic stem cells can be safely and easily extracted from pregnant women, and are ''pluripotent'' like human embryonic stem cells, meaning they have the ability to transform into each of the three major types of tissue found in the body. The researchers stated: ''We conclude that amniotic fluid stem cells are pluripotent stem cells capable of giving rise to multiple lineages including representatives of all three embryonic germ layers.''

Using amniotic stem cells, the research team created nerve cells, liver cells, endothelial cells that line blood vessels, and cells involved in the creation of bone, muscle and fat. In fact, the nerve cells successfully generated a neurotransmitter crucial to forming dopamine, which is lacking in Parkinson's patients. In testing on mice, amniotic stem cells were shown to re-grow and repair damaged areas of the brain.

The incredible promise of such ethical stem cell research is worthy of taxpayer funding. It holds real promise and real hope for citizens needing cures and tangible relief from pain and disease.

This debate today is not about whether we should fund stem cell research with tax dollars. The National Institutes of Health spends about $600 million every year on stem cell research, and almost $40 million of those funds are unfortunately being spent on research involving human embryonic stem cells.

The real debate today is about whether scientists will be able to create more embryonic stem cell lines by destroying more embryos. The next thing these scientists will be asking for is the ability to clone embryos because they cannot get enough stem cells from frozen human embryos at in vitro fertility clinics. This is no ''slippery slope,'' it is the ethical equivalent of jumping off a cliff.

As public officeholders sworn to uphold the United States Constitution, we will have failed in our duty if we fail today to protect the right to life of the youngest homo sapiens—human embryos. We cannot fail in defending the defenseless, and we must keep faith with American taxpayers by funding the most ethical research to relief the suffering of ailing Americans.

I urge my colleagues to join me today in voting against this unethical bill that would exploit human life while preying on the emotions of suffering American citizens.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in support of H.R. 3, the Stem Cell Research Enhancement Act of 2007.

I am proud to have been an original cosponsor of this legislation in both the 109th and 110th Congresses.

H.R. 3 will increase the number of embryonic stem cell lines that are eligible for use in federally funded research while maintaining strict ethical standards ensuring that only stem cells from embryos that would otherwise be discarded by fertility clinics can be used for research.

My home State of California has taken the lead in stem cell research.

In Orange County, California, the University of California-Irvine's Reeves Center is the home to spectacular research that is utilizing stem cells to work towards finding new treatments for spinal cord injury.

I hope that any Member who has questions about stem cell research will seek out a research center like the Reeves Center to learn about the amazing progress that researchers are making towards finding treatments and cures for spinal injury, diabetes, Parkinson's

disease, Alzheimer's, ALS, multiple sclerosis, and cancer among others.

Federal support for this groundbreaking research will help researchers find answers even faster.

I urge my colleagues to support this critical legislation.

Mr. LATHAM. Mr. Speaker, I rise in opposition to H.R. 3 because revising the current Federal policy on stem cell research is completely unnecessary. Sadly, the ethical debate over human embryonic stem cell research has completely overshadowed the fact that the Federal Government is devoting $600 million each year for all types of stem cell research. The current policy does not ban stem cell research in the United States, nor does it ban Federal funding for embryonic-type stem cell research. It only limits federally funded embryonic stem cell research to stem cell lines existing before August 9, 2001. The National Institutes of Health, through its peer-review selection process, currently directs only about $39 million of the total to human embryonic stem cell research. While some conclude that the stem cell lines approved under the administration's policy are not adequate, 85 percent of all the published research on embryonic stem cells, whether U.S. or foreign, was conducted using these stem cell lines. The fact is, despite these investments, embryonic stem cell research has yielded few and modest results in animals, and no clinical treatments in humans.

In stark contrast, non-embryonic stem cells are showing far more potential to develop treatments. Just this week, it was reported around the country that researchers from Wake Forest University found that stem cells extracted from amniotic fluid have the same growth and differentiation capabilities as embryonic stem cells. These cells are shed by the developing fetus and are easily obtained during prenatal testing without destroying human embryos. Other research using stem cells from non-embryonic sources, such as existing adult cells, umbilical chord blood and human placentas, has resulted in 72 experimental treatments for a number of diseases.

According to a study by the RAND corporation, there are approximately 400,000 frozen embryos at fertility clinics in the U.S., most of which have been set aside for future use. Only approximately 11,000 have been donated for research so far. If there is a breakthrough that provides a treatment using embryonic stem cells, the fact is that fertility clinics could never provide the number of stem cells needed for treatment: 50 to 100 eggs are needed to produce just one petri dish of cells. Donors would have to be solicited, which would put women all over the world at risk for coercion as well as the health complications associated with egg donation.

Finally, Mr. Speaker, I would like to point out that the United States is not alone in the world in addressing this issue; Italy, Austria, Ireland, Norway, and Poland have an outright prohibition on human embryo research. In other countries, such as France and Germany, human embryonic stem cell research is only permitted for stem cell lines created before a certain date, which is similar to the current U.S. policy. Federal resources should continue to be directed toward the most promising medical research. I urge my colleagues to uphold the current policy on stem cell research and vote "no" on H.R. 3.

Mrs. MYRICK. Mr. Speaker, I rise today in opposition to H.R. 3. Like my colleagues, I believe in the transforming and life-saving power of scientific progress. I've seen first-hand how cutting-edge research can impact the lives of Americans who suffer from all sorts of disease, and I understand the inherent value of federally supported research.

As many of my colleagues have stated today, scientists at Wake Forest University and Harvard University reported 4 days ago that they've drawn incredibly promising stem cells from amniotic fluid.

To quote Anthony Atala, the director of Wake Forest's Institute for Regenerative Medicine, "They grow fast, as fast as embryonic stem cells. But they remain stable for years without forming tumors".

This means that if 100,000 women were to donate amniotic cells, scientists could have enough diverse cells to provide compatible tissue for most Americans.

All of this without destroying embryos for research that hasn't proven it can cure a single ailment.

Perhaps we're having the wrong debate today. If we can derive disease treatments from cells without destroying embryos, isn't this the best option for Federal funding?

Embryonic stem cell research is legal in this country. Our debate is about the expansion of Federal funding to cover the destruction, and the eventual creation of embryos for the sole purpose of research.

I ask my colleagues to vote "no" on this bill, particularly in light of new research that could provide an alternative.

Mr. SIRES. Mr. Speaker, I rise in support of H.R. 3 and Federal stem cell research funding.

The Federal Government is behind the times. Many States, including my home State of New Jersey, have already authorized State funding for stem cell research. In fact, just last month I stood next to Governor Corzine as he signed a bill authorizing $270 million for new laboratories and stem cell research facilities throughout New Jersey. The time has come for this Congress and the President to do the same.

On the merits, embryonic stem cell research offers great promise to everyone suffering from a disease or illness. We all know someone or have ourselves been affected by diabetes, Parkinson's disease, Alzheimer's, cancer, or another disease that could be cured or treated with therapies formed from stem cells. Cures and treatments will not be found overnight, but we will never know what could be accomplished if we don't make a real commitment to this research. That is why it is so important that we pass H.R. 3 today.

There are an estimated 100 million Americans waiting for us to take action. They don't believe this is a partisan or political issue. They just want hope for a cure. Let's give them that hope. I urge my colleagues to support H.R. 3.

Mr. KENNEDY. Mr. Speaker, I would like to thank the gentlelady from Colorado and the gentleman from Delaware for their leadership in bringing this bill to the floor for a vote today. I must also extend my thanks to our distinguished Speaker for her commitment to returning the House to the hands of the American people during the first 100 hours of the 110th Congress.

I rise today to join my colleagues in support of the Stem Cell Research Enhancement Act. Each year, dozens of health advocacy groups flood my Washington, D.C., office to discuss the importance of medical research. While all experiences are memorable, the difficulties faced by the children with Type I, or juvenile diabetes, really stay with me.

Last year, a brother and sister, ages four and five, visited my office and shared with me their hatred of needles, and how much they would like to enjoy birthday cake and other foods with their friends. They didn't understand why they were chosen to be sick. They didn't understand why there are people in D.C. blocking bills that would help them get better. These children had one simple request, to pass a law to increase the most promising research tool available that may lead to a cure for their disease.

Advancements in science and technology have put our Nation in the position to make breakthroughs for these children. How did the President respond to their request? He made this bill the first veto of his Presidency. Everyone in this Nation knows someone, or has a friend or family member, who could benefit from stem cell research.

It is time for a new direction for America and it is time for the Stem Cell Research Enhancement Act to become law.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise in support of H.R. 3. We are all aware of the potential embryonic stem cells hold for mankind. It could very well be that these cells prove to be the Rosetta stone of medical research—allowing us to break the code on some of the worst afflictions: Alzheimer's, Parkinson's, juvenile diabetes.

We must acknowledge, however, that there is much we don't know about embryonic stem cells, and we are mistaken if we believe great cures are right around the corner. But we will never know either the true potential—or the dangers of stem cell related treatments if our scientists are overly constrained.

I understand the concerns of those who question the ethics of embryonic stem cell research, and agree that we must not throw caution to the wind at the hint of miraculous cures. Indeed, left unconstrained, this type of research could lead to dangerous outcomes.

That is a key reason why I support the Stem Cell Research Enhancement Act. It provides essential ethical guidelines to which federally funded researchers must adhere. It would be far preferable to have the Federal Government setting standards in this field rather than a hodge-podge of states and private entities. In fact, I believe that the National Institute of Health's rigorous ethical guidelines would prove to be more protective of human life than individual states or private entities. Remember, embryonic stem cell research is not illegal, and individual states have already moved forward on their own. It is crucial that the Federal Government lead the way.

I supported President Bush when he announced his plan to allow federally funded research on 60 pre-existing stem cell lines. But we now know that only 21 stem cell lines are available for research. These 21 have significant shortcomings that make them of dubious value.

Federally funded U.S. researchers are at a technological disadvantage as they lack access to newer stem cell lines. This is causing concern that some of the top stem cell biologists will move into non-federally funded research, or even move overseas. We should not allow this to happen.

There are a great many difficult questions that attend this debate. However, I can not look in the eyes of a couple whose child is suffering from a debilitating disease and tell them that I am doing everything possible to stop their child's suffering without supporting this legislation.

I believe expanded Federal funding of embryonic research is the right course to take—a view shared by increasing numbers in both parties.

I am proud to be an original cosponsor of the Stem Cell Research Enhancement Act of 2007.

I believe this bill is an important step in making the United States a leader in all facets of the stem cell issue—both scientifically and ethically.

Ms. BORDALLO. Mr. Speaker, I rise today in general support of H.R. 3, the Stem Cell Research Enhancement Act of 2007. This bill would authorize the Department of Health and Human Services to support the expansion of research involving stem cells regardless of the date on which the stem cells are derived and under the principal condition that such research conforms to certain ethical standards that would be set forth by the bill.

I have joined over 200 of my colleagues in cosponsoring this legislation to demonstrate my general support for ethically responsible, expanded, federally funded scientific research that stands to yield advances toward discovering treatments and cures for many terminal, debilitating diseases and physical impairments.

It is true that research on the lifesaving qualities of stem cells predominantly remains in preliminary stages. But the potential for easing the suffering of individuals, curtailing illnesses, and protecting the general health and welfare of future generations that is offered by continuing and expanding this research is too great to ignore. Authorizing Federal support for the continuation and expansion of this research under strict ethical guidelines is an investment worth making today. We should pass legislation to enhance the abilities of and authorize funding for the scientific community to attain the most advanced scientific achievements possible that modern technology can bring and that we, as a society, can morally afford.

I believe that this legislation provides for the ethical safeguards needed to ensure that government funding is not used to compromise the integrity and morality of the American people in exchange for supporting research that could lead to cures for many illnesses. I support H.R. 3 because it provides appropriate safeguards while promoting the lifesaving research that will make a profound difference in many lives in the future.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in strong support of H.R. 3, the Stem Cell Research Enhancement Act. Seventy-two percent of Americans and a bi-partisan majority of Congress strongly support embryonic stem cell research. The research could prove to improve the lives and ease the suffering of the over 100 million Americans who have juvenile diabetes, ALS, Alzheimer's, Parkinson's, cancer, heart disease, spinal cord injury, muscular dystrophy, and other diseases.

Parkinson's affects over 1 million people, including my close friend and our colleague, former-Rep. Lane Evans. During his time in Congress, Lane was dedicated to advancing stem cell research because he understands what it is like to struggle with an incapacitating disease, and he understands the hope that embryonic stem cell research held. Why would we want to destroy that hope?

I would like to thank the Juvenile Diabetes Foundation and their young advocates for all the work they have done to raise awareness about the need to pursue embryonic stem cell research. The Juvenile Diabetes Foundation recognizes the need to allow embryonic stem cell research to transcend political lines and partisan fighting so that critical gains can be made in medicine in America and millions of human lives could be saved. I would also like to send a special thanks to my friend, Bonnie Wilson, whose daughter has juvenile diabetes.

Since I have been in Congress, I have received an overwhelming number of calls and letters from my constituents detailing their daily pain and suffering from debilitating diseases. In March 2006, I received a letter from my constituent Liz O'Malley. In her letter, she described the daily struggles of her son, Seamus. Seamus has muscular dystrophy. He is only 11-years old. Stem cell treatment may be his only hope. Why would we want to destroy that hope?

The opponents of this measure wrongly portray the decision on funding for additional stem cell research as a choice between one life or another. In fact, we are choosing between disposing of embryonic stem cells or using those cells to save countless lives and advance life-saving science in previously unrealized ways. Embryonic stem cell research offers the hope of a better life. It is incomprehensible that anyone would allow politics and personal preference to trump hard facts and science. They wrongly portray amniotic fluid stem cells as the only legitimate form of stem cell research. While this method is promising, it should not be the only type of stem cell research conducted. Every type of stem cell is different, every type has a unique ability, and none are a replacement for another. Any strides made in one form of stem cell research may be essential to gains in another area. We must not act to prevent embryonic stem cell research and dash the hopes of so many families who are battling critical illnesses and disorders.

America has always been on the cutting edge of innovation and now we stand on the brink of groundbreaking medical advancements that would dramatically alter the lives of people such as Seamus. We must not prohibit this promising research. States are already moving forward with this research by committing public funds. Illinois has already awarded $10 million in grant funding to research institutes and hospitals because Governor Blagojavich recognizes the advances embryonic stem cell research could make in science and medicine and the great potential it holds. I urge my colleagues vote to "yes" on H.R. 3 and to follow the lead of Illinois and many other states and allow for Federal funding of embryonic stem cell research.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong support of H.R. 3, providing for embryonic stem cell research.

The majority of Americans are in favor of stem cell research, as am I.

Scientists in this country have been handcuffed by politicians who do not trust them to conduct research in an ethical manner.

My colleagues, you have heard an argument that "adult" stem cells have yielded greater benefits than "embryonic" stem cells in clinical research.

The fact is that adult stem cells receive much more Federal funding, while embryonic stem cells have received little.

It's not right for legislators or the President to be telling scientists how to do their work. Researchers need freedom to pursue science that yields benefits.

A vote for H.R. 3 is a vote for millions suffering from diabetes, Parkinson's, and other diseases.

It is time to say "no" to the ultraconservative lobby that has blockaded stem cell research for so long, and it is time for a change.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to section 509 of House Resolution 6, the bill is considered read and the previous question is ordered.

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

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

MOTION TO RECOMMIT OFFERED BY MR. BURGESS

Mr. BURGESS. Mr. Speaker, I offer a motion to recommit.

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

Mr. BURGESS. In its current form I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Burgess moves to recommit the bill (H.R. 3) to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Page 4, line 11, strike the close quotation marks and the period at the end and insert the following:

"(e) PREVENTING FEDERAL SUPPORT FOR HUMAN CLONING.—

"(1) PROHIBITION.—In conducting or supporting research described in subsection (a), the Secretary may not award a grant to, enter into a contract with, or provide any other support to any entity (including any public or private entity and any Federal, State, or local agency) for such research, unless the entity provides assurances satisfactory to the Secretary that—

"(A) the entity has not conducted or supported, and will not conduct or support, any activity described in paragraph (2) during any fiscal year for which the grant, contract, or support is provided; and

"(B) any entity that controls, is controlled by, or is under common control with such entity has not conducted or supported, and will not conduct or support, any activity described in paragraph (2) during any fiscal year for which the grant, contract, or support is provided.

"(2) ACTIVITIES.—The activities described in this paragraph are any research utilizing all or part of human embryonic stem cells from any cloned human.

"(f) DEFINITIONS.—In this section:

"(1) The term 'asexual reproduction' means reproduction not initiated by the union of oocyte and sperm.

"(2) The term 'cloned human' means an organism produced by human cloning.

"(3) The term 'human cloning' means human asexual reproduction, accomplished by introducing nuclear material from one or more human somatic cells into a fertilized or

unfertilized oocyte whose nuclear material has been removed or inactivated so as to produce a living organism (at any stage of development) that is genetically virtually identical to an existing or previously existing human organism.

''(4) The term 'human embryo or embryos' has the meaning given to that term in section 509(b) of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006 (Pub. L. 109–149; 119 Stat. 2833).

''(5) The term 'human embryonic stem cell' means a cell derived from a human embryo or embryos.

''(6) The term 'somatic cell' means a diploid cell (having a complete set of chromosomes) obtained or derived from a living or deceased human body at any stage of development.''.

Mr. BURGESS (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes in support of his motion to recommit.

Mr. BURGESS. Mr. Speaker, we have heard a lot of discussion today, and a lot of it good on both sides. I again remain disappointed we were not allowed in our committee to fully investigate and understand some of the new issues that surround this science.

I think it is extremely important to know that nothing that we have done so far would preclude the cloning of human tissue, and that is something that needs to be addressed.

□ 1430

So for that, I have asked Dr. DAVE WELDON to share some of his thoughts with us on this subject.

Mr. WELDON of Florida. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of this motion to recommit, and I would encourage all of my colleagues to vote for it. Why are we offering this motion to recommit? It is really very, very simple. This institution, the House of Representatives, is previously on multiple occasions on record being in opposition to human cloning, both human cloning for the purpose of creating a baby and human cloning for the purpose of creating embryos for research purposes.

Why do we bring this up? Why do we offer this motion to recommit in its current form? Well, it is very, very simple. Some of the labs that are going to get the money under this bill are currently pursuing an agenda of human cloning. I would encourage you all to go to the Harvard medical school Web site. You can pull this down. I have it right here. I would be very interested to share it with any of my colleagues how they are pursuing, through the process that they refer to as Somatic Cell Nuclear Transfer, which is human cloning, an agenda to create disease-specific cell lines for embryonic stem cells. That is their agenda through the process of cloning.

Now, we are on record wanting to make it illegal, make it criminal, to do human cloning. This motion to recommit doesn't do that. This says something much milder than that, and this is why I think most people in this body should be very, very comfortable with this motion to recommit. It simply says, we don't want to be using Federal dollars in a lab that is engaging in human cloning. If we can't get through the Senate a ban, a total ban on human cloning, at least let's make sure that, as we move forward in this brave new world of using human embryos in research and discarding them, that at least we are not incentivizing cloning.

I commend my colleague from Texas and the staff for developing this motion to recommit, and I would just again remind all of my colleagues, we are out of step with the civilized world. Canada, France, Germany and Italy have all completely banned embryo cloning. All the other G–8 countries have serious restrictions on it. This is a restriction on human cloning, a simple, mild restriction that we won't allow Federal dollars to be going to a lab that is doing cloning.

Mr. BURGESS. I thank the gentleman from Florida. I will yield any time remaining to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman for yielding and appreciate the privilege to address this subject matter.

This motion to recommit is a motion about cloning. Many of the other civilized nations in the world have taken a position against cloning. This Congress has taken a position against cloning, but there isn't a way in the laboratory to move forward with these experiments on embryos without cloning.

We are asking for a moral standard here. The people say, on the one side of this argument, No, we're opposed to human cloning; we think that's abhorrent to us; that that is ethically something that we're opposed to. This motion to recommit allows a Member to take that stand and put that vote up and say, I'm opposed to cloning, whatever you believe about the research that is involved here.

Mr. FEENEY. Will the gentleman yield?

Mr. KING of Iowa. I would yield.

Mr. FEENEY. I would say to my friend, Mr. KING, yesterday in the bill there was a discriminatory provision that favored or discriminated for or against some territories or States as opposed to others in the minimum wage bill. Is there anything that the gentleman is aware of in this bill that would discriminate in terms of Federal funding for human cloning, helping some territories and treating some States and territories different from one another as, unbeknownst to the Members, occurred yesterday in the minimum wage bill?

Mr. KING of Iowa. Yesterday what happened in the minimum wage bill seemed to be discriminatory for some reasons that I think we all know. I am not aware that there is a political subdivision, a geographical area or even a subdivision of some university that might have assisted——

Mr. FEENEY. Is it theoretically possible that people in American Samoa who do not make minimum wage——

The SPEAKER pro tempore. The gentleman from Florida will suspend.

The gentleman from Iowa has the time. If he wants him again to yield, he should ask him to yield, not simply speak.

Mr. FEENEY. Will the gentleman yield?

Mr. KING of Iowa. I would be happy to yield to the gentleman from Florida.

Mr. FEENEY. Is it theoretically conceivable if yesterday's minimum wage exemption for American Samoa becomes law and today's bill passes that people that make less than the minimum wage in American Samoa will be doing with Federal funds embryonic stem cell research?

Mr. KING of Iowa. I would say that I am not aware of a circumstance like that, of whether there happens to be a geographical area or a political subdivision or an interest that might be from a university that could be part of this bill.

Ms. DEGETTE. Mr. Speaker, I rise in opposition to motion to recommit.

The SPEAKER pro tempore. The gentlewoman is recognized for 5 minutes.

Ms. DEGETTE. Mr. Speaker, this motion does not ban human cloning. It does not ban reproductive cloning. What it is, is a desperate attempt to derail ethical scientific research on embryonic stem cell research, which is unrelated.

Not a single person in this House supports reproductive cloning. But again, the motion doesn't ban reproductive cloning. What it does is it says, if you are an entity conducting research on Somatic Cell Nuclear Transfer, which is a way to look at these cells, with private dollars, not even with public dollars, you will be prevented from receiving Federal funding for conducting embryonic stem cell research. This will, frankly, tie the hands of some of the preeminent research entities in the world from conducting this life-saving research.

The motion is a thinly veiled attempt to define human life in a manner that can have profound implications beyond the issues raised in H.R. 3. It contains vague terms like ''assurances'' and undefined terms such as ''satisfaction of the Secretary.''

What the frank intent of this motion is, is to gut H.R. 3 by strapping it with undefined standards and terms that are extraneous to the bill. The motion is a procedural vote without meaning. It is a ruse, a red herring designed to frighten, to obfuscate and to distract.

We all think that banning reproductive cloning is important, and that is

why the chairman of the Energy and Commerce Committee has assured me that he will examine this issue further to see what legislation we can do to protect ourselves.

And I will finally say, I do not know of one research institution which would be eligible for Federal funds through the NIH under H.R. 3 that is conducting any experiments or attempts for human reproductive cloning; it is unethical, and our research institutions are not engaged in these efforts.

Rather than a sincere attempt to legislate on matters of great importance, this motion is partisan, and it should be defeated.

With that, Mr. Speaker, I plan to vote ''no'' on this motion, I strongly encourage my colleagues to vote ''no.''

And I yield the balance of my time to the distinguished gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentlewoman from Colorado.

This motion is a poison pill in the greatest way, and it goes a little beyond the normal poison pill. It has basically been designed by those who would oppose the legislation in a way of trying to knock it out because they know very well we have the votes for it on the floor here today. But it goes beyond that; it actually eliminates part of the research which may be essential in the implanting of the embryonic stem cells eventually in a human being called Somatic Cell Nuclear Transfer, which really doesn't relate ultimately to the human reproductive cloning.

I have discussed introducing legislation, I have co-sponsored legislation in the past on banning reproductive cloning. I happen to believe in that, with the gentlewoman from Colorado, we both believe in that very strongly; but the bottom line is that we need to be able to develop the research on embryonic stem cells in every way we possibly can.

Somatic Cell Nuclear Transfer is currently legal. It is just not funded by the Federal Government. This bill does not fund SCNT in any way whatsoever.

The motion to recommit is shortsighted. It is very damaging to any possible future research. It should be opposed by anybody who plans to vote for this legislation. And I would hope that 100 percent of the individuals who are going to vote for our bill are going to oppose the motion to recommit which is being presented here today.

I think in the names of those who are supportive of it, be it Senator HATCH or Nancy Reagan or Michael J. Fox or a lot of other people, but particularly all those people out there who are ill, who have some hope, and that is what it is, it is hope, will make absolutely sure that we do not vote for the motion to recommit, that we defeat it and then, right after that, we go on to pass the legislation which is so important and vital for the future of health of people in America.

Mr. DREIER. Mr. Speaker, I was very interested to hear the remarks of the gentlelady from Colorado (Ms. DEGETTE) when she inferred that the vote on the motion to recommit was not a substantive or amendatory vote. This is simply not the case. The motion to recommit has been held as the opposition's, traditionally the Minority's, last opportunity to perfect the bill prior to its adoption. The motion to recommit was often denied the Republicans when they were in the Minority prior to 1995. When the Republicans took the majority in the 104th Congress we had promised to protect the Minority's right to offer the motion to recommit and we kept our promise by instituting a rules change which prohibited the Rules Committee from denying that motion.

And to simply make the point more clear that a motion to recommit is a substantive amendatory vote, I would like to refer the gentlelady to page H210 of the CONGRESSIONAL RECORD dated January 9, 2007. There she will find a series of parliamentary inquiries directed to the Chair by the gentleman from Texas, Mr. HENSARLING. In one of the inquiries the gentleman from Texas specifically asks the Chair, Does the special order provide for the consideration of any amendments? To which the Speaker replied, ''By way of the motion to recommit.'' So, unless the gentlelady would like to overturn the ruling of the Chair, clearly the motion to recommit is amendatory and therefore highly substantive.

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

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

There was no objection.

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

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage, if ordered; and on the motion to suspend the rules on H. Res. 15.

The vote was taken by electronic device, and there were—yeas 189, nays 238, not voting 8, as follows:

[Roll No. 19]

YEAS—189

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Costello
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Oberstar
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Putnam
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—238

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (NY)
Blumenauer
Bono
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mitchell

Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reichert
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—8

Bishop (GA)
Buyer
Davis, Lincoln
Hastert
Miller, Gary
Norwood
Radanovich
Westmoreland

□ 1502

Mr. BISHOP of New York changed his vote from ''yea'' to ''nay.''

Messrs. YOUNG of Alaska, REGULA, and ROHRABACHER changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. NORWOOD. Mr. Speaker, on rollcall No. 19, on Motion to Recommit with Instructions (H.R. 3), had I been present, I would have voted "yea."

PARLIAMENTARY INQUIRY

Mr. BURGESS. Parliamentary inquiry.

The SPEAKER pro tempore (Mr. FRANK of Massachusetts). The gentleman from Texas may state his parliamentary inquiry.

Mr. BURGESS. Mr. Speaker, would it be in order to inquire where we are in the 100 hours time? I see it is 3 o'clock in the afternoon; in Texas, that is 2 o'clock.

The SPEAKER pro tempore. The gentleman from Massachusetts is the Speaker pro tempore, not the timekeeper.

The question is on the passage of the bill.

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

RECORDED VOTE

Mr. BARTON of Texas. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 253, noes 174, not voting 8, as follows:

[Roll No. 20]

AYES—253

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (NY)
Blumenauer
Bono
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Dreier
Edwards
Ellison
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gillibrand
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heller
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Ramstad
Rangel
Regula
Reichert
Reyes
Rodriguez
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—174

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Cole (OK)
Conaway
Costello
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Duncan
Ehlers
Ellsworth
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hall (TX)
Hastings (WA)
Hayes
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kaptur
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Mollohan
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Oberstar
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Price (GA)
Putnam
Rahall
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (OH)
Wilson (SC)
Wolf

NOT VOTING—8

Bishop (GA)
Buyer
Gilchrest
Hastert
Miller, Gary
Norwood
Radanovich
Westmoreland

□ 1511

Mr. MELANCON changed his vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. NORWOOD. Mr. Speaker, on rollcall No. 20, on passage of H.R. 3, had I been present, I would have voted "no."

MOURNING THE PASSING OF PRESIDENT GERALD RUDOLPH FORD

The SPEAKER pro tempore (Mr. WELCH of Vermont). The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 15, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and agree to the resolution, H. Res. 15, as amended, 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 423, nays 0, not voting 12, as follows:

[Roll No. 21]

YEAS—423

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—12

Bishop (GA)
Buyer
Hastert
Herger
McCrery
Miller, Gary
Miller, George
Murtha
Norwood
Radanovich
Thornberry
Westmoreland

□ 1522

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. NORWOOD. Mr. Speaker, on rollcall No. 21, on Motion to Suspend the Rules and Agree, as Amended (H. Res. 15), had I been present, I would have voted "yea."

HOUR OF MEETING ON TOMORROW

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

EMBRYONIC STEM CELL RESEARCH

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

Mr. HOLT. Mr. Speaker, I am pleased that with the vote recently completed, we will move toward research in embryonic stem cells.

My home State of New Jersey asserted real national leadership on stem cell research. In 2005, New Jersey became the first State in the Nation to award public funds for research on human embryonic stem cells. But one State or another supporting this research is not a substitute for Federal support.

Opponents of this legislation that we passed say that we should pursue alternative avenues for research such as adult stem cells, cord blood cells, amniotic fluid cells, and they are correct. We should investigate each one of these avenues. Yet that is not a compelling reason to block the researchers from pursuing embryonic stem cell research, which experts agree hold the greatest potential because of the truly broad nature of these embryonic stem cells.

APPOINTMENT OF MEMBER TO UNITED STATES GROUP OF THE NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 1928a, and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Member of the House to the United States Group of the NATO Parliamentary Assembly:

Mr. TANNER, Tennessee, Chairman.

SPECIAL ORDERS

The SPEAKER pro tempore. Under a previous order of the House, the following Members will be recognized for 5 minutes each.

IRAQ AND THE WAR ON TERROR

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

Mr. DEFAZIO. Mr. Speaker, after 9/11, the House of Representatives voted in unprecedented near unanimity with one dissenting vote to invade Afghanistan and go after the perpetrators of 9/11, Osama bin Laden, al Qaeda, and also their host, the Taliban. The U.S. Forces with real allies quickly accomplished that mission, displacing the Taliban, Osama bin Laden, al Qaeda.

Unfortunately, because of the administration's diverting its attention already toward Iraq and failing to send adequate troops into Afghanistan and overly relying upon untrustworthy Afghan warlords, Osama bin Laden escaped, as did the one-eyed Omar of the Taliban, al-Zawahiri, his deputy.

They are still at large. They are still planning attacks in the United States. In fact, they are resurgent. For the first year since our invasion of Afghanistan, the Taliban didn't shrink back into Pakistan for the winter. They have set up sophisticated forward bases in Southern Afghanistan.

We are hearing a plea for reinforcements from the NATO forces, from U.S. troops on the ground. And what is the President's reaction? Remember the President, ''Osama bin Laden, dead or alive; dead or alive, we are going to hunt him to the ends of the Earth''? He does not talk about that anymore, does he? The Taliban, Afghanistan. He is totally focused on his failed policies in Iraq, where there was no al Qaeda, where there were no weapons of mass destruction, where there was no Osama bin Laden.

□ 1530

And now the President, as part of an attempt to paper over his failed strategy yet once again and pretend there is possibly a military solution, he is going to take U.S. troops out of southern Afghanistan and send them to Baghdad, despite the warnings that the one-eyed Omar and the Taliban intend to try and retake Kandahar against the pathetic NATO troops that are defending that region, hobbled by extraordinarily restrictive rules of engagement.

There is a possibility that there will be a new sanctuary and there will be a resurgence in place for the terrorists to go, but it is not Iraq. The President, in his blind obsession with Iraq, is failing to see the real threats against the United States of America. The President should not, and this Congress should not, support an escalation of the war in Iraq, sending 21,500 troops in Iraq, some of whom are vitally needed in Afghanistan who will be displaced as part of that number because we have taxed our military so heavily.

This is wrong policy for Iraq, wrong policy for America, and wrong policy for the much-touted war in Iraq. We must refocus our efforts on Afghanistan, and we must work more broadly for a solution in Iraq, following many of the recommendations of the Hamilton-Baker report rejected by the President in favor of doing the same thing again and again and again.

This is not a change in policy. It is the same failed policies of the past.

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

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PANCHO VILLA RIDES AGAIN

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

Mr. POE. Mr. Speaker, I bring you news from the second front: the border war continues.

Ninety years after his example, Pancho Villa would be proud knowing that armed banditos from Mexico continue to invade the United States border to harass U.S. citizens, and the U.S. Government won't do what is necessary to stop this invasion.

The Associated Press reports on January 3 of this year: gun-toting Mexican outlaws encountered U.S. National Guard troops along the U.S.-Mexico border near Sasabe, Arizona. After supposedly bringing drugs into our land, these outlaws were headed back home to Mexico when they overran this Arizona National Guard ''outpost.''

Make no mistake about it. These criminals were not ''undocumented migrant workers'' who daily cross the U.S. border illegally, but fierce outlaws armed with AK–47 automatic rifles. They were taking full advantage of our weak border rules of engagement policy, or shall I say non-policy.

According to the National Guard, the gunmen defiantly approached our border troops in what was described as an ''aggressive manner.'' But instead of holding steady against this threatening approach, our Guardsmen fled. That's right, they retreated. Why? Because it is the policy that the National Guard may not fire their weapons unless fired upon or in danger of serious bodily injury and can only fire if no civilians are in close proximity.

In other words, when approached by armed intruders, the National Guard must flee. With these restrictions, the hostility left troops with the only choice they had, follow the retreat when confronted policy.

An ongoing investigation into the January 3 threat is being conducted by the U.S. Border and Customs Patrol. A spokesman for the U.S. Customs and Border Patrol stated, ''The exceptional job of these agents and troops is angering drug dealers, and that is probably the reason that they were so bold, and that heightened frustration may be connected'' with the incursion on January 3 and overrunning the outpost.

These narcoterrorists act as if America is their country and the National Guard are the intruders. Our government must allow our troops to engage the criminal invaders. If they come onto our land armed, we should fight, not flee from the scene. The war on the border is escalating. Ignoring these attacks only encourages Mexican drug dealers to be more aggressive in their criminal enterprises.

Homeland security begins at home by protecting our borders from these illegal invaders. In the days of Pancho Villa, banditos encroached upon the border on horseback. But U.S. soldiers and Texas Rangers fought back and took control of our border. Now these banditos come across by any means necessary: in Humvees, in the backs of trucks, on foot, and they are saddled with deadly fire power. They traffic drugs, illegal aliens, and they are armed while doing it.

In 1916, our government ordered thousands of National Guardsmen to protect the borders and to protect U.S. citizens. General John J. Pershing did that. He defended our borders, and he chased banditos back to Mexico.

In 2007, the U.S. Government has once again called the National Guard to protect and defend. But the U.S. engagement policy is beneficial only to the intruders by not allowing the National Guard to defend themselves or our sovereignty with their weapons.

How is the National Guard to shield our country from this invasion when they can't capture armed bandits? Or should they be called ''undocumented firearm enthusiasts''? If our National Guard is on the border, they should be allowed to protect our country from hostile invaders using any means necessary. After all, they are the National Guard, not national bird watchers. Let's not send our National Guard or border agents to perform a task with a no-detain or no-shoot policy. Otherwise, how can they protect America?

Armed renegades attacking our borders are invaders and should be treated as such. Mexico refuses to crack down on their criminals encroaching on U.S. land. In fact, they encourage this intrusion.

Has our Nation lost the moral will to protect our border? We protect the border of other nations. We protect the Korean border. We protect the Iraqi border. Let us protect our own border. A line must be drawn in the sand ordering these desperados to leave or the U.S. Calvary will deal with them like General Pershing did 100 years ago.

And that's just the way it is.

PRESIDENT HEADED IN WRONG DIRECTION

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, last night we heard from a President who plans to continue in the wrong direction, believing that our military can solve a political quagmire; but every day that we are there, our military presence makes the situation worse.

Mr. Speaker, sending more troops will only fuel the insurgency. We don't belong there, and our brave and capable troops need to come home.

I ask you: How can we believe a President who had already sent troops to Baghdad before his speech and he didn't mention it? Unbelievably, he is sending troops, and of course he didn't mention this, that don't have the most advanced armor.

But, Mr. Speaker, while the President was giving his remarks, the U.S. military was attacking the Iran consulate, the consulate in the Kurdish region of Iraq. As yet, their consul has not heard why from the United States. The President didn't tell us about that attack.

It is troubling and it is sad that the President has misrepresented so many facts about Iraq. It seems he can't distinguish between what he wants to believe and what is real. What he is calling sectarian violence is really civil war.

He supports the Iraq Government against the death squads when he knows full well that the death squads are embedded in the Iraqi Government. He claims that he is following the Iraq Study Group's recommendation to get a win when the study group has said there is no way to win and that the only question is how to best leave.

The President wants a win. To that end he is sending 20,000 more Americans into harm's way and spending $100 million a day to get that win. In 3 months, don't kid yourself, he will be asking for more to get a win. This is immoral.

What the President doesn't realize is that America wins when we follow our ideals, which means we fight for freedom when our freedom is at stake and we only ask American troops to lay down their lives when our country is in danger, not to give the President a win.

Again, Mr. Speaker, let me repeat, there is no military solution to this political problem. The United States is not going to determine the fate of Iraq; only the Iraqis will determine their fate.

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.)

ESCALATION IS HARDLY THE ANSWER

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

Mr. PAUL. Mr. Speaker, a military victory in Iraq is unattainable, just as it was in the Vietnam War. At the close of the Vietnam War in 1975, a telling conversation took place between a North Vietnamese colonel named Tu and an American colonel named Harry Summers. Colonel Summers said to Tu, You know, you never beat us on the battlefield. And Tu replied, That may be so, but it is also irrelevant.

It is likewise irrelevant to seek military victory in Iraq. As conditions deteriorate in Iraq, the American people are told more blood must be spilled to achieve just such a military victory. 21,000 additional troops and another $100 billion are needed for a surge, yet the people remain rightfully skeptical.

Though we have been in Iraq for nearly 4 years, the meager goal today simply is to secure Baghdad. This hardly shows that the mission is even partly accomplished.

Astonishingly, American taxpayers now will be forced to finance a multibillion dollar jobs program in Iraq. Suddenly the war is about jobs. We export our manufacturing jobs to Asia, and now we plan to export our welfare jobs to Iraq, all at the expense of the poor and the middle class here at home.

Plans are being made to become more ruthless in achieving stability in Iraq. It appears Muqtada al Sadr will be on the receiving end of our military efforts, despite his overwhelming support among large segments of the Iraqi people.

It is interesting to note that one excuse given for our failure is leveled at the Iraqis themselves: they have not done enough, we are told, and are difficult to train. Yet no one complains that the Mahdi or the Kurdish militias, the Badr Brigade, the real Iraqi Government, not our appointed government, are not well trained. Our problems obviously have nothing to do with training Iraqis to fight, but instead with loyalties and motivations.

We claim to be spreading democracy in Iraq. But al Sadr has far more democratic support with the majority Shiites than our troops enjoy. The problem is not a lack of democratic consensus; it is the antipathy among most Iraqis.

In real estate, the three important considerations are: location, location, location. In Iraq, the three conditions are: occupation, occupation, occupation. Nothing can improve in Iraq until we understand that our occupation is the primary source of the chaos and killing. We are a foreign occupying force strongly resented by the majority of Iraqi citizens.

Our inability to adapt to the tactics of fourth-generation warfare compounds our military failure. Unless we understand this, even doubling our troop strength will not solve the problems created by our occupation.

The talk of a troop surge and jobs program in Iraq only distracts Americans from the very real possibility of an attack on Iran. Our growing naval presence in the region and our harsh rhetoric towards Iran are unsettling. Securing the Horn of Africa and sending Ethiopian troops into Somalia do not bode well for world peace, yet these developments are almost totally ignored by Congress.

Rumors are flying about when, not if, Iran will be bombed by either Israel or the United States, possibly with nuclear weapons. Our CIA says Iran is 10 years away from producing a nuclear bomb and has no delivery system, but this does not impede our plans to keep everything on the table when dealing with Iran.

□ 1545

We should remember that Iran, like Iraq, is a third world nation without a significant military. Nothing in history hints that she is likely to invade a neighboring country, let alone do anything to America or Israel.

I am concerned, however, that a contrived Gulf of Tonkin type incident may well occur to gain popular support for an attack on Iran. Even if such an attack is carried out by Israel over U.S. objections, we will be politically and morally culpable, since we provided the weapons and dollars to make it possible.

Mr. Speaker, let's hope I am wrong about this one.

OIL INDUSTRY MAIN BENEFICIARY OF IRAQ WAR

The SPEAKER pro tempore (Mr. WELCH of Vermont). Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, the American people have not received very much information about a major issue in and around the Iraq war, and the oil industry would like to keep it just that way. Fortunately, investigative journalism is still being practiced, and I want to share information uncovered by a reporter for AlterNet, in the United States, and a major Sunday story this week in The Independent, a newspaper in the United Kingdom.

The number one Iraq story for all of 2006 on AlterNet, which is an Internet-based news and opinion site, was a two-part series by a reporter, Joshua Holland, entitled: ''Bush's Petro-Cartel Almost Has Iraq's Oil.''

Last Sunday, The Independent carried stories with these headlines: ''Future of Iraq: The Spoils of War, How the West Will Make a Killing on Iraqi Oil Riches.'' And ''Blood and Oil: How the West Will Profit from Iraq's Most Precious Commodity.''

Members of Congress are limited in how much information we can enter into the record at one time, so I will enter into the record The Independent story. I will also encourage every American to seek out and read the complete AlterNet story, which is available online.

These investigative reports paint a disturbing picture and raise troubling questions about big oil's attempting to steal the oil wealth and resources of the Iraqi people. From the beginning of the Iraq invasion, more moderate voices, especially overseas, questioned whether the ulterior motive behind toppling Saddam Hussein was a grab for Iraqi oil. In this scenario, democracy is a by-product of oil production, not the real reason for military action in Iraq.

Gaining access to the oil wealth of Iraq has had oil industries salivating for years. Gaining control of that oil wealth would be a prize beyond compare for the oil industry. Iraq has the third largest oil reserves in the world, and there are many oil geologists who believe that vast additional oil reserves are just waiting to be discovered in Iraq's western desert. They call it the Holy Grail, and some believe the untapped riches could propel Iraq from third to first place in the world's oil reserves.

An estimated 115 billion barrels of oil reserves are under Iraq. Today's price is $53 a barrel, and that is an 18-month low. The American people are still suffering from the oil price shocks and

high prices at the pump, and the oil industry is booking record profits in the billions of dollars every quarter, record profits in a world that is addicted to oil.

In 1999, Vice President CHENEY was running Halliburton, and he said in a speech that another 50 million barrels of oil would be needed by the end of the decade, and the key was the Middle East.

This administration and the British prime minister have repeatedly said that the U.S. invasion was not about oil. But these investigative reporters say a new law is quietly working its way through the Iraqi government that would give unprecedented access, control and oil wealth to Western oil companies. It would happen under what is known as a production sharing agreement, a PSA.

Here is how The Independent put it: ''PSAs allow a country to retain legal ownership of its oil but gives a share of profits to international companies that invest in infrastructure and operation of the wells, pipelines and refineries.''

The news account continues: ''Their introduction would be a first for a major Middle Eastern oil producer. Saudi Arabia and Iran, the world's number one and twoexporters, both tightly control their industries through state-owned companies with no appreciable foreign collaboration, as do most members of the Organization of Petroleum Exporting Countries, OPEC.''

The PSA's would give big oil in Iraq deals that would last for 30 to 40 years. These deals, the news reports point out, would force Iraq to share its oil wealth with Western outsiders, not their own people. Up to 70 percent of the profits would go to outside producers in the first years, and the news media points out that these deals could be enforced ahead of any social and economic reforms in Iraq and ahead of any social programs. One person quoted called it ''colonialism lite.''

The President said it is not about oil. The prime minister said it is not about oil. They said Iraqi oil was for Iraqi people. But the legislation working its way through the Iraqi government is about nothing but Western access to the oil and its incredible wealth. The leaked drafts of the legislation show the West in a role with access and control, including a provision in the leaked draft document that would enable Western oil companies to transfer their wealth right out of Iraq. They don't have to leave it in Iraq at all.

Quoting directly from the leaked draft, ''A foreign person may repatriate its exports in accordance with foreign exchange regulations in force at the time.'' In fact, the language is so favorable to companies that they would be able to take every bit out and sell the rest to the world.

A vast amount of Iraq's wealth would be up for sale, by foreigners, to foreigners.

Quoting the leaked draft: "It may freely transfer shares pertaining to any non-Iraqi partners."

The United States has been in Iraq for over 4 years already.

How long will we be there if western oil companies are given free rein to put a vice grip on Iraq's oil?

If western oil companies get a 30-year agreement, we may call Iraq the 30-year war.

The President said Iraq was all about democracy. News reports now give us a picture that say it might have been all about the oil.

Read the news reports and decide for yourself.

I include for the RECORD the article from The Independent.

[From The Independent, Jan. 7, 2007]

BLOOD AND OIL: HOW THE WEST WILL PROFIT FROM IRAQ'S MOST PRECIOUS COMMODITY

So was this what the Iraq war was fought for, after all? As the number of US soldiers killed since the invasion rises past the 3,000 mark, and President George Bush gambles on sending in up to 30,000 more troops, The Independent on Sunday has learnt that the Iraqi government is about to push through a law giving Western oil companies the right to exploit the country's massive oil reserves.

And Iraq's oil reserves, the third largest in the world, with an estimated 115 billion barrels waiting to be extracted, are a prize worth having. As Vice-President Dick Cheney noted in 1999, when he was still running Halliburton, an oil services company, the Middle East is the key to preventing the world running out of oil.

Now, unnoticed by most amid the furore over civil war in Iraq and the hanging of Saddam Hussein, the new oil law has quietly been going through several drafts, and is now on the point of being presented to the cabinet and then the parliament in Baghdad. Its provisions are a radical departure from the norm for developing countries: under a system known as ''production-sharing agreements'', or PSAs, oil majors such as BP and Shell in Britain, and Exxon and Chevron in the US, would be able to sign deals of up to 30 years to extract Iraq's oil.

PSAs allow a country to retain legal ownership of its oil, but gives a share of profits to the international companies that invest in infrastructure and operation of the wells, pipelines and refineries. Their introduction would be a first for a major Middle Eastern oil producer. Saudi Arabia and Iran, the world's number one and two oil exporters, both tightly control their industries through state-owned companies with no appreciable foreign collaboration, as do most members of the Organisation of Petroleum Exporting Countries, Opec.

Critics fear that given Iraq's weak bargaining position, it could get locked in now to deals on bad terms for decades to come. ''Iraq would end up with the worst possible outcome,'' said Greg Muttitt of Platform, a human rights and environmental group that monitors the oil industry. He said the new legislation was drafted with the assistance of BearingPoint, an American consultancy firm hired by the U.S. government, which had a representative working in the American embassy in Baghdad for several months.

''Three outside groups have had far more opportunity to scrutinise this legislation than most Iraqis,'' said Mr. Muttitt. ''The draft went to the U.S. government and major oil companies in July, and to the International Monetary Fund in September. Last month I met a group of 20 Iraqi MPs in Jordan, and I asked them how many had seen the legislation. Only one had.''

Britain and the United States have always hotly denied that the war was fought for oil. On 18 March 2003, with the invasion imminent, Tony Blair proposed the House of Commons motion to back the war. ''The oil revenues, which people falsely claim that we want to seize, should be put in a trust fund for the Iraqi people administered through the UN,'' he said.

''The United Kingdom should seek a new Security Council Resolution that would affirm . . . the use of all oil revenues for the benefit of the Iraqi people.''

That suggestion came to nothing. In May 2003, just after President Bush declared major combat operations at an end, under a banner boasting ''Mission Accomplished'', Britain co-sponsored a resolution in the Security Council which gave the United States and UK control over Iraq's oil revenues. Far from ''all oil revenues'' being used for the Iraqi people, Resolution 1483 continued to make deductions from Iraq's oil earnings to pay compensation for the invasion of Kuwait in 1990.

That exception aside, however, the often-stated aim of the United States and Britain was that Iraq's oil money would be used to pay for reconstruction. In July 2003, for example, Colin Powell, then Secretary of State, insisted: ''We have not taken one drop of Iraqi oil for U.S. purposes, or for coalition purposes. Quite the contrary . . . It cost a great deal of money to prosecute this war. But the oil of the Iraqi people belongs to the Iraqi people; it is their wealth, it will be used for their benefit. So we did not do it for oil.''

Paul Wolfowitz, Deputy Defense Secretary at the time of the war and now head of the World Bank, told Congress: ''We're dealing with a country that can really finance its own reconstruction, and relatively soon.''

But this optimism has proved unjustified. Since the invasion, Iraqi oil production has dropped off dramatically. The country is now producing about two million barrels per day. That is down from a pre-war peak of 3.5 million barrels. Not only is Iraq's whole oil infrastructure creaking under the effects of years of sanctions, insurgents have constantly attacked pipelines, so that the only steady flow of exports is through the Shia-dominated south of the country.

Worsening sectarian violence and gangsterism have driven most of the educated elite out of the country for safety, depriving the oil industry of the Iraqi experts and administrators it desperately needs.

And even the present stunted operation is rife with corruption and smuggling. The Oil Ministry's inspector-general recently reported that a tanker driver who paid $500 in bribes to police patrols to take oil over the western or northern border would still make a profit on the shipment of $8,400.

''In the present state, it would be crazy to pump in more money, just to be stolen,'' said Greg Muttitt. ''It's another reason not to bring in $20bn of foreign money now.''

Before the war, Mr. Bush endorsed claims that Iraq's oil would pay for reconstruction. But the shortage of revenues afterwards has silenced him on this point. More recently he has argued that oil should be used as a means to unify the country, ''so the people have faith in central government'', as he put it last summer.

But in a country more dependent than almost any other on oil—it accounts for 70 per cent of the economy—control of the assets has proved a recipe for endless wrangling. Most of the oil reserves in areas controlled by the Kurds and Shias, heightening the fears of the Sunnis that their loss of power with the fall of Saddam is about to be compounded by economic deprivation.

The Kurds in particular have been eager to press ahead, and even signed some small PSA deals on their own last year, setting off a struggle with Baghdad. These issues now appear to have been resolved, however: a revenue-sharing agreement based on population

was reached some months ago, and sources have told the IoS that regional oil companies will be set up to handle the PSA deals envisaged by the new law.

The Independent on Sunday has obtained a copy of an early draft which was circulated to oil companies in July. It is understood there have been no significant changes made in the final draft. The terms outlined to govern future PSAs are generous: according to the draft, they could be fixed for at least 30 years. The revelation will raise Iraqi fears that oil companies will be able to exploit its weak state by securing favourable terms that cannot be changed in future.

Iraq's sovereign right to manage its own natural resources could also be threatened by the provision in the draft that any disputes with a foreign company must ultimately be settled by international, rather than Iraqi, arbitration.

In the July draft obtained by The Independent on Sunday, legislators recognise the controversy over this, annotating the relevant paragraph with the note, ''Some countries do not accept arbitration between a commercial enterprise and themselves on the basis of sovereignty of the state. ''

It is not clear whether this clause has been retained in the final draft.

Under the chapter entitled ''Fiscal Regime'', the draft spells out that foreign companies have no restrictions on taking their profits out of the country, and are not subject to any tax when doing this.

''A Foreign Person may repatriate its exports proceeds [in accordance with the foreign exchange regulations in force at the time].'' Shares in oil projects can also be sold to other foreign companies: ''It may freely transfer shares pertaining to any non-Iraqi partners.'' The final draft outlines general terms for production sharing agreements, including a standard 12.5 per cent royalty tax for companies.

It is also understood that once companies have recouped their costs from developing the oil field, they are allowed to keep 20 percent of the profits, with the rest going to the government. According to analysts and oil company executives, this is because Iraq is so dangerous, but Dr Muhammad-Ali Zainy, a senior economist at the Centre for Global Energy Studies, said: ''Twenty percent of the profits in a production sharing agreement, once all the costs have been recouped, is a large amount.'' In more stable countries, 10 percent would be the norm.

While the costs are being recovered, companies will be able to recoup 60 to 70 percent of revenue; 40 percent is more usual. David Horgan, managing director of Petrel Resources, an Aim-listed oil company focused on Iraq, said: ''They are reasonable rates of return, and take account of the bad security situation in Iraq. The government needs people, technology and capital to develop its oil reserves. It has got to come up with terms which are good enough to attract companies. The major companies tend to be conservative.''

Dr. Zainy, an Iraqi who has recently visited the country, said: ''It's very dangerous . . . although the security situation is far better in the north.'' Even taking that into account, however, he believed that ''for a company to take 20 percent of the profits in a production-sharing agreement once all the costs have been recouped is large''.

He pointed to the example of Total, which agreed terms with Saddam Hussein before the second Iraq war to develop a huge field. Although the contract was never signed, the French company would only have kept 10 percent of the profits once the company had recovered its costs.

And while the company was recovering its costs, it is understood it agreed to take only 40 percent of the profits, the Iraqi government receiving the rest.

Production-sharing agreements of more than 30 years are unusual, and more commonly used for challenging regions like the Amazon where it can take up to a decade to start production. Iraq, in contrast, is one of the cheapest and easiest places in the world to drill for and produce oil. Many fields have already been discovered, and are waiting to be developed.

Analysts estimate that despite the size of Iraq's reserves—the third largest in the world—only 2,300 wells have been drilled in total, fewer than in the North Sea.

Confirmation of the generous terms—widely feared by international nongovernment organisations and Iraqis alike—have prompted some to draw parallels with the production-sharing agreements Russia signed in the 1990s, when it was bankrupt and in chaos.

At the time Shell was able to sign very favourable terms to develop oil and gas reserves off the coast of Sakhalin island in the far east of Russia. But at the end of last year, after months of thinly veiled threats from the environment regulator, the Anglo-Dutch company was forced to give Russian state-owned gas giant Gazprom a share in the project.

Although most other oil experts endorsed the view that PSAs would be needed to kick-start exports from Iraq, Mr. Muttitt disagreed. ''The most commonly mentioned target has been for Iraq to increase production to 6 million barrels a day by 2015 or so,'' he said. ''Iraq has estimated that it would need $20bn to $25bn of investment over the next five or six years, roughly $4bn to $5bn a year. But even last year, according to reports, the Oil Ministry had between $3bn and $4bn it couldn't invest. The shortfall is around $1bn a year, and that could easily be made up if the security situation improved.

''PSAs have a cost in sovereignty and future revenues. It is not true at all that this is the only way to do it.'' Technical services agreements, of the type common in countries which have a state-run oil corporation, would be all that was necessary.

James Paul of Global Policy Forum, another advocacy group, said: ''The U.S. and the UK have been pressing hard on this. It's pretty clear that this is one of their main goals in Iraq.'' The Iraqi authorities, he said, were ''a government under occupation, and it is highly influenced by that. The U.S. has a lot of leverage . . . Iraq is in no condition right now to go ahead and do this.''

Mr. Paul added: ''It is relatively easy to get the oil in Iraq. It is nowhere near as complicated as the North Sea. There are super giant fields that are completely mapped, [and] there is absolutely no exploration cost and no risk. So the argument that these agreements are needed to hedge risk is specious.''

One point on which all agree, however, is that only small, maverick oil companies are likely to risk any activity in Iraq in the foreseeable future. ''Production over the next year in Iraq is probably going to fall rather than go up,'' said Kevin Norrish, an oil analyst from Barclays. ''The whole thing is held together by a shoestring; it's desperate.''

An oil industry executive agreed, saying: ''All the majors will be in Iraq, but they won't start work for years. Even Lukoil [of Russia], the Chinese and Total [of France] are not in a rush to endanger themselves. It's now very hard for U.S. and allied companies because of the disastrous war.''

Mr. Muttitt echoed warnings that unfavourable deals done now could unravel a few years down the line, just when Iraq might become peaceful enough for development of its oil resources to become attractive. The seeds could be sown for a future struggle over natural resources which has led to decades of suspicion of Western motives in countries such as Iran.

Iraqi trade union leaders who met recently in Jordan suggested that the legislation would cause uproar once its terms became known among ordinary Iraqis.

''The Iraqi people refuse to allow the future of their oil to be decided behind closed doors,'' their statement said. ''The occupier seeks and wishes to secure . . . energy resources at a time when the Iraqi people are seeking to determine their own future, while still under conditions of occupation.''

The resentment implied in their words is ominous, and not only for oil company executives in London or Houston. The perception that Iraq's wealth is being carved up among foreigners can only add further fuel to the flames of the insurgency, defeating the purpose of sending more American troops to a country already described in a U.S. intelligence report as a cause célèbre for terrorism.

AMERICA PROTECTS ITS FUEL SUPPLIES—AND CONTRACTS

Despite U.S. and British denials that oil was a war aim, American troops were detailed to secure oil facilities as they fought their way to Baghdad in 2003. And while former defence secretary Donald Rumsfeld shrugged off the orgy of looting after the fall of Saddam's statue in Baghdad, the Oil Ministry—alone of all the seats of power in the Iraqi capital—was under American guard.

Halliburton, the firm that Dick Cheney used to run, was among U.S.-based multinationals that won most of the reconstruction deals—one of its workers is pictured, tackling an oil fire. British firms won some contracts, mainly in security. But constant violence has crippled rebuilding operations. Bechtel, another U.S. giant, has pulled out, saying it could not make a profit on work in Iraq.

IN JUST 40 PAGES, IRAQ IS LOCKED INTO SHARING ITS OIL WITH FOREIGN INVESTORS FOR THE NEXT 30 YEARS

A 40-page document leaked to the 'IoS' sets out the legal framework for the Iraqi government to sign production-sharing agreement contracts with foreign companies to develop its vast oil reserves.

The paper lays the groundwork for profit-sharing partnerships between the Iraqi government and international oil companies. It also lays out the basis for co-operation between Iraq's federal government and its regional authorities to develop oil fields.

The document adds that oil companies will enjoy contracts to extract Iraqi oil for up to 30 years, and stresses that Iraq needs foreign investment for the ''quick and substantial funding of reconstruction and modernisation projects''.

It concludes that the proposed hydrocarbon law is of ''great importance to the whole nation as well as to all investors in the sector'' and that the proceeds from foreign investment in Iraq's oilfields would, in the long term, decrease dependence on oil and gas revenues.

THE ROLE OF OIL IN IRAQ'S FORTUNES

Iraq has 115 billion barrels of known oil reserves—10 per cent of the world total. There are 71 discovered oilfields, of which only 24 have been developed. Oil accounts for 70 per cent of Iraq's GDP and 95 per cent of government revenue. Iraq's oil would be recovered under a production-sharing agreement (PSA) with the private sector. These are used in only 12 per cent of world oil reserves and apply in none of the other major Middle Eastern oil-producing countries. In some countries such as Russia, where they were

signed at a time of political upheaval, politicians are now regretting them.

THE $50BN BONANZA FOR U.S. COMPANIES PIECING A BROKEN IRAQ TOGETHER

The task of rebuilding a shattered Iraq has gone mainly to U.S. companies.

As well as contractors to restore the infrastructure, such as its water, electricity and gas networks, a huge number of companies have found lucrative work supporting the ongoing coalition military presence in the country. Other companies have won contracts to restore Iraq's media; its schools and hospitals; its financial services industry; and, of course, its oil industry.

In May 2003, the Coalition Provisional Authority (CPA), part of the U.S. Department of Defence, created the Project Management Office in Baghdad to oversee Iraq's reconstruction.

In June 2004 the CPA was dissolved and the Iraqi interim government took power. But the U.S. maintained its grip on allocating contracts to private companies. The management of reconstruction projects was transferred to the Iraq Reconstruction and Management Office, a division of the U.S. Department of State, and the Project and Contracting Office, in the Department of Defence.

The largest beneficiary of reconstruction work in Iraq has been KBR (Kellogg, Brown & Root), a division of U.S. giant Halliburton, which to date has secured contracts in Iraq worth $13bn (£7bn), including an uncontested $7bn contract to rebuild Iraq's oil infrastructure. Other companies benefiting from Iraq contracts include Bechtel, the giant U.S. conglomerate, BearingPoint, the consultant group that advised on the drawing up of Iraq's new oil legislation, and General Electric. According to the U.S.-based Centre for Public Integrity, 150-plus U.S. companies have won contracts in Iraq worth over $50bn.

30,000—Number of Kellogg, Brown and Root employees in Iraq.

36—The number of interrogators employed by Caci, a U.S. company, that have worked in the Abu Ghraib prison since August 2003.

$12.1bn—UN's estimate of the cost of rebuilding Iraq's electricity network.

$2 trillion—Estimated cost of the Iraq war to the U.S., according to the Nobel prize-winning economist Joseph Stiglitz.

COMMENTS ON WAR IN IRAQ

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

Mr. KELLER of Florida. Mr. Speaker, I rise today to discuss the war in Iraq. I oppose the surge. We don't need more American troops caught in the cross-hairs of a civil war. After nearly 4 years, it is high time for the Iraqis to send in their own troops to take out the Shia militias and the Sunni insurgents.

In short, the problem in Iraq is that we are losing nearly 100 American lives every month, and we are spending $2 billion a week. The solution is not to lose even more lives and to spend even more money.

I approach this subject with a great deal of humility, and it is not my intention to micro-manage this war. I am merely a Member of Congress and not a four-star general. But I have listened to what the most well-respected four-star generals in the United States have to say about this matter, and Generals Abizaid, Casey and Colin Powell have all said that sending another surge of troops into Iraq is not the answer.

I am terribly concerned about interjecting American troops into the middle of civil war violence. Who do they shoot at? The Sunni? The Shia? One thing we know is that 61 percent of Iraqis approve of violent attacks against our own U.S. troops. Does that sound like a grateful country to you?

Thanks to our brave American troops, Saddam Hussein and al-Zarqawi are dead, the Iraqi people have had three Democratic elections and three-fourths of the senior al Qaeda operatives have been killed or captured. And yet 61 percent of Iraqis want to kill American troops, and 79 percent of Iraqis have a mostly negative view of the United States.

The American people have paid the ultimate price for this war, and now is not the time to escalate the tragedy even further. The Iraq war has lasted longer than World War II. It has claimed more American lives than the attacks of 9/11, and it has cost more money than the Vietnam War.

The military action this Congress authorized in 2002 was for a far different purpose than the war we face today. I voted to authorize the use of force because I did not want Saddam Hussein to give weapons of mass destruction to al Qaeda. Now Saddam Hussein is dead, and there are no weapons of mass destruction in Iraq.

Why did we stay in Iraq? Because we wanted the Iraqi people to have a unified and secure government so that Iraq would not become a haven for terrorists, like what happened to Afghanistan after Russia pulled out.

Unfortunately, the Iraqi government has provided neither unity nor security. After nearly 4 years, the Iraqis still have not achieved reconciliation, still have not decided how to share oil revenues and still have not dealt with the militias and the insurgents.

For example, 80 percent of the sectarian violence in Iraq is within a 30-mile radius of Baghdad, yet despite the fact that the Iraqi security forces outnumber the al-Sadr militia by a ratio of 5–1, that is 300,000 versus 60,000, the Maliki government has still not taken action to take out Moqtada al-Sadr and his militia.

In his speech, President Bush tells us that he emphasized the importance of benchmarks with Prime Minister Maliki. Unfortunately, the Iraqi government has a pattern of not fulfilling its promises with regard to benchmarks.

For example, when I was in Iraq in May of last year, the Iraqi government officials told me they would be able to provide security for themselves by December of 2006. Now they are saying they hope to have their own security in place by December of 2007.

Similarly, the U.S. surged the number of troops in Baghdad last summer from 7,500 to 15,000 to take out the insurgents. But the Iraqi government reneged on its promise to provide Iraqi troops, and, as a result, the insurgents came right back after we left.

Mr. Speaker, I believe the motives of President Bush and other prominent leaders, such as John McCain, who are pushing for more troops are pure and well meaning. I believe they sincerely think this is the best way forward. Three years ago, I would have agreed with them. However, at this late stage, interjecting more young American troops into the crossfire of an Iraqi civil war is simply not the right approach. We are not going to solve an Iraqi political problem with an American military solution.

In closing, regardless of how one feels about the war in Iraq or the proposed surge in troops, as long as our American troops are in harm's way, it is our duty and responsibility to support these troops 100 percent.

May God bless our troops and our country.

CONFRONTING REALITY IN IRAQ

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

Mr. SCHIFF. Mr. Speaker, yesterday's decision by President Bush to escalate the U.S. troop commitment in Iraq will not bring stability to Baghdad. It will not ameliorate the growing civil war in Iraq. A troop increase will not result in a more rapid exit for the more than 130,000 American troops serving there, many of them on their third or fourth tour in Iraq. And worst of all, it makes apparent that the President has paid little heed to the bipartisan Iraq Study Group, a multitude of experts, both civilian and military, the Congress and, most importantly, an overwhelming majority of the American people.

For a long time, many of us have been calling for a new way forward in Iraq, and the White House billed last night's speech as a dramatic departure from current policy. But while the rhetoric may have been different, the plan outlined by the President was more of the same, and he clearly intends to stay the course. This is a position that I believe is unwise and that I strongly oppose.

I will support a resolution of disapproval, and I am willing to explore other options to force the President to truly change policy in Iraq.

In his remarks, the President told us that failure in Iraq is unacceptable, but his prosecution of the war has made success in Iraq recede further and further from our reach. The latest escalation is another in a long series of poor decisions by the administration that have cost the lives of so many brave and dedicated troops, cost American taxpayers more than $350 billion and left Iraq in chaos. Shiites and Sunnis who once lived in integrated neighborhoods in Baghdad are slaughtering each other now at a terrifying

pace. Iraqis spend 16 of every 24 hours without electricity.

Rather than sending additional troops to combat the insurgency, we should begin to responsibly redeploy our forces in Iraq while redoubling our efforts to train and equip Iraqi forces to provide their own security, an effort which is at the very heart of the Iraq Study Group recommendations for bolstering security in Iraq.

President Bush rightly characterized the most recent pushes to stabilize Baghdad, Operation Together Forward and Operation Together Forward II, as unsuccessful, because there were not enough Iraqi forces to hold areas cleared by American troops. But the President's assertion that we will now be able to rely on 18 Iraqi army and police brigades to shoulder much of the burden in a new offensive in Baghdad is clearly at odds with reality.

□ 1600

The Iraqi Army has not distinguished itself in combat. And four of the six battalions that were deployed to the capital last summer failed to show up at all.

The Iraqi police, which are under the control of the Ministry of the Interior, have been heavily infiltrated by Shiite militias and death squads and cannot be expected to take on Shiite extremists as Prime Minister Malaki has pledged. There is little support for an escalated American military presence in Iraq. American military commanders do not see an increase as improving the security situation on the ground, and the strain of multiple deployments has seriously eroded our capacity to respond to other contingencies should the need arise.

The American people, Democrats and Republicans alike, do not support an increase in the troop strength in Iraq. Perhaps most important of all, the Iraqis do not want more American troops in Iraq. In fact, if there is one thing that unites Iraqis, it is the desire that American forces should not remain indefinitely.

Furthermore, by continuing to bear the brunt of the fighting against insurgents, foreign fighters, and militias, the United States has fostered a dangerous dependence that has slowed efforts to have Iraqis shoulder the burden of defending their own country and government.

Even as we focus our military efforts on training Iraqi security forces, we need to push the Sunnis and Shiites to make the political compromises that are the necessary precondition to any reconciliation process. I have been arguing for more than 2 years that the struggle in Iraq is primarily a political one. The Iraq Study Group and numerous outside experts have also pressed the administration to force the Iraqi Government to make the hard decisions on power sharing, minority rights, and the equitable distribution of oil revenues that could help quell the Sunni insurgency and undermine support for Shiite maximalists like Muktada al Sadr.

I also believe the United States must work to convene a regional conference to support Iraq's bringing together its neighborhoods to find ways to stem the flow of weapons and foreign fighters into Iraq and to pursue common strategies in support of reconstruction and political reconciliation efforts.

There is hard evidence that Iran is facilitating the flow of weapons, trainers, and intelligence to Shiite militias in a bid to assert greater control over its neighbor. At the same time, the long and porous Syrian border has continued to be a transit point for foreign jihadis who have carried out some of the spectacular and devastating attacks on U.S. troops and Iraqi civilians.

Finally, our efforts in Iraq cannot be pursued in a vacuum. We need to do more to engage the Arab and Muslim world, and there must be a renewed effort to start peace negotiations between Israel and the Palestinians. This week's passage of the 9/11 implementation bill included excellent proposals for buttressing our leadership by improving our communication of ideas and communication in the Muslim world and by expanding U.S. scholarship exchange and other programs in Muslim countries.

Mr. Speaker, failure is unacceptable, but so is staying the course. I hope and expect that the debate we are going to have, the first real debate we have had in years, will convince the President to listen to those who are calling for a new way forward and not more of the same.

A TRIBUTE TO ROBERT ADERHOLT

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

Mr. ADERHOLT. Mr. Speaker, today I rise to congratulate, pay tribute, and honor a great jurist who has served on the bench for over 40 years in his home State of Alabama.

Born on December 6, 1935, to Ruby and Jesse Clifton, he grew up in Winston County, Alabama, and graduated from Haleyville High School in 1954. He pursued his undergraduate degree at Birmingham-Southern College. Thereafter, he attended the Cumberland School of Law in Lebanon, Tennessee, and obtained his law degree from the University of Alabama School of Law.

As a young attorney, he joined the faculty at the Cumberland School of Law, which by that time had moved from Lebanon, Tennessee, to Birmingham, Alabama, which is known today as Samford University. It was during this time that he authored, along with Professor Sam B. Gilreath, Caruther's ''History of a Lawsuit,'' eighth edition.

In 1958, he married his high school sweetheart, Mary Frances Brown, and they have been married for over 48 years. They have one son, who is married to the former Caroline McDonald and, two grandchildren, Mary Elliott and Robert Hayes.

In 1962, he began serving as judge of the Court of Law and Equity in Winston County and served there until 1973. Then in 1977, he took office as one of two judges serving the 25th Judicial Circuit in the Alabama court system and has remained on the bench for 30 years.

He has served the public for more than 40 years and has presided over each case that has come before him with integrity and with impartiality. He is someone who has a brilliant legal mind; but most important, he has compassion for all individuals, regardless of their background or their social standing.

He is a man of faith, prayer, and integrity, who has a great love for his family, his country and his God. He has taken his job seriously from the first day he stepped up to the bench to preside. In addition to his responsibilities on the bench, he has been a businessman and has pastored Fairview Congregational Church in Hackleburg, Alabama, for over 40 years.

Mr. Speaker, I know all these things to be true about this individual and his character and his reputation because I personally observed him. Many times Members don't always have that kind of perspective when they come to the floor. I can say these things in all truthfulness as I stand here on the floor of the U.S. House of Representatives because this man, the judge I am talking about, Bobby Aderholt, is my dad.

GAS PRICES

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

Mr. STUPAK. Mr. Speaker, I rise to commend the new Democratic Congress which will finally address high energy prices.

Many Americans have a hard time understanding what often seems like arbitrary reasons for fluctuations in gas prices. As the chairman of the Energy and Commerce Subcommittee on Oversight and Investigations, I look forward to bringing transparency to the oil and gas markets to clarify their effect on gas prices.

A recent example of confusing market behavior was in September and October of 2006, just before the November elections. Gas prices dropped an average of 60 cents per gallon. This 60-cent drop in gas prices occurred despite the fact that there were pipeline disruptions in Alaska and indications that OPEC would cut oil production.

While gas prices dropped 60 cents a gallon in September and October, crude prices only dropped 10 cents. For years, the American Petroleum Institute, API, the oil companies' main lobbying group, spent millions of dollars on public relations campaigns convincing the

American people that big oil companies are victims of international crude oil prices and have little to say in the final price of gasoline.

API insists a price of a gallon of gas is directly related to the price of a barrel of crude oil. Yet before the election we have a 60-cent per gallon drop in gas prices and only a 10 percent drop in the price of crude.

Consumer advocates have accused oil companies of purposely reducing gas prices in the months before the election to help Republican candidates. Earlier this month, National Public Radio featured a representative from the Foundation for Taxpayer and Consumer Rights who argued oil companies intentionally reduced the price of gas to influence the November elections.

After the elections, gas prices have increased an average of 15 cents a gallon. Oil companies were able to significantly reduce the price of gas in September-October, then increase the price right after the election, without a corresponding change in the price of crude oil.

This is not the first time oil companies have been accused of manipulating gas prices. Internal memos from several oil companies written in the 1990s have revealed that big oil companies limit refinery capacity in the United States to control the supply, cost, and price of gasoline.

After Hurricane Katrina, the government found that refiners, wholesalers, and retailers charged significantly higher prices that were not the result of either increased costs or market trends. However, because there is no Federal energy price-gouging law in place, the Federal Trade Commission cannot even prosecute this price-gouging practice.

For too long, oil companies have benefited from tax breaks, government subsidies, and lack of oversight. At the same time, oil companies have made record profits at the expense of the American people. Next week, the U.S. House of Representatives will consider legislation to end the tax breaks and special subsidies for Big Oil.

Rather than helping the oil companies' bottom line, these tax breaks and subsidies will be reallocated to promote alternative energy sources to end our Nation's addiction to oil.

Later this year, I look forward to having an open and honest debate on my legislation to create a Federal law against price gouging for gasoline, natural gas, propane, and other fuel. I will continue to work towards greater oversight for oil and gas trading, especially off-market trades, known as OTC trades.

I will be reintroducing my legislation, the Prevent Unfair Manipulation of Prices Act, to improve oversight of oil trades and strengthen penalties for traders who attempt to illegally manipulate these markets.

Under the Republican leadership, the oil companies enjoyed record profits while Americans suffered with record high gas prices, minimal oversight, and price manipulation. The American people have now chosen a new direction, electing Democrat majorities in both the House and the Senate.

I look forward to being able to address high energy prices, to stop price gouging, market manipulation, and to stand up for the American consumer.

SALUTE TO STEELERS' ALL PRO RUNNING BACK AND LEGENDARY COACH DICK HOAK

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

Mr. SHUSTER. Mr. Speaker, I rise today to acknowledge the great contribution Coach Dick Hoak has made to professional athletics, the game of football, the Pittsburgh Steelers, and the people of western Pennsylvania.

Coach Dick Hoak recently announced his retirement from the Steelers' organization on January 1 of this year. As he ends an impressive career, Dick Hoak can look back on his 45 years of history as part of the Steelers' organization. This is an unprecedented run and a shining example of consistency in a business best known for its instability rather than longevity with one team.

The first 10 of Dick Hoak's 45-year tenure with the Steelers were not spent on the sidelines but, instead, on the playing field. Dick Hoak was drafted by the Steelers in 1961, after an impressive high school career in football, basketball, and baseball that included a WPIAL football championship, and a single-game scoring record of 39 points and playing 4 years for Joe Paterno's Penn State Nittany Lions, where he led the team to a Liberty Bowl victory and was named the MVP.

Throughout his playing career with the Steelers, Dick Hoak time and time again showed he was a talented athlete and a dedicated teammate. He led his team in rushing three times and today is the fifth ranked rusher in Steeler history, with 3,965 yards rushing. Dick Hoak also accumulated an impressive 146 receptions, 33 touchdowns, and a Pro Bowl appearance.

For many players, the culmination of such an impressive record would have been enough on which to end a career. However, Dick Hoak, his commitment to Pittsburgh and the Steelers would not end there. Only one year after retiring from the National Football League, Dick Hoak turned down an assistant coaching job at the University of Pittsburgh and rejoined the Steelers' organization, this time as an assistant coach under Hall of Fame Coach Chuck Noll. During this time, Coach Hoak coached the running backs, including the great Franco Harris, through four Super Bowl victories, a championship legacy he would later recapture under Coach Bill Cowher.

Under Dick Hoak's leadership as an assistant coach, the Steelers dominated the league in rushing yardage. Over the 15 seasons Dick Hoak coached for Bill Cowher alone, the Steelers rushed for over 30,000 yards and led the league in rushing three of those 15 seasons. His excellent coaching also added in no small part to the Steelers' Super Bowl win last year. The Super Bowl win not only capped Dick Hoak's career; it made Hoak one of three people in the Steelers' organization, and possibly the only coach in NFL history, to have six Super Bowl appearances and five Super Bowl rings with one NFL team.

Throughout his accomplished career in football, Dick Hoak never let Pennsylvania out of his thoughts. Of course, over his long career, Coach Hoak was offered positions away from his home State. However, his commitment to create a stable environment for his family, and his undying loyalty to his team and the owners of the Steelers, the Rooney family, kept him in Pennsylvania. He never left to accept an offensive coordinator's job with the Tampa Bay Buccaneers; he never left the Rooney family to coach the USFL's Pittsburgh Maulers. Coach Hoak put his family first and remained devoted, loyal, and committed to his team in western Pennsylvania.

Coach Hoak was born in Jeanette, Pennsylvania, and continues to live in nearby Greensburg in a house he has owned since his early days in coaching. His commitment to the Pittsburgh Steelers gave his family stability and western Pennsylvania a steady hand at the helm of a winning offense. Now that his storied career with the Steelers is behind him, Dick Hoak can look forward to another winning team: his family. I know his wife, Lynn, his children Kelly, Katie and Rich, and his seven grandchildren, including my nephews Michael, Jonathan, and Daniel Shuster, are happy to have more time with their Pap-Pap.

Dick Hoak represents the best attributes of sportsmanship, hard work, and commitment. Those are the values that translate from the football field to everyday life, and he embodied them with class. Not only that, Dick Hoak represents the American Dream. He is an American success story who shows if you work hard enough and remain dedicated to your goals, you can succeed beyond what you thought possible, into excellence and legend.

I am happy to say congratulations on a great career, and thank you for being there when we needed you, Coach Hoak.

□ 1615

IN SUPPORT OF EMBRYONIC STEM CELL RESEARCH

The SPEAKER pro tempore (Mr. WELCH of Vermont). Under a previous order of the House, the gentleman from Missouri (Mr. CARNAHAN) is recognized for 5 minutes.

Mr. CARNAHAN. Mr. Speaker, today was a remarkable day in this new 110th

Congress. This House in a bipartisan way came together, under the leadership of Congresswoman Diana DeGette of Colorado and Michael Castle of Delaware, to pass a bipartisan measure with a strong vote, 253–174, a bill that would expand the stem cell research in this country and lead to great cures, cures which promise to help people turn around their lives, people that have suffered through debilitating and life-threatening diseases.

Stem cell research holds the promise to help those who suffer from heart disease, various cancers, diabetes, Alzheimer's, kidney disease, liver disease, Parkinson's, to name a few.

Breakthroughs in research are happening every day. But with the bill passed today in this new Congress, even more can be done to provide hope and lifesaving cures to the millions of Americans affected by these diseases.

While there are ethical issued surrounding medical research of any kind, I do not believe that we should unreasonably restrict new medical research and prevent Americans from receiving lifesaving treatments. President Bush's current restrictions are unreasonable and arbitrary.

I believe it is imperative that legislation concerning stem cell research contain strong ethical standards over the conduct of research, and the bill passed today provides such high standards.

Many people have asked me about my best day during my first term in the 109th Congress that just concluded. I can say, without question, the day was May 24, 2005, because it was a day that gave the best hope for lifesaving cures for so many. Those hopes were, unfortunately, dashed when President Bush vetoed the bill, H.R. 810 in the last Congress.

We have come together again, passed this bill with an even stronger bipartisan vote, and I expect it will go to the Senate and pass there again with another strong bipartisan vote. And I would urge the President to reconsider his position. So many people's lives, the quality of lives for their families depend on this research continuing.

This bill, as I said, contained detailed ethical standards on this type of research, and that is an important part of this legislation going forward. This issue has united Americans and actually united this Congress in powerful ways and with a strong voice.

My home State of Missouri has taken a lead in this debate. Expanding stem cell research is supported by 72 percent of Americans from across the political spectrum, and that goes for my home State of Missouri. This past November, Missourians came out to the polls in record numbers in support of stem cell research that holds the potential for lifesaving cures. Our State passed a ballot initiative that ensures Missourians will have access to any stem cell research and cures that are allowed under Federal law and available to other Americans. And it also included strong ethical standards for conducting that research.

Acting in response to the countless Americans who want a new direction in this new Congress, we have begun to respond. Today, the people's House actually acted on behalf of the American people and generations to come. Members from both sides of the aisle came together in support of the pursuit of lifesaving cures and passed H.R. 3, the Stem Cell Research Act.

It is my strong hope that the message of hope sent by both the American people and their Representatives will be heard by President Bush. By signing this vital legislation now into law, the President can provide the hope of potential lifesaving cures to millions of Americans.

WEST VALLEY DEMONSTRATION PROJECT

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

Mr. KUHL of New York. Mr. Speaker, I rise to make the House aware of a serious problem in my Congressional district in upstate New York.

The West Valley Demonstration Project, which is located here, was created by Congress in 1980 to solidify in glass the nuclear waste left over from a variety of sources, including defense atomic waste. This project successfully vitrified all of the high-level waste on the site over the next 2 decades, placing the waste in safe gas containers ready to store in a permanent storage facility.

West Valley is unique in the Department of Energy system in that the site is owned by the State of New York, but the operation is funded 90 percent by the Federal Government and 10 percent by the State of New York. While there is little question that the waste is, in large part, Federal waste, the Federal Government is not owning up to its responsibility to completely clean the site so that it can be returned to the community of West Valley and reused for economic development opportunities.

There is now a grave problem that threatens all of us. Some of the radiation has leaked into the ground water and formed a plume, as shown here on chart 2. The plume continues to grow and threatens streams on the site. These streams feed into larger tributaries which empty into the largest body of fresh water in the world. I repeat that: the largest body of fresh water in the world, the Great Lakes. Lake Erie's shores are only 25 miles away. Better shown on this chart. West Valley Demonstration Project, the creeks to Lake Erie.

It was estimated that the cleanup of this plume would require the removal of 4 million cubic feet of soil just a few years ago. Current estimates suggest 30 million cubic feet of soil would need to be removed to eliminate the threat if done today.

The Federal Government has simply moved the ropes around the affected area. Rather than cleaning it up, a few years ago when the problem was first noticed, the Department of Energy has roped off the area, allowed it to grow and grow and grow.

I will be introducing legislation once again during this term of Congress, Mr. Speaker, to direct the Department of Energy to take immediate possession of the Western New York Nuclear Service Center at West Valley and remediate the entire site, including this dangerous plume. The Department of Energy would be responsible for all costs of the clean up, as New York State neither has the resources nor the ability to do so. This is a Federal problem that requires Federal attention.

The Nuclear Regulatory Commission would be given authority to regulate activities of the Department of Energy at West Valley and consult with the New York State Department of Environmental Conservation in executing the remediation.

The West Valley Remediation Act will replace and supersede the West Valley Demonstration Project Act of 1980, if adopted, but does not reduce any of the act's decontamination or decommissioning provisions.

Appropriations of roughly $95 million per year would be authorized to implement the act, and additional appropriations would also be authorized to benefit the community.

The Department of Energy is then precluded from transporting any additional hazardous or radioactive waste to the site for the purpose of treatment or disposal.

Most importantly, the site would be cleaned and returned to its natural state, and the Great Lakes would no longer be threatened, taking care of a potential international environmental hazard of monumental proportions.

Mr. Speaker, I hope you and my colleagues will work with me and with the Senate to find a solution to this problem.

END THE OCCUPATION IN IRAQ

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

Mr. KUCINICH. Mr. Speaker, yesterday I began to circulate a plan among Members of Congress to establish a path towards the United States exiting Iraq.

As we know, the administration is prepared to escalate the conflict. They intend to increase troop levels to an unprecedented number without establishing an ending date.

It is important for Congress to oppose the troop surge, but that is not enough. We must respond powerfully to take steps to end the occupation, close U.S. bases in Iraq and bring our troops home. These steps are necessary preconditions to the U.S. extricating itself from Iraq through the establishment of an international security and peacekeeping force.

Congress, as a coequal branch of government, has a responsibility here. Congress, under Article I, Section 8 of the United States Constitution, has the war-making power. Congress appropriates funds for the war. Congress does not dispense with its obligation to the American people simply by opposing a troop surge in Iraq.

It is simply not credible to maintain that one opposes the war and yet continues to fund it. And this contradiction runs as a deep fault line through our politics, undermining public trust in the political process and in those elected to represent the people.

If you oppose the war, then don't vote to fund it. If you have money which can be used to bring the troops home or to prosecute the war, do not say you want to bring the troops home while appropriating money to keep them fighting a war in Iraq that cannot be won militarily.

That is why the administration should be notified now that Congress will not approve of the appropriations request of up to $160 billion in the spring for the purposes of continuing the occupation and the war. Continuing to fund the war is not a plan. It would represent a continuation of a disaster.

In addition to halting funding of the war, a parallel process is needed, and I have offered such a comprehensive plan to this Congress. And I am asking Members of Congress for their thoughtful consideration.

I would like to review some of the aspects of that plan. First and foremost, the United States must announce that it will end the occupation, close military bases and withdraw. The insurgency has been fueled by the occupation and the prospect of long-term presence as indicated by the building of permanent bases. A U.S. declaration of an intent to withdraw the troops and close bases will dampen the insurgency which has been inspired to resist colonization and fight invaders and those who help support U.S. policy.

Furthermore, this will provide an opening where parties within Iraq and in the region can set the stage for negotiations towards peaceful settlement.

Now, it is urgent that Congress take a stand now to take a new direction. The President last night articulated a plan for more war. He will have our troops fighting door to door with greater intensity. We will be in Iraq longer.

But there is another thing the President did, and this is another reason why it is urgent for us to act. This President, and I want everyone here to listen very carefully to this: This President is setting the stage for a war against Iran. We all know this. It is not a secret. He is talking about moving an aircraft carrier into the region, giving Patriot missiles to our allies in the region. He has rattled the saber with respect to Iran. He doesn't want to talk to their government; doesn't want to deal with Syria.

This President has only one talent, and that is the talent to make war and an illegal war at that, I might add.

Congress has to assume its power again to defend the American people, to defend the international community.

□ 1630

This administration is on the rampage. That the President, at the delicate condition of things in Iraq, would rattle the saber against Iran shows you the extent to which the administration has no intention of working to achieve peace. That is why Congress has to push now for the administration to end the occupation, close military bases and withdraw.

We have to announce that we are going to use the existing funds to bring the troops home and bring the equipment home. We have to order a simultaneous return of all U.S. contractors to the United States and turn over all contracting work to the Iraqi Government.

When we do that, when we take those steps, then the world community can be inspired that there is a new America that they will cooperate with. But until we do that, we are on our own, and our troops are on our own, caught in the middle of a civil war.

I will continue this in the next hour with Congresswoman WATERS.

AMERICA NEEDS A FOREIGN POLICY THAT DOES NOT PUT THE INTERESTS OF OIL AND OIL DICTATORSHIPS ABOVE THE VALUE OF HUMAN LIFE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, America needs a foreign policy that does not put the interests of oil and oil dictatorships above the interests of human life. It is not surprising that I don't support the escalation of U.S. troop levels in Iraq as asked for by our President last night.

President Bush cannot lead America to military victory in Iraq, absent a viable, political solution that puts Iraq's internal affairs back together and redeploys our soldiers out of the role of being an occupying force. His statement is 3 years too late and hundreds of thousands of soldiers short.

The President refuses to see that his strategy to combat terrorism is transforming Iraq into an Islamic Shi'a state with the relegation of the Sunni and the escape of Christians. Is this lop-sided result really in the interests of regional peace long term? Why should our U.S. forces, the President says he wants to deploy to Baghdad and Anbar Province, be used to do the cleanup work for the new Shi'a-led government. The growing insurgency inside Iraq, and any American sentiment both inside and outside of Iraq, will not be quelled by sending more U.S. troops. It will ripen it.

There is now only one choice: Iraq must take responsibility for its own security as part of a broader political solution that works. But how can that political solution work when minorities in Iraq feel so underrepresented? That is why the international community and Iraq's neighbors must, no matter how difficult, become engaged in diplomatic efforts.

Throughout the Muslim and Persian worlds, the President's policies have emboldened anti-American leaders in Lebanon, in Iran, in Syria, in Bahrain, in the Palestinian Authority, in Saudi Arabia, in Egypt, in Pakistan, even the Horn of Africa now. The Bush doctrine of preemptive war, test marketed in Iraq, succeeded in deposing Saddam Hussein and determining whether or not he possessed weapons of mass destruction.

It is time, therefore, for the President and us to declare victory and transform the operation. As decorated CIA intelligence officer Robert Baer has written: ''We are at war in America and throughout the Western world, at war with an enemy with no infrastructure to attack, with no planes to shoot out of the sky, with no boats to sink to the bottom of the seas, and precious few tanks to blow up for the amusement of viewers of CNN.''

Baer contends the only way to defeat such a faceless enemy is by substantial increases in human intelligence, and I agree. But that intelligence has been lacking. Even in the U.S. embassy in Baghdad, almost no one speaks Arabic. Dr. Edward Luttwak, a strategic affairs expert at the Center for Strategic and International Studies, observed that the U.S. general who led the operation to apprehend Osama bin Laden neither spoke Arabic nor showed any interest in learning it and depended upon translations of intercepts to detect him.

Importantly, we can ask ourselves, after 5 years, why hasn't the administration filled that human intelligence gap so fundamental to success. Maybe they really don't want to know. So now with the President's proposal to accelerate more forces, those units are going to deploy with too few personnel or with significant numbers of new personnel.

This decreases unit cohesiveness and individual proficiency. Many units are facing three or more deployments, far beyond what was originally anticipated. We know that previous escalation of troops in Iraq have yielded no more success. Without a political solution the President cannot hold the ground by dispatching more U.S. groups or by continuing his escalation of the employment of greater and greater numbers of unaccountable, contracted forces and mercenaries to compensate for the lack of security and rising anti-Americanism.

Our military's time-honored values of duty, honor, and country are being eviscerated by an operation that is depending more and more on hired guns

to police the streets, on bounty-seeking contractors to guard important sites such as the oil wells, and foreign nationals to carry out internal security operations in Iraq. I don't call that the freedom the President talked about last night.

Iraqis have proposed dividing Baghdad into nine sectors and policing them with Iraqi troops as American soldiers are redeployed as backups. That might work. But the U.S. most of all needs a broad political strategy that addresses the rising levels of global terrorism the Bush policy is yielding and the growing anti-American sentiment that is brewing in Iraq and the Muslim world beyond.

That strategy demands significant new human intelligence networks, not standing armies. Moreover, we need international diplomacy to engage all nations that border Iraq to seek a resolution to the strife.

Mr. Speaker, America needs a foreign policy that does not put the interests of oil and oil dictatorships above the value of human life. Just as the Bush administration took office, this country is importing an additional 1 billion more barrels of oil per year. Tell me there is no connection between our utter dependence on imported petroleum and the deployment of our precious troops to the Middle East and Central Asia.

STOP MILITARY CASUALTIES

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

Mr. GEORGE MILLER of California. Mr. Speaker and Members of the House, last night the President spoke to the Nation and presented his proposal to the Nation to increase the troop levels an additional 20,000 troops to be sent to Iraq to continue the war in Iraq. What the President didn't do was lay out the plan of how that would be successful, how that would be different than what we are currently doing, and how the results would be different.

The President, with his initial decision to invade Iraq, a decision that was his choice, and this was not a war of necessity, this was not a war to protect the vital interests of the United States, or the integrity of the United States or the safety of our homeland, this was a war where the President chose to go to war.

At the time he was considering going to war, he was advised by many. We all know this history of many saying not to do this and also saying that this would not work in Iraq with its history, with its culture, with its religious differences. But the President chose to go anyway, and we have been there now for 3 years. Over 3,000 young Americans have paid with their lives for this endeavor, and over 20,000 have been wounded, seriously wounded.

I have had the honor to visit with many of those soldiers as they have returned to Walter Reed Hospital with life-changing, life-changing wounds. It is remarkable that they would survive them at all, a great testimony to the medical care that is available to them, but nevertheless, life-changing injuries for these young men and women.

Now the President is suggesting, with his plan for escalation, that we will send another 20,000. The fact of the matter is that American soldiers have done all that they can for the Iraqi people. The Iraqi people, the Iraqi Government, has chosen not to take advantage of having the Americans in the country to resolve their political differences, to resolve their differences of culture and religion. They have chosen to continue to fight.

In fact, we find that our soldiers more and more now are simply the targets within the civil war that is going on in Iraq; and for all intents and purposes there is no reason to suggest that that is going to change. The President has suggested that somehow the current Iraqi Government will have to meet some thresholds.

Those thresholds are absolutely contrary to the interest of that government in terms of their survival. It is asking for a betrayal of that government against its Shi'a base, and it fails to recognize how fundamental, how fundamental the clash is between the Sunnis and the Shi'a, not just in Iraq, but throughout this region. If the President had taken time before the invasion, he might have been able to understand that. But it is a fundamental clash between these two factions in Islam.

Because of the actions of this President, he has unleashed the ability of that clash to present very real rewards and very high stakes for either sides. It is not just the oil in Iraq or the governance in Iraq, but it is really about the ability of the Shi'a to spread their influence beyond Iran, to spread their influence beyond being a majority minority in Iraq, to spread their influence beyond being a minority in Lebanon or in Syria; and these are fundamental, and they go back a long time in the history in the clashes between Sunni and Shi'a and how the Shi'a have been treated in countries where they are a minority whether it is in Jordan or whether it is in Saudi Arabia or other countries in the peninsula.

This is very, very fundamental, and the stakes are very high. At this moment our troops are a pawn in that game, in spite of what the President suggests that this is about the security of the region, this is about the blooming of democracy. It is not about any of that any longer. It may have been in his mind when he signed the order to send these troops to Iraq; but the fact of the matter is, it has been overwhelmed by history, by culture, by the nature of the region, all of which he made worse by this disastrous decision of his to choose to go to war in Iraq.

The idea now that contrary to the overwhelming desire of the American people to disengage from this area, and of this Congress that he would go forward, is arrogance that is so dangerous, so dangerous to our country, our standing in the world, and our troops in the region that immediately action should be taken in this Congress to stop this President from going forward with this very dangerous escalation that will do nothing more than add to the list of casualties by American soldiers in this region.

BRING OUR TROOPS HOME

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

Mr. HALL of New York. Mr. Speaker, before being sworn in, I was home in my district for a couple of weeks doing a listening tour traveling around the five counties that I represent, and I had dozens of my constituents come up to me and say, Please bring them home, bring our troops home.

I didn't have one person in my district in New York come up to me and say, Please send more over there.

I am proud and honored and humbled, and I must say saddened at the same time, at the prospect that as a member of the Veterans' Affairs committee of this House that I will be able and be responsible to help returning veterans from this war deal with their physical, psychological, economic, housing and other problems.

It is an honor. It is an important service to provide. But what is a shame is that we are creating so many more veterans that have so much more grievous problems, that this war is producing injuries that in previous wars might not have been survivable.

The good news is that the soldiers, our servicemen and -women, are surviving in greater numbers. The bad news is that when they come home, they have to deal with much longer periods of rehabilitation or much more serious injuries and limitations on their mobility and on their other physical capabilities.

I am reminded, standing here, of the State of the Union address 3 years ago when Ahmed Chalabi was sitting in the Presidential box next to the First Lady. At the time he was the fair-haired boy that we had picked out of Iraq to stake our hopes for creating a government in our image and likeness and our country on. So no longer is it Chalabi; it is Maliki.

□ 1645

The President is telling us we can to take his word and trust that he can produce 18 brigades to spread out across the country and to work side by side with our troops.

I am not so sure that 18 brigades that are reliable and independently-functioning of Iraqi Army and police actually exist. I am also not so sure that in another couple of years it won't be somebody else besides Maliki; that

there will be a new Prime Minister that we will be told we should stake our hopes on.

There was a front-page story in the Baltimore Sun yesterday that said that 20,000-some new troops heading to Iraq will have to go with the old, lesser armored vehicles, the flat-bottomed HMMWVs, because the new V-hulled transports that deflect the power of a roadside bomb or a land mine are not available in sufficient numbers because the money has not been available to bring the production lines up to where they need to be to have them ready.

It just bespeaks of the same incompetent planning, the same lack of thorough thinking of the problem through that leaves us with six fluent Arabic-speaking translators in the embassy according to the Baker-Hamilton Report.

If you believe our national intelligence estimate from this past fall that says all 16 of our intelligence agencies in this country report that so far the Iraq war has created more terrorists than it has disposed of, where is the logic in continuing that war? Where is the logic in escalating that war?

I would like to see a surge of interpreters and a surge of religious and historical experts in the region and a surge of trained negotiators, and I would like to see a surge of diplomacy, of us treating other countries as sovereigns and talking to them. There are a couple of examples of that working.

One might remember, for instance, a President from the other side of the aisle from me, President Reagan going to South Africa which at the time was a rogue state that had nuclear weapons, and I was on the side that was saying, Let's sanction them. Let's not talk to them. And let's cut off all interaction. And what he called constructive engagement was sending ballet troupes and sending artists and having as much commercial and cultural exchange as possible to bring them to our way of thinking. It worked in that case, a nuclear power disarmed. And I would like to see that kind of emphasis and diplomacy returned to our country's foreign policy.

ESCALATION OF TROOPS IN IRAQ

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

Mr. HONDA. Mr. Speaker, the Nation brought in the new year by marking a somber milestone: the 3,000th fallen American combatant in Iraq. In response, the President proposes to send even more of a failed and dangerous policy.

How much more heartbreak must American families suffer before the President comes to see what the rest of the Nation has long known: His Iraq policy is an utter failure, one that makes our country less and less secure with each passing day, all at the expense of the flower of our youth. How long before the President realizes that each fallen soldier, sailor, aviator, and marine is a valuable, cherished human being and not just a checkmark on a deployment order? How long will President Bush continue to ignore the demands of American voters who have clearly demanded a new direction?

Mr. President, I have asked before and I will ask again now: Why?

These policies of escalation have been tried in the past in Iraq. The results speak for themselves: 3,000 brave men and women return home in body bags, their families and friends left with nothing but memories; over 22,000 more returning home injured, their lives never the same.

America's credibility around the world and its domestic security have been dangerously eroded. We have plunged Iraq into a civil war, further destabilizing an already precarious region. All this while, at home the civil rights of American citizens are slowly being degraded, often without congressional oversight.

On November 7, 2006, the American people spoke loud and clear. They demanded a new direction.

This escalation is not a new direction. It is a slap in the face to all Americans. And the fact that the President began committing new troops in Iraq before Congress had a chance to respond to his new plan is an insult to this body and an insult to the people who elected us to lead our country in a new direction.

Mr. President, you have claimed that you wanted to start this year off in a spirit of bipartisanship and collegiality. As an equal partner, Congress deserves it, America deserves it and, most importantly, our troops deserve it.

THE WAR IN IRAQ NEEDS TO END, NOT ESCALATE

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

Mr. ROTHMAN. Mr. Speaker, last night President Bush told the American people that he bore responsibility for the many mistakes made in the prosecution of the war in Iraq. Then he announced that he planned to make another mistake: He planned to escalate and expand the war in Iraq.

Mr. Speaker, the President said he intends to send more than 20,000 U.S. service men and women into Iraq and indefinitely. As has been the case with so many military strategic and diplomatic decisions made by this President regarding Iraq, tragically, this too would be a terrible error. This open-ended commitment of more U.S. troops will result in the death and wounding of thousands more American soldiers, cost U.S. taxpayers tens of billions of dollars more, and do nothing to help the Iraqi people resolve their civil war. In fact, this escalation will turn up the heat on the already boiling anti-American fanaticism in Iraq and in the region.

The President's plan also weakens our severely overstretched and depleted military, and it limits our ability to face the current and future conflicts, future threats to our country.

In summary, President Bush's escalation and expansion of the war in Iraq will hurt America's national security, and I will work with all of my colleagues here to do all that we can to make sure that the President's plan does not get allowed to be funded.

Our country has sacrificed deeply to help the Iraqi people already by removing their murderous dictator Saddam Hussein from power, by training their military, spending billions of our money to rebuild their infrastructure, and by supporting them so that they could develop a democratic government.

If we owed the Iraqi people a moral obligation after we deposed their dictator and started this war, Mr. Speaker, we have long since met that moral obligation.

Mr. Speaker, in conclusion, the United States must now simply, but importantly, remove all of our troops from Iraq without delay. We must rebuild our military and let the world know that we are ready to counter the real threats to our national security, current and future.

Let me add one more thing, Mr. Speaker. I am delighted that my friend and colleague MAXINE WATERS from California will be engaging in a Special Order on Iraq and the necessity for withdrawing our troops from Iraq. I am unable to participate in that Special Order and look forward to participating and working with her under her leadership in the very near future.

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

(Mr. PALLONE 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 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 California (Mr. ROHRABACHER) is recognized for 5 minutes.

(Mr. ROHRABACHER 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 Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

(Mr. LANGEVIN 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 Wisconsin (Mr. KIND) is recognized for 5 minutes.

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

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

(Mrs. JONES of Ohio addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

(Ms. SOLIS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. PATRICK MURPHY of Pennsylvania 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 Illinois (Mr. DAVIS) is recognized for 5 minutes.

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

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

(Mrs. MCCARTHY of New York 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 Minnesota (Mr. ELLISON) is recognized for 5 minutes.

(Mr. ELLISON 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 Mississippi (Mr. TAYLOR) is recognized for 5 minutes.

(Mr. TAYLOR 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 New Jersey (Mr. HOLT) is recognized for 5 minutes.

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE WAR IN IRAQ

The SPEAKER pro tempore. The gentlewoman from California (Ms. WATERS) is recognized for 60 minutes.

Ms. WATERS. Mr. Speaker, I yield to myself as much time as I may consume.

Mr. Speaker and Members, I am here on the floor this evening along with some of my other colleagues who have been working for almost 4 years to bring to the attention of this House the mistakes, the errors, the misdirection of the President of the United States as relates to the war in Iraq. We have Members on this floor this evening, many of my colleagues, who have not only spoken time and time again about what is going on in Iraq, but they have spoken in their districts and around the country, helping people to understand that there are some of us here in the Congress of the United States who do not support this war.

We support our troops. They are there because they have been told by the President of the United States that they should volunteer to serve because our country was at risk. But we have been trying to help people to understand what is happening, what is not happening.

Last night the President addressed the Nation with a new plan that he called a ''new way forward.'' Now, Mr. Speaker and Members, the President of the United States has come up with a lot of proposals since this debacle in Iraq. What he announced last night has been tried before, and he has failed at almost everything that he has attempted.

Now the President is talking about sending 21,000 troops to Iraq. Where are they going to come from? Whose family is going to have to make the sacrifice? Who are these young people who continue to volunteer and are told that they are going to be serving for a certain period of time only to be stopped from going home when they thought they would be going home? Under the President's plan, troops will have shorter amounts of time between deployments and longer deployments to Iraq. The length of Army deployments will be increased from 12 months to 15 months. Marine deployments will be increased to 12 months from 7 months. So where are these troops going to come from?

The President had announced that the Iraqi Government had committed to a series of benchmarks, including another 8,000 Iraqi troops and policemen in Baghdad. So what if they have committed to a series of benchmarks? So what if they don't meet them? Then what? What do we do? The President did not say if they fail on the first benchmark that we are going to get out of there.

□ 1700

No. He just simply one more time said to the American people: Trust me. And I don't think that many of us are willing to continue to trust that the President of the United States has a vision for where he is going with all of this.

The President also said that they were going to force passage of long delayed legislation to share all revenues among Iraq's sects and ethnic groups. Now, we have heard this oil story before. If you can recall, when the President first went into Iraq, they said they were going to get the revenues from the oil; it would help pay for the cost of the war, and it would pay for the reconstruction of Iraq after we have torn it up. And then, of course, the President asked that the American people support him in getting $10 billion for jobs and reconstruction in Iraq.

Well, now that the oil revenues are not forthcoming, this is a President who has spent, spent, spent, created a deficit. This is a President that refuses to support many of the domestic programs that many of us would like to see. We would like to see more affordable housing. We would like to see better schools. We would like to see comprehensive universal health care. But we cannot get the support of the President of the United States for these domestic needs. But he tells us, now that he has messed up, led us into war under false pretenses, that we are now to pay for it, and there is no oil revenue there to do it. Well, I think that my friends are going to join me in helping to unfold what has taken place.

At this time I would like to yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I want to thank and congratulate the gentlewoman from California, Ms. WATERS, and her partner from California for the great work that they have done here.

Ladies and gentlemen, I call your attention in this discussion tonight to what happened on Page 1 of the New York Times. And I read this to you for your consideration:

''Inviting a Battle on Capitol Hill. In making the effort to step up the American military presence in Iraq, President Bush invites an epic clash with the Democrats who run Capitol Hill, whose leader promised to force a vote on his plan. While Congress cannot force a change in the White House plan, Mr. Bush's initiative shows that he is ignoring the results of the November elections, rejecting the central thrust of the bipartisan Iraq Study Group, and flouting some of the advice of his own generals.

''The move is in essence a calculated gamble that no matter how much hue and cry his new strategy may provoke, in the end the American people will give Mr. Bush more time to turn around the war in Iraq.''

Well, ladies and gentlemen, my suggestion is that, after last night's performance, he is not going to be given more time by the American people and that, from a popularity rating at an all time low of 26, my prediction is that he will have fallen even lower as a result of last night's performance.

So I think that this is quickly turning into the President's war. There are those on all sides around him, including within the Republican Party, Members that will not go along any further. We have run out of steam. We have run out of illogic. We have looked through the exaggerations. So I conclude my remarks by just letting you hear about the editorial in the New York Times:

''We have argued that the United States has a moral obligation to stay in Iraq as long as there is a chance to mitigate the damage that a quick withdrawal might cause.'' This is the editorial. ''We have called for an effort to secure Baghdad, but as part of the sort of comprehensive political solution utterly lacking in Mr. Bush's speech. This war has reached the point that merely prolonging it could make a bad ending even worse. Without a real plan to bring it to a close, there is no point in talking about jobs programs and military offenses. There is nothing ahead but even greater disaster in Iraq.'' This is the media talking now.

It is time that the Executive branch recognize that the majority of the American people, most of the Congress, the media itself are all telling him that President Bush's private war is not going to go anywhere, and to deliberately refuse to accept the decision and determination of the American people on November 7 means that he is now stepping beyond the democratic process.

Madam leader, Ms. WATERS, I thank you so much for yielding.

Ms. WATERS. Mr. Speaker, I yield to the gentleman from Ohio, Representative KUCINICH.

Mr. KUCINICH. Mr. Speaker, I want to thank Congresswoman WATERS and all of the members of the Out of Iraq Caucus for keeping the awareness in this Congress on the need for America to take a new direction in the world because we are not just speaking about opposition to a war which should be opposed as illegal, but we are talking about the need for America to take a new role in the world, one where our country does not engage in preemption or unilateralism or first strike, one where America cooperates with the world community on matters of international security.

Remember, before 9/11, the felicity that America was held with in so many parts of the world. Remember, right after 9/11, how the world community opened its heart to the United States.

But over at the White House, just off the Oval Office, at a meeting of the National Security Council, Donald Rumsfeld and people in the administration were plotting the attack on Iraq the day after 9/11.

Yesterday the President mentioned 9/11 again. How many times does he have to mention 9/11 when he talks about Iraq? Why does he keep mentioning 9/11 when he talks about Iraq? Iraq had nothing to do with 9/11. This is the big lie. And it is this big lie that the whole policy is based on. The Bible says, that which is crooked cannot be made straight. That becomes prophecy when you are talking about Iraq because everything about what the President is doing in Iraq is crooked.

Let us look at his speech last night. Why did he spend so much time talking about Iran? Let us think about this. We know that in the last year, this administration has taken steps to try to move within the soft circumference of war against Iran. Our Air Force selecting bombing targets, moving in place 24 bunker busters with nuclear tips into the region. Last night talking about moving an aircraft carrier into the region, talking about Patriot missiles into the region, rattling sabers for war. He appears to be setting the stage for a wider war in the region. He has blamed Iran for attacks on America. He is saying that he is going to disrupt Iran. He is going to add this aircraft carrier. Isn't one war enough for this President? Isn't one misguided war enough for this President?

You know, it is time that the media and the Congress, as Mr. CONYERS pointed out, started to pay attention to what this President is saying and to what he does. It is imperative that Congress exercise its constitutional responsibility. And I think we are finally starting to see that. I think we are seeing people on both sides of the aisle realizing that there is a threat to our very democracy here; that our country is in peril by a Commander in Chief who has run amuck; who is without control; who stands by while Lebanon is basically annihilated south of the Litani River and actually, we found out later, was encouraging it; who is letting a civil war grow and fester in Iraq because he is going to send more troops and pour them into it. Or, Members of Congress, is the talk about a 21,000 troop increase in Iraq for the purposes of dealing with problems in Baghdad? Is that just a pretext? Since very few things are on the level with this administration, will some of those troops instead be sent to the border with Iran to provoke a conflict?

These are questions we have to be asking because nothing this administration has said has been the truth. They don't have the capacity to tell a straight story to the American people, and they have spun the people of this country so much that people have become disoriented, but they are finally waking up, and they woke up in November. You want to talk about a surge? There was a surge in November. There was a surge to the voting booth, and that surge accomplished a new Congress. And the issue was Iraq, and our leadership told us that before the election. Three issues, they said, will guide this election: Iraq, Iraq, Iraq. And so was created a new Congress. And so it is imperative that Congress step up to its obligation.

We have to say that we are not going to give this President any more money for the war, but we have to use the money that is in the pipeline right now to bring the troops home and, Mr. Speaker, to set in motion a process, because we understand; we don't want to abandon the people of Iraq. But we know that the only way that we can get our troops out is to establish an international process, and we are not going to establish an international process until such time that we give up the occupation, that we remove our troops and close our bases because that is what is fueling the insurgency. So we can turn this around.

But this President and administration, which has such a talent for war, is determined to wreak chaos throughout the region. That is what they want. More chaos, more war, more control, as America moves towards fascism. Let's call it what it is. We are losing our democracy here. What do we stand for? What are those troops out there for? They believe in this country. They love this country. And if we love this country and the troops, we have to bring them home. But, instead, we have got an administration that is prepared to do something else because, in Iraq, his new plan is a plan for more door-to-door fighting. It is a plan for more war, more civilian casualties, more troop deaths, more wasted money, more destabilization in the region and more separation from the world community. This President wants to send more troops to Baghdad in the middle of a civil war. This President wants to continue a war that everyone knows in Iraq the situation cannot be won militarily.

Does anyone in this administration have any sense at all? Does anyone in this administration have any heart, that we can send our troops into this miasma and cause not only their deaths but the deaths of innocent civilians when the President talks about taking the restrictions off our troops? What does that mean? Is that licensing wholesale slaughter of civilians and then a counter reaction which results in our troops getting slaughtered? This whole thing is wrong. This is not what America should be about. And everyone knows that.

And yet the President last night had the nerve to talk about the Iraqi oil again. He can never talk about Iraq without talking about oil. They want to privatize Iraq's oil. Big surprise. Our troops were sent into Iraq. What was the first thing the administration had them do? Go to the oil ministry. They didn't have them go to protect antiquity, protect children. No. Protect oil.

Do you know the Baker Report pointed out that 500,000 barrels of oil are being stolen every day? With 140,000 to 150,000 American troops there, how in the world can we have all that oil being stolen? How can that happen?

□ 1715

Do you know what the market value of that oil is? If you run the numbers, about $62.25 a barrel. That is over $11 billion worth of oil a year stolen. The patrimony of Iraq is just being stolen.

How are we going to have peace if the U.S. is sitting on top of oil, talking about privatizing the oil for the President and all of his buddies in the oil industry? We are going to have peace in that region? Those people are going to step back and let that happen? No way.

That is why we have to get out of Iraq, end the occupation, bring our troops home, close the bases and give the Iraqi people control of their oil once again and begin a process of reconciliation.

We need to create a new context where the international community helps us, because we are on our way out of there. The international community is not going to help the United States as long as we are occupiers.

You know, Mr. Speaker, this President wants to expand the war and the American people should be very concerned because it is not just the sons and daughters who are over there, but it is more who will be sent through an expansion of the war. It is the jeopardy of an escalation.

Have we not learned anything from the experience in Vietnam? Have we not learned that this march of folly we are on has been duplicated in the past? Have we not learned that the attempt to use raw military power is doomed to failure in a world that is interdependent and interconnected? Don't we know that we have a capacity to evolve? Isn't the American Revolution really a series of evolutions of our upward march into something better than we are? Aren't we prepared to take that? I think we are.

I think the American people know it is time for us to take this new direction, to reconnect and reunite with the world community. And we will begin that when this Congress takes a stand and says no more money for war; when this Congress takes a stand and says use the money that is there to bring the troops home; when this Congress takes a stand and says close those bases, don't privatize the oil. When we become actually a co-equal branch of government, which was the intention of our Founders in drawing up the Constitution and in ratifying the Constitution of the United States.

That is what America was always supposed to be about, not about an imperial Presidency. We rejected kings. We rejected autocracy when this country was founded. We didn't come through this long constitutional experience to the administration of George Bush just to turn our back on everything America is about, turn our back on what our real purpose as a Nation is. It is about taking care of our people.

Ms. WATERS. Mr. Speaker, reclaiming my time, I would like to thank the gentleman for all of the hours he has put into this issue.

Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the gentlelady for yielding. I thank Congresswoman MAXINE WATERS from California for bringing us together here and for her great leadership in the Out of Iraq Caucus. And I also thank Congressman DENNIS KUCINICH of Ohio for his great intellect and great passion. It is a joy to serve with all of you.

I made more formal remarks earlier this evening on the subject of the President's proposal to escalate the number of troops in Iraq. But I wanted to spend a couple of minutes this evening reemphasizing the broader region and how U.S. policy is really impacting a growing anti-Americanism not just inside Iraq, but in many other countries, and how the United States is serving to create destabilization inside nations that is very, very dangerous for those countries, yet we play an immense role in that.

We see what has happened in Iraq. That is kind of the prism that we are looking through now, and we see the Sunni and Shia pitted against each other, and Christians fleeing across the border by the hundreds of thousands, thinking they have no more home inside Iraq. We have done a lot of damage in that country.

And then we look at what is happening inside nations like Bahrain. In recent parliamentary elections, we saw that almost a dozen, 20 parliamentarians were elected from very, very anti-American postures. And, of course, our Fifth Fleet is ported in Bahrain. Were it not ported there, I doubt that the Government of Bahrain would hold.

We look at what is happening in Pakistan and in the provinces of Pakistan. And in every single one of those provinces, the most anti-American candidates are being elected to and rising within the political structure of those countries.

We think about what just happened at the Horn of Africa, and we look at Ethiopia and the arms that the United States is providing and the soldiers that have entered into Somalia and our gunships shelling off of the coast into Somalia itself and the conflict that is brewing between Ethiopia and Somalia.

And you begin looking at what is happening in the general region. It isn't just Iraq. That is kind of a place where we need to keep our eye, but we need to open our eyes to what is happening across the region.

Inside of Lebanon, a country that I remain very close to because of the constituency that I represent, and the struggles we have had during our tenure here in the Congress to try to help Lebanon to be a leader in terms of signing the peace agreement with Israel and remaining a major center for education, for trade, for business, for diplomacy in that part of the world, and the United States standing back and allowing Lebanon to be shelled around its entire perimeter, and a most unfortunate war between Lebanon and Israel, and we saw the Bush administration sit back.

And then we watch these demonstrations in the streets of Beirut. I mean, a million people from Hezbollah demonstrating against the United States. And then of course the Government of Lebanon, Prime Minister Siniora's government trying to hold on, trying to maintain a posture where all sects are able to participate.

But if you look at what is happening across the region in almost every single country, there is this destabilization.

In the Palestinian Authority where we thought during the Clinton administration we were making some progress, of course difficult, of course painstaking. Yet we see Hamas clashing in so many countries. What we have is destabilization rather than a movement toward reconciliation.

The policies of the Bush administration almost seem to result in destabilization in many, many countries in that region of the world.

In Afghanistan, we know that our work is cut out for us. Afghanistan in many ways is a capital without a country, and we are seeing the loss of more life from soldiers from the international community that are attempting to assist us to try to bring some functioning nation-state in place in Afghanistan.

I mention these issues because the President of the United States doesn't. He acts like they are not there. And the rising anti-Americanism that we see across the broader region is very, very dangerous. It is dangerous not perhaps so much for my generation, but for our children and grandchildren that will follow us. There are 1 billion people who subscribe to Islam in this world, and we have to not alienate every single one of them. We have to help them reconcile their internal differences, their tribal tendencies, their tendencies to talk across one another rather than with one another.

I would like to thank my colleague for allowing me a few minutes this evening. I could speak about the oil imperative and my deep, deep concerns about what is happening not just inside Iraq but with the powerful, powerful involvement of global oil companies in letting their power be felt in what happens in this capital and with the likely placements of pipelines across the regions that I am talking about and who are likely to be winners and losers in those efforts. There isn't time to do that tonight.

Without question, the United States, when people ask what can we do at home, what we should be doing here at home is becoming energy independent within a decade. No question. No

blinks, no hesitation, no doubts. Not by 2025, within one decade, because that would help free America from the bondage that we are held to from all of the dictatorships from whom we are importing oil. And those dictatorships are extremely important for the American to understand.

If you really look at where terrorism sprouts from, where did the majority of the 9/11 terrorists come from: Saudi Arabia. Why would they hit the United States? What might that have to do with? Where did they come from in Saudi Arabia, and what were they trying to do?

They were trying to get us out of Saudi Arabia. And you know what, they succeeded in doing that. We moved our forces out.

They are about the task of cleansing, in their view, their part of the world from those who control those important oil resources. The United States shouldn't be joined at the hip to oil dictatorships. The American people are beginning to understand who really controls rising oil and gasoline prices in this country, and the importance of us becoming energy independent here at home.

We need to focus the American people on what is happening across a broad region of the world that is extremely dangerous to us long term as the Bush policies are so narrowly focused and really counterproductive long term.

Ms. WATERS. I thank the gentlewoman for all of the good work she does.

I now yield to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I want to thank Ms. WATERS for her leadership on the Out of Iraq Caucus and for her words here today. I want to thank all of my colleagues for participating in this Special Order this evening.

We are all here because we love this country, and we are all here because we are outraged by the Bush policy in Iraq. We believe our country is much better than what is on display in Iraq today. We want to change the policies of this country to make our country better, to make it reflect what this country really is all about, the finest and the best traditions of the United States of America.

Mr. Speaker, on November 7, George Bush lost the election. The American people made it very clear that they wanted a change in direction in Iraq. That election was about Iraq, and the American people all across this country made it clear that they want a change in direction.

Last night the President of the United States gave a speech, and he made it clear that he doesn't care what the people of this country believe. He is ignoring the message and the statement of the mid-term elections.

You know, I had hoped, notwithstanding all of the media hype leading up to the President's speech last night, I was hoping maybe, just maybe he was going to do the right thing. That instead of announcing tens of thousands of more American troops in Iraq, that he was going to announce that he was going to withdraw tens of thousands of American troops from Iraq and begin the U.S. withdrawal and begin the end of the U.S. occupation of Iraq. He did not do that.

So what do you do, Mr. Speaker? What do you do when you have a President of the United States who ignores the advice of his generals and military leaders who all told him that an escalation of U.S. forces was a bad idea? What do you do, Mr. Speaker, when you have a President of the United States who ignores the work of the bipartisan Iraq Study Group?

The group's report by all accounts says our policy in Iraq has been a failure, and it suggested that we find a way out. What do you do when you have a President of the United States who ignores that? What do you do when you have a President of the United States who ignores the will of the American people, who ignores the election last November 7? What do you, Mr. Speaker?

Well, all of us here have expressed our concern and our outrage over this policy, most of us since before the war again. But what do you do now? We can give more speeches, which we have been doing. We are sending more letters and issuing more press releases.

But, Mr. Speaker, when you have a President of the United States who is behaving as arrogantly as this President is with regard to this war, then Congress must take action. Congress must condition funding. Congress must withhold funding. Congress must cut funding if that is what it takes to end this war.

Now, there are those who say if you do that, you are going to shortchange our troops. I hear that from the Bush administration and from some colleagues here in this Congress. Let me tell you what shortchanges our troops is when we keep them in harm's way in a war that makes no sense, when we have them serve as referees in a civil war, when we put more and more of our troops, when we escalate our involvement in this war. That shortchanges our troops.

The fact of the matter is this administration has been shortchanging our troops for a long, long time, Mr. Speaker. When wounded veterans come back, when people come back from this war with post-traumatic stress syndrome and they can't get the care that they need, that shortchanges our troops.

I don't think it shortchanges our troops to reunite our soldiers with their families and their loved ones back in the safety of this country. That doesn't shortchange our troops. That actually is what our troops deserve.

I think we need to understand that all this rhetoric, the constant invocation of 9/11, the constant admonitions that somehow we are not being true to our troops if we talk about cutting aid, withholding funds, stopping funding for this war because this President won't deal with us, we need to put that rhetoric aside.

□ 1730

This President will not listen to the American people. Put the rhetoric aside. We have to do what is right.

Let me tell you one final thing, Mr. Speaker. All of us who serve in this Congress do not have to wake up in harm's way. We are not on the front lines in Iraq. I would like to have an amendment introduced some day to a bill that says all these people who want to go to war all the time, they should be the ones who lead the charge. Let those who are up here constantly calling for ''stay the course'' and ''let's continue the current policy,'' let them go and fight.

The time has come to end this war. That is what the American people want, and this Congress has the guts to do it. I thank the gentlewoman.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WELCH of Vermont). The Chair would remind Members that remarks in debate must avoid personalities toward the President.

Ms. WATERS. Mr. Speaker, I yield to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, first let me thank the gentlelady from California (Ms. WATERS), for organizing this special order tonight, but also for her leadership in the Out of Iraq Caucus, which is growing each and every day.

I think most Members now, whether they supported or opposed the authorization to use force, understand now that we must get out of Iraq. So I want to thank Congresswoman WATERS and all of the members for continuing to beat the drum on behalf of the American people.

Last night, President Bush went on prime time television to present to the Nation the results really of what I call his ''listening tour'' on what to do about Iraq. Four years into this war, the President has suddenly taken an interest in listening, but he is certainly not hearing the American people.

A Washington Post-ABC News poll conducted after the President made his case for escalation found that 61 percent of Americans oppose sending more than 20,000 additional troops to Iraq, with 52 percent saying that they strongly oppose the plan. Just 36 percent said that they backed the President's new proposal, and a majority of Americans said Bush's plan for our troops will make no difference whether the war can be won or lost.

The American people oppose this escalation. Members of Congress oppose this escalation. The President's own military advisers oppose this escalation. But in spite of this opposition, in spite of his claims to have been listening, the President went before the American people last night and basically just asked us to trust him, and

said, who cares about what the American people think or believe?

Well, I have a question for the President: Why, after the weapons of mass destruction that never existed; after the connections with al Qaeda that proved to be made up, with Iraq; after declaring ''mission accomplished'' and turning so many corners that made us, quite frankly, totally dizzy; why, given his track record, would we trust his judgment now?

Last night, the President said, ''Where mistakes have been made, the responsibility lies with me.'' Let me tell you, twisting the intelligence to rush this Nation into an unnecessary war was a mistake whose cost we have not yet begun to measure, not only in terms of lives and treasure but also in terms of our Nation's security.

I agree with the President that the responsibility does indeed lie with him, so he needs to rectify this mistake and bring our troops home and bring them home now.

It is clear that the President, quite frankly, has lost touch with reality. Iraq has become the defining issue of his presidency, and he is more interested in trying to save what remains of this horrible legacy than he is in proposing anything that resembles a solution to the mess that his administration has made in Iraq.

The President has proposed an escalation of the war in Iraq at precisely the time, the exact time, when the American people are calling for us to bring this war to an end. He is like the man who finds himself stuck in a hole and decides the best way out is to keep digging.

The question the Congress and the American people must now ask is, how many people should die so that the President can avoid admitting he has staked his Presidency and legacy on an unnecessary war whose implementation his administration has really botched at every single turn? How many have to die so that the President can save face?

The President talked about increasing funds for job creation in Iraq, which would be a wonderful idea, quite frankly, since we bombed the heck out of that country. However, his administration has a miserable track record. Just look at it on reconstruction and the former Republican Congress's unwillingness to conduct oversight over the waste, fraud and abuse and war profiteering, $10 billion-plus so far that is just being discussed, and we know it is more than $10 billion that has been stolen in the name of rebuilding Iraq.

So without a fix to this broken system, the President's proposed reconstruction funds are really just throwing more good money after bad, and the taxpayers certainly don't deserve this. This is, quite frankly, a cynical idea, with his policies the way they are now.

The President says that pursuing his failed policies in Iraq is critical to fighting global terrorism. But let me ask you, is spending $2 billion a week to referee a civil war in Iraq the best way we can spend our money in fighting global terrorism? Let's not forget, the 9/11 Commission pointed out there was no connection, I mean no connection, between Saddam Hussein and al Qaeda prior to this war. Today, Iraq is a terrorist recruiting ground as a direct result, mind you, a direct result of this unnecessary war, and the longer we stay there, the worse it gets.

How much money should be spent propping up a failed policy in Iraq so that the President can kick the can and hand off responsibilities for his failed policy, quite frankly, this is what I think he is trying to do, to the next occupant of the Oval Office?

Finally, let me just say, in October, the President was asked if he would rule out military bases, permanent military bases, and his refusal to say yes, which he refused to say, really did fuel the mistrust of the Iraqi public and strengthen the insurgency.

So, Madam Chairman, I want to thank you again for your voice and for maintaining the 70-plus members of the Out of Iraq Caucus. This is a civil war. It is an occupation which should end, and the best way that we support our troops is to bring our troops home.

Ms. WATERS. Mr. Speaker, I would like to thank the gentlelady for all of the hard work she does on this issue.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentlelady from California for her leadership.

Mr. Speaker, before we can even consider sending more of our young men and women into harm's way, we must first determine what our mission is in Iraq. Only then will it be possible to intelligently discuss the number of troops necessary to meet that mission. But 4 years after going to war in Iraq, the administration has yet to clearly articulate a mission. Without a mission and a strategy with a credible chance of success, we should not even be discussing an increase in troop levels.

Mr. Speaker, before we respond to the President's call for an escalation of the war in Iraq, we must first put his speech in the context of the history of the war in Iraq. We need to begin with a discussion of what the current 130,000 troops are doing in Iraq now before we can discuss what 20,000 additional troops might do.

The original reasons which were provided as the rationale for going to war, Iraq had weapons of mass destruction, Iraqi leaders were connected with the 9/11 attacks, and that Iraq posed an imminent threat to the United States, all turned out not to be true.

We have found no weapons of mass destruction, and we know that Iraqi leaders were not connected with the 9/11 attacks. And we were told before the invasion into Iraq that, in the opinion of the CIA, Iraq posed no imminent terrorist threat to the United States. In fact, a letter from the Director of the CIA to the Chair of the Senate Intelligence Committee, dated October 7, 2002, specifically stated that the CIA believed that Iraq and Saddam Hussein did not pose a terrorist threat to the United States and would not be expected to pose such a threat unless we attacked Iraq.

Last night, the President once again attempted to associate our presence in Iraq with the so-called war on terrorism. The truth is that our presence in Iraq has actually increased our risk to terrorism. Furthermore, the term ''war on terrorism'' is a rhetorical term without any relationship to reality. ''Terrorism'' is not an enemy; it is a tactic. The enemy is al Qaeda. We attacked Afghanistan because al Qaeda was there.

But after the initial reasons turned out to be false, we have been subjected to a series of excuses for being in Iraq, such as the need to capture Saddam Hussein, the need to capture al-Zarqawi and the need to establish a democracy.

Well, Saddam Hussein was in jail for almost 2 years before he was recently hanged. Al-Zarqawi was killed over 6 months ago, and Iraq held Democratic elections over a year ago. Yet we remain in Iraq, with no apparent end in sight. And here we are talking about increasing, not decreasing, troop levels.

So what are we doing in Iraq? Why did we go in? What do we expect to accomplish? And what will our strategy be for getting out? After we receive truthful answers to these questions, we can intelligently discuss appropriate troop levels.

Last night, the President said he was laying out a new mission for Iraq, thereby clearly acknowledging that whatever the old mission was, it wasn't working. But there is still no clearly defined end goal and clearly defined explanation of how failure or success can be measured. So we remain where we were before the speech, which is on an unclear, undefined path, while continuing to put more troops in harm's way.

If our mission is to stabilize Baghdad, military experts have already said that an additional 20,000 troops is woefully insufficient, so sending these troops will not accomplish that goal. And what happens if Iraq fails to meet its responsibilities, or Baghdad remains unstable and the price is more American deaths? Will we send even more troops? Or will we just cut and run?

And how will we know the new initiative will work? Before our invasion into Iraq, Defense Secretary Rumsfeld predicted that the war would last, and I quote, ''six days, six weeks. I doubt 6 months.'' It has been almost 4 years, and we are still in Iraq with no end in sight.

At the outset of the war, the administration advised the House Budget Committee that it expected the cost of

the war to be so minuscule that it advised the committee not to include the cost of the war in the Federal budget, and the administration official who suggested that the cost of the war might exceed $100 billion was fired.

To date, the cost of the war to the United States is over $375 billion, with no end in sight. Over 3,000 courageous Americans have already lost their lives. How many more will die if this new strategy falls as far from the predicted result as the original time and cost estimates? We need to be honest in clearly stating the likelihood that this initiative might fail.

Furthermore, Mr. Speaker, as far as developing a new mission and strategy, it is imperative that we ask where these additional troops will come from. Many will have to come from the National Guard and Reserve, and the escalation will mean longer and multiple deployments. But our troops already in Iraq have served for above-average deployments, and many have already completed multiple tours. Other troops may be redeployed from other assignments. So we must ask what moving these troops will mean to our global national security. We cannot assess the wisdom of an escalation without first answering these critical questions.

We need to develop a coherent plan for Iraq, and that can only begin with truthfully acknowledging our situation there. Unfortunately, all we have gotten from this administration is essentially ''Don't worry, be happy. Success is around the corner. And if you don't believe that, then you are not patriotic.''

Last November, the American people sent a powerful message that they wanted a real change in Iraq, not more of the same. This Congress needs to hold substantive hearings on why we entered Iraq in the first place, what the present situation is, what we can now expect to accomplish and what the strategy is to accomplish it, and only then can we intelligently discuss the troop levels necessary to accomplish that goal.

It is absurd to discuss troop levels first before we have answers to these critical questions. The American people and our courageous men and women on the front lines deserve a clear, articulated and sensible approach to ending the war in Iraq. Starting with an escalation of military forces is a step in the wrong direction.

Ms. WATERS. Mr. Speaker, I yield to the gentlewoman from California (Ms. WATSON).

□ 1745

Ms. WATSON. Thank you so much, Representative WATERS, for allowing us this opportunity to express our feelings towards the escalation of the war, the war of choice, in Iraq.

I am adamantly against this expansion. I see it as another provocation. I see Iraq now being the spawning ground that attracts all those who hate America to come and kill Americans.

The President is asking for 21,500 more troops to go on the killing fields. We don't even know who the enemy is. We use the name insurgents. We don't even know the President's definition for victory. How do you measure victory?

I remember the day that a great many Members stood up saluting the fact that Iraq had a democratic election. Apparently, there is no faith in those that were elected to administer the country of Iraq because they are talking about America losing the war.

We were told by Rumsfeld that 368,000 Iraqis had been trained. Where are they? Do they run away in the heat of battle? There is a lot of mystery surrounding this whole debacle called the ''war against terrorism'' in Iraq.

I thought we were looking for Osama bin Laden. All of a sudden we switched over to a nation of 28 million people, to Saddam Hussein, who didn't like Osama bin Laden.

I really feel that we were misdirected, misguided and, really, bottom line, lied to. And I don't know if you knew this, but while the President was making his presentation last night on a new direction forward, U.S. forces entered the Iranian consulate in Iraq's Kurdish-dominated north and seized computers, documents, and other items. It was also reported that five staff members were taken into custody. This is during the time that the President was making his speech.

Now, what I fear is that when the President said the axis of evil, Iran and North Korea, one down, the second one to come, and the third one very soon.

Mr. Speaker, I wish to end with giving you this piece of information. What does that state? I understand right now that the United States has worked with the Iraqi Government to have a law where they will contract out their oil for the next 30 years and 75 percent of the proceeds will go to the contractors. Seventy-five percent. It is the major rip-off of all time.

Was that the real reason why we invaded without provocation into Iraq?

Ms. WATERS. I thank the gentlewoman from California, and I now yield to the gentlewoman from Ohio, Representative STEPHANIE TUBBS JONES.

Mrs. JONES of Ohio. Mr. Speaker, I want to compliment the gentlewoman from California for her leadership in overseeing this Out of Iraq task force. Clearly, the work that this task force has done had an impact on the elections of 2006 and continues to have an impact as we go down the line.

I want to be very brief. Last night, I went home and I turned on the President's speech; and as a good American, I wanted him to convince me that there was reason to send 21,000 young men and women back into Iraq. See, as a young Congresswoman, this is my 8th year, I have attended five funerals: a young man 19, another young man 28, another young man 28, another one 40-something, and another one in his 30s.

And I sat there and I looked into the faces of those mothers, fathers, sisters, brothers, aunts, uncles, spouses and children; and it was hard for me to come up with words to explain to them why their family members had died.

We can talk about how they paid the ultimate price; but I wanted to say to them, ladies and gentlemen, I am not going to let their deaths be just another number in this 2,000, 3,000 young men and women we have lost. So I waited last night for President Bush to tell me something, give me an indication, say, STEPHANIE, this is why we need to send 21,000 more people; and I never got it. I never, ever got it. So it is hard for me to explain to my constituency that we ought to send 21,000 more people.

So I come to the floor once again this evening to say to Ms. WATERS and all the rest of my colleagues in the Out of Iraq conference, it is the same old song with a different meaning. Same beat, same old song over and over again. It is time to come out of Iraq.

Ms. WATERS. Thank you very, very much.

I now yield to one of our new Members of Congress, a gentleman who comes with a great background and who has hit the floor running, Representative KEITH ELLISON from Minnesota.

Mr. ELLISON. I thank the gentlewoman from California for allowing me to participate in the Out of Iraq Caucus. I do formally request membership in such caucus at this moment and anxiously await being a full-fledged member of the Out of Iraq Caucus.

Mr. Speaker and Members, I rise today really in the mindset of this coming weekend, which is Martin Luther King's birthday celebration. Martin Luther King, we all know, was a valiant defender of civil and human rights, also stood up strongly for the poor, but in this day and time must be recognized as one of the clearest voices for peace that this country has ever known.

As I stand before you asking this country to join this Out of Iraq Caucus of the Congress, the whole United States should rise up, one and all, and join the caucus. And I just want to mention that it is important now to remember that those voices of peace, of which Martin Luther King was a key voice, need to be listened to, need our attention.

Today, it is important to point out, as we walk toward the Martin Luther King holiday, that it was he who spoke up for peace, and he didn't do it in a way that was easy. Martin Luther King was arrested over 30 times as he was talking about peace. In 1967, and it is important to remember this, in 1967 he gave a speech in which he said that silence could continue no more. And then on April 4 of 1967, 1 year before his death, he said that we have got to get out of Vietnam.

And he didn't just say that Vietnam was the issue. He said Vietnam was critical, and Vietnam was what he was talking about at that time, but he actually projected a greater vision than

just Vietnam. He talked about a worldwide fellowship that lifts neighborly concern beyond one's tribe, race, class, and nation. In fact, what he talked about was a generosity of spirit, a politics of spirit in which we all could live in peace with each other.

We need to say, no escalation, get out of Iraq now, but America needs to adopt as its guiding principle, America needs to say the thing that guides us the most is peace. It is not living in superiority to the nations of the world, but living in brotherhood and sisterhood with the nations of the world. We need to talk about a peace of generosity, a peace of inclusion, and a peace that will allow us to look our constituents in the face and say we will not send your brothers, your sisters, your children, your parents into a war zone to be one of 20,000 more targets.

We are going to stand up with courage, just like Martin Luther King did. We will withstand the criticism of those detractors who just don't get it. We will stand with the people who need peace, which is our constituents, and with the soldiers. Today, my colleagues, we are actually protecting our soldiers, as they protect us, by calling for no escalation. Withdraw from Iraq. Peace now.

Ms. WATERS. Mr. Speaker, I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank you very much. I know this is a Special Order that has drawn the interest of Members from vast regions around America.

The important thing is we are Americans, that we want what is best for America, and that is why the Congress created the Baker Commission, not for it to be partisan but for it to be bipartisan, for it to have experts from around the Nation. To my great disappointment, the President stood up, ignored the Congress, the people, the experts, the military experts, and the wisdom that would indicate that it is time now to redeploy our troops.

This is a Martin Luther King moment. His birthday will be celebrated this coming Monday. Martin Luther King was courageous enough, as my colleague from Minnesota just said, to have the courage to go against the Vietnam War, realizing it was better to have peace over war and life over death.

The President laid out last night an Iraqi-dependent policy for America. They have, in essence, called upon the American people to depend upon this failed government to be the source of our strategy in Baghdad. We now will send some 20,000-plus troops to engage in a nine-district process of dragging people out of their homes on the premise of utilizing Iraqi soldiers and security forces. My question to the President is: Why did we not do this before?

Let me say in closing that I want a peaceful solution. I did not vote for the war, but I believe in our military. I believe in America and democracy. Bring the allies to the table in the region, have a political diplomacy, and have our troops backup the Iraqis. We cannot have a foreign policy dependent upon Iraq.

Mr. Speaker, I come to the floor today to speak on the most critical issue facing our country, the war in Iraq. This misguided, mismanaged, and costly debacle was preemptively launched by President Bush in March 2003 despite the opposition of me and 125 other members of the House. To date, the war in Iraq has lasted longer than America's involvement in World War II, the greatest conflict in all of human history.

The Second World War ended in complete and total victory for the United States and its allies. But then again, in that conflict America was led by a great Commander-in-Chief who had a plan to win the war and secure the peace, listened to his generals, and sent troops in sufficient numbers and sufficiently trained and equipped to do the job.

Mr. Speaker, I say with sadness that we have not that same quality of leadership throughout the conduct of the Iraq War. The results, not surprisingly, have been disastrous. To date, the war in Iraq has claimed the lives of 3,015 brave servicemen and women (115 in December and 13 in the first 9 days of this month). More than 22,000 Americans have been wounded, many suffering the most horrific injuries. American taxpayers have paid nearly $400 billion to sustain this misadventure.

Based on media reports, tonight President Bush will not be offering any new strategy for success in Iraq, just an increase in force levels of 20,000 American troops. This reported plan will not provide lasting security for Iraqis. It is not what the American people have asked for, nor what the American military needs. It will impose excessive and unwarranted burdens on military personnel and their families.

Mr. Speaker, the architects of the fiasco in Iraq would have us believe that "surging" at least 20,000 more soldiers into Baghdad and nearby Anbar province is a change in military strategy that America must embrace or face future terrorist attacks on American soil. Nothing could be further from the truth, as we learned last year when the "surge" idea first surfaced among neoconservatives.

Mr. Speaker, the troop surge the President will announce tonight is not new and, judging from history, will not work. It will only succeed in putting more American troops in harm's way for no good reason and without any strategic advantage. The armed forces of the United States are not to be used to respond to 911 calls from governments like Iraq's that have done all they can to take responsibility for the security of their country and safety of their own people. The United States cannot do for Iraq what Iraqis are not willing to do for themselves.

Troop surges have been tried several times in the past. The success of these surges has, to put it charitably, been underwhelming. Let's briefly review the record:

1. OPERATION TOGETHER FORWARD, (JUNE–OCTOBER 2006):

In June the Bush administration announced a new plan for securing Baghdad by increasing the presence of Iraqi Security Forces. That plan failed, so in July the White House announced that additional American troops would be sent into Baghdad. By October, a U.S. military spokesman, Gen. William Caldwell, acknowledged that the operation and troop increase was a failure and had "not met our overall expectations of sustaining a reduction in the levels of violence." [CNN, 12/19/06. Washington Post, 7/26/06. Brookings Institution, 12/21/06.]

2. ELECTIONS AND CONSTITUTIONAL REFERENDUM (SEPTEMBER–DECEMBER 2005):

In the fall of 2005 the Bush administration increased troop levels by 22,000, making a total of 160,000 American troops in Iraq around the constitutional referendum and parliamentary elections. While the elections went off without major violence these escalations had little long-term impact on quelling sectarian violence or attacks on American troops. [Brookings Institution, 12/21/06. www.icasualties.org]

3. CONSTITUTIONAL ELECTIONS AND FALLUJAH (NOVEMBER 2004–MARCH 2005):

As part of an effort to improve counterinsurgency operations after the Fallujah offensive in November 2004 and to increase security before the January 2005 constitutional elections U.S. forces were increased by 12,000 to 150,000. Again there was no long-term security impact. [Brookings Institution, 12/21/06. New York Times, 12/2/04.]

4. MASSIVE TROOP ROTATIONS (DECEMBER 2003–APRIL 2004):

As part of a massive rotation of 250,000 troops in the winter and spring of 2004, troop levels in Iraq were raised from 122,000 to 137,000.

Yet, the increase did nothing to prevent Muqtada al-Sadr's Najaf uprising and April of 2004 was the second deadliest month for American forces.[Brookings Institution, 12/21/06. www.icasualties.org. USA Today, 3/4/04]

Mr. Speaker, stemming the chaos in Iraq, however, requires more than opposition to military escalation. It requires us to make hard choices. Our domestic national security, in fact, rests on redeploying our military forces from Iraq in order to build a more secure Middle East and continue to fight against global terrorist networks elsewhere in the world. Strategic redeployment of our armed forces in order to rebuild our nation's fighting capabilities and renew our critical fight in Afghanistan against the Taliban and al-Qaeda is not just an alternative strategy. It's a strategic imperative.

Mr. Speaker, it is past time for a new direction that can lead to success in Iraq. We cannot wait any longer. Too many Americans and Iraqis are dying who could otherwise be saved.

I believe the time has come to debate, adopt, and implement the Murtha Plan for strategic redeployment. I am not talking about "immediate withdrawal," "cutting and running," or surrendering to terrorists, as the architects of the failed Administration Iraq policy like to claim. And I certainly am not talking about staying in Iraq forever or the foreseeable future.

I am talking about a strategic redeployment of troops that: Reduces U.S. troops in Iraq to 60,000 within six months, and to zero by the end of 2007, while redeploying troops to Afghanistan, Kuwait, and the Persian Gulf. Engages in diplomacy to resolve the conflict within Iraq by convening a Geneva Peace Conference modeled on the Dayton Accords. Establishes a Gulf Security initiative to deal with

the aftermath of U.S. redeployment from Iraq and the growing nuclear capabilities of Iran. Puts Iraq's reconstruction back on track with targeted international funds. Counters extremist Islamic ideology around the globe through long-term efforts to support the creation of democratic institutions and press freedoms.

As the Center for American Progress documents in its last quarterly report (October 24, 2006), the benefits of strategic redeployment are significant: Restore the strength of U.S. ground troops. Exercise a strategic shift to meet global threats from Islamic extremists. Prevent U.S. troops from being caught in the middle of a civil war in Iraq. Avert mass sectarian and ethnic cleansing in Iraq. Provide time for Iraq's elected leaders to strike a power-sharing agreement. Empower Iraq's security forces to take control. Get Iraqis fighting to end the occupation to lay down their arms. Motivate the U.N., global, and regional powers to become more involved in Iraq. Give the U.S. the moral, political, and military power to deal with Iran's attempt to develop nuclear weapons. Prevent an outbreak of isolationism in the United States.

Mr. Speaker, rather than surging militarily for the third time in a year, the president should surge diplomatically. A further military escalation would simply mean repeating a failed strategy. A diplomatic surge would involve appointing an individual with the stature of a former secretary of state, such as Colin Powell or Madeleine Albright, as a special envoy. This person would be charged with getting all six of Iraq's neighbors—Iran, Turkey, Syria, Jordan, Saudi Arabia, and Kuwait—involved more constructively in stabilizing Iraq. These countries are already involved in a bilateral, self-interested and disorganized way.

While their interests and ours are not identical, none of these countries wants to live with an Iraq that, after our redeployment, becomes a failed state or a humanitarian catastrophe that could become a haven for terrorists or a hemorrhage of millions more refugees streaming into their countries.

The high-profile envoy would also address the Israeli-Palestinian conflict, the role of Hezbollah and Syria in Lebanon, and Iran's rising influence in the region. The aim would not be necessarily to solve these problems, but to prevent them from getting worse and to show the Arab and Muslim world that we share their concerns about the problems in this region.

Mr. Speaker, the President's plan has not worked. Doing the same thing over and over and expecting a different result is, as we all know, a definition of insanity. It is time to try something new. It is time for change. It is time for a new direction.

OUT OF IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois (Ms. SCHAKOWSKY) is recognized for 5 minutes.

Ms. SCHAKOWSKY. Mr. Speaker, it is good to see you in the Chair, and I thank the gentleman for allowing me to do this.

I am a proud member of the Out of Iraq Caucus, and my office has been flooded with letters and calls from constituents who want the President to start bringing the troops home from Iraq. According to all the polls, an overwhelming number of Americans are opposed to any escalation.

Instead of a plan to begin redeployment, Americans heard a giant sucking sound from President Bush last night, pulling our troops further into the civil war that has already taken the lives of so many of our brave sons and daughters.

The President is dealing with an Iraq that exists only in his imagination. I challenge the President to answer the questions: Who are our allies? Who are our enemies? What does winning mean? How long will American troops be there? How many lives are you willing to sacrifice?

Escalation presumes a military solution is still possible. The catastrophe facing Iraq is political, and yet there is no evidence of a political process that has any hope of achieving any kind of reconciliation or success.

The President has virtually fired General John Abizaid, our top commander for Iraq in the region, who consulted with all of the divisional commanders and asked them in their professional opinion, if we were to bring in more troops would it add considerably to our ability to achieve success in Iraq. They all said no, but the President has not listened.

The British have announced that rather than escalating their participation in this war, they are going to bring 3,000 troops out of Iraq in May.

□ 1800

We are not receiving support from any allies. So it seems to me, as now a sponsor of the Markey-Kennedy bill, H.R. 353, that Congress has to step in, has to state its belief that this escalation is misguided. And according to the Markey-Kennedy bill, it would prevent the President from spending another taxpayer dollar to increase troop levels in Iraq without the consent of Congress. And after 4 years, it is time for President Bush to wake up and realize that his policy in Iraq has failed. Most of the country has already come to that conclusion.

Now, we must renew our military, work to restore our diplomatic credibility and, above all, begin redeploying our troops out of Iraq.

And I would like to yield the remaining time to my colleague from California, LYNN WOOLSEY.

Ms. WOOLSEY. First, I would like to thank the Congresswoman from California for her leadership tonight with this special order and also her leadership of the Out of Iraq Caucus.

I will echo, to save time, every single word that has come out of the mouths of my colleagues this evening. But there is one thing we have not talked about that, every single time I am interviewed, somebody says: But Congresswoman, what will happen to the Iraqi people if the United States leaves?

My answer is asking them a question right back: Have you not paid attention to what is happening to the Iraqi people right now with our very presence?

It is my opinion, and my belief, and I know that I am right, when the United States Army military leaves Iraq, the insurgency will calm down. The United States then is responsible to work internationally to help Iraq rebuild its country, invest in its infrastructure, invest in its economy, invest in its education and help their people with getting their feet back on the ground.

And I will end by just saying this. The United States is not going to determine the fate of Iraq. Only the Iraqis will determine their fate.

MEDICARE PART D PRESCRIPTION DRUG PROGRAM

The SPEAKER pro tempore (Mr. PERLMUTTER). The gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes.

Mr. GINGREY. Mr. Speaker, this opportunity for the minority party during this hour is dedicated to the subject of what we are going to be dealing with tomorrow, H.R. 5, and that regards the Medicare Part D prescription drug, allowing or, in fact, requiring the Secretary to negotiate prices. And this is a hugely important issue.

But I want to take just a minute to respond to my colleagues on the other side of the aisle that just spent their hour with the Out of Iraq Caucus. In fact, they asked me for permission for an additional 5 minutes because they had some very passionate Members that had not had an opportunity to speak.

I gladly granted them that opportunity. That is what makes this Congress great. That is what makes this country great, the willingness to listen to diverse opinions.

But I want to say, and I want to take just a few minutes before we get into the discussion of Medicare Part D, how diametrically opposed I am to what the Out of Iraq group just had to say during this last hour, and, indeed, Mr. Speaker, hour and 5 minutes.

I don't object to their right to have that opinion. I do certainly take exception, Mr. Speaker, and my colleagues, when folks stand up here, and I am not talking about new Members of this body. In fact, there was one new Member from Illinois, the gentleman from Illinois, who is going to be part of the Out of Iraq Caucus. I am talking about very senior, thoughtful Members. To stand up and suggest that the President lied to the American people, I think, is really not, in fact, even close to being the truth.

The President, I think, is an honest man. And last night, Mr. Speaker, in his presentation to the American people, I thought he did an excellent job of explaining why it is so important for us to try to apply, if not a knock out blow to the insurgence and the terrorism, the sectarian violence that is

going on in and around Baghdad, certainly, to strike a blow that would put them on the ropes, would get us off the ropes and put them on the ropes. And yet, we hear from the majority party wanting to tie the President's hands behind his back and our great military.

I think we have got a wonderful opportunity. Mistakes have been made. Absolutely. There is no question about that. I think the President acknowledged that last night in his 20-minute speech to the Nation. But we have an opportunity.

And this is really, I want my colleagues to think about this. This is not about the President's legacy. This is not about the legacy of Donald Rumsfeld, or General Abizaid or even our new Secretary of Defense, Robert Gates, who we just heard from in a 3-hour hearing at the House Armed Services Committee, or our Chairman of the Joint Chiefs of Staff, Peter Pace, or General Petraeus. This is about 23 million Iraqi people. This is about the citizens of the United States of America. This is about the entire Middle East. In fact, this is about 6 billion people on this planet. And we have to, in my opinion, we have to support the plan. If we don't, even if our colleagues in the Out of Iraq Caucus absolutely abhor this President and would like to see his legacy be one of failure, surely, surely, they are with the American people. And I think they are. I think deep down within their heart, they are.

But I am absolutely convinced that they have not thought about the consequences of, all of a sudden, I mean, almost instantaneously pulling our troops out of Iraq, as they say. And I have heard many of them say that, Mr. Speaker, and my colleagues. And the fact that, if that would happen, I think you would, indeed, have another Vietnam. You would, indeed, have a total bedlam and sectarian violence in the country of Iraq. You would have Syria and Iran taking over the Middle East.

And I just wonder how much longer the country of 7 million people in Israel would last. I mean, they have already pledged, Ahmadinejad and others, to drive them into the sea. And what respect, Mr. Speaker, would the world have for the United States of America if we, indeed, cut and run?

I am not suggesting that that is what they are saying. But I think that is a perception that the rest of the world would have. You cannot depend on the United States. And those terrorists would be back after us again.

We haven't had another 9/11 or any kind of a terrorist attack on this soil in 5½ years. But if we follow the recommendation of the Out of Iraq Caucus in this Congress, that is exactly what will happen. It will be far worse than 3,000 lost lives, of innocent people.

Certainly, the gentleman from Illinois, the new Member, I have great respect for all of the new Members, Mr. Speaker. And he talked about Martin Luther King, a man of peace. We need people, like Martin Luther King, that pray for world peace. I pray for world peace every day, and I know all of my colleagues do.

But we also need fighting men and women. We need a strong military when we get attacked, an unprovoked attack, when those prayers are not working so that we can defend this Nation.

So I am glad to give them an extra 5 minutes so it gives me an opportunity to refute most of what was said here in the last hour.

With that, Mr. Speaker, I will turn to the subject of the hour, and that, of course, is what is going to be on this floor tomorrow as part of the new Democratic majority's 100 hours. This will be H.R. 4.

We have had three bills this week. We have had the so-called 9/11, completion of the recommendations of the 9/11 Commission. We had the minimum wage bill and then today of course the stem cell research issue.

And tomorrow what the Democratic majority wants to do is require the Secretary of Health and Human Services to negotiate prescription drug prices. Government price control; put the government in the medicine cabinet of 42 million seniors and disabled folks who are part of the Medicare program and prescription drug Part D. And they want to do that, just as they have done with these other three bills this week, with absolutely no opportunity, no opportunity for the minority party or even members of the majority, maybe the rank and file, as many of us refer to ourselves, to bring amendments, to have an opportunity to go before the Rules Committee and say, you know, I think we can improve on this bill a little bit. There are certain things I have been thinking about it. I am a doctor. I am a nurse. I am a health care worker, and I think we can make this a little bit better.

But, no. No, no. This new Democratic majority that railed for the last 2 years almost every day that their rights were being trampled upon and their amendments were not made in order, and here we are with four bills this week.

We are not talking, Mr. Speaker, about naming Post Offices here. We are talking about hugely important pieces of legislation, legislation that is controversial. This issue today on stem cell research, and we are talking about the destruction of what I feel, as a strong pro-life physician, is a little human life. And the proof of the pudding of course is the snowflake babies, literally thousands of them. And to suggest that those little embryos are just extra and throwaway, and we don't need them, and why waste them? We didn't get an opportunity to offer a single amendment. And this same thing in regard to this Medicare Part D issue which will be debated on the floor tomorrow.

Mr. Speaker, and my colleagues, if there is ever an issue of the old adage, ''If it ain't broke, don't try to fix it,'' it is this one, because this law that was passed in November of 2003 went into effect January 1 of 2005, the bill, the benefit, the optional benefit of prescription drugs under Medicare has only been in place for 1 year. And the success is unbelievable. I mean, it is far beyond anybody's expectations. It has an 80 percent approval when you poll seniors because they are getting their prescriptions, those who are having to pay for them, are getting them at a much lower price. The average savings is $1,100 a year for those who are paying their monthly premium and their deductible and their copay. And for those who, because of their low-income status, are virtually paying nothing but a dollar or maybe $3 to $5 for a brand name drug, if that is covered by the supplement because of low income, then they are saving at least $2,400 a year.

And so, Mr. Speaker, to try to improve upon something that is working so well, I think, is a grave mistake. And I think, as the expression goes, they are going to gum up the works.

Now, let me tell you how setting price controls works and how poorly it works for that matter. When we were debating this bill in 2003 in the committee on the House side, a Democratic Member, I think it was Representative Strickland, now Governor of Ohio, a very good Member of this body, suggested, had an amendment and said look, let's set the monthly premium at $35. Let's require that the monthly premium be $35, I guess, over concern that it could be higher than that.

□ 1815

Let us set it at $35. The same bill was introduced on the Senate side, and I am not sure which Senator, which Democratic Senator, introduced the bill on the Senate side.

But, again, to set that premium. Well, had we done that, then our seniors today would not be enjoying an average monthly premium of $24 a month, $24 a month, because the market, the competition between the multitude of prescription drug plans that are out there competing for business allowed that to happen as they brought down the price of drugs as they compete with one another.

I will give you another example in regard to the Medicaid program. You know, the States each have their own Medicaid program, and they can cover prescription drugs if they want to. They don't have to. Most do, and they set prices. The State governments do that to try to save money. They set prices.

Well, people who are eligible for both Medicaid, because of their low income, and Medicare, because of their age or disability, now these dual eligibles, the prescription drugs are paid for by the Medicare part D program as the first payer. Well, our community pharmacists are so upset because they were getting a higher price for prescription drugs under the Medicaid program than they are under this new Medicare part

D program which has forced those prices down. Obviously, the neighborhood druggists, the community pharmacists are making less money, and they are upset. I can understand that.

But this just goes to show you once again, when the government sets the price, it is just as likely, if not more likely, that they set the price too high. The bureaucrats are notorious for that. The marketplace would never let that happen because of competition.

This opportunity to talk about this subject tonight is a very, very important issue at an important time. We will talk about it on the floor tomorrow and try to proffer these same arguments against requiring the Secretary of HHS to set prices. It is the first step down the road toward a national health insurance program, a single-payer program, or, if you like, Hillary Care. I don't think the country liked Hillary Care when it was offered back in 1994, and President Clinton paid a price for that, a dear price.

It is just really surprising to me that the Democratic majority would come back with this type of issue.

I think what is driving it is the success of this program is so resounding, and they, my good friends and colleagues on the other side of the aisle, that resisted this program every step of the way, fought it every step of the way, now I think they kind of want to get on the bandwagon and get a little credit for something.

But I warn them, I warn them, what I frequently hear them and others say, when you are in a ditch, when you are deep in a hole, the first thing you need to do is stop digging. I think they are digging themselves a bigger hole. And, politically, that is good for us. That is good for the Republican minority. That will help us regain the majority. But it is not good for the American people. It is not good for our needy seniors, and that is why I am so opposed to it.

I am very happy to have with me tonight a couple of my Republican colleagues, great Members, not just Republican Members that don't have special knowledge on this issue, but I am talking about a couple of our physician Members.

At this time I would like to yield to the gentleman from Texas (Mr. BURGESS), a fellow OB/GYN physician.

Mr. BURGESS. I thank the Chair for the recognition and I thank the gentleman from Georgia yielding. I do want to thank the gentleman from Georgia for taking an extra minute to talk about the issues that concluded the last hour. I think it was important, and it needed to be done, and the American people do need to hear that debate as well.

In the process of the first 100 hours, and I don't know where we are now, in my count it is about 44 hours into it, but it is a funny kind of timekeeping. We started this Special Order hour at about 6:00 in the evening, that is 5:00 back home in Texas. That means we will conclude the House business for the day in 2 hours; that is 7:00 back in Texas.

That is not really an onerous work schedule that we are under. We have just managed to spread it out, do a little less work and spread it out over more days to look like we are doing more.

But my purpose here this evening is to offer, really, a public service, a little bit of education, a little bit of history. Because many Members in the House are new, they were not here when we went through the Medicare Modernization Act of 2003. In fact, some of this story goes back even before Dr. GINGREY and I started here in 2003.

So let us take a step back to just a little while earlier in the decade and visit with one of the President's press releases when they talked about his vision for a new Medicare prescription drug benefit. It rolled out with a good deal of fanfare one day, that the benefit would be voluntary, accessible to all beneficiaries, designed to provide meaningful protection and bargaining power for seniors, affordable to all beneficiaries for the program and administered using competitive purchasing techniques consistent with broader Medicare reform.

That was the message that the President delivered at that time to the Senate to deal with major Medicare reform to provide a prescription drug benefit.

Let us go over it again, because it is important. Voluntary Medicare beneficiaries who now have dependable, affordable coverage should have the option of keeping that coverage, accessible to all beneficiaries. All seniors and individuals with disabilities, including those in traditional Medicare, should have access to a reliable benefit, designed to give beneficiaries meaningful protection and bargaining power.

A Medicare drug benefit should help seniors and help the disabled with the high cost of their prescription drugs and protect against excessive out-of-pocket costs. It should give beneficiaries bargaining power that they lack today and include a defined benefit, assuring access to medically necessary drugs.

Under the administrative part of the communication to the Senate, it says very specifically, discounts should be achieved through competition, not regulation, not price controls, and private organizations should negotiate prices with drug manufacturers and handle the day-to-day administrative responsibilities of the benefit.

The press release goes on to talk about some other things. The President urges the Congress to act now.

It is instructive that this press release was issued March 9, cherry blossom time here in Washington D.C., March 9, the year 2000. This was a press release issued by then-President William Jefferson Clinton to Senator Tom Daschle with Clinton's instructions as to how he wanted this drug benefit drawn.

Well, I think its instructive to remember the past because there are some inherent dangers with tinkering with the program that is already working well.

But the real central question in front of us is, does ideological purity trump sound public policy? We all know it should not, but unfortunately it appears we are on the threshold of profound changes to the part D program. These changes are not being proposed because of any weakness, because of any defect in the program. The changes are being proposed because a viable program lacks the proper partisan branding.

Since the inception of the part D program, America's seniors have had access to greater coverage, lower cost, than anytime since the inception of Medicare over 40 years ago. Indeed, over the past year, saving lives and saving money has not just been a catchy slogan. It has been a welcome reality for the millions of American seniors and those with disabilities who previously lack prescription drug coverage.

Under the guise of negotiation, their proposals now are to enact draconian price controls on pharmaceutical products. The claim is billions of dollars in savings, but experts in the Congressional Budget Office, as evidenced in The Washington Post just today, deny that the promised savings will actually materialize.

The reality is competition has brought significant cost savings to the program just as envisioned by President William Jefferson Clinton and enacted by President Bush. Competition has brought significant cost savings to the program and subsequently to the seniors who are actively using the program today.

Consider that the enrollment of the part D program began in January of 2006, just a little over a year ago, and has proven to be a success. CMS reports that approximately 38 million people, 90 percent of all Medicare beneficiaries, are receiving comprehensive coverage, either through part D, an employer-sponsored retiree health plan, or other credible coverage.

Going back to the press release of 2000, there was concern because that credible retiree prescription drug coverage was leaving at a rate of about 10 percent per year. That was arrested with the enactment of the Medicare Modernization Act. Ninety-two percent of Medicare beneficiaries will not enter into the Medicare benefits drug coverage gap because they will not be exposed to the gap, or they have prescription drug coverage from plans outside of Medicare part D, or their plan coverage of the so-called gap, an important point as seniors go for their reenrollment, which they have just come through to make sure that their drugs, in fact, are covered in the coverage gap.

In the State of the Texas, there are five plans that will cover drugs in the

so-called coverage gap. Eighty percent of the Medicare drug plan enrollees are satisfied with their coverage, and a similar percentage says that out-of-pocket costs have decreased. Think of it, a Federal program, a program administered by a Federal agency with an 80 percent satisfaction rate, on time, under budget. When have you ever heard of a Federal agency delivering a program that was on time or under budget?

Again, consider, under the cloak of negotiation, the reality is that Federal price controls could have an extremely pernicious effect on the price, on the availability of current pharmaceuticals and those products that may be available to treat future patients. It is ideological branding so critical that it trumps providing basic coverage to our senior citizens.

Thus the challenge, would it not be better to continue a program that empowers the individual rather than create a new scheme which seeks to reward the supremacy of the State?

I see we have several speakers lined up, and I don't want to monopolize too much more time, but let me just go on with one other point. The American health care system in general, the Federal Medicaid program in particular, there is no shortage of critics both at home here and abroad. But remember it is the American system that stands at the forefront of new innovation and technology, precisely the types of system-wide changes that are going to be necessary to efficiently and effectively provide care for America's seniors in the future.

I don't normally read The New York Times, but someone brought this article to my attention, published October 5, 2006 by Tyler Cowan, who writes from The New York Times: ''When it comes to medical innovation, the United States is the world leader. In the past 10 years, for instance, 12 Nobel Prizes in medicine have gone to American-born scientists working in the United States. Three have gone to foreign-born scientists working in the United States, and just seven have gone to researchers outside the country.''

That is American exceptionalism. Mr. Cowan goes on to point out that five of the six most important medical innovations of the past 25 years have been developed within and because of the American system. Comparisons with other Federal programs such as the VA system are frequently mentioned.

It must be pointed out that a restrictive formulary such as employed by the VA system would likely meet significant public resistance because of the near-universal access of the most commonly prescribed medications under the current Medicare prescription drug plan. Some studies have estimated that nearly one-quarter of the medications available under the current Medicare plan would disappear under that restrictive formulary system.

The fact is the United States is not Europe; we shouldn't try to pretend we are Europe. In fact, most of us don't want to be Europe. American patients are accustomed to wide choices when it comes to hospitals. They are accustomed to wide choices in physicians and to wide choices in their pharmaceuticals. Because our experience is unique and different from that of other countries, this difference should be acknowledged when reforming either the public or the private health insurance programs.

The irony of the situation is that after 40 years, many Congresses, many Presidents have tried to add a prescription drug benefit. When Medicare was first rolled out, it was kind of an inconvenience if they didn't cover prescription drugs. But they only had penicillin and cortizone, and those were interchangeable, so it didn't really matter.

□ 1830

But over the years, as American medicine advanced, it became a critical, a glaring lack of having the prescription drug benefit covered. That is why it is ironic that a Republican president working with a Republican Congress, Republican House, Republican Senate passed meaningful and needed Medicare reform that included the prescription drug benefit, and it happened on the floor of this House at 5:30 in the morning, November 22, 2003. Dr. GINGREY and I were here and very proud to have been part of that.

One last thing I need to mention, and it is a public service, it is a safety tip from someone who has been here only a short time. But I want to remind my colleagues that recently The Third Way, a leading progressive policy think tank has circulated a memo warning those seeking to make changes in how Medicare pays for prescription drugs provided under part D of the program do so with an abundance of caution.

I might remind my colleagues, back in 1988, when the then chairman of the Ways and Means Committee, Dan Rostenkowski, enacted a significant long-term care benefit that cost seniors a great deal of money. He was met with concern and consternation and in fact could not drive his car away from the town hall meeting that he convened shortly after costing seniors so much money with that benefit.

The important thing, and I want to speak specifically to the new Members who are here on the other side of the aisle, don't let this happen to you. Don't try to improve on a Medicare program that is popular with the seniors and meeting their health needs. Seniors will resent having fewer choices that cost more under Medicare part D merely to score political points with your new Speaker by repealing Medicare's noninterference clause.

Mr. GINGREY. Dr. BURGESS, thank you very much for that most enlightening discussion.

We have two other speakers, and again I mentioned at the outset Dr. CHARLES BOUSTANY from the great State of Louisiana, a cardiovascular surgeon. And Dr. BOUSTANY, we thank you for being with us tonight, and we want to turn it over to you at this time.

Mr. BOUSTANY. Mr. Speaker, I thank my colleague from Georgia for organizing this hour and for all the work he has done on this issue.

Let me start by saying that, as a heart and lung surgeon, I have often seen patients whose illness did not respond to a particular drug, and I have seen the frustration and the anxiety among family members and among patients when a government bureaucrat or an HMO tried to save money by denying access to a more effective medication. In fact, Mr. Speaker, I once operated on a Vietnam veteran; I performed heart surgery on this gentleman, and afterwards he needed several very important medications to maintain his condition, but the VA program was going to make him wait between 2 and 3 weeks before he could get his medication. That is just simply unacceptable. This poor man had no choice but to pay out of pocket hundreds of dollars to get medication. This is something that we don't want to do for our seniors.

Now, Secretary Leavitt has warned that H.R. 4 will result clearly in fewer choices and less consumer satisfaction. And we all know that we have had a tremendous success with this program in just 1 year, 80 percent satisfaction, premium prices dropping from $37 down to $22. Let's face it, government rationing harms patients, and calling it negotiation won't make it any less dangerous.

The American people did not give Congress a mandate to force HHS to make unspecified cuts to Medicare.

I also know that the idea of government negotiation is a joke. In fact, according to a Democratic polling group, 8 in 10 voters agree that government negotiation would limit access to prescription drugs and to life-saving medications.

Let's face it, aggressive negotiation through the marketplace is already working, and it is driving down the prices of premiums as I mentioned earlier.

Let me just say this. If the market is good enough for Members of Congress, why would we take that away from our seniors? I find it to be a profound irony that supporters of this bill, the Democratic leadership in the House, they are pushing for this government negotiation, this so-called government negotiation, but they won't allow that for their own medicine cabinets. There is a profound irony in this.

Why doesn't a proposal that would limit the medical care of tens of millions of seniors deserve a fair hearing? I say it is reckless on the part of the Democratic leadership of the House to force the Federal Government to cut Medicare without specifying, where are we going to achieve those additional

savings? How is this so-called negotiation going to take place? And before rushing into this bill, I think Speaker PELOSI has an ethical obligation to detail how the Federal Government would achieve additional savings without limiting seniors' access to medicines, hurting community pharmacies and increasing prices for our veterans.

We know what the outcome of a recent CBO study showed, that the Secretary will be unable to negotiate prices that are more favorable than those under the current law. In fact, a Senate hearing was held on this. The Senate Finance Committee held a hearing, and the Democratic chairman of the Senate Finance Committee is questioning whether there are savings to be achieved by direct negotiation.

Furthermore, I have letters that I have received from community pharmacists throughout my district. I want to read from one of these. It is addressed to me and says, ''There will be a vote in Congress on Friday, January 12, which could dismantle the very important Medicare part D program. I am joining former U.S. Senator John Breaux,'' a Democrat, a former prominent Democrat on the Senate Finance Committee and a member of the Senate who worked on this Medicare part D program when it was put into law. He says, ''I am joining former Senator John Breaux and the Louisiana Medicare Prescription Access Network and more than 700 supporting member organizations in our State in asking you to vote against H.R. 4 on Friday, January 12.''

Price controls are not in the interest of our seniors. This is not something that we want to do. If we are going to reform our entitlement programs where costs are burgeoning, we need to introduce market forces; and lo and behold, in one year of operation we have a program where we introduced market forces to drive down premiums for our seniors, and it is working.

It is too premature to change this. It is wrong to change this, and I urge all of my colleagues to listen to this and do what is right for seniors. And I will end by just asking one question: Why would the Democratic leadership in the House want to hurt our seniors? I think the American public and our seniors deserve an answer to that question.

Mr. GINGREY. Mr. Speaker, I want to thank the gentleman from Louisiana, the cardiothoracic surgeon who is doing such a great job now in his second term.

At this point, I want to turn the program over to my colleague from Georgia. Not only do we represent part of the same county, but we are both physician Members, and Dr. PRICE is an outstanding orthopedic surgeon, an outstanding Member of this Congress. In fact, I was at a very important press conference earlier this afternoon on this issue, and I heard Dr. Price, he may want to say it again; I don't mean to preempt him. But I heard Dr. Price say this looks like a solution in desperate search of a problem. And that kind of goes along with what I said earlier: If it ain't broke, don't fix it. And if the Democrats find themselves in a hole, they need to stop digging. So with that, I will turn it over to Dr. PRICE.

Mr. PRICE of Georgia. I thank you so much, Dr. GINGREY. It is a great pleasure to share the floor with you once again and talk about an issue that is so very, very important, not just to seniors but to all Americans. And I appreciate, as has been said, your leadership on this issue. It has been wonderful and greatly appreciated. You are serving extremely well in this area, and I appreciate that.

I also want to point out to the Speaker, as I know he knows, and to other Members of Congress that I think it is instructive to note that the individuals who have come to the floor tonight to talk about this issue are physicians or at least were physicians in their former lives. And I think that is helpful to think about, because the individuals who are charged with caring for the health of this Nation, the physicians all across this Nation understand and appreciate that the consequences of government decisions can oftentimes be huge in their effect on the ability to provide quality care for the patients of this Nation.

So we come down here tonight and talk about an issue that is of just most importance to American people and to all seniors who participate in the Medicare program, and we do so because we have been on the other side, the other end of these decisions. And when decisions are made in Washington that provide for greater control of health care by Washington, I would suggest, Mr. Speaker, that always, always, by and large, results in a decrease in the quality of care that is able to be provided.

I would also wish to point out, Mr. Speaker, that I think this is an issue that really is part of a bigger question. And the bigger question is, who is it that ought to be making fundamental personal health care decisions? And it appears that we in this body have a philosophical difference about who that ought to be. My colleagues on the Republican side of the aisle tend to believe that the decisionmaking authority in those personal health care decisions ought to rest with patients and with physicians, that that is where those decisions ought to be. And I know that my colleagues who are here this evening would concur with that, because we know how difficult it is when somebody else, especially a nonmedical person, is making those kinds of decisions and it most often adversely affects the health care of that patient. So we believe as a matter of principle that patients and physicians ought to be making health care decisions, including which medication to utilize, because patients and physicians are the ones that know best which medication that ought to be utilized.

Our good friends on the other side of the aisle it appears believe as a matter of principle that government ought to be making those decisions, that government bureaucrats, Washington bureaucrats who may or may not have any fundamental knowledge about, in this instance, personal health care issues, that government ought to be making those decisions.

So I think it is important for people to appreciate, Mr. Speaker, that that really is one of the fundamental principles that we are talking about here: Who ought to be making health care decisions? Should it be patients and physicians, or should it be the government?

My good friend mentioned that this was a solution in search of a problem, as I had said before, and it really is. And so when you have an issue like that, I think it is also important, Mr. Speaker, to look at why is it that the Democrat majority is even attempting to solve this problem that I would suggest doesn't exist? And I would use as rationale for the fact that there is no problem to solve so many issues that have been brought up here on the floor already and in this debate.

The cost of the benefit to seniors all across this Nation in 2006 are 30 percent lower, 30 percent lower, $13 billion lower in 2006 than were projected. The projected costs over 10 years are down over 21 percent which equals $197 billion. The premiums are down over 40 percent over that that was projected. And in fact, if you think about the last time that the majority party, the now majority party tried to effect this program, one of their proposals was to mandate, was to dictate, was to make certain, was to guarantee that the premium per month for each and every senior would be $35, $35 a month. They wanted to make certain that it would be absolutely that amount and not a penny less. And in fact, what we have seen is that the current premium per month is about $22 or $23.

□ 1845

So if the other side had had its ways 2 years ago, 3 years ago, when this was adopted, seniors all across this Nation would be paying $12 to $13 a month more, more on top of the premium that they are already paying, if the other side had had their way. So I think it is important to think about and to appreciate what they have had in mind all along. Why they want to do that is beyond me, but I would suggest to you that it has something to do with whom they want to be in control of these health care decisions.

And finally, Mr. Speaker, I would tell you, looking at this issue, that it really is a solution in search of a problem. The Medicare beneficiaries all across this Nation, over 80 percent of them are pleased with this program, are happy with the program, believe that it helps them greatly in caring for their health. And that is in a program that has over 90 percent of those who are eligible to participate involved. So 80 percent of those participating are

pleased with it. So you have got to ask, why? What kind of problem are we trying to solve?

It is also important, I think, Mr. Speaker and colleagues, to ask the question, if the program is working so well, why is it working so well? And as has already been mentioned, there is this big kind of proposal that is being put forward now that would say that the government ought to be able to negotiate, that nobody is negotiating drug prices. Well, in fact, as you well know, Mr. Speaker, the plans themselves right now are negotiating and negotiating extremely well. Otherwise, you wouldn't see the kind of savings that we have already seen in just a year's history of the program. Plans are negotiating with both pharmaceutical companies and with pharmacists, and, in fact, that is what is resulting in the decrease in premiums that seniors all across this Nation are seeing. So the system is truly working extremely well in spite of all the naysayers on the other side.

I want to bring up again what happens when the government gets involved, and my good friend has a poster down there about government-negotiated prices on certain drugs and the actual cost. And the numbers are striking. They truly are. And the reason that it is important to look at what happens when the government gets involved with a negotiation is to remember what negotiators have to be able to do. The individual doing the negotiating has to, in this instance, be able to say to the drug company: If you won't meet my price, then I am not going to put your drug on the formulary, on the list of drugs that are available for patients. However, when the government is doing all the negotiating, what will happen is that they will say: If you don't meet my price, you won't be able to have your drug on this formulary, and the consequence of that is that your drug will not be available to seniors or physicians who are trying to make those personal health care decisions. What that means, Mr. Speaker, is that there will be fewer drugs available. Fewer drugs available. That is what happens when the government gets involved in the process. So the price may be lower for a period of time. I do not believe that is the case, as we have had good examples and quotes from very learned individuals in the economic system that will tell you that the government cannot dictate a lower price in this instance, but what certainly will happen is that there will be fewer drugs available.

Somebody may say that is just conjecture; that is just somebody dreaming about what might happen. But if we look at a program that the government did affect relatively recently and see what happened, we can see exactly by example what happens when the government gets involved. And the program I would cite is a program called the Vaccine for Children's program, and, Mr. Speaker, folks all across this Nation may remember that there was a very robust vaccine industry in our country not too long ago, in fact, about 12 or 13 years ago, and then the government got a bright idea and said, oh, but the price for those vaccines is a little too high. In some instances they believed it was a lot too high. So instead of working on how to assist individuals who didn't have the resources with which to purchase those vaccines, what the government did was come in and say, all right, you can only charge this amount of money for that vaccine. And what happened was that we saw a huge decrease in the number of companies that now provide vaccines. In fact, it went from about 30 companies that made and did research and development on vaccines, and now in this Nation, Mr. Speaker, we only have three, three, in about 12 years. That is what happens when the government gets involved in a program. Price fixing occurs and a decrease in the quality of health care that is provided occurs, and certainly a decrease in the number of medications available. Everybody across this Nation knows that that is what happened with the vaccine program. Fewer innovations, fewer new vaccines, shortages of vaccines, and less access to vaccines.

So, Mr. Speaker, I just want to close and finally talk about, just to reiterate, the issue of who is making health care decisions. When I go home and I talk to my constituents at home, and I know that is true for Congressman GINGREY and Congressman BOUSTANY and certainly when we see our former patients in the post office or at a restaurant or a church, I know that what they tell me is, please, please don't let the government get more involved in health care. And so I would suggest to you, Mr. Speaker, that where health care decisions are made between the physician and the patient is something that is extremely important to men and women and children all across this Nation. And this issue is one of those issues that will strike a cord among people all across this Nation if the government gets involved and says, no, you may not have that drug, you may not have that medication because the price is too much.

So, Mr. Speaker and my colleagues, I will tell you that if what is on the floor tomorrow is adopted, we will see a lower quality of health care, a decrease in access to health care, and I believe strongly that we will see patients across this Nation harmed. I know that is not what my colleagues on the other side of the aisle want to do. At least I hope that is not what they want to do. But I will tell you that that will be the consequence of this bill if it passes tomorrow.

So I am very hopeful that our friends on the other side of the aisle will recognize the consequences of decisions that they are about to make and will appreciate that, indeed, what they must do, if they truly believe in looking out for the best interest of their constituents and our former patients, is to make certain that health care decisions remain in the hands of physicians and patients.

And with that, I thank my friend and colleague from Georgia once again for his leadership on this issue and for the opportunity to participate in this message tonight.

Mr. GINGREY. Mr. Speaker, I thank Dr. Price and Dr. Boustany for their very informative contribution to this hour.

Mr. Speaker, in the few minutes that we have remaining and as we move toward wrapping up this hour, I want to just read a couple of quotes to my colleagues from former President Bill Clinton, who remains their rock star and who certainly tried to do some things on health care, unfortunately for him, unsuccessfully. But will listen to what President Clinton said in 1999 on his idea of a Medicare modernization proposal, which, as I say, was not passed: ''Under this proposal Medicare would not set prices for drugs. Prices would be determined through negotiations between the private benefit administrators and the drug manufacturers. Thus, the proposal differs from the Medicaid program in that a rebate would not be required and from the Veterans' Administration program in that no fee schedule for drugs will be developed. Instead, the competitive bidding process would be used to yield the best possible drug prices and coverage, just as it is used by large private employers and the Federal Employees Health Benefit Plan today.'' That was July 5, 1999.

And the then Secretary of Health and Human Services, Donna Shalala, Secretary Shalala, on this same Clinton proposal said: ''Private pharmacy benefit management firms will administer prescription drug coverage for beneficiaries in original fee-for-service Medicare. These firms will bid competitively for regional contracts to provide the service. They, not the government, will continue to negotiate discounted rates with drug manufacturers, and beneficiaries will receive these discounted rates even after they exhaust the Medicare benefit coverage.''

You know, Mr. Speaker, again, I said at the outset of the hour, why are the Democrats doing this? I know that when this bill was first passed, like anything, there was concern. Well, you know, is this going to work? Is it going to be successful? And, of course, they all opposed it. I think there were just maybe a handful of Democrats that ultimately voted for Medicare modernization, the prescription drug act of 2003. And they were asking their constituents and seniors to tear up their AARP card. Some of them symbolically did that from the lectern here in this Chamber. They were just outraged that a senior organization could support a Republican proposal, which, of course, they did. And when it passed and then over the last year of the program, it has been so successful that

they want to get in on it, even though that was such a bad idea, as Bill Clinton and as the Congressional Budget Office have said, in response to Dr. Frist's request back in 2004, that allowing the Secretary of Health and Human Services to negotiate prices would not save any money. The program is working so well.

Every one of these bills that have been brought up this week under this special rule of no rule, no opportunity to meet in the Rules Committee and no amendments, all these issues, minimum wage and completing the recommendations of the 9/11 Commission and stem cell expansion, poll really high. Yet this particular issue is just the reverse of the information they have got. It is an 80 percent positive issue for us. So I can only presume that they still want a little skin in the game. They want to get on the bandwagon.

Well, I am going to tell you, what is going to happen is our seniors are going to get skinned because they are about to ruin a good program. A program that is working well, that 80 percent of our seniors are in favor of. It has brought down prices of prescription drugs. It has come in now at $22 a month average monthly premium and this is great satisfaction. And they want to try to improve on that by letting the government negotiate prices. It is going to be a disaster for them. And I hope some of their Members, if they are smart, from these districts that they won from our Members in these elections in November, in these marginal districts, they had better talk to their folks back home before they follow the lead of their leadership and vote for this atrocious piece of legislation.

I railed at the outset, Mr. Speaker, about the fact that the new minority has been given no opportunity for amendments on any of these first four bills that are brought up during their 100 hours, and I do think it is an atrocity. But they may be doing us a favor inadvertently by not allowing us to amend this piece of legislation, which can't be amended. It needs to be killed. We need to kill this sucker dead. And I think every Member on our side of the aisle will vote against it, and the smart ones on their side of the aisle will vote against it.

□ 1900

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order today.

The SPEAKER pro tempore (Mr. PERLMUTTER). Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

VOTING RIGHTS FOR DISTRICT OF COLUMBIA

The SPEAKER pro tempore. The gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 60 minutes.

Ms. NORTON. Mr. Speaker, I have initiated this Special Order on behalf of the people of the District of Columbia who are second per capita in the Federal taxes they pay to support our Federal Government; yes, including this House and Senate and all the Armed Forces and our exquisite government throughout the United States, and who have fought and died in every war since the establishment of the Republic. In their name, I come forward.

I came forward Tuesday in a 5-minute Special Order simply to inform the House that I had just filed my vote, my bill, that is to say, refiled the bill that Representative TOM DAVIS and I had filed and hoped to pass in the 109th Congress, the Fair and Equal D.C. House Voting Rights Act. I came in gratitude to my own party. I came also in some frustration. It is impossible to hide that frustration.

I represent people who have been frustrated for 200 years and don't want one single moment more of frustration by having a second-class Member of the House of Representatives while paying first-class taxes and dying and fighting in every war that our country has ever fought, including this war where lives continue to be lost in such large numbers and for what cause. They do not ask, they simply fight like other Americans.

I had hoped to be able to vote on the very bills that have been in discussion here this week, particularly the bills on which Democrats ran and perhaps were responsible for our capture of the House. And my deepest regret was that my Committee of the Whole vote that was taken from me when the Democrats came to power was not automatically put back into the rules.

To his great credit, the majority leader indicates that he intends to introduce a provision to that effect. And I know I speak for myself and all of the delegates when I thank him about thinking about us and about how deeply we feel about that vote. For myself, I have come to the floor to say that I have had to pass that vote. I won't get to vote on the six items. I have been pleased to be able to speak on them as usual.

I am at this point moving forward to where I have been instructed by the people of the United States. They don't even want the Committee of the Whole vote confused with what they are entitled to, and that is the full House vote.

Mr. Speaker, before I go further, I have a number of people I must thank. The bill I introduced today was not a bill that I authored. It was originated by my good friend who also lives in the region, Representative TOM DAVIS of Virginia, who has grown up in the region and has seen the District of Columbia without a vote and believed that at least a vote on the House floor was virtually mandated by any Congress controlled by either party. He was in the majority and he initiated this idea because it came to his attention that the most Republican State in the Union had missed getting full voting rights, were chafing at that because they believed they were entitled and they had gone all the way to the Supreme Court to get them, and believed that this provided out what turns out to be the case, probably the only opportunity the District of Columbia will have to get its full voting rights in a very long time.

I want to thank the majority leader who lives in the region who has been one of the most steadfast proponents of D.C. voting rights and never gives up and who always stands with us and to whom we will be eternally grateful.

I have special thanks to HENRY WAXMAN, the Chair of the Government Reform Committee, who has been the Democratic leader of the bill that I bring forward today for all 4 years which we have worked on it. He is always a strong supporter of District home rule and for District of Columbia voting rights. He was here years before I came to Congress, and I am second only to him in supporting these issues. He is one of the great problem-solvers of the Congress, and he has been instrumental in bringing this bill forward. It is impossible to believe it could have happened without HENRY WAXMAN.

I want to thank the Democratic and Republican members of the Government Reform Committee, who in the 109th Congress literally gave us virtually a tie vote of Republicans and Democrats favoring this bill: 15 Democrats, 14 Republicans.

I want to thank Representative JOHN CONYERS, a founder of the Congressional Black Caucus, the dean of the caucus, who has carried this idea again long before I ever thought of coming to Congress.

At the same time, I want to thank my colleagues in the Congressional Black Caucus who since the founding days of the caucus have given D.C. voting rights a priority, who believe with me that it is an issue of discrimination based on race, and for that matter on location. I say that and will explain it later because of the origins of our voteless condition.

I want to thank Senator JOE LIEBERMAN, who with many other Democratic Senators in the Congress have carried my bill for full voting rights for the residents of the District of Columbia, the No Taxation Without Representation Act. We have reluctantly but with great realism embraced the House-only act because we understand the spirit of the Congress, that it has virtually never acted all at once to do what it is supposed to do. So we know that we have to proceed in an incremental fashion.

I must thank my good colleagues from the State of Utah who have

worked hand in glove with me every step of the way: JIM MATHESON, the only Democrat in that delegation; ROB BISHOP and CHRIS CANNON who have thrown aside party lines and thrust themselves into this bill from the beginning.

I want to thank the two Senators from Utah, ORRIN HATCH and BOB BENNETT, who sent word to their leadership that they were prepared to have this bill come to the floor at the end of the 109th Congress for unanimous passage.

That would have happened, in my view, because the traditions of the Senate are that if a bill affects only one State, as a matter of Senatorial courtesy, the Senate defers to those Senators. It is heartbreaking that the 109th Congress punted the bill and robbed us of the opportunity to have that Senate vote in December.

I have to thank the Governor of Utah, who came here to testify for the bill and has worked valiantly with the Democratic minority in Utah as well as with his own party.

I do want to read from the letter that the Senators sent asking for the bill to be considered right away because, you see, the bipartisanship we must preserve in this bill. They said in their letter to their leaders, Leader Frist and Leader Reid, a letter signed by Senator BENNETT, Senator HATCH and Senator LIEBERMAN: ''It is urgent that Congress fulfill its obligation to provide the voting representation that Utah is entitled to as a result of changes to its population. Likewise, we recognize that the 600,000-plus Americans who live in the District of Columbia are without a voting Member of Congress. No doubt the citizens of Utah and the District face different challenges in greatly differing parts of the country and with greatly differing lifestyles, but they share a commonality: the right to be represented in our country's legislature.''

If ever there was a win/win piece of legislation, I think most Members would agree this is it. Certainly the American people agree: 82 percent of Americans support equal voting rights for the District of Columbia in Congress. That is 82 percent, up 10 percentage points in just 5 years.

This professional poll shows some astounding results because then you want to look and see, is this piled up all on one side of the country or one grouping or one race, and you see the same thing throughout. Once people realize you pay Federal income taxes, and if you go to war the way we do, if the blood of the United States runs in your veins, you give up on the question of whether there should be voting representation in the Congress of the United States.

All of the figures are in the high seventies or eighties. Northeast, Midwest. The South is the highest, 84 percent. Or if you look, at have a member of the military, they are 82 percent. These are people who believe in voting rights for the District of Columbia. Regularly attend religious services, 82 percent.

Ages 55-plus, 82 percent; 18 to 34, 87 percent ages. We can find no variation in these figures, and I don't think you will find any variation anywhere in the world.

This is the only country in the world where the residents of the capital do not have the right to vote in their national legislature. You can imagine why there is such great impatience in the District of Columbia. Imagine not having voting rights. Putting aside the taxes for a moment, when in the Vietnam War you had more casualties than 10 States, when in World War II you had more casualties than four States, and in World War I you had more casualties than three States, and in the Korean War you had more casualties than eight States.

Let me finally say a word about the bill, and I am so pleased to see other Members of Congress come to join me in this Special Order.

My thanks again to the originator, the author of this bill. As it turns out, he has given us the only chance we will ever have. The Congress of the United States in House and Senate has never increased its number except on a nonpartisan basis. Democrats have never got it by themselves, Republicans have never gotten it by themselves.

Everybody remembers Alaska and Hawaii. You want to know how deep this goes, slave States couldn't get in unless a free State could. That is the history of our country. I regret that there has to be that kind of equivalence, but I want everybody to know: Utah somehow disjoined from this bill kills it. So I thank Utah for giving us the only chance we will ever have, particularly since I am not sure that we will have another State ever that missed it by the skin of their teeth and would be willing to take this risk with us.

This bill was 4 years in the making after Mr. DAVIS introduced it. My thanks to him will be eternal because he was gracious in working with me when I wanted matters added to the bill. For example, I said to him, I could not even sponsor the bill unless it also went to the Committee on the Judiciary because that is the committee of jurisdiction. And it was Mr. DAVIS who convinced Mr. SENSENBRENNER to allow us a markup.

I said that there had to be an increase of two seats so no Member would think that they would lose a seat because we were gaining a seat. And I asked for something that was purely symbolic but important to the residents of the District of Columbia: I asked Mr. DAVIS who was then chairman of the committee if there could be a vote on my bill, the No Taxation Without Representation Act, so my people will know that I will never give up until they have full citizenship even if Congress requires us to do it step by step.

But that is how we got home rule. Indeed, now we have the atrocious situation where my budget and laws have to sit here before we can spend our own money. So everything happens in this House incrementally.

Mr. Speaker, Members on the floor who have been particularly gracious to me, always with me when I needed help, and I have needed help a lot as a Member from the District of Columbia with no delegation and no Senators, and some of them have come down in order to indicate their concern about our denial of voting rights and to say their piece. I could not be more grateful to them.

I am told that the first to arrive was the gentlelady from the Virgin Islands, who is in perhaps not a comparable position because I am sure that the people of the Virgin Islands are glad not to have to pay taxes to the Government of the United States, but who indeed represents American citizens as free and full as any others in the House; and I am pleased she has come down this evening, Mrs. CHRISTENSEN of the Virgin Islands.

□ 1915

Mrs. CHRISTENSEN. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, I rise to support my colleague and friend, ELEANOR HOLMES NORTON, in her hard and long-fought efforts to secure full voting rights in this body for herself and her constituents, and I applaud her strong and persistent advocacy and leadership on this issue that is so important to the people of the District of Columbia.

Democrats have long been committed to providing full voting rights to the residents of the District, and I am proud to stand here as a Democrat speaking out for this right as well. But there has also been, as you have heard, support across the aisle.

When he was the chairman of the Government Reform Committee, Representative TOM DAVIS worked with Congresswoman NORTON to get bipartisan agreement on legislation to give one voting representative to the mainly Democratic District of Columbia, and another to the largely Republican State of Utah.

This effort led to the introduction of the District of Columbia Fair and Equal House Voting Rights Act, 2006, last year, and this week, ranking member Davis kept his promise and joined Congresswoman NORTON in reintroducing this bill into the 110th Congress.

Mr. Speaker, as a Delegate in the House also without a vote, I would be remiss if I didn't acknowledge also the fact that my constituents, and indeed the constituents of our colleagues from Guam, America Samoa and Puerto Rico, also would want their representative to have a full vote in the House as well. We recognize, however, that our time for this has not yet come. But certainly the time of our brothers and sisters in the District of Columbia has come and is very long overdue.

The residents of the District have been laboring under this undemocratic status for more than 200 years. That is

200 years of justice delayed and justice denied.

Presidents as far back as Andrew Jackson have advocated for full representation in Congress for the District, and much later, President Richard Nixon in a special message to the Congress on the District of Columbia in 1969 said, ''It should offend the democratic sense of the Nation that the 850,000 residents of its capital, comprising a population larger than 11 of its States, have no voice in Congress.''

Mr. Speaker, I look forward to the day when all citizens under the American flag will enjoy the democratic right of full representation in their national assembly as well as vote for our President and Commander-in-Chief. Until that day comes, I look forward to witnessing soon the day when residents of the District of Columbia, residents of the capital of our Nation, finally receive fair and equal voting rights in the House, the day that they will finally have justice.

I urge my colleagues to support the District of Columbia Equal House Voting Rights Act and end taxation without representation for our fellow citizens in the District of Columbia.

Ms. NORTON. Mr. Speaker, I thank the gentlelady for coming forward.

Mr. Speaker, I yield to the gentleman from North Carolina (Mr. BUTTERFIELD) who represents the district where my own mother was born and raised.

Mr. BUTTERFIELD. Mr. Speaker, first let me thank the delegate from the District of Columbia for giving me this time this evening to speak on this most important subject. I have watched ELEANOR HOLMES NORTON since I have been in the Congress, and she has worked so tirelessly on behalf of the people of the District of Columbia to get full voting rights, and I want to thank her for her passion and thank her for her work in this body.

Mr. Speaker, many people who now call the District of Columbia home have established themselves here by way of my home State of North Carolina and by way of our neighboring State of South Carolina. As the delegate said a few minutes ago, even her family originated in Halifax County, North Carolina, which is in my Congressional District.

Many DC residents are my schoolmates from eastern North Carolina. In coming to Washington, DC, they left parents, and they left grandparents behind who had endured blatant discrimination in public accommodations and discrimination at the ballot box. Many of them could not vote because of the literacy test, and others refused to register to vote because of voter intimidation.

Now, Mr. Speaker, the descendants of these individuals living in Washington, DC, are again denied the right to vote and the right to have voting representation in Congress.

What a disgrace. Voting is one of our most fundamental rights, but it is one that has been systematically denied for as long as it has been assured. Until 1919, women did not have the right to vote. African Americans gained the right to vote for the first time in 1868, and then lost that right in 1900. It was the Voting Rights Act that restored the effective right to vote in 1965.

Mr. Speaker, each time the right to vote has been oppressed, good people, good people, have stood up and stood strong to ensure that right, because it forms the foundation of our ideals of governance.

Today, we again have the opportunity to expand the right to vote and to ensure that the people being governed in the District of Columbia, who pay taxes and who fight in our wars, have a voice in their government.

Rarely does an issue come before this body which goes right to the heart of our values as Americans. The right to vote is a simple and straightforward idea that embodies some of our most beloved founding principles, the idea that all men, all people, are created equal, and that we establish our government by the consent of the governed. When we fail to address inequalities such as these, we fail ourselves as a people and as a nation and we fail to honor the sacrifices of the many people before us who wanted to ensure basic rights to all Americans.

As the Delegate so ably said a few moments ago, this is not a Democratic issue nor a Republican issue. This is an American problem that must be resolved and resolved in this session of the Congress.

The strength of our great Nation lies within its citizens, and the power of its citizens relies upon the equal access to the franchise. These opportunities include our many freedoms, especially the right to have a strong and clear voice in choosing elected leaders. As the Constitution commands, we must extend the rights of citizenship to every, every, citizen of this land, including the citizens of Washington, DC.

Mr. Speaker, I urge my colleagues to support the legislation that has been introduced by the Delegate, and I urge its passage.

Ms. NORTON. Mr. Speaker, I want to thank Mr. BUTTERFIELD, the gentleman from North Carolina, in memory of my mother, Vela Lynch Holmes, who came to the District of Columbia and died at 90 here, while her daughter was still trying, in the name of my father's side of the family, the native Washingtonians, to make us all first class citizens, the way finally you are in North Carolina. Thank you, sir.

I would like to yield now to my good friend who came in my class with me, the gentlelady from California, who 16 years ago came. I think we tripled or quadrupled the number of African American women in the Congress then. I know that the gentlewoman from California won't let this House have any peace until there is justice for the District of Columbia.

Ms. WATERS. Mr. Speaker and Members, I wanted very much to be on this floor this evening with ELEANOR HOLMES NORTON first because I want to show my strong support for her, her work, her love for the District of Columbia and for the way she has used every bit of her time and efforts to fight for voting rights for Washington, DC.

I admire her spirit, I admire her commitment and I admire the way she has educated the entire Congress of the United States on this issue and forged a relationship with people on the other side of the aisle to get us to the point where we are.

I know that it is disappointing sometimes to feel you have come so close, and it still hasn't happened, but I am convinced it will happen, because of you, ELEANOR HOLMES NORTON. It will happen because you will not allow it not to happen.

So I wanted to be here this evening more than to simply talk about the unfairness of not having voting rights. We all know that. I wanted to be here tonight to say to you, sister, I am with you. I have marched, and I will march again. I have sat in, and I will sit in again.

I started on this issue when I was in the California State legislature, and sometimes I feel a little guilty because I don't think I demonstrated long enough and hard enough to show how much I care about this.

I come from a time and place in St. Louis, MO, where I was educated in an elementary school called the James Weldon Johnson elementary school, with strong teachers who taught us the Constitution. We learned the Declaration of Independence. We learned what happened with the British and about the Boston Tea Party, and we learned about Patrick Henry, who declared, ''Give me liberty or give me death.''

So, whether or not it was intended, it was instilled in us that in this America, despite the fact that we had witnessed discrimination, we had been marginalized, that we have a right in this democracy to participate fully.

I really believed that, and if it was not intended, then they shouldn't have taught it to us, because we didn't think they were talking about somebody else. We truly believed they were talking about all of us.

Mr. Speaker, there is not a day that passes as I look around this Capitol that I am not reminded of the slaves that happened to build these marvelous buildings. I am reminded on a daily basis of the people who work right here in the Capitol, in these buildings, who live in the District of Columbia, who hear us wax eloquently day in and day out about democracy and participation and the Voting Rights Act.

These are the people who serve us day in and day out, and serve us well. You come into this Capitol late in the evening and you see who is working and how hard they work and what they do for all of us. And yet we walk past

them every day, and we don't stop to say, ''I'm so sorry. You should have the right to have the representation in the Congress of the United States that you deserve and we thought would have been guaranteed by the Constitution of the United States.''

So, ELEANOR HOLMES NORTON, thank you. Thank you for the love that you have for the District. I know that your constituents know this. You don't have to prove anything to anybody, because your daily work proves who you are and what your values are and what you care about.

I want you to know, November 7th gave us a new opportunity here. The people have voted, and the people have said to us they want to see change. The people are angry about what happened with Katrina. They are angry about Iraq. They are angry basically about injustice. And even those folks who oftentimes have been silent on the issue, they know injustice when they see it and feel it very deeply.

So I am hopeful that we will be able to use this time that we have to provide the leadership, to give you the support, to make sure we do justice by the District of Columbia and ensure that you get your voting rights.

Ms. NORTON. Mr. Speaker, this was classic MAXINE WATERS. The gentlelady is as gracious as she has always been militant in the pursuit of justice. Ms. WATERS one session was on the floor with me for 10 hours on the DC Appropriations as people came forward to try to attach things to our appropriation. So she has been a stalwart friend that has been by my side when I most needed her. I particularly appreciate those remarks from a classmate who came with me to the Congress.

The next to arrive was my good friend from Illinois, Mr. DAVIS, a very good friend who serves with me on the Government Reform Committee, who I believe is going to chair the subcommittee on which I serve. He certainly has been a leader on issues on that committee and one of the greatly admired Members of the House, the gentleman from Illinois, Mr. DAVIS.

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I first of all want to thank the gentlewoman from the District of Columbia for not only organizing this special order, but for her tremendous devotion over the years.

Many of us, long before we came to Washington, DC, long before we became Members of the House of Representatives, knew of the work of ELEANOR HOLMES NORTON. As a matter of fact, I was talking to a gentleman the other day, ELEANOR, who suggested that he went to elementary school with you, and that you were the smartest person in the class, and that he was always intimidated when he came to class because he knew that you were there.

□ 1930

And I don't know whether you intended to intimidate him or not, but I do know that the passion, the intellect, the energy that you display is something for all of America to be proud of; and I know that the people in the District of Columbia are indeed proud of the representation that you have given them.

The issue that we deal with, I take the position, is one of the most fundamental of all rights, one of the most fundamental of all desires, and that is the desire that people have to be represented; the notion that their thoughts, ideas, hopes, and aspirations will get the same consideration as those of anybody else. So when we look at voting rights in this country historically, it has been a privilege that people have had to fight and struggle to get.

Initially, of course, the only people who could vote were landowners, who were white in America. Those were the only individuals who had the right to vote. Then we went through this long period of time, and ultimately a Civil War, where thousands of people actually lost their lives, and finally African Americans, who had been slaves, were granted at least the right, although in many instances denied the opportunity, to vote. Women, who had to wage their own war, their own struggles, ultimately won their right to vote.

Only after the Voting Rights Act of 1965 did hundreds of thousands of citizens all over the country, especially African Americans and Latinos, actually have the right to vote. Yet now we still have thousands of people who are denied the right to vote because they live in States where if you have a felony conviction you can never, ever vote, unless you can obtain a waiver. So, yes, one can imagine how people in the District of Columbia have felt as we talk about expanding democracy, as we talk about guaranteeing democracy for people in Iraq, guaranteeing democracy there; and yet the people who live in our own District of Columbia have not been able to have that experience.

So, ELEANOR, I know that we are going to make sure this happens before this session of Congress ends as a tribute to you and a tribute to the longstanding work that you have done. One of my pleasures is to serve with you on the Committee on Government Reform and to listen and to learn and to be motivated, to be inspired, and to see the kind of wisdom that you express on a regular and ongoing basis.

So I thank you for the opportunity to join you, I thank you for organizing this Special Order, and we will be standing right here with you when enough ''yeas'' are said that the people in the District of Columbia will have their right to vote.

Mr. Speaker, I want to extend a thank you to Congresswoman ELEANOR HOLMES NORTON for this special order and her hard work and dedication to get the District of Columbia the right to vote with full representation. It is strange to me where our government by money and blood sought to assist Iraq to become a democratic state where each person will have one vote under their newly formed constitution to determine their nation's destiny. However, the residents in the District of Columbia for over 200 years have been denied by the United States government the right to vote with full representation. Moreover, DC presidents also are denied the right to full self-government—a fundamental right that should be possessed by all Americans.

In 1950 with just under a million, the District of Columbia had more residents than New Hampshire, Vermont, Rhode Island, North Dakota, South Dakota, Delaware, Montana, Idaho, Wyoming, New Mexico, Arizona, Utah, Nevada, Alaska and Hawaii, respectively. All of these states from the beginning had U.S. Senators and U.S. Representatives representing their interests in Congress. Today, the District of Columbia has a duly elected Delegate that is not allowed to vote for legislative measures on the house floor. This is ''taxation without representation.''

The government has a history of denying its citizens the right to vote. We have seen it before the Voting Rights Act of 1965. Since its passage and signing into law by President Johnson it gave way to an enormous and positive impact to our Nation. The importance and necessity of the Voting Rights Act cannot be overemphasized. We have learned through experience what a difference the vote makes to us.

The right to vote is the most basic constitutive act of citizenship. The right to vote should not be abridged by the United States or any State on account of race, color, gender, or previous condition of servitude. Fundamental fairness requires that all members of society who have reached voting age, including rehabilitated ex-felons, be given a right to the ballot in State and Federal elections.

The lack of a nationwide uniform standard regarding ex-felons and eligibility to vote has led to a crazy quilt of laws, where in some States ex-felons are barred from voting for life. Currently, it is estimated that 3.9 million United States citizens are disenfranchised, including over one million who have completed their sentences. State disenfranchisement laws have had an adverse affect on African Americans. Thirteen percent of African American men, or 1.4 million, are currently disenfranchised because of such laws. We need to expand the right to vote to all citizens.

Mr. Speaker, I urge all my colleagues to support the District of Columbia Fair and Equal Housing Voting Rights Act of 2007.

Ms. NORTON. I just want to thank the gentleman for the kindness and graciousness of his remarks. This is his signature in this House. Every time he opens his mouth, he takes command of an issue and captures our attention. That he has given his attention to us in the District of Columbia is a matter for which we are deeply grateful.

I would like to yield now to the gentlewoman from Houston, Texas, whose energy and intelligence and zeal for justice is known by every Member of this House. I am pleased now to yield to the gentlewoman from Texas, Representative SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Mr. Speaker, many might wonder why we

come to the floor of the House and begin to either cite the Bible or begin to associate Congresswoman NORTON with the angels flying above, but I love the statistics that she cited, because she mentioned the statistics of churchgoing people in Washington, D.C. So I begin by saying the prayers of the righteous avail us much. Not only has she been praying but she has been working.

I would cast the reintroduction of H.R. 328 as the morality of Sojourner Truth that ELEANOR HOLMES NORTON exhibits, and the integrity of Harriet Tubman, for this has been a long journey. But I believe in this new Congress, with this new direction, this simple bill, this premise of equality and justice can finally say our time has come.

And if you don't mind, allow me to emulate your eloquence in the simplicity of this bill. H.R. 328 couldn't be more fair. You made it very clear that this is a bill that could not move without bipartisan support. You made the historical pronouncement that when we began to admit States during the era of slavery we admitted a free State and a slave State.

Now, we know that there are Democrats and Republicans all across America, but we might imagine that under this bill, H.R. 328, that the State of Utah might elect someone from a different party than myself. Then we might just envision that Washington, D.C. would select and elect someone of my party. How fair could you be?

We know that the delegate, who I call Congresswoman, appropriately titled, certainly is valued in the Democratic Party, but this legislation will be fair and balanced because it draws disparate populations that have been denied their birthright from the far ranges of the east coast of America to the far ranges of the western United States.

Let me just briefly speak to the issue of birthright. We have spoken so much about citizenship. We have had such outrageous debates on the question of immigration; yet we have left out, for more than 200 years or more, citizens who have shed their blood through the Civil War, the Spanish-American War, World War I, World War II, the Korean War, and conflicts in between, the Vietnam War, and the present conflict that we now have. What do you say to parents and relatives, husbands and wives, sisters and brothers of a fallen soldier who happen to have an address in the District of Columbia, someone who offered themselves to stand up for this Nation's flag? I pledge allegiance to the concept of freedom and justice for all.

So as we prepare to leave this weekend, Congresswoman, let me thank you for allowing us just a moment to come to the floor as we go into the weekend commemorating the birthday of Dr. Martin Luther King, who had the opportunity to be called by President Lyndon Baines Johnson to come to the Oval Office to witness the signing of the 1965 Voting Rights Act. I know full well that Dr. King would have wanted to have an amended initiative. I know Dr. King, if living, would be standing by your side and applauding you.

Lastly, let me tell you an anecdotal story that I was going to try to ask you to remember, because I could not, but I really thought I was a champion of civil rights when your predecessor, Walter Fauntroy, who as you know would sing us all into marching wherever he wanted us to go, but he told us there was a man called McFarland that was chairman of the District of Columbia, wasn't it?

Ms. NORTON. McMillan.

Ms. JACKSON-LEE of Texas. McMillan, thank you. That's why I should have whispered to you before I came down.

He would tell us that we needed to get on a bus and go to South Carolina to defeat, and I can say this on the floor, I know Mr. McMillan has gone on and is resting in peace, because this gentleman was an obstacle to the freedom, the dignity, and respect. All I knew was to get on this bus and go down to, I would like to say Florence, South Carolina, and go to a place where I was truly unwanted. We all were. In fact, the campaign office, they drove by in a pickup truck and shot at. But I had a sense of purpose and joy for the people of this great District, these patriots. These Americans deserved the equality of a vote.

I will go to my seat by simply saying, out of their commitment comes Ms. ELEANOR HOLMES NORTON, who I hope will claim the victory of the passage of H.R. 328, and that we will together, with you and your leadership, do the right thing for the patriots of this District.

I thank Delegate NORTON for organizing this special order on the "District of Columbia Fair and Equal House Voting Rights Act," bipartisan legislation that she and Congressman TOM DAVIS of Virginia have reintroduced as H.R. 328 in the ll0th Congress. The reintroduction of this legislation provides a second chance for Congress to complete one of the great unfinished tasks of the Civil Rights Movement. This is an opportunity that we should not squander.

As Section 2 of H.R. 328 finds, over half a million people living in the District of Columbia lack direct voting representation in the House of Representatives and Senate. Residents of the District of Columbia serve in the military, pay billions of dollars in federal taxes each year, and assume other responsibilities of U.S. citizenship. For over 200 years, the District has been denied voting representation in Congress—the entity that has ultimate authority over all aspects of the city's legislative, executive, and judicial functions.

H.R. 328 would permanently expand the U.S. House of Representatives from 435 to 437 seats, providing a vote to the District of Columbia and a new, at-large seat to Utah. Based on the 2000 Census, Utah is the state next in line to enlarge its Congressional delegation. This bill does not give the District statehood, nor does it give the District representation in the Senate. Rather, H.R. 328 treats the District as a Congressional district for the purposes of granting full House representation.

Previous Congressional efforts to secure voting representation for the District of Columbia include a proposed 1978 Constitutional amendment, a 1993 statehood bill, and a 2002 voting representation bill. On August 22, 1978, a two-thirds majority in each Chamber of Congress passed the DC Voting Rights Constitutional Amendment, which would have provided District residents voting representation in the House and Senate. The required 38 states did not ratify the amendment within the seven-year time limit. On November 21, 1993, the New Columbia Admission Act, H.R. 51, a statehood bill for the District of Columbia, was defeated in the House by a vote of 277–153.

Most recently, on October 9, 2002, then Senate Governmental Affairs Committee Chairman, JOSEPH LIEBERMAN, marked-up his legislation providing Senate and House representation for the District. The Committee reported the bill favorably with a vote of 9–0. However, the Senate did not take up this legislation.

Mr. Speaker, the key provision of H.R. 328 is section 4, which permanently increases the Membership of the House of Representatives from 435 to 437. One seat would be designated for the District of Columbia and the other seat would go to Utah, the state next in line under the 2000 Census apportionment formula. Section 4 also provides that the new seat established in Utah shall be an at-large seat. This at-large seat shall exist until all congressional seats are reapportioned for the 2012 election.

Mr. Speaker, passage of the DC Fair and Equal House Voting Rights Act and would be a simple act of justice. After all, the legislation is vote-neutral in that it does not advantage any political party over another; the bill commands wide bipartisan support; and most important, the bill is constitutional.

THE BILL IS VOTE-NEUTRAL

The DC Voting Rights Act provides Americans living in our nation's capital with voting representation in the House of Representatives for the first time ever. The DC VRA balances a seat for DC with an additional seat for Utah. Utah missed getting a fourth vote in the House by less than 1,000 people following the 2000 U.S. Census.

Utah is a historically Republican state. The District of Columbia has traditionally voted Democratic. Thus, the bill is viewed as vote-neutral, not favoring one political party over another. This balance has led to a nonpartisan consensus, which is critical to enacting this bill.

THE BILL IS BIPARTISAN

Throughout history, Democrats and Republicans have gone on record in strong support of DC voting rights. Presidents, presidential candidates, senators, members of Congress and prominent legal experts from both sides of the aisle have declared support for granting the residents of Washington, DC, a vote in Congress. From Supreme Court Justice William Rehnquist and Senator Bob Dole to President Jimmy Carter and Senator EDWARD KENNEDY, political leaders are on record for democracy in DC.

In 2006, Representative TOM DAVIS and Delegate ELEANOR HOLMES NORTON were joined by now House Speaker NANCY PELOSI and Representatives CHRIS CANNON, JOHN CONYERS, HENRY WAXMAN, DAN BURTON, ROB

BISHOP and others in support of the DC Voting Rights Act. Off the Hill, former elected officials Jack Kemp, John Breaux, J.C. Watts and others support the bill.

Secretary Kemp put it well at the Martin Luther King Memorial groundbreaking when he said: "Dr. King like Mr. Lincoln believed that 'democracy is the ultimate destiny of all mankind'. Thus it becomes strikingly ironic and indeed actually hypocritical for our nation to send young men and women to fight in foreign wars in the cause of freedom and democracy but continue to deny the people of this great city the opportunity to vote for their representative in the U.S. Congress."

THE BILL IS CONSTITUTIONAL

In a letter to the House Judiciary Committee this summer, the American Bar Association stated: "Enactment of the proposed [bill) would be an exercise of this constitutional authority conferred by the 'District Clause.'"

Former federal appeals court judge and Solicitor General, Judge Kenneth Starr, during congressional testimony in 2004, stated that Congress clearly has the constitutional power under the Constitution's District Clause (Art. I, Sec. 8, Clause 17) to confer voting representation: "The use of the word 'state' [in the Constitution) cannot bar Congress from exercising its plenary authority [under the District Clause) to extend the franchise to District residents."

Other constitutional law experts, including Professor Viet Dinh and Judge Patricia M. Wald, formerly of the D.C. Circuit, agree that Congress has the constitutional authority to grant congressional voting representation to the residents of the District of Columbia.

Mr. Speaker, Americans living in our nation's capital pay taxes, serve on juries, and defend our nation during times of war, but do not have voting representation in either chamber of Congress. The United States is the only democratic country in the world that denies voting representation to citizen of the nation's capital. A national poll conducted in January 2005 showed that 82 percent of Americans believe that Washingtonians deserve voting representation in the House and Senate. While we are attempting to export democracy abroad, it is time we provide American rights for people living in America's capital.

In conclusion, let me express my thanks again to the Delegate from the District of Columbia for organizing this special order. I look forward to working with her and my colleagues on the Judiciary Committee and in the House to win passage of this important legislation, which will treat the hundreds of thousands of citizens in the District of Columbia fairly and equally when it comes to voting representation in the House of Representatives.

Ms. NORTON. I want to thank the gentlewoman. The selfless spirit of her remarks, the intelligence of her remarks is nothing new in this body. Indeed, it reminds me of the same spirit she has shown when our own citizens from New Orleans came in huge numbers to her great city and they took them in, because they were Americans.

I also want to thank her for citing and reminding us that Martin Luther King's birthday is coming up and we are all going to be somewhere celebrating. Well, Martin Luther King would be here saying to this House, particularly to the Democratic majority who has spearheaded this issue for decades now, that now is the moment. Do it now. That is what he said when he was on the Mall. Do it now. Freedom now.

Indeed, the new Mayor of the District of Columbia, Adrian Fenty, who has been particularly active on voting rights, has indicated to me that he will be dedicating January 15 here in the District to DC voting rights and kicking off a campaign on January 15 that he calls Give DC The Vote Now Day in memory of Martin Luther King, who would not want his day used in such trivialities as simple ceremonies.

I also want to thank the gentlewoman for her reference to Mr. McMillan. Because the fact is the reason the District hadn't gotten home rule had to do with race and only with race. Mr. McMillan was a Southern Democrat who stood in the way, because beginning in the late 1950s the majority population of the District of Columbia was African Americans. So race has always stood in the way of our full empowerment. Today, it is as likely to be party. That is why we are grateful to the State of Utah for stepping forward.

I don't mean to say that race is gone from this issue. Residents of the District of Columbia, two-thirds of them African American, see this issue as an up-and-down civil rights issue. They are the only African Americans in the United States that don't have their full civic rights, and they know it, and they treat this issue this way.

I treat race as a simple proxy for party, because we are a big city, recognizing as I do that I know full well what second-class citizenship means. And you have to understand that the reason this is important for the District is not only was it a majority black city beginning in the late 1950s, but it was a segregated city for most of its existence. The schools were segregated. Even when I went to the schools in the District of Columbia. Downtown was segregated. And that was all at a time when Democrats in particular ran this House.

That is why this issue knows no party and why it has huge racial connotations in our country and in the District, and that is why this is a major issue and has been for decades for the NAACP, the Leadership Conference on Civil Rights, and civil rights organizations across the United States.

□ 1945

They indicate that voting rights for the District of Columbia is second only on their agenda to what this House and Senate achieved on a bipartisan basis last year, and that is the reauthorization of the 1965 Voting Rights Act.

I want to say that, just by point of clarity, I introduced the same bill, essentially, that I had introduced before. That bill had a map in it that had been approved by Democrats and Republicans because Mr. SENSENBRENNER, then the Chair of the Judiciary Committee, at the last minute said that he would not accept a compromise that we had all fashioned, that Utah, that our leadership, on both sides agreed to, and that was that there be an at-large seat so there would be no redistricting. The redistricting issue had been a very thorny issue because there is only one Democrat in Utah. He has been the target of gerrymandering. Nobody wanted that on the table any longer. And therefore, we came forward with a compromise of an at-large seat. Mr. SENSENBRENNER insisted upon redistricting.

Let me say, the people of the District of Columbia don't care one way or the other, whether it is at-large or redistricting the at-large. The redistricted seat there apparently is perfectly satisfactory to both sides. Whatever is easy, whatever gets me to sit in this seat as something other than the way I sit today, as a second class citizen, is acceptable to us. What we want is the vote, and we want our voting rights in the 110th Congress.

I do want to say that we haven't given up on full citizenship, and we never intend to. But we recognize the way in which the House has always operated, and that is incrementally.

It was not until 1967 that we incrementally began to give this, move this District toward having self government, would you believe. It had no mayor. It had no city council because it had been governed since the 19th century by three commissioners appointed by the President of the United States; 800,000 people then living as a straight out colony in their own Nation's Capital.

Lyndon Johnson abolished the commission and appointed a council. Then, in 1968, they gave the District the right to vote for their own board of education. Then, in 1970, the District got the right to vote for a delegate. And my good predecessor, a man who fought valiantly for our full rights, Walter Fauntroy, became the first Delegate. And then, finally, in 1973, the Home Rule Act itself was enacted, and the District got the right to elect its own city council and its own mayor. And notice, that is 32 years ago only that your Capital has even had the right to self government.

All of this is a real scar on our democracy. The scar has to be taken off of this House and can be this year; and we ask that that be exactly what the House does.

We remind the House that change for the District of Columbia only came at the Civil War, a true indication of the way race has decided matters in the District of Columbia.

My own people came to this city through my great grandfather, a runaway slave. He was in Washington in 1862 when Congress abolished slavery here.

But it is very interesting to note, when you see where the parties stand, that in 1848, when this House was controlled by the Democrats, the Democrats did give the District some home

rule. But it gave it the right to have its own Board of Assessors, this is like a council, and voting rights to all white male voters.

It took the radical Republicans, the abolitionist Republicans, to grant black males the right to vote, and that was in 1867. That was the proud history of the Republican Party. And we will never forget the roots of that party, Abraham Lincoln, the first Republican President, the President that abolished slavery, first in the District of Columbia, then of course, led our country to the abolition of slavery nationwide.

It was in 1878 that this notion of government, not by this self government that had been set up for white males by the Democrats, that the Republicans had converted so that everybody who could vote in the United States could then vote.

By the way, you notice women were not given the right to vote then, but they didn't have the right to vote anywhere.

But what happened in 1878, when Reconstruction came forward, when the reaction to the Civil War came forward, then we had the Congress, obviously, in the hands of Democrats again, providing that the District of Columbia be governed, not by a self government, as had been allowed, but by these Presidentially appointed commissioners who were, in fact, the government of the District of Columbia until 1974.

Mr. Speaker, occasionally you will hear some opposition to our bill based on the Constitution. Every other day somebody raises a constitutional issue about some bill that comes to the floor. And we concede that there is some division of opinion on whether or not Congress can give the District the right to vote through the Constitution, or whether it would take a constitutional amendment, as has been tried in the past, but the requisite number of States did not also ratify.

On the basis of very respectable constitutional opinion, and we are certain that the bill is constitutional under Article I, Section 8 of the Constitution, Congress has full plenary power over all matters relating to the District of Columbia. We are certain that Congress can have the right because we are certain that that is what the framers intended.

When the Constitution was ratified in 1789, it clearly contemplated that the vote would, in fact, be enjoyed by the people of the District of Columbia. Everybody lived in a state then, including the people of the District of Columbia. But notably, the citizens living on the land designated by the Constitution, in the Constitution itself, as the District, continued to have voting rights until 1801, because that land had been given to the Federal Government by Maryland and Virginia.

When 1801 occurred, and the land came under the total control of the Congress, only Congress could step forward and say, now that you are under our jurisdiction, we just want to assure that you still, you have not lost your voting rights by becoming the Nation's Capital. And the people of the District of Columbia so petitioned, and Congress failed to act. Therein lies the fatal flaw. Congress did not act. But you certainly can't blame that on the Framers.

Imagine, would Maryland and Virginia have conceded the land to create the District of Columbia if they thought they were disenfranchising their own citizens? Impossible. And the Framers themselves indicated that everybody in the United States would have their rights. So we are quite confident that the bill is constitutional, although you will hear words to the contrary from time to time.

We are also confident that if we were to decide to use the at-large seat, as opposed to the map that is agreeable now, that that would be constitutional because every voter in the State of Utah, only for a very short time, because it then could revert, as the State desires, to the present system from an at-large system; but every voter in Utah would have the same equal right with no dilution of that right to elect this at-large member for such period as the State chose to have it.

These issues have been thoroughly vetted, and we have constitutional authority that I think the House would find persuasive. And I ask to be able to enter into the RECORD the testimony of Kenneth Starr, who testified to the constitutionality of the bill. This constitutional lawyer, respected by all for his constitutional background, even as he is regarded as controversial, perhaps that controversial side of his career helps to explain that this bill must be constitutional. And I thank Mr. Starr, and will submit that for the RECORD.

[From the Washington Post, Sept. 17, 2006]

CONGRESS HAS THE AUTHORITY TO DO RIGHT BY D.C.

(By Kenneth Starr and Patricia M. Wald)

More than 40 years ago, the Supreme Court declared that ''no right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live.'' And yet, for more than 200 years the citizens of the District have been denied this right because they have no voting representation in Congress. To its credit, Congress is taking steps to begin correcting this longstanding injustice.

Specifically, the House Government Reform Committee has approved, and the House Judiciary Committee is considering, a bill that would give D.C. residents the right to full voting representation in the House. While conferring this right is surely the right thing to do, a legitimate question has been raised concerning Congress's authority to confer the right by simple legislation, rather than through constitutional amendment. We have carefully considered this question and believe for three reasons the bill is within Congress's authority: It is consistent with fundamental constitutional principles; it is consistent with the language of Congress's constitutional power; and it is consistent with the governing legal precedents.

First, interpretation of Congress's Article I legislative authority should always be guided by the fundamental principles upon which the nation and the Constitution were founded. Those principles include a commitment to a republican form of government and to the proposition that the laws enacted by the legislature should be based on the consent of the governed. There is nothing in our Constitution's history or its fundamental principles suggesting that the Framers intended to deny the precious right to vote to those who live in the capital of the great democracy they founded.

Second, Congress's specific power over the District of Columbia is one of the broadest of all its powers. In the words of the Constitution, ''Congress shall have power . . . to exercise exclusive legislation in all cases whatsoever'' over the District. In a 1984 case decided by the U.S. Court of Appeals for the D.C. Circuit, on which we both sat, Judge Abner Mikva noted that through this constitutional provision, the Framers gave Congress ''a unique and sovereign power'' over the District. In that same case, Judge (now Justice) Antonin Scalia wrote that the broad language of the power gave Congress ''extraordinary and plenary'' power over our nation's capital. And in another case, that same court held that this broad power gave Congress authority to ''provide for the general welfare of citizens within the District of Columbia by any and every act of legislation which it may deem conducive to that end.'' It is hard to imagine a broader, more comprehensive congressional power than this; and it is also hard to imagine that the power could not be used to advance a fundamental principle of our Constitution—that the right to vote should be extended to all citizens.

Finally, and equally important, the most analogous legal precedent addressing Congress's authority over the District confirms that Congress can act now to give the vote to D.C. residents. That precedent concerned the fact that Article III of the Constitution confers on federal courts jurisdiction to hear suits brought by citizens of different states against each other. But the Constitution did not give any such express jurisdiction over suits brought by or against citizens of the District of Columbia. As a result, Congress, relying on its broad Article I power over the District of Columbia, remedied that unfairness through legislation that extended the right to District residents. In a 1949 case called *National Mutual Insurance Co. v. Tidewater*, the Supreme Court upheld that extension and also said that Congress was entitled to great deference in its determination that it had power to address this inequity. The logic of this case applies here, and supports Congress's determination to give the right to vote for a representative to citizens of the District of Columbia, even though the Constitution itself gives that right only to citizens of states.

It is not a surprise that our Constitution, ratified in 1789, contemplated that the right to vote would be enjoyed only by ''the people of the several states.'' After all, in 1789, all U.S. citizens lived in a state. It was not until 1801, when the process Congress authorized by statute in 1791 to create the District out of lands ceded by Virginia and Maryland was completed, that District residents lost their federal voting rights. There is no reason to believe the Framers intended for this to happen. And in any case they gave Congress power to address the problem. Congress has initiated a process to do so, and we urge it to quickly complete the task. As George Washington said in his first inaugural address, the American people are entrusted with ''the preservation of the sacred fire of liberty and the destiny of the republican model of government.'' It is time to extend that model to the citizens of the nation's capital.

Ms. NORTON. There might be some opposition based on the notion that

Utah gets one more electoral vote if they get a vote. Now, mind you, Utah is going to get that at some point anyway, probably in the near future. But there is some concern that Utah might get that vote now. And we have the kind of situation that people most fear ever since the 2000 election, that there would be some kind of tie or some kind of dispute; we would have no longer a tied number of electors from Democratic and Republican States; and then you would have Utah with one more vote.

Well, this is an issue that we asked a nonpartisan group about that doesn't think, that has a different view of how the present system operates in any case. The nonpartisan group is called Fair Vote, the Center For Voting and Democracy. It is not affiliated with the District of Columbia or with any party.

Apparently, it believes that the national popular vote plan for President is how we should proceed. So they certainly are not making a case for us in any particular way.

But it is important to note what they say about our bill and whether our bill could, in fact, result in a crisis based on the fact that Utah got one new electoral vote. And I am quoting: ''Our estimation of the odds of the District of Columbia Fair and Equal Voting Rights Act directly contributing to a Republican victory in the 2008 Presidential race is,'' they say the odds are, ''approximately 400–1,'' or, in other words, one chance in 1,600 presidential elections.

I want the Member to stand up who would, on this scintilla of a chance, prefer to see us go without the only chance we have to get a vote now or in the foreseeable future.

I want to thank the House for affording me this time, and the time of the Members who have been gracious enough to come and speak on this issue this evening. It is time that, for us, has been invaluable, simply to let the Members of the House know how deeply we feel that the time is on overtime to grant the people of the District of Columbia their House vote now, in this Congress, the 110th Congress.

Mr. JONES of Ohio. Mr. Speaker, I rise today in support of the Fair and Equal House Voting Rights Act of 2007, bipartisan compromise legislation to finally allow the District of Columbia voting representation in the U.S. House of Representatives. This balanced legislation, introduced by my honorable colleague from the District of Columbia, would give her constituents a vote in this chamber while adding a House seat for the state of Utah.

Among the capitals of democratic nations around the world, the U.S. is the only country where its capital district citizens cannot vote in the national legislature. Washington, DC, while serving as the Nation's capital, also has many of the functions of a county or state. DC operates its own police force, school system, legal code, occupational licensure and vehicle inspections.

Today, the District of Columbia is home to 120 neighborhoods and a population of 572,000. According to the 2000 U.S. Census, the population of Washington, DC is greater than that of the state of Wyoming (494,000) and is comparable to the states of Vermont (609,000), Alaska (627,000), and North Dakota (642,000).

Proximity no longer means influence in the District of Columbia. The Bureau of Labor Statistics reports its unemployment rate is 6 percent, above the national average of 4.5 percent. DC's poverty rate is 17.5 percent, five points above the national average.

According to DC Vote, DC citizens pay higher per capita federal income taxes than any other state. DC citizens are subject to all our laws, serve on juries, fight our wars and pay taxes, yet have no voting representation in the U.S. Congress.

Not only does DC have no say in the governance of our Nation, they have diminished voices in the governance of their own city. The very Congress which holds the power of the purse regarding DC's budget, also has the power to repeal any DC law enacted by its city council.

It's time for fairness for the citizens of Washington, DC. As the representative of another great city, I am proud to support voting rights for the great city of Washington, DC, am proud to support the Fair and Equal House Voting Rights Act of 2007 and call for its swift passage.

□ 2000

THE DEMOCRATIC AGENDA

The SPEAKER pro tempore. The gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, it is always a profound honor to come to the floor of the people's House and vent what is on my mind. I would point out that your organization and timing is impeccable. I thank the gentlelady from the District for ending exactly on the hour, so it is easy to keep track of the time as we unfold the next 60 minutes.

I also appreciate her remarks with regard to Abraham Lincoln. He is a hero for America, for all people of all kinds, of all colors, of all places, and a man that demonstrated profound and tremendous leadership. As I listened to the gentlelady speak about Abraham Lincoln's leadership, I reflect upon a great example of leadership that I would like to share here this evening to start out this discussion.

I will say that I have been assured that this is a matter of historical fact by a Washington D.C. historian, and that is as far as I verified it, but I liked the story so much, that I would just as soon not know if it shouldn't happen to be true. But I believe it to be true, and at least its consistent with the leadership in the spirit of Abraham Lincoln.

That is, in 1863, as Abraham Lincoln was considering whether to sign the Emancipation Proclamation, it was not an issue that was totally in favor with the Republican Party at the time. But as he deliberated on this issue, he called his Cabinet in, and said, I want to hear from each of you on this Emancipation Proclamation that is here, and that I am considering signing.

So he started his Cabinet on his left, and all around the table, and they were all men at that time, as we know, and the ones that had the right to vote back then. The first one, the Cabinet member said, Mr. President, my advice to you is, no, don't sign the Emancipation Proclamation, because after all, the blacks that are north of the Mason-Dixon line are free today, and it doesn't help them.

So the next Cabinet member chimed in, and he said, Those south of the Mason-Dixon line, you can't free them because they are in the Confederacy, so your jurisdiction doesn't reach there today. It is a gesture and a gesture only.

The third Cabinet Member said, But it is, it is an empty gesture, because on the north side of the line and on the south side of line there isn't anybody that you can free with the Emancipation Proclamation. It is simply a symbolic act. As this went around the table, around the Cabinet room table, and each Cabinet member said to President Lincoln, Mr. President, my advice to you is, no, don't sign it, because among other things, you will alienate some of the people in the north that are pro-slavery that are still fighting under the blue uniform, or the Union.

There was reason after reason why President Lincoln shouldn't sign the Emancipation Proclamation and not a single reason given by any member of the Cabinet as to why he should sign the Emancipation Proclamation. So it was nay, nay, nay, nay, Mr. President, all the way around that table, his best advisors.

President Lincoln took ahold of his lapels, and he said, Well, gentleman, the aye has it. That story is a story of leadership, and it is a story that I hope goes down in history for a long time. So I appreciate the remarks of the gentlelady from the District and the spirit with which you deliver them. I appreciate you being here tonight.

I would like to take up the issue that we had a discussion on yesterday, and that would be the discussion of the minimum wage.

Now, on January 11, which was yesterday, the House passed H.R. 2, the Fair Minimum Wage Act of 2007, Mr. Speaker. This bill would raise the Federal minimum wage from $5.15 an hour to $7.25 an hour, over about two or three increments in a period of 2 years and would arrive at $7.25 an hour. This bill specifically applies the minimum wage rate and hike to the Commonwealth of the Northern Mariana Islands.

I bring this to the floor, because as I spoke here earlier on the embryonic stem cell research mandate that was passed out of this Congress this afternoon, there was a question and an inquiry, I was asked to yield by the gentleman from Florida, who asked if I knew if there were any geographical carveouts or any special political subdivision carveouts or any, perhaps, university or laboratory carveouts that

would show preference that we should shine some sunlight on before the vote rather than after the vote.

Of course, I know of none, asking out there if there are any, and we will be looking through the bill to see more closely, now that we have had a chance to scrutinize it, if there are any carveouts of that nature. But what prompted the gentleman from Florida's inquiry was, as I went back and dug in to find out, was that there is a carveout in the minimum wage legislation that was passed yesterday.

So one of the things that is specific is the application of the minimum wage to the Commonwealth of the Northern Mariana Islands, happens to be some islands that my father set foot on when he spent his 2½ years in the South Pacific during World War II. So I paid a little bit of attention to that because that was part of the family lore as I grew up.

But the bill does nothing to foresee American Samoa to submit to the Federal minimum wage or this new hike. In fact, it specifically exempts the American Samoans from minimum wage. Now why would that be? The vote on this bill was 315–116, all Democrats voting ''aye'' and 116 Republicans voting ''no.''

But as reported in the Washington Times today that although the legislation specifically extends for the first time the Federal minimum wage to the U.S. territory of the Northern Mariana Islands, it exempts American Samoa, which is another Pacific island territory that would become, the only U.S. territory not subjected to the Federal minimum wage laws. The only territory, the only location in the jurisdiction of the United States of America exempted from Federal minimum wage law would be American Samoans.

This loophole pleases the tuna corporations that employ thousands of Samoans in canneries at a rate of $3.26 an hour. It is an industry-specific rate that is set by the U.S. Department of Labor.

But the tuna industry has lobbied Congress for years arguing that imposing the Federal minimum wage on Samoa would cripple the economy by driving the canneries to poor countries that don't require a minimum wage.

Then one of the biggest opponents, though, of the U.S. minimum wage there is StarKist tuna, which owns one of the two packing plants that together employ more than 5,000 Samoans. Yet StarKist is about 75 percent of that, about 3,750 employees perhaps at StarKist. Chicken of the Sea would be the other 1,250 employees, totaling the 5,000. Chicken of the Sea is also California based.

But what is interesting, and I think what inspired the gentleman's inquiry this afternoon, was that StarKist's parent company, this company that has now an exemption from minimum wage law, their parent company is Del Monte Corporation, Del Monte Corporation, headquartered in San Francisco, which is the hometown, of course, of our new Speaker.

Now, a spokeswoman for the Speaker said yesterday that the Speaker had not been lobbied in any way by StarKist or Del Monte. That is interesting. I don't know that I could say that about any single company in my district, small company, large company. Trade associations represent multiple interests that might come into that. I am lobbied by individuals, I am lobbied by trade associations, I am lobbied by individual companies over and over again, hundreds and thousands of voices coming into my office.

I welcome them all, but I could not take an oath that there is a single company in my district that has not lobbied me in any way, or, let me expand that, even if that were true, there is no way I could take the oath that not a single company has lobbied any of my staff. There are decisions made by my staff that I take responsibility for. That reflects upon me.

So one could impute from this statement that the Speaker has not been lobbied in any way by StarKist or Del Monte. One can impute to that that also includes the Speaker's staff. I couldn't make that statement about a single company in my district, but this large company, larger than any company in my district, and domiciled in and headquartered in San Francisco, has had no contact with the Speaker's office or staff over any period of time, over, not just within the last week, but over the last 2 years, 4 years, 6 years or more? I think that deserves a little bit of scrutiny.

But as reported in The Washington Post on January 9, aides to the chairman of the Education and Labor Committee, the gentleman from California, and the sponsor of the bill said, and I quote, ''The Samoan economy does not have the diversity and vibrancy to handle the mainland's minimum wage, nor does the island have anything like the labor rights abuses that the chairman found in the Marianas.''

That is also interesting. It works good for a smokescreen for a short period of time, but here are the facts. In June of 2005, a U.S. court in Hawaii sentenced the owner of a sweatshop factory in American Samoa to 40 years in prison for what prosecutors called the biggest case ever of modern-day slavery. That isn't a small statement, and that is not a short sentence to prison, 40 years in prison for the biggest case ever of modern-day slavery in American Samoa.

The chairman, who has been tracking this research on the labor problems within the Marianas and presumably American Samoa, contends that he didn't find anything going on in American Samoa that would be comparable to the labor rights abuses found in the Marianas.

What would be worse than the biggest case ever of modern-day slavery of labor rights abuses? I don't know how you would define that. I will challenge the chairman, come up with those cases, explain to us how this one that was worthy of 40 years in prison, the biggest case ever of modern-day slavery, somehow or another pales in comparison to the transgressions of the Marianas, of which I don't have a single case before me.

That is the argument made to the chairman and why he wrote into the bill the exemption for American Samoa where they are paid $3.26 an hour, but in the Marianas, of course, they want to include them.

Well the difference is they have Republicans in the Marianas, and they have Democrats in American Samoa. But the individual in American Samoa, the labor right's abuser's name is Lee Soo-Kil, he held more than 300 victims as forced laborers in involuntary servitude at his garment factory in American Samoa.

He is accused of using arrests, forced deportations and brutal physical beatings to keep workers under control. The court was told, this is in the record of the court, that he ordered a worker to gouge the eye of another worker who dared to complain about her living and working conditions in the garment factory. That abuse would not be sufficient, apparently, in the judgment of the chairman to consider that it was something that should be brought underneath the minimum wage law and under some more scrutiny in American Samoa.

It is certainly an act that would exempt you from the minimum wage. Democrats said that their reign in the House would usher in a new era of transparency. Yet with the second bill they bring to the floor, eyebrows are raised at the thought of a lucrative carveout from a company with a parent company headquartered in the hometown of our new Speaker.

It didn't take very long for these things to start to pop up. Over and over again Democrats claim that the minimum wage needed to be raised as a matter of fairness and human decency. Yet, yet, apparently workers in American Samoa don't count in the Democrats' view.

Mr. FALEOMAVAEGA, who is a representative of American Samoa, has said he doesn't believe his island's economy could handle the Federal minimum wage because of competition in the tuna industry from South America and Asian canning interests, a place where they are paying as low as $.66 to $.67 cents an hour.

We are going to cater to and let competition be affected by that kind of sweatshop labor that is taking place in South America and Asian canneries. But apparently the Democrats are under the impression that the laws of economic competition are only applicable to American Samoa and have no bearing on the goods and the countless business manufacturers elsewhere in the United States, and that also includes the Marianas, which are geographically close, similarly situated,

but not specifically exempted like American Samoa.

The United States needs to be competitive and be able to sell abroad. But while the small businesses in my district, who often pay more than the federally mandated minimum page, I would say almost always pay more, they provide employment to countless hardworking Americans, and some of them struggle each month to make their payrolls.

Democrats have allowed employers in American Samoa to avoid this burdensome Federal mandate, but not those in the Marianas, not those anywhere else in the American territories, not anywhere under the jurisdiction of the United States of America, except American Samoa, where you have two large tuna companies, and one of them's parent company is domiciled in San Francisco.

I don't understand how Democrats see their economic principles make the minimum wage a bad idea for American Samoa, but not a bad thing for Main Street in small town USA. They pledge to bring transparency to the legislative process, and yet they refuse to submit their 100-hours legislation to the regular committee process. I may take that issue up a little bit later.

What I would very much like to do at this point in this conversation with you and the American people would be to yield to my friend, the gentleman from North Carolina, Mr. MCHENRY, for his remarks on whatever issue he might have come to the floor to address.

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Mr. MCHENRY. I thank my colleague from Iowa for his leadership, and I wanted to echo what you were speaking of earlier. And it is interesting what we are experiencing right now in Congress, an interesting time.

The new Speaker comes to office with a new Democrat majority, and what the Speaker pledges is ''respect for every voice,'' and another quote, ''working for all of America.'' Well, all of America except American Samoa, a small island in the South Pacific where they have been exempted from the Federal minimum wage.

Now, NANCY PELOSI during the campaign, then-Minority Leader PELOSI said, ''The Fair Minimum Wage Act of 2007 will increase the Federal minimum wage from $5.15 to $7.25 over the next 2 years, providing families with additional funds to cover the increasing costs of health insurance, gasoline, and home heating and attending college.''

There actually was a press release just a few days ago when the Speaker of the House issued this press statement. That is good. That is a high honor which the new Speaker had of increasing the Federal minimum wage, and it is a high honor for some politicians in Washington, D.C. to use other people's money to increase other people's wages. It is not coming from the pockets of D.C. politicians; it is coming from small business owners across the America who are going to be impacted and perhaps lose jobs over this.

But the bad item in this is the Washington Times report from just today that ''the Democrats' minimum wage legislation exempts American Samoa, another Pacific Islands territory, that would become the only U.S. territory not subject to the Federal minimum wage.'' That is from the report from the Washington Times today.

Now, it is peculiar. Why, I ask, would American Samoa be exempt from the Federal minimum wage? It seems an oddity, does it not, Congressman KING? It seems an oddity that a small island of all of our territories in this great Nation, of all the States in the Nation, that an island is exempt. One island. Why, I ask, would that island be exempt? It just seems perplexing to me. I mean, it seems like good news that the new Democrat majority and the new Speaker want to raise the Federal minimum wage to help people, to help families with their health insurance, gasoline, home heating, as well as attending college.

If it is not good for American Samoa, how could it be good for the United States to have an increase in the Federal minimum wage? And if it is good for the United States, if it is good for America, why is not American Samoa given the same benefits? It is America, too. Well, perhaps the new Democrat Speaker doesn't think so.

The question I raise, Congressman KING, is why could that be? We are just simply asking the question here tonight, why could that be the new Democrat Speaker would want to exempt a single island from a large piece of legislation? In fact, it is one of their six items in their 100-hour program. It is an amazing question to me, Congressman KING. It is an amazing question with perhaps a simple answer.

Well, going back to the Washington Times article, if I may quote from there: ''The loopholes please the tuna corporations that employ thousands of Samoans in canneries there at $3.26 an hour. One of the biggest opponents of the U.S. minimum wage is StarKist Tuna, which owns one of the two packing plants that together employ more than 5,000 Samoans or nearly 75 percent of the island's workforce. StarKist's parent company, Del Monte Corp., is headquartered in San Francisco, which is represented by—.'' Well, we will fill in the blank, that is, for someone else to fill in the blank.

But certainly something is fishy. Something is indeed fishy when the Federal minimum wage is good for all Americans as espoused by the Democrat majority, yet we exempt a small, in many terms economically struggling, island.

Now, I submit, Mr. Speaker, if it is good for us in this Chamber to vote to raise the Federal minimum wage, is it not good for all Americans, even in the territories? Is it not a matter of fairness to extend that to all the territories? It is an amazing happening, Congressman KING, in these opening hours that I would ask you, why could this be? I mean, if we are going to work for all America as the new Speaker said, why not all of America, even the territories?

Congressman KING, there are many questions here, but I raise the question, how could this be in the most ethical Congress in history?

Mr. KING of Iowa. As I am listening to this dialogue that we have going on here and I start to think about, you know, a lot of us see this broader economy, we see this multi-trillion GDP that we have, and we see the components of small businesses, large businesses, family farms, and these operations that are going on, the interrelationships of them. Some families run more than one business. And I have taken the position, and many of us have, that whenever you raise the minimum wage, ultimately you will lose jobs. We understand this, and we have made this argument and this debate, and we will continue to make this argument and this debate.

But I am going to say the people who voted for this minimum wage, at least the people who supported the idea of exempting American Samoa from the minimum wage, can only understand this law of supply and demand and this argument that is a fundamental, basic economic principle that when you mandate an increase in wages, the employer will have to make a decision as to whether to keep those employees or not or to lay them off and maybe move their operations elsewhere, or bring some machinery in to replace the labor. The inevitable result of raising a minimum wage is the loss of jobs.

But I am going to speculate this, Mr. MCHENRY. I am going to speculate that when it is addressed within the microcosm of a single business on a single island, then the chairman of the committee actually understood that equation and decided that he would draft in an exemption for American Samoa for that fishy business that you addressed. Because when it is a microcosm of a single island and a single company, maybe it was comprehensible the impact of a minimum wage there.

Mr. MCHENRY. It is also interesting that the parent company that employs 75 percent of Samoans, American Samoans, is headquartered in San Francisco. It is an interesting oddity in press reports that this is raised. And, like I said, Congressman KING, I believe it is just fishy. It is very fishy that this would happen in the opening week of a new Congress that espouses really high ethical standards which we all hope for and we strive for as individuals and as a collective body. It is a very strange happening in the Democrats' 100-hour provisions that they even go back on their campaign pledge to have the Federal minimum wage across America, not exempting certain areas or certain islands or certain peoples, but actually have a uniform standard. It is very

fishy that these things happen just at the beginning.

Mr. KING of Iowa. I pose a question back, and that is a statement has been released by a spokeswoman for the Speaker with regard to this, because this has been something that has been published across the country. And it says that the Speaker has not been lobbied in any way by StarKist or Del Monte.

Now, not lobbied in any way. That is a broad statement that a lawyer probably couldn't write it any more broadly than that. It may well have been a lawyer who said it. And I reflected moments ago about, I couldn't make that statement about a single company no matter how small in my district, because they either talk to me or my staff or maybe sent me a letter or called on the phone or sent me an e-mail, or maybe called in on a telephone while I was doing a talk radio show and I didn't know who they were. How could one make a statement that she hadn't been lobbied in any way? Could you make that statement about a single business in your district?

Mr. MCHENRY. I thank my colleague from Iowa for asking that question. It's an overly broad answer, it seems. Yet the other interesting avenue here on exempting a certain area of America with a certain business interest that is represented by a certain individual, well, it is interesting to me because in many ways what the Democrats promised was an end to earmarks. Earmarks, the American people know very well that earmarks are simply pork-barrel spending. Well, I will tell you something, this may be tuna, but it smells like pork. And this special provision, I would submit to you, should fall under this earmark reform that the new Democrat majority wants to pass on this House floor.

I think it is a high goal for us to have, that is, to have fundamental earmark reform so we eliminate pork-barrel spending programs. But this bill in the first full week of the Democrat majority has an earmark.

And my colleague from New Jersey has joined us, and Congressman GARRETT is very involved in the fiscal conservative agenda, as my fellow colleague from Iowa is, Congressman KING. Now, would you define this as an earmark, Congressman GARRETT?

Mr. GARRETT of New Jersey. I would definitely define it as an earmark. And I rise now to ask either one of the gentlemen to elaborate on the comment the gentleman from Iowa is making, and as the gentleman also raised, that this has already pressed accounts as to where this exemption is drafted for. But as the gentleman from Iowa said, there was no explanation as to why it came about. That is to say, the press accounts from the Speaker's office, I believe the gentleman from Iowa said that they have not been lobbied at all by the industry from their district. Is that correct? They were not lobbied at all by that particular industry from their district is what the press accounts say from the Speaker's office on this issue?

Mr. KING of Iowa. I would ask the gentleman if he could repeat his question.

Mr. GARRETT of New Jersey. I believe I am quoting you correctly that the press accounts from the Speaker's office on this is they have not been lobbied whatsoever from the respective industry in their State on this topic. And if that is the case, and it is hard to believe for the reason the gentleman from Iowa states that something that is so fundamentally important to that particular industry, you would think that the Speaker, if she is going to be responsive to their industry, would be hearing from them on these matters.

My question is, and perhaps you know the answer, why then does either the chairman or the Speaker say that they put this provision into the particular bill if not to protect those industries?

Mr. KING of Iowa. In response to the gentleman from New Jersey, I would have to say that there is no other way I can analyze that.

There are actually only two arguments. One of them is the argument that is put forth by the representative from American Samoa who says that the tuna industry can't withstand the competition if they have to pay a minimum wage. So something more than $3.26 an hour would take those tuna companies out of business, and they would apparently leave the island. And they couldn't go to the Marianas because there is a minimum wage imposed there, so presumably they would go to South America or maybe Asia.

The other argument of course is this exemption will let those tuna companies that are there continue to make a lot of money off of cheap labor that is imposed there in American Samoa where it is exempted from, the only location in all of American territories and jurisdictions that is exempted from Federal law. That is what is in this legislation that is before us.

Mr. GARRETT of New Jersey. I appreciate that the gentleman is trying to conjecture what the potential answer is as to why this absurd language was put in the original bill. Neither one of them obviously stands on their own foot. The first one being that we are going to create such an exemption because we realize how dangerous imposing minimum wage on any particular industry can be. Well, if it is going to be dangerous for that particular industry, then the other side of the aisle should realize it can be harmful to others and they should broaden the exemption to others. That was the first explanation.

The second explanation you conjectured was because they were doing it as an earmark specifically for one industry, to protect that industry. And in this area of ethics, I am sure that could not be the reason.

So as we stand on the floor tonight, I am sure that while we are here to speak on this matter, the Members on the other side of the aisle are back at their offices listening to this debate, the Speaker is probably back in her office right now, the sponsor of the bill is back in their office right now.

□ 2030

I would extend an invitation to any or all of them to come and join us to give us a logical explanation. Was it the first reason that they were just creating one exemption because they realized how harmful minimum wage can be, or was it that they were crafting something specifically as an earmark to protect one of their own industries outside of all others?

Mr. MCHENRY. Mr. Speaker, if the gentleman will yield, I thank Congressman GARRETT for proffering that. I think it is a wonderful thing because we know that our colleagues perhaps, Mr. Speaker, would be watching this debate and perhaps they could join us and answer some of these questions that we are trying to wrestle with on this important piece of legislation that the House took up just yesterday and passed under a closed rule, under martial law, not allowing any dissenting voices to offer any amendments to perfect it, perhaps extending the Federal minimum wage to even American Samoans or, in fact, change the bill so that it helps small businesses transition with this increase in the Federal minimum wage.

We have many questions, and I would love for our colleagues to join us here on the floor to answer these questions because we need the answers from the Democrat majority who control this place. And I would dare say, if the Madam Speaker would like to come before us here tonight, we would be happy to yield plenty of time for her to explain these actions of this new Democrat majority. We would love to have some input from our other colleagues on the other side of the aisle. In an air of bipartisanship, let's share our time, Congressman KING, during this leadership hour and make sure that we have an open dialogue and we answer questions.

Mr. GARRETT of New Jersey. Will the gentleman from Iowa yield?

Mr. KING of Iowa. I yield to the gentleman.

Mr. GARRETT of New Jersey. I just wish to take this moment to commend you, Mr. MCHENRY, on this issue because just as the other side of the aisle has said that they want to have input from the other side of the aisle, and as you know, we have been precluded from giving that input in the form of amendments on this and just about every other bill that has come before us, I commend you for taking the time now to open up the floor to the other side of the aisle and give to them what they will not give to us. You were giving to them the opportunity to give input to our side of the aisle.

And when I say, our side of the aisle, this is not just a partisan issue. This is

not just something just for us here in this room or Republicans or what have you. We are really extending a hand to the other side. We are offering them to give input to the American public to explain themselves. Was it an issue of them trying to carve out something for one particular industry in their home State, or was this something even less nefarious than that, simply that they realized that raising the minimum wage can have the harmful impacts that it does?

Mr. KING of Iowa. Reclaiming my time, I would take a stab at that and submit off of Mr. MCHENRY's remarks as well that when you have a closed process and in fact it is not necessarily a closed process; it is a no process, no process for hearings, no process for subcommittee, no process for full committee, no process for Rules Committee and no process on the floor that allows for any amendments, then there is no way to go back and really identify who is going to get the credit for this brilliant exemption that has been drafted into the minimum wage bill. So we can only then rely on the open press, the press accounts, and I am grateful that we do have a first amendment because they have gone back and reported and have publicly not been refuted remarks made by the chairman of the committee, who has gone to the Pacific and examined the labor circumstances there and found that the labor circumstances in American Samoa justify exemptions, but those in the Marianas do not justify exemptions, just to draw a real close comparison there, even though the worst example of a sweat shop that prosecutors had ever seen was the perpetrator that was sentenced to 40 years for abusing 300 employees in American Samoa. And so the exemption, then, is admitted publicly by the chairman of the committee as being drafted into the bill under his advice and his request, and that is the closest thing we have, but there is no opportunity to amend it in or out or to add to or detract from.

And the people I feel the most sorry for are not Mr. GARRETT from New Jersey or Mr. MCHENRY from North Carolina. My sympathy lies with the large number of freshmen Democrats who have arrived here in this Congress under the belief and having committed to their constituents that they are going to add to this cause, that they are going to add to this process, that their voice will be heard, that they will be bring representation from their district to Washington, D.C., where a lot of them allege they did not have representation, and they are the ones shut out of the process without a voice, without an opinion, without a forum, without an amendment, without any opportunity for amendment, after having made all those promises, shut out of this. All that wisdom shut out. A handful of people, maybe not even a handful of people, makes a decision like this. It is a closed process, and this is what you get with a closed process is an earmark, as Mr. MCHENRY said.

And if the gentleman from New Jersey has more to say, I would be happy to yield.

Mr. GARRETT of New Jersey. I appreciate the gentleman's yielding. I would like to just step back for just a moment from this overall issue that we are narrowly focussing on, this exemption, perhaps nefarious, that was in the legislation, and commend the gentleman from Iowa for your comments just yesterday when the overall bill of minimum wage was being discussed and you waxed eloquent as to the problems that the legislation that the other side of the aisle presented as far as what a raise in the minimum wage can do to the people that they suggest that they are going to help. And I commend the gentleman for the comments that you make on that.

And if I could just maybe elaborate and give one other example. Perhaps the most difficult part of understanding from whence they come on this issue of raising the minimum wage in the manner that they did is that they, in fact, hurt the very same people that they claim they are going to try to help by raising the minimum wage. That is, they are going to hurt the very people who are low skilled and lack experience because, generally speaking, it is the low skilled and the people lacking experience who are entering into the entry level type jobs out there. And it does a disservice to them for them to report a bill such as we had yesterday of raising the minimum wage, which we know statistically will shut out so many people who are seeking to enter the workforce.

Just as we did a moment ago where we asked others to take a look at this issue that we were speaking about a moment ago and come down here to explain themselves, perhaps, if they are not going to come down here, the constituents at home can call the Members and ask, can they explain themselves on the exemption of the bill? But also maybe people listening to this program at home right now can also call the Members on the other side of the aisle who purported to support this raise in the minimum wage and ask this: Have any of them on the other side of the aisle ever while a Member of Congress had people working for them right down here on Capitol Hill, working for them in a legislative capacity basically, alongside other members of their staff, and not paid them the full minimum wage? That would be a curious question.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind the Members to direct their remarks to the Chair and not to the television audience.

Mr. GARRETT of New Jersey. Sure. I appreciate that. Have any of them had anyone working on their staffs and not paid the full current minimum wage? That is an interesting question. I bet the answer to that question would be yes. And we know those people in those offices are entry level people, many of them in college right now, who come to Washington to try to get their first job.

Now, the Members on the other side of the aisle will say, wait a minute, the reason we are not paying them the full minimum wage right now and we have done so for the last several years despite the Federal minimum wage is because these are entry level people. They are young people. They don't have a full education yet. They don't have all the experience they need as other people on the staff. And yet the people sitting right next to them on the staff are being paid the minimum wage, and you have to ask them, why are they doing that? The other reason they would give to you, and they do it in perhaps a dismissive sort of way, is to say these people whom we are not paying minimum wage to are interns.

Wait a minute now. This young person sitting over here doing the exact same thing as this person sitting over here, the exact same sort of job; this person is being paid a full salary, and this one is not getting a full minimum wage salary doing the exact same thing. Is it right that they do not meet that level? And yet they were the ones who sponsored this legislation to raise the overall standard of pay for everyone else in this country. So I think it is important that we ask them why, on the one hand, they speak out of the mouth of raising the standards for everyone, but at the same time, in their own offices, they have people working for them who are not making the full minimum wage.

Mr. KING of Iowa. I thank the gentleman from New Jersey. And it occurs to me that perhaps one's own house is not in order before the presentation of the legislation that seeks to put everyone else's house in order, and I am confident this will not be the last time that these circumstances are created here nor that they will exist when one finds themselves in a position of conflict of judgment. And these are the kinds of things that can be debated and discussed and deliberated if we have an open process.

But I would point out to the gentleman from New Jersey that we are closing in perhaps, perhaps, on an open process. When we gaveled in here this morning, this 100 hours pledge was that this legislation, about six pieces of legislation, was to be passed in the first 100 hours, and that became the promise that trumped all other promises. The promises of an open system, bipartisanship, dialogue, the most open and the most ethical Congress in history, all of these things, many of them have been compromised already because you can't have an open Congress and get these things done, apparently, in the first 100 hours. So the 100-hour promise is the one that is sacrosanct, and the rest of their promises are being broken in an attempt to try to pass this legislation in the first 100 hours.

Well, my report tonight, Mr. Speaker, is to bring everyone up to date on

how far we are. And we have tried objectively to produce a legitimate 100-hour clock. And I know there is from, the other side of the aisle, a stopwatch put on that. Well, we don't want to count, after we gavel in for the 110th Congress, the time that it takes to swear in because that is not really legislative time, and we don't want to count the time it takes to vote for the Speaker, Mr. Speaker, because that takes also away from our legislative time. We really only want to start this 100-hour clock when it is convenient to do so, and we are going to count time in our own way, and the 100 hours is not going to be up until we get this legislation that we promised we would do in the 100 hours. That is the measure. So keep changing the definition on what the 100 hours is until you get things accomplished. Then you say, yes, we did. We kept our promise.

Well, this was a promise that was purely a political promise. The American people have waited for this legislation for over 200 years. To hurry up and rush it through and set aside an open dialogue, set aside the amendment process, shut down and not allow subcommittee, committee or Rules Committee or floor amendments, do all of that so you can keep a 100-hours promise. So, anyway, the least we can do is have a legitimate clock on the 100 hours. I produced this legitimate clock, Mr. Speaker, and this morning when we gaveled in with an opening prayer and a pledge, when we did so this morning, we were sitting at 42 real hours. This is the hours here on the floor from the time we gavel in until the time we gavel out. How could anyone argue that that is not legitimate? We are not counting 24 hours a day. We are counting the real time that there is someone sitting in the Speaker's chair and the clock is ticking.

So to bring you up to date, we are now at 52 hours when this began. It will be 53 hours here in about 18 minutes. Now we are halfway. We have been further than we have to go, and my recommendation would be just throw this idea away. Suspend this idea of 100 hours because it is what is usurping the open dialogue, the appropriate process, the most ethical Congress in history, the most sunlight on everything we are doing.

As I listened to the news over the weekend, the gentleman from Tennessee, when asked the question, Mr. Speaker, about the 100 hours, he said: Well, no, we really can't comply with the open bipartisanship. Just give us a little break on that. Let us get our 100 hours done, and when the 100 hours is over, I believe we are going to go to this open process, this bipartisanship, and actually use the committees and the expertise of the Members here, hopefully the freshmen, especially the Democrat freshmen, giving them a chance, Mr. Speaker. So that was his plea. Give us a break and let us go ahead, and we will go, not in regular order, but we will go in a special order so that we can get done in the first 100 hours.

Well, I do not agree with that. I think we ought to set this argument aside. But at least we can suspend, then, this suspension of open dialogue when the 100 hours is up. We are at 52. We will soon be at 53. It also says the cost to the country. Well, I have not done very well, Mr. Speaker, because I do not have a staff that can keep up with the cost to the country or maybe I do not have an adding machine that allows for that. And as I look at the legislation that has passed through piece after piece, some of it just can't be calculated. I didn't have a symbol on the word processor to go to infinity, so we just kind of stuck a bunch of dollar signs in here because the cost to the country is impossible to calculate.

It is impossible to calculate when you pass legislation, for example, to inspect every piece of cargo that comes into our ports and the authorization becomes, and I quote from the legislation, ''such sums as may be necessary.'' Well, when we are doing legislation with authorization of ''such sums as may be necessary,'' that is more money than we can calculate. We can't put a dollar figure on that. That goes on piece after piece. How much does it cost to raise the minimum wage? How many jobs are lost? How much of our production goes oversees? What is the real effect on the American economy when and if that happens, when and if the Senate takes it up? It can't be calculated, but it is a lot of money. We will soon be at 53 hours and counting. That will take us down to 47. We have been further than we have to go. We are over the top. We are going to narrow this thing down. And when we get to the 100 hours, the real 100 hours, I am hopeful that this Congress will then wake up and say, we have another promise we want to keep rather than one we want to break, and that is going to be to bring the freshmen into this process.

□ 2045

We will give the freshmen an opportunity to go to a subcommittee and sit down at a hearing and begin to get informed so they can make informed decisions on behalf of their constituents. We need that kind of process. The Constitution envisions that kind of process. In fact, it requires it.

I am for an open system, and I am for sunlight on all of this. I am for sunlight even on StarKist, and even on Chicken of the Sea and even on San Francisco and even on American Samoa. And I am for sunlight on the Marianas as well. I am for sunlight on everything that we can provide, and I am for real-time reporting.

Every American has access to the Internet today. Whether they own a computer at home or go to the library, they can sit down to a computer. And I believe all of the records, the records of the lobbyists' contributions to Members of Congress, maybe contributions that came from Del Monte or StarKist or Chicken of the Sea, we can look where those contributions went and be able to track that.

If we had an open system here, if those Federal election campaign dollars were real-time reported and available on the Internet so that they were downloadable in a searchable and sortable format, we would have somebody right now sitting at home in America who would have flicked those keys and zeroed in on that and they would have by now probably e-mailed my office a summary of, a detailed list of all those campaign contributions. Probably the bloggers out there would have sleuthed out why it is that American Samoa is exempted from this minimum wage law. We know if you track the money, you can find a pretty good motivation.

I didn't hear from Mr. MCHENRY that he could name a business in his district that had not lobbied him during his time here. I know that Mr. GARRETT has been here a good 4 years and starting on the fifth year. I didn't ask that specific question, but I would ask you to respond.

Mr. GARRETT, is there a single business in your district that you could swear an oath had not lobbied you or your staff in any way, any form of communication that might have influenced your judgment or decision?

Mr. GARRETT of New Jersey. I would say no. I would say we are a responsive office, as is your office, to the constituents' needs in our district. So, no. That is why the statement released by the Speaker on this is difficult to comprehend.

Mr. KING of Iowa. I thank the gentleman from New Jersey.

I wanted to make a few remarks about the minimum wage itself and just to go on record. We need to understand something. This is a free enterprise economy. What has made America great is because if you go back 150 years, we had a dream called manifest destiny. We had a continent that needed to be settled and developed. Individual personal capital was invested. Banks grew because they could make money off loaning, and entrepreneurs could borrow money.

They were going into an environment within the continent, within the borders of the United States, in a low-tax and sometimes a no-tax environment and often no regulation, but certainly a low-regulation environment. So they invested their money.

This country was settled and developed in lightning speed by historical standards because we had a very positive environment here for economic growth.

Then as this society began to get a little older and began to develop, they began to take protection. So the older we get, someone would decide that they needed to have some influence and so they would want to advocate in Congress and in the State legislatures for taxes and more taxes and regulation and more regulations. That is how this

has grown into this situation. But a prosperous, dynamic economy has got to be one with the least amount of regulations possible and the lowest amount of taxation necessary to keep a government functioning to provide the necessary services.

Mr. GARRETT of New Jersey. Mr. Speaker, one other point that the gentleman from Iowa did not raise but I think would concur with is what is the underpinning of this Nation. The other side of the aisle would probably agree with this if we were speaking on another topic, that led to the great formation of the wealth and the value of this Nation, from our moral upbringing as well as the development of this Nation, is in fact the diversity of this Nation. The fact that living in New England is different demographically than living in the far west. That living in New Jersey where I come from is different from where the gentleman from Iowa lives. Whether we are talking about the weather or the price of housing or the energy costs that we may have in New England and New Jersey as far as heating versus the energy costs in the southern portions of the country, and the transportation costs, and the educational level.

New Jersey is proud of the fact that we are a highly educated State, and for that reason we have a number of biotech firms and pharmaceutical firms in our area. Other portions of the country may have more farming. Or in the New York area where it is the financial services mecca for this country. Or western portions where it is high tech on the West Coast. That is where we are today, but that is also where we came from. We were a diverse Nation. It was because of that diversity and the freedoms and liberties that we had at that time that this Nation was able to grow economically, as the gentleman said.

The problem with the legislation that we passed yesterday, however, it does not realize nor appreciate nor value that diversity of this Nation that we have. What that legislation says is that we are going to treat everyone alike uniformly. When you do that, you treat certain people unfairly.

How does that come about? In the examples I gave yesterday, you can come up with a list of these things. If you treat an individual who is a teenager who is in school right now and trying to get a job after school and make some money, maybe he wants to work in the fields bringing in hay in the Midwest, we are going to treat him the same as we might treat the parent of some children who has some experience in the tech field and has an entry-level position in the Northeast where they have high-tech industry. We are going to treat that person the same as perhaps a second-career individual, perhaps in the financial service markets just over the river, the Hudson River in New York City.

Perhaps we are going to treat them the same as someone in Florida in the citrus crop industry. So whether it is the fields of Iowa or Florida, the high-tech industries on the west coast or the financial industry on the east coast, the legislation we had yesterday setting a uniform minimum wage says they are all going to be treated exactly the right, regardless of the person's age, experience, regardless of the person's skills, regardless of their attributes that they bring to that employer who is looking for somebody to add to the value of the product that they are producing, and regardless of the demography of the particular area, traveling costs, housing costs, or the cost of living.

Coming down to Washington, D.C., we realize this is an extremely expensive place to live versus other places in the country where you can buy a house for maybe $100,000. Regardless of all those variables, they are going to mandate and say we are going to treat everybody in all of these situations the same. That is unfair because the demographics and the situations differ.

The result is this: those individual in these other high-cost areas are going to be put at a greater disadvantage in certain circumstances. In other circumstances, that individual in Iowa trying to get a job after school, they are going to be put at a disadvantage because the employer is not going to see the value added to the product exactly the same. And so some of those individuals who may need those jobs will not be able to get the jobs that they actually have to have to support their family.

Mr. KING of Iowa. I thank the gentleman.

As I listened to that discussion, it brings to mind some of my history. I recall I started back working for 75 cents an hour helping a farmer in the neighborhood. I think he would have paid me a dollar, but I didn't think I was worth more than 75 cents an hour. If you were to ask him today, he would probably say that would be right, you were not, STEVE.

I did that and I learned about machinery and the work that we were doing that was different from my home. After that I went to work in a grocery store, and there the wage was $1.20. And I stocked shelves and carried out groceries and learned about the grocery trade. So I worked there when school was out, and then it was summertime. I realized that the butcher was making pretty good money. That was before we had the kind of packing plants that we have today. So there was more demand for people who could cut meat.

I thought I might as well learn a trade. First I talked to the butcher, and he said he would take me on. And then I went to the manager and asked the manager. The manager said, yes, you can work in the meat department but that is not where I need you, so I can't pay you. Well, I want to learn a trade. Fine, you can go back there and work. And so I agreed to work in the meat department for nothing. So I would work 40 hours a week in the grocery store, and then I would work 20 to 40 hours a week in the meat department with no pay.

It would have been in violation of this minimum wage law, but I did it for no pay because I wanted to learn a trade. And I did learn a trade. It is not one I have ever been paid a dollar to do. In fact, it puts me into the business sometimes of being the one who does cut up the meat at whatever family gathering we have.

But that is the kind of thing that used to happen on a regular basis. I am not an odd thing. I am not an anomaly when it comes to that.

But it is a subject that each time the government interferes, whenever the government passes some of these child labor laws that say that, well, if you are 17 years and 364 days old and you would like to work in the gas station, you can run the cash register, but you cannot cut the grass on the riding lawn mower until you are 18. That is an example of a child labor law.

Another example is you cannot wash the pizza dough maker or you can't make french fries. All of these things you can do at home, a lot of these things we allow younger people to do at home, a 17-year-364-day-old person cannot because of our child labor laws.

You couple that with minimum wage laws and ask the question is there any place in your community where, let's just say an older lady who doesn't get around very well can pull her car into the gas station and be confident that the windshield will be washed and the oil will be checked and her gas tank will be filled, and somebody will bring her credit card in and out and make sure that all she has to do is sit there and wait for that service. Where does that happen in America? Some places, not many. And the biggest reasons are minimum wage laws and child labor laws.

So instead, we give them the keys to a car that goes 140 miles an hour and they can drive on the highway. It is safe enough for them to drive a car at 16, 14 with an adult with them, but not safe enough for them to ride a riding lawn mower around a gas station.

This is what happens when decisions don't get opened up to public scrutiny, and not opened up for debate and opportunity for amendments to be offered.

So here we are with this fishy thing going on in American Samoa where they are the only territory in all of the territories of the United States of America by this legislation that has passed the House that would be exempted from minimum wage laws. And I have to believe that is not for the people of American Samoa; it is for the people making profit off the sweat of their brows.

And if it is good enough for the goose for the rest of America, it is good enough for the gander in American Samoa.

I yield to the gentleman.

Mr. GARRETT of New Jersey. First of all, I commend the gentleman for coming to the floor to raise this important issue.

As we conclude this hour worth of discussion and debate on this very important topic, I would just remind the gentleman that it has been an hour that we have been debating and discussing this issue. We have extended our hand to the other side of the aisle. We have extended our hand to the Speaker and to the sponsor of the legislation to come forward and to engage with us here on the floor and with the American public, as well, to explain whether there is a nefarious reason behind this inexplicable reason for treating certain people in the country different than other people in the country.

We will welcome an opportunity in future times for them to join us to explain themselves.

Mr. KING of Iowa. As I conclude here, Mr. Speaker, no one has come to the floor to defend a position like that. It was not part of the dialogue, the debate and the discussion.

While we have taken the floor here an hour ago, there were 52 hours used up of the 110th Congress of the 100. Now 53 hours. So 47 hours are left, Mr. Speaker.

And when that time comes, it will be time to open up so that we don't have these kinds of circumstances. It needs to be open to the public.

I appreciate the privilege to address you tonight, Mr. Speaker.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HASTERT (at the request of Mr. BOEHNER) for today and the balance of the week on account of personal reasons.

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:)

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. CARNAHAN, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mr. KIND, for 5 minutes, today.

Mrs. JONES of Ohio, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Mr. PATRICK J. MURPHY of Pennsylvania, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. ELLISON, for 5 minutes, today.

Mr. TAYLOR, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Mr. KUCINICH, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. ADERHOLT, for 5 minutes, today and January 16.

Mr. ROHRABACHER, for 5 minutes, today.

Mr. SHUSTER, for 5 minutes, today.

Mr. KUHL of New York, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, January 16 and 17.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. HALL of New York, for 5 minutes, today.

Mr. HONDA, for 5 minutes, today.

Mr. ROTHMAN, for 5 minutes, today.

Ms. SCHAKOWSKY, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock p.m.), under its previous order, the House adjourned until tomorrow, Friday, January 12, 2007, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

128. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-482, ''Omnibus Public Safety Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

129. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-437, ''People First Respectful Language Conforming Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

130. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-473, ''Targeted Historic Preservation Assistance Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

131. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-474, ''Emerging Technology Opportunity Development Task Force Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

132. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-475, ''Technical Amendments Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

133. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-476, ''Fiscal Year 2007 Budget Support Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

134. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-485, ''Child and Family Services Grant-making Temporary Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

135. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-486, ''Health-Care Decisions for Persons with Developmental Disabilities Temporary Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

136. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-489, ''Metro Bus Funding Requirement Temporary Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

137. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-493, ''Health Insurance Coverage for Habilitative Services for Children Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

138. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-494, ''Separation Pay, Term of Office and Voluntary Retirement Modifications for Chief of Police Charles H. Ramsey Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

139. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-495, ''Wisconsin Avenue Bridge Project and Noise Control Temporary Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

140. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-496, ''Square 2910 Residential Development Stimulus Temporary Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

141. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-502, ''Crispus Attucks Park Indemnification Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

142. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-503, ''District of Columbia Poverty Lawyer Loan Assistance Repayment Program Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

143. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-504, ''Domestic Violence Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

144. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-505, ''Uniform Disclaimers of Property Interests Revision Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

145. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-507, ''Neighborhood Investment Amendment Temporary Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

146. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-508, ''July Local Supplemental Other Type Appropriations Approval Temporary Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

147. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-506, ''Deed Transfer and Recordation Clarification Temporary Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

148. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-492, ''Library Procurement Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

149. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-523, ''Digital Inclusion Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

150. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-509, ''Anti-Tagging and Anti-Vandalism Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

151. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-488, ''Anti-Drunk Driving Clarification Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

152. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Michigan Aerospace Challenge Sport Rocket Launch, Muskego Lake, Michigan, MI [CGD09-06-021] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

153. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Point Montara, California [COTP San Francisco Bay 06-015] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

154. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Colorado River, Parker, AZ [COTP San Diego 05-011] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

155. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; — Lake Havasu, California [COTP San Diego 05-007] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

156. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; — Lake Havasu, California [COTP San Diego 06-007] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

157. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Lake Moovalya, Colorado River, Parker, AZ [COTP San Diego 04-008] (RIN: 2115-AA97) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

158. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; North San Diego Bay, San Diego, CA [COTP San Diego 05-051] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

159. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Oceanside Harbor, California [COTP San Diego 05-014] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

160. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; North San Diego Bay, CA [COTP San Diego 05-027] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

161. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf of Mexico, FL [COTP St. Petersburg 06-046] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

162. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Erie [CGD09-06-008] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

163. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Huron [CGD09-06-003] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

164. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live Fire Gun Exercise, Lake Huron [CGD09-06-006] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

165. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; St. Augustine Independence Day Celebration Fireworks Display, St. Johns River, St. Augustine, FL [COTP Jacksonville 06-129] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

166. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Charleston [COTP Charleston 06-023] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

167. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Intracoastal Waterway MM158, Orange Beach, Alabama [COTP Mobile-05-048] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

168. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Coast Guard Live Fire Exercise, Bradenton, FL [COTP St. Petersburg 06-106] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

169. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Camp Rilea Offshore Small Arms Firing Range; Warrenton, Oregon [CGD 13-06-041] (RIN: 1625-AA11) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

170. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sanford July 4th Celebration Fireworks Display — Lake Monroe, Sanford, FL [COTP Jacksonville 06-094] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

171. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Kissimmee July 4th Celebration Fireworks Display — West Lake Tohopekaliga, Kissimmee, FL [COTP Jacksonville 06-119] (RIN: 1625-AA00) received December 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ABERCROMBIE:

H.R. 400. A bill to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts, and for other purposes; to the Committee on the Judiciary.

By Mr. TOM DAVIS of Virginia (for himself, Mr. HOYER, Mr. WOLF, Ms. NORTON, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. WYNN, and Mr. SARBANES):

H.R. 401. A bill to amend the National Capital Transportation Act of 1969 to authorize additional Federal contributions for maintaining and improving the transit system of the Washington Metropolitan Area Transit Authority, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KNOLLENBERG:

H.R. 402. A bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled

veterans; to the Committee on Veterans' Affairs.

By Ms. CARSON (for herself, Mr. ISRAEL, Mr. CLAY, Ms. CORRINE BROWN of Florida, Mrs. MALONEY of New York, Mr. FILNER, Ms. LEE, Mr. HARE, and Mr. GUTIERREZ):

H.R. 403. A bill to amend section 12(c) of the United States Housing Act of 1937 to exempt residents of public housing who are determined by the Veterans Administration to be permanently and totally disabled from the requirement to perform community service; to the Committee on Financial Services.

By Mr. CUELLAR:

H.R. 404. A bill to require the establishment of customer service standards for Federal agencies; to the Committee on Oversight and Government Reform.

By Mrs. CUBIN (for herself, Ms. HOOLEY, Mr. RAMSTAD, Mr. SOUDER, Ms. BORDALLO, and Mr. REHBERG):

H.R. 405. A bill to amend the Public Health Service Act regarding residential treatment programs for pregnant and parenting women, a program to reduce substance abuse among nonviolent offenders, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BACA (for himself, Ms. BERKLEY, Mr. BISHOP of New York, Mr. BOSWELL, Ms. BORDALLO, Mrs. BOYDA of Kansas, Ms. CARSON, Mr. COSTA, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DELAHUNT, Ms. DELAURO, Mr. DINGELL, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HARE, Mr. HINOJOSA, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Mr. INSLEE, Mr. KIRK, Mr. KUCINICH, Ms. LEE, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Mr. NADLER, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. PASTOR, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. ROTHMAN, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. TIERNEY, Mr. UDALL of New Mexico, Mr. WEXLER, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 406. A bill to posthumously award a Congressional gold medal to Alice Paul in recognition of her role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Financial Services.

By Mr. BAIRD (for himself and Mr. WU):

H.R. 407. A bill to direct the Secretary of the Interior to conduct a study to determine the feasibility of establishing the Columbia-Pacific National Heritage Area in the States of Washington and Oregon, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAPITO:

H.R. 408. A bill to amend title 23, United States Code, to permit the State of West Virginia to allow the operation of certain vehicles for the hauling of coal and coal by-products on Interstate Route 77 in Kanawha County, West Virginia; to the Committee on Transportation and Infrastructure.

By Mr. CAPUANO (for himself, Mr. LYNCH, Mr. DELAHUNT, Mr. FRANK of Massachusetts, Mr. MCGOVERN, Mr. MARKEY, Mr. MEEHAN, Mr. NEAL of Massachusetts, Mr. OLVER, and Mr. TIERNEY):

H.R. 409. A bill to amend title 23, United States Code, to inspect highway tunnels; to the Committee on Transportation and Infrastructure.

By Mr. CONYERS (for himself, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. BISHOP of Georgia, Ms. JACKSON-LEE of Texas, and Mr. JACKSON of Illinois):

H.R. 410. A bill to amend the Public Health Service Act to increase the number of primary care physicians serving health professional shortage areas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARIO DIAZ-BALART of Florida:

H.R. 411. A bill to amend the Internal Revenue Code of 1986 to make permanent certain temporary provisions applicable to individuals, including the sales tax deduction, the child credit, the repeal of the estate tax, and the deduction for higher education expenses; to the Committee on Ways and Means.

By Mr. EHLERS:

H.R. 412. A bill to require an independent evaluation of distance education programs; to the Committee on Education and Labor.

By Mr. FARR:

H.R. 413. A bill to repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243) and to require the withdrawal of United States Armed Forces from Iraq; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORTUNO:

H.R. 414. A bill to designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the ''Miguel Angel Garcia Mendez Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. FRANK of Massachusetts (for himself and Mr. MCGOVERN):

H.R. 415. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. GALLEGLY:

H.R. 416. A bill to amend the Higher Education Act of 1965 to prohibit assistance to institutions of higher education located in States that provide in-State tuition or other forms of student financial assistance to illegal aliens; to the Committee on Education and Labor.

By Mr. JONES of North Carolina:

H.R. 417. A bill to amend title 10, United States Code, to change the eligibility requirements for appointment as Secretary of Defense; to the Committee on Armed Services.

By Mr. JONES of North Carolina:

H.R. 418. A bill to amend the Internal Revenue Code of 1986 to permit military death gratuities to be contributed to certain tax-favored accounts; to the Committee on Ways and Means.

By Mr. LUCAS:

H.R. 419. A bill to provide assistance to agricultural producers for crop and livestock losses in 2005, 2006, or 2007 as a result of natural disasters, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on the Budget, 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. MEEHAN (for himself, Mr. SHAYS, and Mr. CASTLE):

H.R. 420. A bill to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees, and for other purposes; to the Committee on House Administration.

By Mr. MEEHAN (for himself and Mr. SHAYS):

H.R. 421. A bill to amend the Federal Election Campaign Act of 1971 to replace the Federal Election Commission with the Federal Election Administration, and for other purposes; to the Committee on House Administration.

By Mr. MEEHAN (for himself, Mr. SHAYS, and Mrs. WILSON of New Mexico):

H.R. 422. A bill to establish the Office of Public Integrity as an independent office within the legislative branch of the Government, to reduce the duties of the Committee on Standards of Official Conduct of the House of Representatives and the Select Committee on Ethics of the Senate, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Rules, 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 Mrs. MYRICK:

H.R. 423. A bill to authorize the Attorney General to provide grants for organizations to find missing adults; to the Committee on the Judiciary.

By Mr. PAUL (for himself and Ms. BALDWIN):

H.R. 424. A bill to repeal the Military Selective Service Act; to the Committee on Armed Services.

By Mr. TOWNS:

H.R. 425. A bill to amend chapter 81 of title 5, United States Code, to authorize the use of clinical social workers to conduct evaluations to determine work-related emotional and mental illnesses; to the Committee on Education and Labor.

By Mr. TOWNS:

H.R. 426. A bill to amend title XIX of the Social Security Act to require States that provide Medicaid prescription drug coverage to cover drugs medically necessary to treat obesity; to the Committee on Energy and Commerce.

By Mr. TOWNS:

H.R. 427. A bill to amend title XIX of the Social Security Act to assure coverage for legal immigrant children and pregnant women under the Medicaid Program and the State children's health insurance program (SCHIP); to the Committee on Energy and Commerce.

By Mr. TOWNS:

H.R. 428. A bill to require the Consumer Product Safety Commission to ban toys which in size, shape, or overall appearance resemble real handguns; to the Committee on Energy and Commerce.

By Mr. TOWNS:

H.R. 429. A bill to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the ''Hugh L. Carey United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. TOWNS:

H.R. 430. A bill to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East, Brooklyn, New York, as the ''Conrad Duberstein United States Bankruptcy Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. TOWNS:

H.R. 431. A bill to amend the Internal Revenue Code of 1986 to make residents of Puerto Rico eligible for the refundable portion of the child tax credit; to the Committee on Ways and Means.

By Mr. MURTHA:

H.J. Res. 12. A joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag

of the United States; to the Committee on the Judiciary.

By Mr. MURTHA:

H.J. Res. 13. A joint resolution proposing an amendment to the Constitution of the United States relating to school prayer; to the Committee on the Judiciary.

By Mr. POE (for himself, Mr. COSTA, Mr. CHABOT, Mr. ORTIZ, and Mr. MOORE of Kansas):

H. Con. Res. 30. Concurrent resolution raising awareness and encouraging prevention of stalking by establishing January 2007 as ''National Stalking Awareness Month''; to the Committee on the Judiciary.

By Mr. MCGOVERN (for himself, Mr. LANTOS, Mr. CANNON, Mr. BERMAN, Mr. LATOURETTE, Mr. DELAHUNT, Ms. WATSON, Mr. CARNAHAN, Mr. MCDERMOTT, Mr. OLVER, Mr. MCNULTY, Ms. JACKSON-LEE of Texas, Mr. HOLT, Mr. LANGEVIN, Mr. KENNEDY, Mr. CAPUANO, Mr. NEAL of Massachusetts, Mr. TIERNEY, Mr. LYNCH, Mr. MARKEY, Mr. MEEHAN, Mr. FRANK of Massachusetts, Mr. WAXMAN, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. SLAUGHTER, Mr. CANTOR, Mr. COURTNEY, and Mr. ACKERMAN):

H. Res. 52. A resolution paying tribute the Reverend Waitstill Sharp and Martha Sharp for their recognition by the Yad Vashem Holocaust Martyrs' and Heroes' Remembrance Authority as Righteous Among the Nations for their heroic efforts to save Jews during the Holocaust; to the Committee on Foreign Affairs.

By Mr. CLEAVER:

H. Res. 53. A resolution recognizing the life of Lamar Hunt and his outstanding contributions to the Kansas City Chiefs, the National Football League, and the United States; to the Committee on Oversight and Government Reform.

By Mr. FOSSELLA (for himself, Mr. TOWNS, Mr. ACKERMAN, Mrs. CHRISTENSEN, Mr. MCCOTTER, and Mr. CASTLE):

H. Res. 54. A resolution honoring Alexander Hamilton on the 250th anniversary of his birth; to the Committee on Oversight and Government Reform.

By Ms. LEE (for herself and Mr. LEWIS of Georgia):

H. Res. 55. A resolution expressing the sense of the House of Representatives regarding modern-day slavery; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 4: Mr. BISHOP of Georgia and Mr. SHERMAN.

H.R. 16: Mr. ETHERIDGE.

H.R. 25: Mr. WALBERG, Mr. KING of Iowa, Mr. BROWN of South Carolina, and Mr. BONNER.

H.R. 35: Mr. CUELLAR and Mr. HOLT.

H.R. 36: Mr. CUELLAR, Mr. HARE, and Mr. UPTON.

H.R. 37: Mr. HARE, Mr. MANZULLO, and Mr. MARIO DIAZ-BALART of Florida.

H.R. 47: Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Ms. CARSON, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. ELLISON, Mr. FATTAH, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE, Mr. LEWIS of Georgia, Mr. MEEK of Florida, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Ms. MOORE of Wisconsin, Mr. PAYNE, Mr. RANGEL, Mr. RUSH, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mrs. JONES of Ohio, Ms. WATERS, Ms. WATSON, Mr. WATT, Mr. WYNN, Ms. KAPTUR, and Mrs. MALONEY of New York.

H.R. 60: Mr. MACK, Mr. CARTER, Mr. BUCHANAN, Mr. CULBERSON, Mr. BURGESS, Mrs. BLACKBURN, Mr. SESSIONS, Mr. STEARNS, Mr. GORDON, Mr. MCCAUL of Texas, Mr. CONAWAY, Ms. BERKLEY, Mr. POE, Mr. PORTER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. DUNCAN, Mr. HELLER, Mr. EDWARDS, Mr. SAM JOHNSON of Texas, Mr. FEENEY, Ms. GRANGER, Mr. MARCHANT, Mr. COHEN, Ms. CORRINE BROWN of Florida, Mr. HASTINGS of Florida, Mr. ORTIZ, Mr. GONZALEZ, Ms. JACKSON-LEE of Texas, Mr. PUTNAM, Mr. PAUL, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. HERSETH.

H.R. 65: Mr. MCNULTY, Mr. ABERCROMBIE, Mr. ORTIZ, Mr. ANDREWS, Mr. LANGEVIN, Mr. BECERRA, Mrs. CAPITO, Mr. EDWARDS, Mr. BRADY of Texas, Ms. SLAUGHTER, Mr. MCGOVERN, Mr. LEWIS of Georgia, Ms. BERKLEY, and Mr. CUELLAR.

H.R. 89: Mr. DEFAZIO.

H.R. 91: Ms. ROS-LEHTINEN, Mr. MARIO DIAZ-BALART of Florida, and Mr. BILIRAKIS.

H.R. 119: Mr. DAVIS of Kentucky.

H.R. 137: Ms. HERSETH, Mr. COSTA, Mr. MEEHAN, Mr. ETHERIDGE, Mr. REICHERT, Mr. UDALL of Colorado, Ms. MILLENDER-MCDONALD, Mr. OLVER, Mr. PASCRELL, Mr. RAHALL, Mr. KUCINICH, Ms. KAPTUR, Mr. MILLER of Florida, Mr. PITTS, Mr. FERGUSON, Mr. LAHOOD, Mrs. CAPITO, Mr. TOWNS, Mr. WYNN, Mrs. DAVIS of California, Mr. PLATTS, Mr. SMITH of Washington, Mr. HULSHOF, Mr. KENNEDY, Mr. RUSH, Mr. ABERCROMBIE, Mr. BISHOP of Utah, Mr. RYAN of Wisconsin, Mr. LEWIS of Georgia, Ms. GINNY BROWN-WAITE of Florida, Mr. GERLACH, Mr. PETRI, Mr. CAMP of Michigan, Mr. ISRAEL, Mr. PORTER, MS. WATERS, Mr. BISHOP of New York, Mr. CARNAHAN, Ms. CARSON, Mrs. MCCARTHY of New York, Mr. SCOTT of Georgia, Mr. KUHL of New York, Mr. SHUSTER, Mr. MCGOVERN, Ms. MOORE of Wisconsin, Mr. LEVIN, Mr. TIBERI, Mrs. SCHMIDT, Mr. MCHENRY, Mr. BILIRAKIS, Mr. MILLER of North Carolina, Mr. DAVIS of Kentucky, Mr. NEAL of Massachusetts, Mr. BUYER, Mr. BROWN of South Carolina, Mr. MOORE of Kansas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DOOLITTLE, Mr. TIERNEY, Mr. RANGEL, Mr. MEEKS of New York, and Mr. PAYNE.

H.R. 157: Mrs. TAUSCHER.

H.R. 180: Ms. SCHWARTZ, Mr. MCNULTY, Mr. JEFFERSON, Mr. CONYERS, Mr. DEFAZIO, Mr. CLEAVER, Mr. LEWIS of Georgia, Ms. CORRINE BROWN of Florida, Mr. MORAN of Virginia, Mr. MEEHAN, Mrs. TAUSCHER, Mr. KIRK, Mr. SERRANO, Ms. DELAURO, Mr. ROTHMAN, Mr. GEORGE MILLER of California, Mr. HONDA, Mr. WAXMAN, Mr. CAPUANO, and Ms. KILPATRICK.

H.R. 196: Mr. SHIMKUS.

H.R. 199: Mr. GRIJALVA and Mr. FRANKS of Arizona.

H.R. 211: Mr. SCHIFF, Mr. BONNER, and Mr. KUCINICH.

H.R. 237: Mr. REHBERG.

H.R. 241: Mr. GARRETT of New Jersey.

H.R. 251: Mr. INSLEE, Mr. TOWNS, Mr. BURTON of Indiana, Mr. BOUCHER, Mr. ENGLISH of Pennsylvania, Mr. MCHUGH, Mrs. MCMORRIS RODGERS, and Ms. JACKSON-LEE of Texas.

H.R. 278: Ms. BALDWIN, Mr. REHBERG and Mr. LATHAM.

H.R. 303: Mr. DEFAZIO and Mr. CUELLAR.

H.R. 322: Mr. BOOZMAN, Mr. BAKER, Mr. CONAWAY, Mr. BOUSTANY, Mr. KUHL of New York, Mr. PETRI, Mr. KINGSTON, Mr. MARSHALL, Mr. TAYLOR, Mr. DAVID DAVIS of Tennessee, Mr. LAMBORN, Mr. FORTUÑO, Mr. LINDER, Mr. SHULER, Mr. BARTON of Texas and Mr. ELLSWORTH.

H.R. 325: Mr. LIPINSKI.

H.R. 346: Ms. FOXX, Mr. TIM MURPHY of Pennsylvania and Mr. FOSSELLA.

H.R. 353: Mr. TIERNEY, Ms. SCHAKOWSKY and Mrs. MALONEY of New York.

H.R. 369: Mr. DAVIS of Illinois and Mr. GONZALEZ.

H.R. 390: Mr. CAPUANO, Mr. KUCINICH, Ms. CORRINE BROWN of Florida, Mr. PAYNE and Mrs. CHRISTENSEN.

H.J. Res. 1: Mr. RYAN of Wisconsin.

H. Con. Res. 7: Ms. SCHWARTZ and Mr. WAXMAN.

H. Con. Res. 9: Mr. CLEAVER, Mr. HARE, and Mr. BRADY of Pennsylvania.

H. Con. Res. 19: Mr. CUMMINGS, Mr. SERRANO, Mr. GRIJALVA, Ms. CORRINE BROWN of Florida, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mrs. CHRISTENSEN, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. MEEKS of New York, Mr. PAYNE, Mr. TOWNS, Mr. WYNN, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Ms. WOOLSEY and Mr. LANTOS.

H. Con. Res. 21: Mr. SOUDER, Mr. ETHERIDGE, and Mr. HARE.

H. Con. Res. 23: Mr. ROTHMAN, Ms. HIRANO, Mr. DOYLE, Mr. PAYNE, and Mr. NADLER.

H. Res. 15: Mr. HERGER, Mr. CARDOZA, Mr. MCCARTHY of California, Mr. SCHIFF, Mr. WAXMAN, Ms. MILLENDER-MCDONALD, Mrs. NAPOLITANO, Mr. GARY G. MILLER of California, Mr. CALVERT, Mrs. BONO, Mr. CAMPBELL of California, Mr. HUNTER, Mrs. DAVIS of California, Mr. HONDA, Mrs. TAUSCHER, Mr. ROHRABACHER, and Mr. FILNER.

H. Res. 23: Ms. WATERS.

H. Res. 24: Mr. ENGEL.

H. Res. 40: Mr. MARCHANT.

H. Res. 41: Mr. HINCHEY, Ms. HIRANO, and Mr. ROTHMAN.

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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, THURSDAY, JANUARY 11, 2007 No. 6

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Holy God, who calls out to us, help us to listen. May we hear Your voice in the beauties of this Earth and the glories of the skies. Whisper Your messages in the glory of a sunrise and the splendor of a sunset. Remind us of Your sovereignty in the orderly transition of the seasons. Speak, Lord, for we wait to hear Your voice.

Speak to our Senators. Teach them Your plans and priorities. Show them Your paths. Remind them of the power of unfettered faith, hope, and love, as You awaken their sympathy for those who live without joy. Give them grace and courage to follow You.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 11, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Thank you very much, Mr. President.

MEASURE PLACED ON THE CALENDAR—H.R. 2

Mr. REID. Mr. President, it is my understanding that H.R. 2 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The Senator is correct. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

Mr. REID. Mr. President, I object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

SCHEDULE

Mr. REID. Mr. President, we are going to be in a period of morning business for 90 minutes. The Republicans will control the first 45 minutes, the majority will have the remaining 45 minutes. Following this period of morning business, the Senate will resume the ethics legislation that is pending before this body.

Yesterday, I indicated we would vote this morning on the Stevens second-degree amendment dealing with airplanes. However, Senator STEVENS decided to withdraw the amendment in preparation to file another one. There were some problems with that, as he indicated to me. I am sure he will have a new amendment soon. He is working with somebody on this side of the aisle, I understand, to come up with a second-degree amendment.

Other amendments offered yesterday are still pending, and, again, I hope we can move forward in disposing of these amendments. I think Senator DURBIN will be here soon—as soon as we have the opportunity after we finish morning business—to move to table some of the amendments dealing with appropriations matters.

WELCOMING THE PRESIDING OFFICER

Mr. REID. Mr. President, I would also note that the Presiding Officer today is from the State of Montana. It is the first time the distinguished Senator has presided. We congratulate you. And I recognize the State of Montana is bigger than the State of Nevada.

I remember, with a lot of fondness, the first time I campaigned in the State of Montana. I was struck by how big that State is. We flew most all of 2 days around that State and never got from one end to the other. It is a big State, and we are very grateful they have a big Senator representing it.

ETHICS AND LOBBYING REFORM LEGISLATION

Mr. REID. Mr. President, the matters before the Senate have been here. There are no restrictions on any amendments that have been offered. We disposed of some campaign finance amendments that were offered yesterday. I know the amendments were offered in good faith, in good conscience by the authors of the amendments. I agree with the author of those amendments, that we need to take a look at campaign finance reform, but I think it

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should be done in the right way and that is to have hearings.

I believe we need extensive hearings on these matters. And both Senator BENNETT and Senator FEINSTEIN have agreed to do that. So if there are other campaign finance matters, we would approach those in the same manner as we did these.

It is very important we finish this legislation. We are going to do the very best we can to do that, and we are going to finish it next week.

Now, I told the Republican leader, late last night, that I am thinking of filing cloture tomorrow or Tuesday on this matter. I think people have had every opportunity to offer amendments, to debate those amendments. I am sure there will be others that will be offered and debated, I hope, today. It is an important piece of legislation. But I hope people would do their best to direct it toward what we are trying to do; that is, ethics and lobbying reform.

IRAQ

Mr. REID. Mr. President, the distinguished Republican leader, with me and a few others, met with the President yesterday. I told the President how much I thought of him, personally. I told him, even though my fondness for him is significant, I disagree with a number of his policies, not the least of which is what is going on in Iraq.

He announced his new plan last night, and it was basically what he told us there at the White House yesterday. The President admitted he had made some mistakes, and I think that is commendable, the right thing to do, because there have been mistakes made in the waging of that war. But by calling for escalation of this conflict, I think he is on the verge of making another mistake.

As I made clear in a letter to the President last Friday, along with Speaker of the House PELOSI, I oppose his new plan because it sends the wrong signal to the Iraqis, to the Americans, and to the rest of the world. President Bush is Commander in Chief, and his proposal deserves serious consideration by this body, and we will give it serious consideration.

In the days ahead, we will give his proposal and the overall situation in Iraq a thorough review. I received a call late last night from one Democratic Senator who has a proposal, early this morning from another Senator, a Democratic Senator, who has some ideas. We heard, yesterday, from Senator COLEMAN. He opposes the surge. Senator BROWNBACK is in Iraq and issued a press release saying he opposed the surge.

But we are going to have hearings. Those hearings are starting today on the war that is raging in Iraq. Tomorrow, there will be further hearings by the Armed Services Committee. In those hearings, experts will be asked about his proposal. And when the process is complete, we will have a vote in the Senate. As to when that will be, under Senate schedules, sometimes it is difficult to determine, but we will have one. I will not prejudice the outcome of the vote on the President's plan, but I will say this: Putting more U.S. combat forces in the middle of an Iraqi civil war is a mistake.

In November, voters all across the country spoke loudly for change in Iraq. That was the issue. In overwhelming numbers, they delivered a vote of no confidence on the President's opened-ended commitment and demanded we begin to bring this war to a close.

Last December, the Baker-Hamilton Commission—a respected panel of foreign policy experts who studied the law, patriots all—echoed the voters' call for change. The Commission, which included both Democrats and Republicans, determined the time has come to transition our forces out of Iraq, while launching a diplomatic and regional strategy to try to hold together this destabilized region.

But last night, the President—in choosing escalation—ignored the will of the people, the advice of the Baker-Hamilton Commission, and a significant number of top generals, two of whom were commanders in the field.

In choosing to escalate the war, the President virtually stands alone.

Mr. President, we have lost more than a score of soldiers from Nevada. The same applies to every State in the Union. From the State of Pennsylvania—I was speaking to the junior Senator from Pennsylvania—they lost more than 140. So many have sacrificed so much. They have done their job, these brave men and women. It is time for a policy, I believe, that honors their service by putting the future of Iraq in the hands of the Iraqis.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader.

ETHICS AND LOBBYING REFORM

Mr. MCCONNELL. Mr. President, let me echo the comments of the majority leader about the underlying bill. The Senate passed, essentially, this bill 90 to 8 last year. Because of difficulties in dealing with the other body, we were not able to complete the job. But the Senate is ready to act. Members on this side of the aisle are ready to act. I share the majority leader's view that we ought to wrap this important lobby and ethics reform bill up sometime next week, and we will be cooperating toward that end.

We made good progress yesterday. There are a number of other amendments to be dealt with. We expect to deal with many of them today and in the morning.

IRAQ

Mr. MCCONNELL. Briefly, Mr. President, with regard to the President's remarks last night, I think the American people would like to see us prevail in Iraq, succeed in Iraq. And the definition of ''success,'' obviously, would be a stable government and an ally in the war on terror. What prevents that is violence in Baghdad.

This plan announced last night to clear and hold Baghdad neighborhoods gives the capital city a chance to quiet down, to create the kind of secure environment that will allow this fledgling democracy to begin to function.

I think the President should be given a chance to carry this out. Rather than condemn it before it even starts, it seems to me it would be appropriate to give it a chance to succeed. If it could succeed, it would be an enormous step forward in the war on terror.

Finally, let me say, it is no accident we have not been attacked again here for the last 5 years. I hope no one believes that is a quirk of fate. The reason we have not been attacked again here at home for the last 5 years is because we have been on offense in Afghanistan and Iraq. Many of the terrorists are now dead, many are incarcerated, others are hiding and on the run.

The policy of being on offense has been 100 percent successful in protecting our homeland, and we are grateful for that, that no Americans have been attacked for 5 years.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 90 minutes, with the first half of the time under the control of the minority and the second half of the time under the control of the majority.

The Senator from Iowa.

IRAQ

Mr. GRASSLEY. Mr. President, following the other two speakers in regard to Iraq, I want to say a couple things. No. 1, anybody who criticizes what the President is proposing or anybody else is proposing or what has been done cannot get away with criticizing. There has to be another plan. I want to hear plans from people who think that what the President is doing is wrong. What would they do?

The second thing is that even the Iraq Study Group, which is very bipartisan, said there should not be a precipitous withdrawal from Iraq.

In regard to what my distinguished leader of the Republican caucus had to

say, that there has not been any attack on Americans in the 5 years since 9/11, those who are criticizing our efforts on the war against terror would be the first ones, if we had an attack this very day, of criticizing the President of the United States: Why wasn't he on top to prevent some sort of attack? And because America has not been attacked, there tends to be a short memory about the fact that we did lose 3,000 Americans. And we know it can happen again.

We know that terrorists came into O'Hare with the idea of a dirty bomb in America. We know there were people who were going to blow up bridges in New York City who were caught and the plans known. We individual Senators have been told by the CIA and by the FBI about many instances of where terrorist attacks against Americans have been stopped, and American lives have not been lost because of that. But they cannot talk about it because we do not want the terrorists to know what we know about them.

Too much attention on Iraq detracts from the fact that there are terrorists in 60 different countries around the world waiting to kill Americans. Evidence of that was American military people working with the Filipinos over the weekend to kill two terrorists connected with radical religious groups.

We finally were able to get at some of the people who should have been arrested in the previous administration, if a proper relations with Saudi Arabia had brought it about, who thought up the bombing of the embassies in east Africa when 12 Americans were killed and 200 other people were killed. We believe one of those persons was killed in a strike we were making in Somalia over the weekend. So we are involved in more than just Iraq in the war on terror.

People who forget what happened to America on 9/11, and if it happened again, some of the people who are criticizing what the President is doing would be there saying, as they were soon after September 11: Why wasn't the President on top of what happened on September 11 so it wouldn't happen again, when there were five instances of Americans being killed: 1993, 1995, 1997, 1999, before 2001, and this body passed the Iraqi Liberation Act unanimously in 1998 because President Clinton was saying what a threat Saddam Hussein was to the United States or to the world as well and that he had to go.

When you have that bipartisan support at a time when Americans are being attacked and killed—in 1993, 1995, 1997, and 1999, before 9/11 somewhere around the world—you have to stop to think, it isn't just Iraq. It isn't just Afghanistan. It isn't just 9/11. These religious radicals have been out to kill Americans going way back to 250 marines being killed in Lebanon in 1983. And there are individual instances of terrorism before that.

The war on terrorism isn't something new. What is going on in Iraq is not the war on terrorism. What is going on in Afghanistan is not the war on terrorism. The war on terrorism covers many nations, many threats to American people. The life of every one of us in this Chamber right now, if we were to go over to some parts of the world, would be threatened. We expect the President of the United States to protect us because he is Commander in Chief and because the responsibility of the Federal Government under the Constitution, No. 1, is the protection of the American people.

GOVERNMENT NEGOTIATION OF DRUG PRICES

Mr. GRASSLEY. Mr. President, I did not come to the floor to talk about Iraq. I am not on too many of the committees that deal with foreign relations and military issues. I am on the Finance Committee, serving as a team player with the capable chairman of that committee, Senator BAUCUS, to deal with health issues, tax issues, and trade issues.

One of the health issues I have been speaking on for the last several days is the issue of Medicare and prescription drugs. For 3 days you have heard this Senator say why Democratic efforts to ruin the Medicare prescription drug program by doing away with the nonintervention clause is bad for senior citizens. I will take this fourth day of speaking to quote from other experts because I don't presume that any of the other 99 Senators care what I say. I have said it anyway. But I want to back up what I have said over the last 3 days by quoting from other people whom other Senators may be listening to in the period of time between now and a couple of weeks from now when this issue of prescription drugs is going to come up.

On Monday I spoke about how the benefit uses prescription drug plans and competition to keep costs down and how well that is working. I backed that up statistically. I said it then, and I say it again: If it ain't broke, don't fix it.

I presented findings from the chief actuary at the Center for Medicare Services. And for the benefit of a new Senator chairing, this chief actuary is the one people on his side of the aisle were quoting so extensively, that there was a much higher figure coming out of the administration than what the CBO had, and there was an effort to keep that hidden—what the chief actuary said it would cost—from the Congress so that we would pass a bill that was more expensive than we said it was. And if he could be quoted then, I want people to listen to him now.

I also quoted experts from the Congressional Budget Office, explicitly rejecting opponents' claims that giving the Secretary of Health and Human Services the authority to negotiate with drug companies would produce savings.

Today I will let the words of others from across the political spectrum and from the news media do the talking. I will begin with Secretary Michael Leavitt, head of the Department of Health and Human Services, who said:

> Government negotiation of prices does not work unless you have a program completely run by the government. Federal price negotiations would unravel the whole structure of the Medicare drug benefit, which relies on competing private plans.

Just today, the Secretary wrote an op-ed in the Washington Post that if the Government was required to negotiate—I am quoting the Secretary—''one government official would set more than 4,400 prices for different drugs, making decisions that would be better made by millions of individual consumers.''

The Secretary went on to say:

> There are many ways the administration and Congress can work together to make health care more affordable and accessible. But undermining the Medicare prescription drug benefit, which has improved the lives and health of millions of seniors and people with disabilities, is not one of them.

The next person I would like to quote is Dan Mendelson, a former Clinton administration official, who now is president of a health care consulting firm that tracks Medicare prescription drug programs. Mr. Mendelson, a former Clinton administration official, said:

> From a rhetorical perspective, Democrats may feel like they gain a lot with this issue, but there are many substantive hurdles that the government faces in trying to negotiate prices. If you look historically at the government's experience in trying to regulate prices, it's poor.

That was an official from the Clinton administration. As supporting evidence, a Chicago Tribune editorial said the following:

> Richard S. Foster, the chief actuary for the Centers for Medicare and Medicaid Services, studied whether direct government negotiation would yield bigger discounts. His answer: Not likely.

One reason, he said, was Medicare's unreassuring record on price negotiations, even before this new benefit was passed.

I made the point the other day that over the last 40 years, we have seen CMS, HHS, price health care, wasting a lot of taxpayers' dollars, because the Government has overpriced things, overreimbursed things. Mobile wheelchairs is just the most recent example I have used in some of my hearings in my committee while I was chairing it.

Medicare has a history, following on what I said, of paying for some drugs ''at rates that, in many instances, were substantially greater than the prevailing price levels. Translation: The feds got fleeced.''

That is the chief actuary that people on the other side of the aisle were quoting so liberally 3 years ago. I hope they will take his analysis of what is going on now in Medicare, working well for seniors, into consideration before they screw everything up with an amendment to do away with the noninterference clause.

Now I want to show you a chart. I guess this will be the first chart. I

want to start with the Washington Post in November, when they printed a quote from Marilyn Moon, director of the health program at the American Institutes for Research. She is a former trustee of the Social Security and Medicare trust funds, a former senior analyst of the Congressional Budget Office, and the new Senator presiding will find out that the Congressional Budget Office is God here. If they say something is going to cost something, it costs something. If we think it costs less, we go by what they say. If you want to overrule them, it takes a 60-vote supermajority. Marilyn Moon is currently president of the board of the Medicare Rights Center.

She says:

This is going to be much more of a morass than people think. Negotiating drug prices is a feel good kind of answer, but it's not one that is easy to imagine how you put it into practice.

Dr. Alan Enthoven, professor at Stanford University, now emeritus—we often read his writings because he is such an expert in health care financing—wrote in the Wall Street Journal an opinion piece:

When the government negotiates its hands are tied because there are few drugs it can exclude without facing political backlash from doctors and the Medicare population, a very influential group.

Quoting further from Dr. Enthoven:

Congressional Democrats need to be careful in making the logical leap from market share to bargaining power. Empowering the government to negotiate with pharmaceutical companies is not necessarily equivalent to achieving lower drug prices. In fact, neither economic theory nor historical experience suggests that will be the outcome.

An editorial in the Dallas Morning News echoed my statement from Monday that beneficiaries do not want the Government in their medicine cabinet. A quote from the Dallas editorial:

Giving the feds the power to negotiate drug prices for seniors would effectively cede control of the pharmaceutical industry to Washington. When congressional Democrats press for this change, remember they're pushing for much more than lower prices. They're seeking to move the line where government should stop and the marketplace should start.

But let's talk about who really matters in this case. Who really matters are the beneficiaries, the senior citizens, the disabled people on Social Security, and, of course, the taxpayers ought to be given equal or more consideration. Once again, to emphasize, if it ain't broke, don't fix it.

In 2006, premiums were 38 percent lower than originally anticipated. By ''originally anticipated,'' I mean the work that was done by CMS and the Congressional Budget Office to give us information when we wrote this bill in 2003. We also find out that the net cost to the Federal Government is lower than expected. The 10-year cost of Part D has dropped $189 billion, representing a 30-percent drop in the actual cost compared to the original projections.

I ask: How many times do Government programs come in under cost? Every day we are reading about cost overruns of Government programs, and here is one that is coming in 30 percent under cost, and somebody wants to screw it up by offering amendments to change what has worked, the one lever that has brought about 35-percent lower prices for the 25 drugs most used by senior citizens, and that is on top of the 38-percent lower price for premiums to which I have already referred.

A poll of the Medicare beneficiaries by J. D. Power & Associates, which takes consumer temperatures of all sorts of products, found that 45 percent of the beneficiaries surveyed were ''delighted'' with the Medicare drug benefit. They gave their own drug plan a 10 on a 10-point scale, and another 35 percent of those surveyed gave their prescription drug plan an 8 or 9 rating on a 10-point scale. And other polls are consistent. So that is 80 percent satisfied.

All of the program's successes have been challenged at various times by this program's opponents, and each time these challenges have been proven wrong.

As the plan continues to return positive results, skeptics are beginning to change their opinion as well. I want to quote Dr. Reischauer, who is former Director of the Congressional Budget Office, and has great respect on the Democratic and Republican sides. He is a nationally known expert on Medicare. Currently, he is president of the Urban Institute and serves as vice chair of the Medicare Payment Advisory Commission.

This is a very candid statement by somebody who had their doubts about this program when it was put in place. He says:

Initially, people were worried no private plans would participate.

In other words, we were patterning it, as I said, after the Federal Employees Health Benefits Program of 50 years. We wanted to transplant that for the benefit of senior citizens in Medicare. We didn't know if our program would work, even though it worked for Federal employees. As he said, there were doubts.

Continuing to quote:

Then too many plans came forward.

Parenthetically, a heck of a lot more plans than we anticipated. We even thought at one time there were going to be so few plans, and because we wanted people to have some choice, that we were going to have to have the Federal Government subsidize an extra plan just for people to have choice. But then the complaint was too many plans.

He goes on to another point:

Then people said it's going to cost a fortune. And the price came in lower than anybody thought. Then people like me—

Meaning Dr. Reischauer—

said they're low-balling the prices the first year and they'll jack up the rates down the line.

That is what he thought.

And, lo and behold, the prices fell again. At some point you have to ask: What are we looking for here?

Let me tell you what the press is saying.

First, a Washington Post editorial represented an insightful view, saying:

A switch to government purchasing of Medicare drugs would choke off this experiment before it had a chance to play out, and it would usher in its own problems. For the moment, the Democrats would do better to invest their health care energy elsewhere.

A USA Today editorial took it a step further, saying:

A deeper look, however, suggests that the Democrats' proposal was more of a campaign pander than a fully baked plan . . . governing is different than campaigning. The public would be best served if the new Congress conducts indepth oversight to gather the facts, rather than rushing through legislation within 100 hours to fix something that isn't necessarily broken.

In other words, this Senator says, for a third time, if it ain't broke, don't fix it.

Finally, put simply by the National Review, Government negotiation ''is a solution in search of a problem and could unnecessarily disrupt a benefit that is working well for seniors.''

I am sure the Presiding Officer doesn't want to disappoint people in Montana.

What compounds the problem is the fact that neither I nor anyone else has heard Democrats explain how Government negotiation would work. I spoke a great deal about this yesterday. I am not going to go into the details of it, but I want my colleagues to hear what the New York Times says. How many times do I quote the New York Times? But when it is very useful, I like to do it.

They raise these questions about the Democrats' proposal, H.R. 4, as seen by ''many economists and health policy experts . . . as a paradox.''

On the one hand, Democrats want the Government to negotiate lower drug prices for Medicare beneficiaries, but, on the other hand, they insist that the Government should not decide which drugs are covered. I made clear yesterday, if you don't have a formulary, as the House bill does not have, you have no lever for the Government to negotiate. That is why the Veterans' Administration put in a formulary.

People say they want to do it like the Veterans' Administration does. Then why does the first bill in the House of Representatives take out the only tool by which the Veterans' Administration leverages lower prices?

Continuing the paradox issue brought up, and I am quoting from the New York Times:

The bill says the Secretary ''shall negotiate'' lower prices. On the other hand, the drug benefit would still be delivered by private insurers. Each plan would establish its own list of covered drugs, known as a formulary, and the Secretary could not ''establish or require a particular formulary.''

In the same New York Times article, James R. Lang, former president of Anthem Prescription Management—a

drug benefit manager is what he is—said this:

For this proposal to work, the Government would have to take over price negotiations. It would have to take over formularies. You can't do one without the other.

But the House bill just introduced says you can. That is a parenthetical on my part.

Continuing to quote:

Drug manufacturers won't give up something for nothing. They will want a preferred position on the Medicare formulary—some way to increase the market share of their products.

The only comparison I know of is, of course, the Veterans' Administration. I have already referred to that point. So when people come up to me and ask why the Government negotiates for veterans and not for seniors, I tell them what the Medicare system, modeled after the VA, would look like.

Yesterday I spent some time explaining what Government negotiations looked like for the VA and other Federal programs. Again, instead of listening to my words, I want my colleagues to hear what other people have said.

As explained in the Washington Post:

The veterans program keeps prices down partly by maintaining a sparse network of pharmacies and delivering three-quarters of its prescription by mail . . . Moreover, the program for veterans is in a position to negotiate hard with drugmakers because it can credibly threaten not to buy from them. Its plan excludes new medicines.

Why would any person on the other side of the aisle, or even a Republican who might want to consider doing this, want to deny any drug to a senior citizen? But the VA program excludes 70 percent of the drugs that senior citizens can get under Part D. And why would anybody backing these plans want to follow the Veterans' Administration and deliver three-quarters of the prescription drugs by mail? Do they want to ruin their community pharmacist? I don't think anybody does.

The Los Angeles Times continues the discussion, stating:

Applying the VA approach to Medicare may prove difficult. For one thing, Medicare is much larger and more diverse. VA officials can negotiate major price discounts because they restrict the number of drugs on their coverage list. Instead of seven or eight drugs for a given medical problem, the VA list may contain three or four. If a drug company fails to offer a hefty discount, its product may not make the cut.

Mr. President, the final thoughts I will leave with you today come from a letter sent by the nonpartisan Congressional Budget Office. I want to make clear to the new Senators that the Congressional Budget Office is ''god'' around here because when ''god'' speaks up and says something costs something and you disagree with them, your disagreement doesn't mean anything unless you have 60 votes to override them, a supermajority.

The Congressional Budget Office, after reviewing the Democratic bill in the House of Representatives at the request of Chairman DINGELL, the chairman of the Committee on Energy and Commerce, concluded the following, and here I am quoting again and I have a chart on this quote:

H.R. 4—

That is the Democratic bill in the House—

would have negligible effect on federal spending because we anticipate that the Secretary would be unable to negotiate prices across the broad range of covered Part D drugs that are more favorable than those obtained by PDPs under current law.

The letter continues to say:

. . . [W]ithout the authority to establish a formulary, we believe that the Secretary would not be able to encourage the use of particular drugs by Part D beneficiaries, and as a result would lack the leverage to obtain significant discounts in his negotiations with drug manufacturers.

In conclusion, the CBO's letter to Mr. DINGELL says:

. . . [T]he PDPs have both the incentives and the tools to negotiate drug prices that the government, under the legislation, would not have.

I think that pretty much sums it up. I can think of nothing more to say than what the CBO says in regard to the Democratic bill in the House of Representatives. But maybe to quantify all this, I have already said that the 25 drugs used by seniors most often—the way we price drugs now through plans negotiating for their members to drive down the price of drugs—the average price of those 25 drugs is down 35 percent. If it ain't broke, don't fix it.

As I said earlier this week, I hope we can put politics aside and focus on some of the real improvements we could be making in the drug benefit. I wrote it. There are items that need to be changed, and I mentioned some of those items on Monday. This is what we should be focusing on instead of trying to fix something that ain't broke. I still hope that reason will prevail around here.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I ask unanimous consent that each side's period of morning business be extended by an additional 15 minutes.

Ms. MIKULSKI. Mr. President, reserving the right to object, in the spirit of comity and accommodation, to clarify with the Senator, how much time does the Senator from Texas and the Republican minority have?

The ACTING PRESIDENT pro tempore. Twelve minutes remain.

Ms. MIKULSKI. Is the Senator saying another 15 minutes after that 12 minutes?

Mr. CORNYN. Mr. President, responding to the distinguished Senator from Maryland, I need 10 minutes, and my colleague from Colorado is asking for some time to speak as in morning business as well. If we can try to work that out——

Ms. MIKULSKI. Mr. President, may I offer an accommodating suggestion, that after the Senator from Texas speaks, I be allowed to speak—I need about 10 minutes—and then the Senator from Colorado can speak. But if you have your 12 and another 15, it really will cause havoc over here.

Mr. ALLARD. Mr. President, can we work out maybe an agreement for 10 minutes for Senator CORNYN, the Senator from Maryland uses her 10, and then I would like to have 15 minutes. I ask unanimous consent for that.

Ms. MIKULSKI. I have no objection to that.

Mr. CORNYN. I have no objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. I thank the Senators.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

THREAT OF ISLAMIC RADICALISM

Mr. CORNYN. Mr. President, I come to the Chamber to speak on the preeminent issue facing our country today, and that is the threat of Islamic radicalism, and specifically to respond to the comments of some of our colleagues on the other side of the aisle regarding the President's speech and the plans he has announced for our fighting forces in Iraq last night.

As I have tried to sift through the differences of opinion—and here again, among people of good will who love their country and who are true patriots—I am forced to conclude that the division or faultline falls between those who have simply given up and do not believe the situation in Iraq is salvageable and those who believe the President's plan offers the last best hope for success in Iraq.

I agree with those who say you cannot look at Iraq as if through a soda straw, as if that is the only challenge facing the United States and the Middle East, because, indeed, failure in Iraq, descension into a civil war, creation of a failed state will undoubtedly create a regional-wide conflict that will necessitate the United States and its allies reentering the conflict at some later date were Iraq unable to sustain and defend and govern itself, as the Iraq Study Group said it must.

Indeed, I believe it is incumbent upon those who say the only solution is to draw down our troops in a gradual redeployment to explain what they intend to do when Iraq descends into a failed state, creating another platform, as Afghanistan did once the Soviet Union left that country, which gave rise then to the Taliban and al-Qaida. What is their plan to deal with that consequence if, in fact, that is what occurs, if the United States leaves Iraq before it is able to sustain itself, to govern itself, and defend itself?

I congratulate the members of the new majority, but I must say, with the new majority comes not only the privilege of setting the Nation's agenda in

the Congress but also the duty of governing. It is not acceptable to merely criticize, particularly if you are in the majority. We need to know what their alternative plan is for this unacceptable possibility of failure in Iraq if, in fact, we are to cut the legs out from under the Maliki government and simply withdraw before the Iraqis are able to sustain themselves.

Mr. President, I am one of those who have not given up on Iraq and who believe that our fighting forces in Iraq are doing a lot of good. It is true, as the President said, that mistakes have been made, but it is important to recognize that the initial threat in Iraq was of a Saddam Hussein delivering weapons of mass destruction and technology about biological, chemical, and nuclear weapons to terrorists to use against us, as the terrorists did on 9/11. Even a remote possibility that might happen was unacceptable. We voted with a vote of 77 Senators—on a bipartisan basis—to authorize the President to use military force to take out Saddam Hussein.

I don't need to recount the failures of our intelligence community that led us to erroneously believe he actually at that time did have weapons of mass destruction. But there is no question at all that Saddam Hussein sought weapons of mass destruction, much as his neighbor now to the east, Iran, seeks nuclear weapons itself. It is simply unacceptable, in a world where there are those driven by a radical ideology that celebrates the murder of innocent civilians, as al-Qaida and other Islamic radicals do, to allow them to get weapons of mass destruction and then to use them on innocent civilian populations, whether it is in the United States or abroad.

It is true that the President has said that this is a test for the Maliki government. We are putting a lot of reliance, yet pressure, on the Maliki government to perform. When Prime Minister Maliki said he will stand up to the death squads and Shiite militias, like that of al-Sadr, we will hold him to his word.

It is absolutely critical to the success of reconstruction in Iraq, to a peaceful self-determination through a democratic form of government, that the security situation in Iraq be stabilized. The only way that is going to happen is if a lawful government of Iraq obtains a monopoly on the legal use of force in that country. Right now, the people of Iraq don't trust their own Government to provide that sort of security, so they have broken down along sectarian lines and relied upon Shiite militias and other extralegal groups to try to provide that security. But what happened is that we have seen retribution killings between different ethnic groups. But the threat is that sort of sectarian violence is not going to be contained just to Iraq but will spill over into the region. Iran will use the opportunity of Shiite violence to exact ethnic cleansing on Sunni populations in Iraq. Iran will use its ability to expand its influence into Iraq, perhaps to expand its own borders.

That will not go without some response by the Sunni majority nations in the Middle East. Saudi Arabia, for example, has already expressed grave concern that if the Shiite militias and others continue to exact violence upon the Sunni population, they may very well find a necessity to become involved and, indeed, we know that what some people view as if through a soda straw, violence in Iraq will become a regional conflict.

Is there any doubt that if, in fact, we fail in Iraq because we have given up, because we don't believe Iraq and the Middle East is worth this last best chance for success, is there any doubt that the oil and gas reserves in that region of the world will be used as an economic weapon against the United States? So not only will we have a security vulnerability using that platform of a failed state as a launching pad for future terrorist attacks, much as al-Qaida did in Afghanistan following the fall of the Soviet Union in that country, but is there any doubt that in addition to additional terrorist attacks in the United States and among our allies and around the world, that the oil and gas reserves in that region will be used as an economic weapon to wreak a body blow against the rest of the world?

So with winning the election on November 7 and gaining the majority and the mandate of the American people comes responsibility. The responsibility of our Democratic colleagues is to point out what their plans are when Iraq fails if we do not even try, as the President has proposed last night, to salvage the situation there by a change of course, by working with our Iraqi allies, backing them up, stiffening their backbone, to restore the security environment there so that reconstruction and democracy and self-government can flourish. I don't know whether it will work. I don't know whether anyone can ever guarantee in a time of war that one side or the other will be successful. But the consequences of giving up and of failure are simply too horrendous to contemplate, present too great a risk to the American people and civilized people around the world, for us not to try.

That, to me, is the choice we have been given—between trying, using the last best effort we can come up with through this change of course in Iraq, or simply giving up. I would like to hear from our colleagues what their plan is if Iraq does descend into that failed state, if a regional conflict occurs and it then becomes necessary at a future date not to send an additional 20,000 American troops but far more to protect America's national security interests.

I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Maryland is recognized for 10 minutes.

IRAQ

Ms. MIKULSKI. Mr. President, I yield myself 10 minutes of the time controlled by the majority.

Last night, President Bush asked the American people to support a surge of military troops in Iraq. Many are using the term ''surge,'' though the President didn't. Make no mistake, this is a dramatic escalation of our troop presence in Iraq. In the debate leading into the President's speech, the term ''surge'' was used, which implied something that was limited and temporary. An escalation is where we are heading, which means a long-term commitment with no end in sight.

We are in a hole in Iraq, and the President says the way to dig out of this hole is to dig deeper. Does that make sense? When you are in a hole, do you get out by digging deeper? This is a reckless plan; it is about saving the Bush Presidency, it is not about saving Iraq.

Before Congress can act on this plan—and act we must—there are several questions that need to be answered. I need those answers, you need those answers, the American people need those answers and, more importantly, our troops and their families need those answers. Is this policy achievable? Is it sustainable? What is the President's objective in calling for this escalation of troops? Who is the enemy? Does the Bush administration even know anymore? When our troops are embedded with Iraqi forces, are they going to shoot Sunnis or Shiites? Are we taking sides in a civil war? I don't think we know. What is the Iraqi Government going to do for itself? We suddenly have something called benchmarks. Where have those benchmarks been for the last several years? What is going to be the political solution that only the Iraqis can do to resolve the power sharing with Sunni, Shiite, and Kurds? Where are the oil revenues that were talked about to pay for this war? When is the Iraqi Government going to end the corruption in their own ministries so that they can come to grips with services, security, and power sharing and oil revenue sharing?

Who is going to disarm the militias and insurgents and, more importantly, who is going to keep them disarmed? Are we going to be in those neighborhoods forever? Where are the troops going to come from for this escalation? Our military, our wonderful military is worn thin. Also, how are we going to pay for it? While China builds up its reserves, we build up our debt.

Make no mistake, though. U.S. troops cannot do what the Iraqi Government will not do for itself. Iraq needs a functioning government that produces security and services for its own people. It needs a government of reconciliation that will function on behalf of the Iraqi people. Iraq needs its own security forces up and running. No matter what training we give them, they have to have the will to fight. They need to put an end to the sectarian violence, and they need to end

this corruption in their own ministries to get oil production moving and a way to share those oil revenues.

There are those who say: Well, what about supporting our troops? I absolutely do support our troops. And for those troops who are in Iraq, let me say this: Your Congress will not abandon you.

But the best way to support the troops is not to send them on this reckless mission. The best way to support our troops is to bring them home safely and swiftly. That is why I voted against this preemptive war in the first place. In my speech when I was 1 of the 23, I said: We don't know if we will be greeted with flowers or landmines. I said: We shouldn't go to Iraq on our own. We need to go with the world if, in fact, the weapons are there.

Well, from the very beginning, everything the Congress and the American people have been told by this administration has proven not to be so. It has either been an outright lie or dangerously incompetent. The President asked the Congress to vote for a preemptive war because Iraq was supposed to have weapons of mass destruction that posed an imminent danger to the United States. Well, the Congress gave the preemptive authority. However, the weapons of mass destruction were not there.

I say to my colleagues, after all of those troops we sent, weren't you filled with shock and awe to find out there were no weapons?

Then, the administration sent Colin Powell to the United Nations to make the case for war. He is one of the most esteemed Americans in the world, and the Bush administration set him up. Then—CIA Director Tenet said it was going to be a slam dunk. To this day, Colin Powell cries foul about what happened to him at the U.N. How can we trust the data or judgment of an administration that continually gives us this fiasco?

Now, what about President Bush's good friend, Prime Minister Maliki? I listened to my colleague from Texas. He said: Are we giving up on Maliki? The question is, is Maliki giving up on Iraq. Are we cutting the legs out from Maliki? I say no, Maliki's government has no legs. They are not involved in dealing with the corruption, with power sharing. It is the same Maliki who told our U.S. marines they couldn't go into a neighborhood to go after a Shiite cleric called al-Sadr, who bankrolls attacks on American soldiers. Is Maliki an honest broker in Iraq or is he someone who represents the Shiites?

I don't have confidence in what we have been told by this administration, and I have very serious doubts about the will of the administration of Prime Minister Maliki. Make no mistake—and I feel so deeply about this—a great American military cannot be a substitute for a weak Iraqi Government. The stronger we are, the more permission we give the Iraqis to be weak.

We were challenged a few minutes ago to say: Well, what is the alternative? I say let's use the ideas that have come from our commanders, which have now been put aside, the Iraq Study Group, and others within the region. Let's use Baker-Hamilton as a starting point. Let's send in the diplomats before we send in the troops. I don't embrace all of the recommendations of the Iraq Study Group, but it is a bipartisan way of going forward. It was not reckless. Once we send in those troops, it is irrevocable. I think we need a new policy, and I think we need a new direction. I think Baker-Hamilton gave us a good direction to pull us together to go in, and I think that is where we need to go.

Let me conclude by saying this: To our outstanding men and women in uniform who are already in Iraq, you have a tough job, and we are proud of you. Neither the Congress nor the American people will ever abandon you. But to those troops who are waiting to head to Iraq, the best way to support you is to say no to the President's reckless, flawed escalation of this war in Iraq.

Again, let's send in the diplomats, not the troops.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Colorado is recognized for 15 minutes.

EVOLVING DISASTER IN COLORADO

Mr. ALLARD. Mr. President, I rise today to call to the attention of the Members of the Senate an evolving disaster that is occurring in parts of eastern Colorado as well as parts of Nebraska, Oklahoma, New Mexico, and Kansas and to concur with statements made earlier this week by my colleague, Senator ROBERTS from Kansas. On Monday, my friend from Kansas stated that he rose to call attention to what can only be described as a major disaster. I agree with Senator ROBERTS, there can be no doubt that we are dealing with a disaster in the West.

Over the last few weeks Colorado and its neighbors have experienced record-setting blizzards. In some parts of Colorado the storms dropped almost 5 feet of snow which has drifted in some cases to a size of 15 feet. I stand about 6 feet 1 inch, so to get some perspective, 5 feet of snow would leave my neck and shoulders just out above the snow. It is tough to get around in and a nightmare if you have to tend to livestock, but that is what folks in Colorado, and in the neighboring States have done. In fact, so much snow has fallen in Baca County down in southeastern Colorado that weather stations that transmit data including snowfall were unable to send information because they were buried under a number of feet of snow.

Let me reiterate that there was so much snow in Baca County that they were unable to measure it. This has created a horrendous situation for many in the West. Thousands of cattle and other livestock are currently stranded without food or water. Many have died due to the freezing temperatures. I have here a photo of an animal that is caked with several inches of snow. There are ice sickles falling down off of the nose of the animal and off of the underbelly of the animal. This is a hearty animal. Most animals that have suffered this kind of condition would not survive. The reason I point this out to the Members of the Senate is it just shows how ferocious this particular storm was and how serious of an impact it has had on the animals. This doesn't occur unless you have very severe blizzard conditions with lots of snow accompanying it.

The aftermath of these devastating blizzards continues to paralyze many counties in Colorado and the West. Dozens of communities have experienced severe economic damage and loss as a result of these blizzards. These storms have created a dire situation. Thousands of local men and women have banded together and are working to provide relief to their neighbors and to the tens of thousands of livestock facing starvation. In the tradition of the West, local individuals have pulled together and spent much of their holiday season trying to dig each other out and reach stranded livestock.

These storms struck during a time of year when ranchers in Colorado are preparing for the National Western Stock Show, one of the largest stock shows in the world. The stock show is an important opportunity for ranchers to show stock and to make contacts. Now in its 101st year, this year's stock show has seen a marked drop in attendance due to these storms.

A story in the Rocky Mountain News was ''No-Show Stock Show.'' I have received reports that livestock pens are sitting empty at the stock show and that the number of exhibitors is down. This is because the animals that would fill the pens are fighting for their very survival and the ranchers who would typically exhibit simply can't make it because they are trying to save their stock. Folks aren't at the stock show because they are back home trying to help one another deal with the aftermath of these major storms. Locals are trying to do all they can.

I am grateful for the assistance that the National Guard and FEMA have provided. Unfortunately, more help is needed. The vicious combination of blizzards was especially hard on eastern Colorado and the farmers and ranchers who call this part of Colorado home.

The part of Colorado hardest hit by these blizzards is also one of the most important agricultural regions in our Nation and is an epicenter for cattle production. Ranchers in this part of the State are currently racing against time in an attempt to locate cattle that have been stranded without feed or water. Unfortunately, as each day

goes by, the death toll increases. I have confirmed reports that the livestock loss has already reached into the thousands, and the tally is steadily growing.

I have a photo that reflects how devastatingly some of the herds have been impacted. We have live cattle back here, and down here dead cattle. This photo reflects how all the cattle bunched together for warmth during the storm, and as a result, we have dead animals clustered together down here in this lower part of the photo that I bring to the Senate. It is a gruesome scene. This loss will have a very severe economic impact on this particular farmer and rancher. Unfortunately farmers and ranchers all over the State of Colorado and our neighbors to the east are facing similar situations.

I grew up on a ranch, and I know all too well when your livestock is threatened, then so is your livelihood. Indications are that a tragic scene is developing in Colorado as cattle succumb to the elements due to a lack of food or a lack of water or from extreme exposure.

Colorado's Governor has declared a state of emergency and has requested help from the Federal Government. I support this request and have transmitted my support for Federal aid to the White House. On Sunday, President Bush made an official emergency declaration for parts of Colorado. I am thankful for the President's attention to this crisis and the time he and his staff put in on this situation, working through the weekend to help Colorado producers. By signing this declaration on Sunday night, the President showed that he is a man familiar with ranching and understands how devastating this situation is for rural Colorado.

The efforts of the President freed up valued aid from FEMA for snow removal for which I am grateful. As you can see from this particular picture, we have a roof that collapsed from the weight of the snow. It is just part of the picture, but I think it again reflects how the utilities and the infrastructure in areas of Colorado have been impacted. These impacts include the closure major highways and one of the country's busiest airports. I am grateful for the aid from FEMA. Local officials have been offering aid from the start and others from their office have swarmed to Colorado to offer assistance. They have a temporary headquarters set up in a Holiday Inn off the highway. Even in these less-than-ideal conditions, they are committed to helping folks in Colorado. This photo depicts the need, it shows a roof that collapsed from the weight of the snow.

Last night I was informed by FEMA officials that upon receipt of appropriate paperwork from Colorado, up to six additional counties could be eligible for assistance. Those counties that could be added to the President's original emergency declaration are Baca, Bent, Crowley, El Paso, Prowers, and Pueblo Counties. In the coming days and weeks, I will continue to work the FEMA officials to see if other Colorado counties will be eligible. We appreciate the assistance FEMA has provided and their continued efforts.

One of the most pressing matters that needs to be addressed is livestock aid. We desperately need aid for livestock rescue and recovery. The need for livestock aid becomes more pressing with each passing minute. I am hopeful that short-term relief will be forthcoming very soon.

To address this need in the long term I have introduced a bill with colleagues from other affected States. The Livestock Assistance Act of 2007 will provide aid to farmers and ranchers for livestock recovery and assistance to help cover the costs of the livestock losses created by these storms. I am hopeful that my colleagues in the Senate can appreciate the vital nature of this bill and act quickly on it. As I stand here today, another storm is on its way to Colorado, bringing Arctic cold and a prediction of up to another foot of snow. We are in a tough spot out West, and I ask that all necessary Federal resources be made available to Colorado and other Western States suffering the devastation brought on by these historic storms.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I yield myself 10 minutes of the time controlled by the majority. I ask unanimous consent that Senator JACK REED be recognized for 10 minutes at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TIME FOR A CHANGE

Mr. CARDIN. Mr. President, on November 7, the voters in Maryland and all around the Nation voted for change. Ten new Senators were elected to this body, six defeating incumbents.

After serving the people of Maryland for 20 years in the House of Representatives, I am honored that they have sent me here, to the other side of the Capitol, where I will continue to fight on their behalf.

The voters in Maryland and across the Nation sent a clear message on November 7: It's time for a change.

Our constituents want things done differently in Washington. They want their interests put before the special interests.

Therefore, it is appropriate that the Senate's first order of business is ethics legislation that will bring greater transparency and fairness to the political process in Washington and help restore the American people's confidence in their Government.

The American people also called for a reordering of our priorities. They want Congress to respond to the needs of families fighting for the American dream.

They want their children to have a better chance at that dream, and they know that achieving it is impossible without stronger communities, access to quality health care, and better educational opportunities. They want to raise their families in an energy-independent Nation with cleaner air and water. They want a country that respects the rights of all, and that celebrates and embraces our diversity.

But the loudest cry in November was the call for a change in our policies in Iraq. Americans overwhelmingly want to see our troops begin to come home and they don't want to see thousands of additional troops go to Iraq.

Iraq is a country today torn by civil war. Victory in Iraq will not be achieved with our military might. It will come only from successfully aiding Iraq in establishing a government that protects the rights and enjoys the confidence of all its people. It must be a government that respects both human rights and democratic principles. The efforts of U.S. soldiers, no matter how heroic, cannot accomplish these objectives for the Iraqis.

For 4 years, our soldiers have helped the Iraqis in ousting Saddam Hussein, providing security to the country and advising and training Iraqi security forces.

Our soldiers have performed their responsibility with bravery and devotion to their country. We honor their service. More than 3,000 soldiers have made the ultimate sacrifice and many more have suffered life-changing injuries.

It is well past time for a change in strategy in Iraq. The circumstances on the ground are worsening. Last June, I laid out a plan for success in Iraq. It started with reducing our combat troop levels and having the Iraqis take greater responsibility for the defense of their own country. It stressed the need for diplomatic and political solutions—with the international community engaged in negotiating a cease fire with the warring militias.

I called on greater support from our allies in helping us to train the Iraqi security forces.

And last June, I spoke about the need for a negotiated government in Iraq that would represent all of its ethnic people—Sunnis, Shia and Kurds.

Last month, the Iraq Study Group came forward with similar recommendations—highlighting the need for the President to start drawing down troops. Many military experts agree, including some of our generals on the ground.

As GEN George Casey recently said:

> It's always been my view that a heavy and sustained American military presence was not going to solve the problems in Iraq over the long term.

On November 7, the American people told us that they too agree that it's time for a change in Iraq.

So when President Bush said several weeks ago that he was reevaluating the

situation in Iraq and would announce a new policy shortly after the new year, there was great hope that the President, Congress and the American people could come together with an effective new policy to help the people in Iraq and advance U.S. interests.

Unfortunately, that was not the case. President Bush has decided to ignore the advice of the Iraq Study Group, many of his own military officials and the American people in making his decision to send 20,000 additional American troops to Iraq.

The President's announcement last night represents more of the same, more ''staying the course,'' just now with more American troops in harm's way. An escalation of U.S. troops in Iraq is counterproductive.

Former Secretary of State Collin Powell recently said:

> I am not persuaded that another surge of troops into Baghdad for purposes of suppressing this communitarian violence, this civil war.

We need a surge in U.S. troops coming home, not a surge in those going to war. We need a surge in diplomatic and political efforts to end the civil war. We need a surge in the urgency of the U.S. engagement of the international community to deal with its regional politics and problems in the Middle East.

This Congress has a responsibility to our citizens to evaluate a clear record of the facts in Iraq.

The hearings taking place in the Armed Services and Foreign Relations Committees are vital. But our responsibility goes well beyond the hearings. Individually and collectively, we must act with our voices and our votes, speaking out vigorously and taking action against the continued mismanagement of this war.

The American people deserve an opportunity to hear from military experts and administration officials on the consequences of a surge in troops in Iraq. Congress has a responsibility to scrutinize this plan and offer its own recommendations.

In October 2002, in the other body of Congress, I voted against giving the President the right to use force in Iraq. I am proud of that vote. As a Senator, I have the responsibility to acknowledge where we are today and take action that is, in my view, in the best interest of Maryland and the Nation.

I want the U.S. to succeed in Iraq and in the Middle East. I want our soldiers to return home with the honor that they deserve. I want to work with my colleagues to strengthen our military and to make sure that promises made to our veterans are promises kept.

We can achieve these objectives, but they would be more achievable if the President would act on the overwhelming evidence and work with this Congress to truly set a new direction in Iraq. We must begin by starting to bring our troops home, not by escalating troop levels. We need to engage and energize the international community, including our traditional allies as well as other countries in the Middle East. Our primary focus must be extensive political and diplomatic negotiations directed toward the twin goals of a cease-fire and a lasting and stable Iraqi Government. Let that be our mission.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

Under the previous order, the Senator from Rhode Island is recognized for 10 minutes.

A CHANGE IN IRAQ POLICY

Mr. REED. Mr. President, last evening President Bush spoke about Iraq. His speech represented perhaps a change in tone but not a fundamental change in strategy, and the American people were looking for a fundamental change in strategy. They were particularly looking for this change based upon the recommendations of the Iraq Study Group. These are distinguished Americans who have dedicated themselves to public service, bipartisan individuals who thoughtfully and carefully looked at the situation in Iraq and made a series of proposals, most of which the President apparently ignored.

The American people are deeply concerned about the course of our operations in Iraq. They are incredibly supportive, as we all must be, of the soldiers, the marines, the sailors, the airmen and airwomen who are carrying out this policy, but they are deeply concerned. One of the things that has characterized the President's approach to Iraq for so many years has been the discussion of what I would describe as false dichotomy—false choices. You can recall, in the runup to the conflict in Iraq, the President said we have two choices—invade the country, occupy it indefinitely, or do nothing. Of course, those were not all the choices.

We had the ability to interject U.N. inspectors to do the things which we thought were important, which is to identify the true status of weapons of mass destruction—and that was rejected out of hand. We had diplomatic options. We had limited military options. If, as was suggested, there were terrorists lurking in the Kurdish areas, we could have used the same approach as we used a few days ago in Somalia, a preemptive targeted strike, targeted on those whom we had identified as terrorists. All of that was rejected.

Then the President undertook a strategy which I think was deeply flawed, which has led us to a situation now where the emerging threat of Iran is much more serious. Iran has seen its strategic position enhanced by the Bush strategy.

Of course, we know now the incompetence of the occupation of Iraq, the decisions made in Washington about debaathification, about dismantling the Iraqi Army, about spending so many months in denial of the spreading insurgency have led us to this day. After all of that, the American people were looking for something more than a so-called surge.

I say so-called because this is not a surge. This is a gradual increase in troops—20,000 troops approximately in the Baghdad area, and additional Marine forces in Al Anbar Province. It is gradual because our Army and Marine Corps are so stretched that they could not generate an overwhelming force in a short period of time. In fact, due to the policies of this administration, we lack an adequate strategic reserve. Our Army Forces who are not deployed to Iraq are, in so many cases, unready principally because of equipment problems, to rapidly deploy. That I think is a stunning indictment of this administration.

But this gradual escalation is not, I think, going to accomplish the goal and objective that the President talked about. One of the critical aspects of this is that even though 20,000 troops will represent billions of dollars of additional expense and put a huge strain on the Army and Marine Corps, it is probably inadequate to the task of a counterinsurgency operation in a city such as Baghdad, a city of roughly 6 million people. Lieutenant General David Petraeus who has been nominated to take over the operations in Iraq, replacing General Casey, spent the last several months coauthoring a new field manual on counter-insurgency, and one point they make in this field manual is that counterinsurgency operations require a great deal of manpower.

At a minimum, the manual suggests 20 combat troops for every 1,000 inhabitants. That would mean Baghdad, with roughly a population of 6 million people, would require, according to the manual, 120,000 combat troops. The additional 20,000 troops the President is suggesting will hardly make that total of 120,000 combat forces. I know there will be Iraqi forces there, but those forces have proven to date to be less than reliable. They are motivated, not so much by a military agenda but by sectarian agendas. They are often overruled by their political masters in the Iraqi Government.

So as a result, the increase of forces is probably inadequate to accomplish the mission the President wants. That is not according to some subjective view; it is based upon the best thinking of the best minds in the Army and the Marine Corps. For that reason alone, the President, I think, has to ask himself after the speech, Why am I doing it?

The other huge cost is not just in terms of money, in terms of stress on

the regular Army and Marine Corps, but inevitably we are going to have to reach out, once again, to our National Guard, those men and women who have served so well, the citizen soldiers we call upon, again. They will receive an additional burden to bear. Again, probably not in sufficient numbers with a 20,000 deployment to achieve and guarantee success.

The other factor here, too, is it will literally take the pressure off Iraqi forces and Iraqi political leaders to do the job that they must do. The issues in Iraq, the issues of counterinsurgency are fundamentally more political than they are military. That is what we are seeing today in Iraq. It requires political will. It requires political competence to succeed. That will and confidence must be the Iraqis' primarily, not that of the United States.

What I think is happening in Iraq today is this Government is essentially a Shia government. They feel they are winning. They are accomplishing the goals they won't articulate but that seem to be obvious from the pattern of their behaviors: to marginalize the Sunnis so they never again will be in a position of dominating Iraq, consolidating Shia power in the south of Iraq, using probably the model of the Kurds in the north. If you go to Iraq, the area which is the most successful, prospering, is the Kurdish area. If you look at it and ask why, they have their own militia, they have their own virtual autonomy, they have access to oil, and they are doing quite well.

Again, that is what the Shia intend for themselves. That, of course, leaves the Sunnis in an area where they face an existential conflict. If things continue as they are today, they will be absolutely and totally marginalized in Iraqi society. The Shia, still harboring fears after years and years of domination and horrific tyranny by Sunni leaders, are unwilling to compromise.

Unless we can forge some type of reasoned compromise, it is very likely the future of Iraq is one of political fragmentation, if not formal disintegration. I think the best and perhaps the only leverage we have as a nation is to suggest to Shia leaders that we are not going to give them an open-ended commitment.

I was pleased last evening to hear for the first time the President say something my colleague CARL LEVIN has been stressing for almost 2 years now, a simple statement by the President to the effect that there is not a blank check to the Iraqi Government. I fear those perhaps are just words because in the same speech he is talking about increasing our military forces there, increasing our support to the Iraqi security forces. That is where we have our leverage. I don't think the President is quite yet willing to use that leverage. More importantly, until we do exert that leverage, the milestones the President talked about—the milestones which were announced months ago by the Iraqis and still are unfulfilled—will remain unfulfilled.

The political issues have not yet been resolved by the President. Without political cooperation and political commitment by the Iraqi Government, the number of forces we have in the country is a secondary matter. What I think the Iraqi political leaders—the Shia government and the Maliki government, with Hakim and the Badr organization and Moqtada al Sadr and Maahdi army, all part of this government—what they would be quite willing to do is to have us conduct operations in Sunni neighborhoods in Anbar Province, but what will be left undone is confronting, in a serious way, the Shia militias which are also part of the problem.

If you go to Iraq, as many of my colleagues have, as I have, and you talk to the Prime Minister or the Minister of the Interior, they recognize there is an insurgency. It is a Sunni insurgency. They would be very happy for us to conduct operations against the Sunnis. But they are very unwilling to take the steps that are necessary to provide a check on Shia militias and Shia operations in that country.

There is another long-term consequence of the President's speech which may be, in the longer term, the most important. Any strategy of the United States—increasing troops, redeploying troops, training Iraqi forces—requires as an essential element, public support of the people of the United States. The people spoke last November and in a very convincing way said they need to see a change in course in Iraq. They continue to speak—not just in the formal polls, but go out to the coffee shops, walk the streets of this country, all across this country, and you will discover the great concern and disquiet the American public has about the President's policy in Iraq.

Nothing changed last evening, fundamentally. In fact, the President actually predicted that this increase in troops is likely to create more chaos in Baghdad, more casualties. That is the nature of committing more troops to intense combat operations in an urban area. The American public will have a very difficult time squaring that with the assertion this is the way forward. I fear they might abandon support for any type of significant commitment to the region.

This is a very dangerous precedent that could be emerging today. The President, in disregarding popular opinion, is running the risk of alienating that opinion in a way in which we cannot conduct serious operations there for limited missions in Iraq and elsewhere.

We have a very difficult situation. We have a situation in which we have to begin to manage the consequences of the administration's failures. This is not a question of winning or losing. This is a situation of managing a situation that is deteriorating rapidly and, some fear, irreversibly. In doing that, we have to adopt a strategy that is consistent with our resources—our military personnel, our diplomatic resources, our economic resources, and the political support of the American people.

That strategy rests in the context of a phased withdrawal of our forces from Iraq, a refocusing of our mission to specific areas which is more consistent with our national interests than trying to arbitrate and settle the sectarian civil war. These missions would be training Iraqi security forces so the country does not collapse because of chaos and anarchy; focusing attention on those small elements of international terrorists who are there, many of whom came after the fall of Saddam—not before; of indicating to the regional powers that we would not tolerate gross violations of the borders of Iraq or gross intervention in the political affairs of Iraq. These are missions that can and should be done, and they don't require an increase of troops. In fact, I would suggest they require a redeployment of our troops.

The real challenge is—and the President alluded to it without indicating to the American public confidently and surely that these milestones are being accomplished—that the Iraqi Government, the Maliki government, must undertake serious reconciliation. I think the temper of that Government at the moment is not to do that because they feel they do not have to.

Second, they have to begin to spend their own money. I was aware of the significant money—upwards of $13 billion that the Iraqi Government is sitting on—they are not spending. I hope the American people were paying attention when the President announced the Iraqis are promising to spend $10 billion for their own benefit. We have been pouring billions of dollars into Iraq for reconstruction and economic revitalization and the Iraqis have been sitting on billions of dollars when their survival and the integrity of the country is at stake. Something is wrong. They have suggested they will spend the money, but only time will tell because so far they have been extremely reluctant to spend resources unless they benefited their own sectarian community. If that continues, this will be another idle promise.

There is one issue, too, that the President did not talk about which is essential to progress in Iraq. It is not democracy and freedom—all the buzzwords—because, frankly, what democracy means in Iraq to the Shia is Shia control. What democracy means to the Sunni is Sunni control. That is one of the reasons they are having sectarian struggle.

What we need now more than democracy and freedom and elections is governmental capacity, ministries that actually can serve the people of Iraq so they feel they have a stake in their Government and the Government can respond to their basic needs. They have ministers in Iraq today who are political operatives. The Minister of Health is a devotee of Moqtada al Sadr and the

Maahdi army and will refuse to adequately supply hospitals in Sunni areas. We have repeated examples where the ministries of Iraq are not only nonfunctional but deliberately so. Until they help them, or someone helps them, there won't be a government to rally around for the Iraqi people because the Government provides nothing to them.

This is a long list of items that has to be accomplished. I am not confident, after the President's speech, that any of this will be done by the Iraqi Government, nor am I confident at all that an additional 20,000 troops in Baghdad will make a decisive military difference. I believe the President has to go back to the drawing board to craft a truly changed strategy that will be consistent with our strategic objectives in the region, consistent with our resources, and consistent with the will and desires of the American people. I hope he does that.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, at this time I yield back any remaining morning business time.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 1) to provide greater transparency in the legislative process.

Pending:

Reid amendment No. 3, in the nature of a substitute.

Reid amendment No. 4 (to amendment No. 3), to strengthen the gift and travel bans.

DeMint amendment No. 11 (to amendment No. 3), to strengthen the earmark reform.

DeMint amendment No. 12 (to amendment No. 3), to clarify that earmarks added to a conference report that are not considered by the Senate or the House of Representatives are out of scope.

DeMint amendment No. 13 (to amendment No. 3), to prevent government shutdowns.

DeMint amendment No. 14 (to amendment No. 3), to protect individuals from having their money involuntarily collected and used for lobbying by a labor organization.

Vitter/Inhofe amendment No. 9 (to amendment No. 3), to place certain restrictions on the ability of the spouses of Members of Congress to lobby Congress.

Vitter amendment No. 10 (to amendment No. 3), to increase the penalty for failure to comply with lobbying disclosure requirements.

Leahy/Pryor amendment No. 2 (to amendment No. 3), to give investigators and prosecutors the tools they need to combat public corruption.

Gregg amendment No. 17 (to amendment No. 3), to establish a legislative line item veto.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 11

Mr. DURBIN. Mr. President, I come to the Chamber to discuss DeMint amendment No. 11 which relates to earmark reform.

First, let me say that I welcome the Senator's efforts to strengthen this bill. We certainly all have a mutual interest in making this process more transparent. Senator DEMINT, in his amendment language, adopts the language passed by the House in several important ways. As we move through the process, we are going to work together to ensure that the earmark provisions are carefully crafted and as strong as possible.

Unfortunately, overall the DeMint language is not ready for this bill. The DeMint amendment defines earmarks to include amounts provided to any entity, including both non-Federal and Federal entities. The Reid-McConnell definition which is before the Senate covers only non-Federal entities. On its face, the DeMint language may sound reasonable. After all, I have no problem announcing to the world when I have secured funding for the Rock Island Arsenal in my State. But the DeMint language is actually unworkable because it is so broad.

What does the Appropriations Committee do? It allocates funds among programs and activities. Every appropriations bill is a long list of funding priorities. In the DeMint amendment, every single appropriation in the bill—and there may be thousands in any given appropriations bill—would be subject to this new disclosure requirement, even though in most cases the money is not being earmarked for any individual entity. How did we reach this point in the debate?

There is a concern expressed by some that there is an abuse of the earmark process. When you read the stories of some people who have been indicted, convicted, imprisoned because of earmarks, it is understandable. There was a corruption of the process. But as a member of the Senate Appropriations Committee, I tell my colleagues that by and large there is a race to the press release. Once you put an earmark in to benefit someone in a bill, you are quick to announce it—at least I am because I have gone through a long process evaluating these requests and come up with what I think are high priorities. So there is transparency and there is disclosure.

The purpose of our debate here is to consider reasonable changes in the rules to expand that disclosure. Senator DEMINT is talking about something that goes way beyond the debate that led to this particular bill. We are not talking in his amendment about money that goes to non-Federal entities—private companies, for example—or States or local units of government. Senator DEMINT now tells us that we have to go through an elaborate process when we decide, say, within the Department of Defense bill that money in an account is going to a specific Federal agency or installation. That is an expansion which goes way beyond any abuse which has been reported that I know of. Frankly, it would make this a very burdensome responsibility.

If I asked the chairman, for example, to devote more funds to the Food and Drug Administration to improve food safety—think of that, food safety, which is one of their responsibilities—that is automatically an earmark under the new DeMint amendment, subject to broad reporting requirements. No one can be shocked by the suggestion that the Food and Drug Administration is responsible for food safety. They share that responsibility, but it is one of theirs under the law. So if I am going to put more money into food safety, why is that being treated as an earmark which has to go through an elaborate process? I think that begs the question. Every request, every program, money for No Child Left Behind, for medical research at the National Cancer Institute, for salaries for soldiers, for combat pay for those serving in Iraq, for veterans health programs, every one of them is now considered at least suspect, if not an odious earmark, under the DeMint amendment. It is not workable. It goes too far.

In other instances, the DeMint amendment does not go far enough. To pass this amendment at this time could, down the road, harm the Senate's efforts to achieve real earmark reform.

Many of us on the Appropriations Committee happen to believe that the provisions in tax bills, changes in the Tax Code, can be just as beneficial to an individual or an individual company as any single earmark in an appropriations bill. If we are going to have transparency in earmark appropriations, I believe—and I hope my colleagues share the belief—that should also apply to tax favors, changes in the Tax Code to benefit an individual company or a handful of companies. The DeMint amendment does not go far enough in terms of covering these targeted tax benefits. The language already in the Reid-McConnell bipartisan bill strengthens the earmark provisions passed by the Senate last year by also covering targeted tax and trade benefits. The Reid-McConnell language on targeted tax benefits is superior to the DeMint amendment. The DeMint amendment, in fact, weakens this whole aspect of targeted tax credits and their disclosure.

Reid-McConnell covers ''any revenue provision that has practical effect of

providing more favorable tax treatment to a particular taxpayer or a limited group of taxpayers when compared with other similarly situated taxpayers.'' That is the language from which we are working. Consider what it says: favorable tax treatment to a particular taxpayer or a limited group of taxpayers compared to others similarly situated. That is a pretty broad definition. It means that if you are setting out to give 5, 10, 15, or 20 companies a break and several hundred don't get the break, that is a targeted tax credit which requires more disclosure, more transparency.

The DeMint amendment covers revenue-losing provisions that provide tax credits, deductions, exclusions, or preferences to 10 or fewer beneficiaries or contains eligibility criteria that are not the same for other potential beneficiaries. The Senate should not be writing a number such as 10 into this law or into the Senate rules, creating an incentive for those who want a tax break to find 11 beneficiaries to escape the DeMint amendment.

The Reid-McConnell amendment establishes a definition with flexibility so that facts and circumstances of the particular tax provision can be considered. There may be instances when a tax benefit that helps 100 or even 1,000 beneficiaries should be considered a limited tax benefit. Our bill provides that. The DeMint amendment weakens it and means that more of these targeted tax credits will escape scrutiny.

Second, in the interest of full disclosure, the Reid-McConnell approach requires that the earmark disclosure information be placed on the Internet 48 hours before consideration of the bills or reports that contain earmarks. The DeMint amendment does not have a similar provision. Why would he want to weaken the reporting requirement? That is, in fact, what he does. Under the DeMint amendment, information about earmarks must be posted 48 hours after it is received by the committee, not 48 hours before consideration of the bill. In the case of a fast-moving bill, it is possible that the information could be made public only after the vote has already been taken. So this provision actually weakens reporting requirements.

Finally, it is important that the House and Senate have language that works for both bodies. Technical changes are probably needed in the current language in both bills, changes that may come about during the course of a conference. Adopting the imperfect House language wholesale, as Senator DEMINT suggests, would make it more difficult for us to work out our differences in conference. The better course would be to address the final language in conference and not get locked into any particular words at this moment.

We need strong reforms in the earmarking process. The Reid-McConnell bipartisan amendment does that. Unfortunately, DeMint amendment No. 11 weakens it—first, in exempting more targeted tax credits instead of being more inclusive; second, in weakening reporting requirements already in this amendment; and finally, tying the hands of conferees by adopting House language that has already been enacted by that body.

The Reid-McConnell substitute is an excellent first step. I am afraid the DeMint amendment does not improve on that work product but detracts from it. To adopt this amendment will only take us backward in this process. I urge the Senate to oppose the DeMint amendment No. 11. Let's keep working on this issue together on a bipartisan basis.

AMENDMENT NO. 13

I would also like to discuss DeMint amendment No. 13. This amendment on the surface seems like a harmless amendment. Nobody wants a Government shutdown. But in truth, what amendment No. 13 does is encourage Congress to abdicate its appropriations responsibility and fund the Government on automatic pilot at the lowest levels of the previous year's budget or the House- and Senate-passed levels. That is what we are in the process of doing for this fiscal year. It is painful. But the results could be disastrous if it becomes the policy of our country. Funding the Government by continuing resolutions does not allow Members to adequately work for a consensus to adjust funding for new challenges and changing priorities. The responsibility to appropriate was duly outlined for the legislative branch by our forefathers in our Constitution. It is a duty we should not abandon by handing it over to some automatic process.

The Senator from South Carolina has argued that this amendment is needed so that Congress should not feel the pressure to finish appropriations bills on time. He is plain wrong. If there is anything we need, it is the pressure to finish on time. If we are under that pressure, it is more likely we will respond to it. But if we are going to glide into some automatic pilot CR that absolves us from our responsibility of passing appropriations bills, we will find ourselves in future years facing the same mess we face this year, when many of the most important appropriations bills were not enacted before the last Congress adjourned.

Our constituents look to us to complete our appropriations bills on time, not make it easy to govern by stopgap measures that underfund important priorities such as education, transportation, and health care. Incidentally, the last time Congress completed its appropriations process on time was the 1995 fiscal year. Rather than abdicate our responsibility, we need to focus on fulfilling that duty under the Constitution. I believe this DeMint amendment is not responsible. It signals our willingness to throw in the towel before the fight has even started.

I urge my fellow Senators to oppose this amendment, send a clear message to the American people that we are ready to accept our responsibilities and not avoid them.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I am not quite prepared to make all of my remarks about the amendments, but I did happen to be in the Chamber, and Senator DURBIN was kind enough to open the discussion on two of my amendments, which I greatly appreciate. I am somewhat disappointed, however, that my colleague is not completely informed about these amendments.

I will start with the amendment that attempts to more accurately define what an earmark is. My colleague went to great pains to continuously describe this as the DeMint amendment, the DeMint language. Unfortunately, I am not sure if he knows, but this is the language which the new Speaker of the House, NANCY PELOSI, has put in this lobbying reform bill in order to make it more honest and transparent. I believe she has a very thoughtful approach. She campaigned on this, along with a number of Democrats and Republicans. We do need to disclose and make transparent every favor we do for an entity.

I am beginning to get disappointed in this process because I did believe in a bipartisan way that we were going to come together to try to do things to show the American people that we were going to spend their money in an honest way and that was not wasteful. But as we look back on some of the scandals, the first one that comes to mind, obviously, is the Abramoff scandal—using Indian money to try to buy influence on Capitol Hill.

Yesterday there was a thoughtful amendment by Senator VITTER that would have attempted to get the Indian tribes to play by the same rules everyone else in America plays by, that they have regulated contributions that are disclosed. The reason we had the scandal with Abramoff is the Indian tribes are not regulated by the Federal Election Commission. They can give unlimited amounts, unaccounted for, and it corrupted our process. The amendment yesterday very simply said: Let's just have everyone follow the same rules. Yet that was voted down, primarily by my Democratic colleagues. I hope they will rethink that. We would like to bring that amendment back to the floor and make sure there is adequate discussion because it is hard for me to believe that anyone who wants to clear up the corruption in Washington would overlook that a big part of the corruption was caused by unlimited donations by lobbyists from Indian tribes.

Now we have another problem. We are talking about earmark reform. We use language here many times in the Chamber that I don't think Americans understand. When we talk about earmarks, we are talking usually about lobbyists who come and appeal on behalf of some organization or business

or whatever for us to do them a favor with taxpayer money. It may be a municipality that wants a bridge. It may be a defense contractor that wants a big contract from us. And if we put that money in an appropriations bill designated just for them, it is an earmark. That is a Federal earmark. NANCY PELOSI had the wisdom to see that a lot of the problems we have had came from lobbyists asking for favors that went to Federal, as well as State, and other types of earmarks.

What other corruption comes to mind as we think about last year? Duke Cunningham. The corruption there was a Federal earmark. The underlying bill we are discussing today would not have included that. It would not have been disclosed. Senator DURBIN said that should not be disclosed, when most of the problems that we have come from that particular type of earmark.

I think if you look at this in the big picture, we are talking about trying to let the American people know how we are spending their money. When we designate their money as a favor to different people and entities across this country, we want to let them know what we are doing so we can defend it, so they can see it. But what is a dirty little secret in the Senate and in the House is that while we are making this big media display of reforming earmarks and lobbying, 95 out of every 100 earmarks are in the report language of bills that come out of conference which are not included in the current discussion of transparency for earmarks.

So the case my dear friend Senator DURBIN has made today is that we want to disclose these particular favors for 5 out of every 100 earmarks in this Senate. That is not honest transparency. If we are going to do it, let's look at what the new Speaker of the House has asked us to do. If we are going to go through this process and if we are going to change the laws and try to tell the American people that now you can see what we are doing, let's don't try to pull the wool over their eyes. Speaker PELOSI is right. Many in this Chamber know I don't often agree with Speaker PELOSI, but she is the new Speaker. One of her first and highest priorities was to do this ethics reform bill right. At the top of the list is, if we are going to talk about the transparency to the American people, let's be honest and show them the way we are directing the spending of their money. I agree with her. I am here to defend her language on behalf of the Democratic colleagues on the House side that let's not try to pull the wool over the American people's eyes and tell them we are cleaning up these scandals when what we are doing here would not have affected the Abramoff scandal, the Cunningham scandal, or any of the scandals we have talked about in the culture of corruption in this Congress. Let's at least be honest with the reform we are saying is going to clean up this place. We are not being honest now. Speaker PELOSI has the right idea.

Let me mention one other thing, the other amendment my colleague was nice enough to bring up. It is what we call the automatic continuing resolution. I have been in Congress now for 8 years. This is my ninth year. Every year, we get toward the end of the year and we have not gotten all of our appropriations done; it comes down to the last minute and they are saying we have to vote on this and we have to pass it or we are going to shut down the Government. So we create this crisis. Then we don't know what is in all of the bills. They are just coming out of conference and we have to vote on them, and most of us go home in December and find out about all of the earmarks and the favors that were put in the bills. We find it out later because we are not even given time to read them. We create this crisis and force people to vote on bills when they don't know what is in them. We are forced to vote on things that should not be in them so we won't close down the Government.

We need to stop playing this game at the end of the year that forces us to accept what lobbyists and Members and staff have worked out that we don't even know about. If we are serious about decreasing the power of lobbyists in this place, we need to take the pressure off passing bad bills at the end of every year. This is a very simple idea.

You will notice, despite what has been said, we passed a continuing resolution at the end of last year and didn't pass our appropriation bills. Of course, as you look around, you see the country is still operating just fine. The thing we don't have is 10,000 new earmarks. I would make the case we need a system that if we are not able to have ample debate and discussion about appropriations, we don't have all this fanfare about closing down the Government every year and scaring our senior citizens and our veterans that something is not going to come that they need. Let's have a simple provision that if we cannot get our work done and agree on what needs to be done and what should be in these bills, then we will have a continuing resolution until we can work it out. We will fund everything at last year's level, so that there is no crisis, there is just responsibility.

That is what is missing here. When we put things into crisis mode, we cannot see what needs to be seen, or tell America what needs to be told about these bills, and we pass bills and find out later we have done things that embarrass us and diminish the future of our country.

This is a simple amendment. I am very disappointed in my Democratic colleague who wants to help us, I believe sincerely, clean up the way lobbying works in this place by making things more transparent to the American people, but these two amendments—one will disclose all earmarks and the other will take the crisis out of every year and allow us to pass responsible legislation.

Mr. President, I will have more to say later and I am sure other Members will also before these amendments come to a vote. Unfortunately, I have been told that my colleagues don't even want these bills to come to a vote. They want to try to table them so we will limit the debate.

I will reserve the rest of my time and yield the floor right now, and we will discuss more about these amendments after lunch.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I know the Senator from Texas wishes to speak. I will only be a minute.

I ask unanimous consent that at 2 p.m. today the Senate proceed to vote in relation to the DeMint amendment No. 11, to be followed by a vote in relation to amendment No. 13, regardless of the outcome of the vote with respect to amendment No. 11; that there be 2 minutes of debate equally divided before the first vote and between the votes; further, that at 12:30 p.m. today, Senator BYRD be recognized to speak for up to 25 minutes, and that Senator KYL then be recognized for up to 15 minutes; and that no second-degree amendments be in order to either amendment prior to the vote. Senator DEMINT would have up to 45 minutes under his control.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. FEINSTEIN. I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I wish to clarify that the time Senator DEMINT has utilized would be counted against the 45 minutes under his control.

Mrs. FEINSTEIN. That is my understanding.

Mr. BENNETT. Thank you.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

AMENDMENTS NOS. 24 AND 25 EN BLOC

Mr. ENSIGN. Mr. President, I ask unanimous consent that the pending amendments be laid aside, and I send two amendments to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada (Mr. ENSIGN) proposes amendments numbered 24 and 25, en bloc, to amendment No. 3.

Mr. ENSIGN. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 24

(Purpose: To provide for better transparency and enhanced Congressional oversight of spending by clarifying the treatment of matter not committed to the conferees by either House)

On page 3, strike line 9 through line 11 and insert the following:

''(a) IN GENERAL.—A point of order may be made by any Senator against any item contained in a conference report that includes or consists of any matter not committed to the conferees by either House.

(1) For the purpose of this section, ''matter not committed to the conferees by either House'' shall be limited to any matter which:

(A) in the case of an appropriations Act, is a provision containing subject matter outside the jurisdiction of the Senate Committee on Appropriations;

(B) would, if offered as an amendment on the Senate floor, be considered ''general legislation'' under Rule XVI of the Standing Rules of the Senate;

(C) would be considered ''not germane'' under Rule XXII of the Standing Rules of the Senate; or

(D) consists of a specific provision containing a specific level of funding for any specific account, specific program, specific project, or specific activity, when no such specific funding was provided for such specific account, specific program, specific project, or specific activity in the measure originally committed to the conferees by either House.

(2) For the purpose of this section, ''matter not committed to the conferees by either House'' shall not include any changes to any numbers, dollar amounts, or dates, or to any specific accounts, specific programs, specific projects, or specific activities which were originally provided for in the measure committed to the conferees by either House.

AMENDMENT NO. 25

(Purpose: To ensure full funding for the Department of Defense within the regular appropriations process, to limit the reliance of the Department of Defense on supplemental appropriations bills, and to improve the integrity of the Congressional budget process)

At the appropriate place, insert the following:

SEC. . SENATE FIREWALL FOR DEFENSE SPENDING.

(a) For purposes of Section 301 and 302 of the Congressional Budget Act of 1974, the levels of new budget authority and outlays and the allocations for the Committees on Appropriations shall be further divided and separately enforced under Section 302(f) by—

(1) DEFENSE ALLOCATION.—The amount of discretionary spending assumed in the budget resolution for the defense function (050); and

(2) NONDEFENSE ALLOCATION.—The amount of discretionary spending assumed for all other functions of the budget.

Mr. ENSIGN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

AMENDMENTS NOS. 25 AND 26 EN BLOC

Mr. CORNYN. Mr. President, I send two amendments to the desk.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from Texas (Mr. CORNYN) proposes amendments numbered 26 and 27, en bloc, to amendment No. 3.

Mr. CORNYN. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 26

(Purpose: To require full separate disclosure of any earmarks in any bill, joint resolution, report, conference report or statement of managers)

At the appropriate place, insert the following:

''(a) IN GENERAL.—It shall not be in order to consider a bill, joint resolution, report, conference report, or statement of managers unless the following—

''(a) a list of each earmark, limited tax benefit or tariff benefit in the bill, joint resolution, report, conference report, or statement of managers along with:

''(1) its specific budget, contract or other spending authority or revenue impact;

''(2) an identification of the Member of Members who proposed the earmark, targeted tax benefit, or targeted tariff benefit; and

''(3) an explanation of the essential governmental purpose for the earmark, targeted tax benefit, or targeted tariff benefit, including how the earmark, targeted tax benefit, or targeted tariff benefit advances the 'general Welfare' of the United States of America;

''(b) the total number of earmarks, limited tax benefits or tariff benefits in the bill, joint resolution, report, conference report, or statement of managers; and

''(c) a calculation of the total budget, contract or other spending authority or revenue impact of all the congressional earmarks, limited tax benefits or tariff benefits in the bill, joint resolution, report, conference report, or statement of managers;

is available along with such bill, joint resolution, report, conference report, or statement of managers to all Members and the list is made available to the general public by means of placement on any website within the senate.gov domain, the gpo.gov domain, or through the THOMAS system on the loc.gov domain at least 2 calendar days before the Senate proceeds to it.''.

AMENDMENT NO. 27

(Purpose: To require 3 calendar days notice in the Senate before proceeding to any matter)

At the appropriate place, insert the following:

SEC. ___. NOTICE OF CONSIDERATION.

(a) IN GENERAL.—No legislative matter or measure may be considered in the Senate unless—

(1) a Senator gives notice of his intent to proceed to that matter or measure and such notice and the full text of that matter or measure are printed in the Congressional Record and placed on each Senator's desk at least 3 calendar days in which the Senate is in session prior to proceeding to the matter or measure;

(2) the Senate proceeds to that matter or measure not later than 30 calendar days in which the Senate is in session after having given notice in accordance with paragraph (1); and

(3) the full text of that matter or measure is made available to the general public in searchable format by means of placement on any website within the senate.gov domain, the gpo.gov domain, or through the THOMAS system on the loc.gov domain at least 2 calendar days before the Senate proceeds to that matter or measure.

(b) CALENDAR.—The Secretary of the Senate shall establish for both the Senate Calendar of Business and the Senate Executive Calendar a separate section entitled ''Notices of Intent to Proceed or Consider''. Each section shall include the name of each Senator filing a notice under this section, the title or a description of the legislative measure or matter to which the Senator intends to proceed, and the date the notice was filed.

(c) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅗ of the Members, duly chosen and sworn. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. CORNYN. Mr. President, I will not debate the amendments at this time. I appreciate the courtesies extended by the managers. I will come back later when it is appropriate to debate these particular amendments.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I understand now might be a convenient time for the Senate to consider some debate on the amendments I have just offered, Nos. 26 and 27.

I think the preeminent value, when we talk about ethics debate, that we ought to be focusing on is transparency. It has been said time and time again that the old saying is ''sunlight is perhaps the best disinfectant of all.'' The fact is, the more Congress does on behalf of the American people that is transparent and can be reported and can be considered by average Americans in how they determine and evaluate our performance here, the better, as far as I am concerned.

I am proud to be a strong advocate for open government and greater transparency. Senator PAT LEAHY, now the chairman of the Senate Judiciary Committee, and I have been cosponsors of significant reform of our open government laws. We only had modest success last Congress. We were able to get a bill voted out of the Judiciary Committee. But it is my hope, given the sort of bipartisan spirit in which we are starting the 110th Congress and given Senator LEAHY's strong commitment to open government, as well as my own, that we will be able to make good progress there.

This amendment No. 27 is all about greater transparency that is healthy for our democracy and essential if we are to govern with accountability and good faith. I offer this amendment with the goal of shining a little bit more light on the legislative process in this body and actually giving all Members of the Senate an ability to do their job better.

Specifically, this amendment would require that before the Senate proceeds

to any matter, that each Senator receive a minimum of 3 days' notice and that, more importantly, the full text of what we will consider will be made available to the public before we actually begin our work on it.

What happens now is that in the waning hours of any Congress, we have a procedure—known well to the Members here but unknown to the public, perhaps—known as hotlining bills. In other words, presumably noncontroversial matters can be so-called hotlined, and that is placed on the Senate's calendar and voted out essentially by unanimous consent.

The problem is this mechanism, which is designed to facilitate the Senate's work and move relatively noncontroversial matters, is increasingly the subject of abuse. For example, in the 109th Congress, there were 4,122 bills introduced in the Senate. In the House there were 6,436 bills. Of course, many of these bills run hundreds of pages in length. The problem is, as I alluded to a moment ago, in the final weeks of the 109th Congress, I was told there were 125 matters called up before the Senate for consideration, many of which included costs to the taxpayers of millions of dollars, including an astonishing 64 bills in the final day and into the wee hours of Saturday morning before we adjourned. In fact, as the chart I have here demonstrates, in the last 5 days of the 109th Congress, there was a total of 125 bills hotlined. As I mentioned, some of these are relatively noncontroversial matters, but some of them spent millions of dollars of taxpayers' money.

I would think that at a very minimum Senators would want an opportunity to do due diligence when it comes to looking at the contents of this legislation and determining whether, in fact, it is noncontroversial and in the public interest or whether, on the contrary, someone is literally trying to slip something through in the waning hours of the Congress in a way that avoids the kind of public scrutiny that is important to passing good legislation and making good policy.

Mr. President, I have in my hands a letter in support of this amendment from an organization called ReadtheBill.org, which I ask unanimous consent be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CORNYN. Mr. President, I know this perhaps seems like a small thing, but small things can have dramatic consequences.

Let me give an example. Senator X introduces a bill called the Clean Water Access Act sometime this year. For whatever reason, this bill doesn't get a hearing or the hearing is held perhaps with just a modest number of Members actually attending—in other words, it doesn't get a lot of attention. The bill is one of the thousands of bills introduced. And let's say my staff or your staff, Mr. President, or other Members' staff don't really have this bill on the list of priorities, of things to do; it is not one of the most urgent priorities because it looks as though perhaps there is not a lot of interest in the legislation. The bill never gets a vote in committee or on the floor, so Senator X decides: I have an idea. I will hotline the bill at the end of the year, at the very end of the Congress in the last few hours. What this amendment would do would be to impose a very commonsense requirement—let's give adequate notice that this is legislation which Senator X intends to move—so that the appropriate scrutiny and consideration may be given to the bill.

Of course, a notice goes out under the current rule, and the Senator's staff alerts the Senator to some concern that unless that happens, it passes by default. That is right, this is essentially an opt-out system. If the Senator does not object within an hour or two, the bill goes out by unanimous agreement.

My proposal is that there be simply a modest notice period before the Senate proceeds to a measure for Senators and their staff to review the legislation and so the American people and various groups that may have an interest in it could scrutinize it before we actually consider it and pass it in the waning hours, perhaps, of a Congress. I don't know who could really have a legitimate objection to such a requirement. I look forward to hearing from any of my colleagues who have some concerns about it, and perhaps I can address those concerns and we can work together to pass this important, although simple and straightforward, amendment.

I believe this amendment is certainly common sense and a good government and open government approach, which is conducive to allowing us to do our job better. So I ask my colleagues for their enthusiastic support, and maybe if not their enthusiastic support, at least their vote in support of this amendment at the appropriate time.

AMENDMENT NO. 26

Mr. President, I have also offered Senate amendment No. 26. This is another amendment designed to offer greater sunshine and this time on the earmark process. This is an amendment which I have offered in the spirit that Senator DEMINT, the junior Senator from South Carolina, has offered but with a little bit of additional twist that I would like to explain.

The current bill requires that all future legislation include a list of earmarks and the names of the Senators who requested them. Again, I know we talk in terms of legislative-ese and, of course, an earmark is something not otherwise provided for within the Federal appropriations bills but is specifically requested by a Member of Congress—a Senator or a Congressman—to be included.

Frankly, there are some earmarks that are very positive and very much in the public interest, but there are others that have been the subject of abuse, and I don't need to go into that in any great detail.

It is a fact that the American people have grown very concerned about the abuse of earmarks here, again, primarily because there is not adequate scrutiny, adequate sunshine on this process, causing them grave concerns about the integrity of the entire appropriations process.

My amendment would add a requirement that the budgetary impact for each earmark be included, as well as a requirement that the total number of earmarks and their total budgetary impact be identified and disclosed. The goal is that when we are considering legislation, we will have a summary document that details the number of earmarks, the total cost of those earmarks, and a list of the earmarks, along with their principal sponsor. I believe this will allow us, again, to do our job more diligently and with greater ease.

We will also create a fixed baseline from which we can proceed in the future and will further allow the American public, as well as our own staff, to be able to analyze the impact of these earmarks on the budgeting process.

Consider that the Congressional Research Service studies earmarks each year and identifies earmarks in each appropriations bill. Through that study, one can see both the total number of earmarks and the total dollar value of those earmarks have grown significantly over the last decade. The total number of earmarks, for example, doubled from 1994 to 2005, and the number appears to likely go up in 2006 as well. The problem is that getting this data after voting on the legislation is not particularly helpful after the fact. By requiring that all legislation contain a list of each earmark, the cost of each earmark, and the total number and cost of earmarks in the legislation as a whole, we empower our staffs and, more importantly, the American people, and ourselves to make better decisions.

As I said, this is not a broadside attack against all earmarks. Some earmarks are good government, but not all earmarks are good government. What this would do is give us the information we need to evaluate them, to have some empirical baseline we can use to evaluate how this impacts Federal spending and the integrity of the appropriations process.

There is one other little element of this amendment I would like to highlight. This amendment would also require an explanation of the essential governmental purpose for the earmark or a targeted tax benefit or targeted tax tariff benefit, including how the earmark targeted tax benefit or targeted tariff benefit advances the general welfare of the United States of America. This requirement—again, something I think most people would assume would be part of the analysis

and deliberative process Congress would undertake anyway—is an important reform for the Congress, and it is certainly appropriate on the subject of ethics reform.

Take, for example, these situations: In the fiscal year 2004 budget, there was a $725,000 earmark for something called the Please Touch Museum; $200,000 of Federal taxpayers' money was appropriated by an earmark for the Rock and Roll Hall of Fame. Even those who like rock and roll may question the appropriateness of taxpayers' money being spent to subsidize the Rock and Roll Hall of Fame. Mr. President, $100,000 was spent for the International Storytelling Center.

In 2005, $250,000 was spent in an earmark for the Country Music Hall of Fame. I myself am partial to country music. I like country music, but I think many might question whether it is appropriate that Federal taxpayers' dollars be spent by an earmark, here again largely anonymous because it is not required to be disclosed who the Senator is under current law, who has requested it, but a quarter of a million dollars of taxpayers' money has been spent for that purpose.

Another example: $150,000 for the Grammy Foundation and $150,000 for the Coca-Cola Space Science Center.

These are just a couple of quick examples, but I think they help make the point; that is, under the status quo, there is simply not enough information, not enough sunshine shining on the appropriations process and particularly the earmark process which has been the subject of so much controversy, and yes, including some scandal leading up to this last election on November 7. If there is one certain message I think all of us got on November 7, it is that the American people want their Government to work for them and not for special interests.

One of the best things we can do, rather than passing new rules, is to shine more sunlight on the process. With more sunlight comes greater accountability, and I think in many ways it provides a self-correcting mechanism. In other words, people are not going to be doing things they think they can sneak through in secret out in the open. So it has the added benefit of sort of a self-policing or self-correcting mechanism as well.

So I would commend both of these amendments for the Senate's consideration. At the appropriate time, I will ask for a vote, working, of course, with the floor managers on this bill.

Mr. President, I yield the floor.

EXHIBIT 1

READTHEBILL.ORG,
Washington, DC, January 11, 2007.

Hon. JOHN CORNYN,
U.S. Senate,
Washington, DC.

DEAR SENATOR CORNYN: ReadtheBill.org Education Fund commends you for your leadership in proposing an amendment to S. 1 that would prohibit floor consideration of legislation and conference reports before senators and the public had more time to read them. If implemented in Senate rules, this Cornyn amendment would be a significant improvement over current Senate rules, and over Senate practice during the 109th Congress.

ReadtheBill.org respects the openness of the sponsors of S. 1 to additional improvements on the floor. As proposed, S. 1 would amend Senate rule XXVIII to prohibit consideration of conference reports before they have been publicly available online for 48 hours. S. 1 would improve on current Senate rules. However, S. 1 would NOT cover legislative measures or matters on their first consideration by the Senate (as opposed to final conference reports). This is a major failing of S. 1. It's crucial to find and fix questionable provisions early in the legislative process. By the time a bill emerges from conference committee in its final form, it can be too late to fix even its worst provisions. Yes, the conference report can be posted online. But a conference report can gather the political momentum of a runaway train. Posting the manifest for each train car may reveal a sinister or illicit cargo. But it's too late to do more than wave an arm before the train is long gone.

That is why it is so important to take time to read bills early in the legislative process, before their first floor consideration by the Senate. The Cornyn amendment would cover ALL measures or matters (but no amendments), prohibiting their consideration until they had been printed in the Congressional Record for three calendar days and posted publicly online for two calendar days. ReadtheBill.org endorses the substance of the Cornyn amendment.

The Cornyn amendment would be a vital step toward ReadtheBill.org's ultimate goal of amending the standing rules of the Senate and House to require legislation and conference reports to be posted online for 72 hours before floor debate. As work on this bill continues, ReadtheBill.org looks forward to working closely with you to craft the most practical, enforceable amendment that moves toward this goal.

Non-partisan and focused only on process, ReadtheBill.org is the leading national organization promoting open floor deliberations in Congress.

Sincerely,

RAFAEL DEGENNARO,
Founder & President.

Mr. THOMAS. Mr. President, I would like to speak in general, so I ask unanimous consent that the current amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Wyoming is recognized.

Mr. THOMAS. Mr. President, I wish to speak in general about the bill, not on the specific amendments, about what I think we are doing and the importance, frankly, of what we are doing. We are talking, of course, about ethics, about how we function within this body, and I hope we can keep that in mind. We are not talking about Federal law. We are not talking about rules and laws dealing with contributions. We are talking about how we operate within this body.

I happen to be a member of the Ethics Committee, and I have been very impressed, frankly, with what we are doing now. That is not to say we can't do some more, and indeed we should, but the fact is we have really gone along fairly well here. We haven't had any real problems particularly. We are reacting largely to some of the problems that have happened on the other side of the Capitol, and they could happen here, so they are appropriate. So I believe we need to evaluate where we are now with the rules and regulations we have with the Ethics Committee, which is designed to enforce them, and try to maintain our focus on those kinds of things.

I think we have gotten into things that become Federal law in terms of, for instance, political contributions. Well, that is really not an ethics issue; that is a Federal issue with relation to what is done there. So it seems to me the real overriding opportunity for us is to increase the transparency of how we function and the accountability and to spend more time with the Members and with the staff in terms of familiarizing ourselves with what the rules are. We have lots of rules. Quite frankly, as I came onto this committee, I was a little impressed with all there is that most of us haven't had much time or opportunity to take a look at.

So really what we need is transparency and accountability, and that is what we are doing. I am pleased that we are, but I want to suggest that we keep in mind the role of what we are doing, the role of ethics, and try to maintain some limits on the kinds of things we do and hold it to what we are doing. As I said, our record has been pretty good. I think the key is transparency and accountability, so I hope we can hold it to that.

I think we need to understand that even though there have been things that have happened in the Capitol that we don't like, the fact is the people who have done most of those things, many of them, are in jail. They have acted against the law. The Jack Abramoff thing, which has brought much of this about, was wrong and bad and has been dealt with and is being dealt with. I think we need to keep that in mind and try to define the difference between ethics and behavior here and legal activities that affect everyone.

So again, I say ethics is something for which each of us is responsible. As representatives of our people, we are responsible for it. So if we have transparency, that is one of the keys. And we should understand that what we are doing is dealing with ethics rules. When this is all over, we ought to be able to take another look at the total of our rules and hold what we are doing here on the floor to that effort. We can do that.

There are a good many reforms in S. 1, and I am pleased we are talking about earmarks, which is one topic of reform. There needs to be more public information. There needs to be more information to Members as to what earmarks are. On the other hand, if I want to represent things that are important to my State or your State or anyone else's State, we need from time to time to have an opportunity to suggest that here is an issue in this budget

which needs to be dealt with. Now, it needs to be done early on. It needs to be transparent. Everyone needs to know about it. We need to avoid the idea of putting things in during the conference committee meetings. After all, Members' opportunities have passed. That is wrong. But I think the idea that Members have an opportunity to have some input into the distribution of funding for their States is reasonable. So I think, again, transparency is the real notion, and the conference reports ought to be available on the Internet.

Banning gifts, of course, is good. I think we need to be a little careful about what gifts are and whom they are from.

I just had an opportunity to meet with someone who is a realtor in Wyoming. He came in to talk about problems for realtors. He is not a lobbyist; he is a realtor. Now, am I supposed to be a little careful to talk to somebody from Wyoming? How else am I going to know what the issues are for the various groups? Even though they have an association and he is probably a member of it, he is not a lobbyist. So I think we need to be sure we identify some of the differences that are involved.

We ought to talk about holds. I think there is nothing wrong with having a distribution of what the holds are when we are putting them together in Congress and then putting them in the CONGRESSIONAL RECORD. Again, that is something which should be public.

Travel. I think there is nothing wrong, with major travel, with having some sort of preapproval from the Ethics Committee. That is a reasonable thing to do. We each have different problems with travel. Some States are quite different from others. Charters can be made to different places, so we need to have some flexibility there. Again, I say one of the keys is to have some annual ethics training, some annual ethics information so people know what it is all about. I would venture to say that before this discussion started, if you talked about what is in our ethics rules, most of us wouldn't be able to tell you much about them. We need to do more of that.

There needs to be public disclosure of lobbying, there is no question, and that is a good thing and we need to do that.

The idea of an independent ethics office troubles me a good deal. We are talking about our behavior among ourselves as Members, and the idea of having some non-Member office overseeing our operation just doesn't seem to make sense to me. If any of you have not had the opportunity to see all of the things that our Ethics Committee staff goes through, I wish you would take a look at it. There is a great deal that goes on.

So in sum, I am generally saying that I hope—and I think our leaders on this issue have done this—we stay with what it is we are seeking to do; that is, take a look at our rules and regulations and how we abide by them, how we understand them, how we enforce them, and how we have opportunities to see them, and that there is transparency from them. That is what we are talking about. When we start getting off into so many things that really are much beyond ethics and get into the laws—for instance, as I said, campaign contributions—that is another issue. It is a good issue, but it is not this issue. So I hope we are able to do that.

Those are the points I wanted to make. We are going to be going forward, and I am glad we are. I hope we don't spend too much time on this because I think our real challenge is to focus on what it is we are really seeking to do and not let us spend a lot of time on things that are inappropriately in this bill. Our main goal, it seems to me, is greater transparency, a set of rules we can understand, the opportunity to know what those are, and then, of course, to have an opportunity within our own jurisdiction to enforce them.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Florida). Without objection, it is so ordered.

Under the previous order, the Senator from West Virginia is recognized for up to 25 minutes.

IRAQ

Mr. BYRD. Mr. President, last night in his address to the Nation, the President called for a ''surge'' of 20,000 additional U.S. troops to help secure Baghdad against the violence that has consumed it. Unfortunately, such a plan is not the outline of a brave new course, as we were told, but a tragic commitment to an already failed policy; not a bold new strategy but a rededication to a course that has proven to be a colossal blunder on every count.

The President never spoke words more true than when he said, ''The situation in Iraq is unacceptable to the American people.'' But the President, once again, failed to offer a realistic way forward. Instead, he gave us more of his stale and tired ''stay the course'' prescriptions. The President espoused a strategy of ''clear, hold, and build''—a doctrine of counterinsurgency that one of our top commanders, GEN David Petraeus, helped to formulate. Clear, hold, and build involves bringing to bear a large number of troops in an area, clearing it of insurgents, holding it secure for long enough to let reconstruction take place. But what the President did not say last night is that, according to General Petraeus and his own military experts, this strategy of ''clear, hold, and build'' requires a huge number of troops—a minimum of 20 combat troops for every 1,000 civilians in the area. If we apply that doctrine to Baghdad's 6 million people, it means that at least 120,000 troops will be needed to secure Baghdad alone. Right now, we have about 70,000 combat troops stationed all throughout Iraq. Even if they were all concentrated in the city of Baghdad, along with the 20,000 new troops that the President is calling for, we would still fall well short of what is needed.

But let us assume that the brave men and women of the U.S. military are able to carry out this Herculean task and secure Baghdad against the forces that are spiraling it into violence. What is to keep those forces from regrouping in another town, another province, even another country—strengthening, festering, and waiting until the American soldiers leave to launch their bloody attacks again? It brings to mind the ancient figure of Sisyphus, who was doomed to push a boulder up a mountainside for all of eternity, only to have it roll back down as soon as he reached the top. As soon as he would accomplish his task, it would begin again, and this would go on endlessly. I fear that we are condemning our brave soldiers to a similar fate, hunting down insurgents in one city or one province only to watch them pop up in another. For how long will U.S. troops be asked to shoulder this burden?

Over 3,000 American soldiers have already been killed in Iraq; over 22,000 have been wounded. Staggering. Hear me—staggering. And President Bush now proposes to send 20,000 more Americans into the line of fire beyond the 70,000 already there.

The cost of this war of choice to American taxpayers is now estimated to be over $400 billion. That means $400 for every minute since Jesus Christ was born. That is a lot of money.

Hear me now. Let me say that, again. The cost to American taxpayers of this war of choice is now estimated to be over $400 billion, and the number continues to rise. When I say number, I am talking about your taxpayer dollars. That ain't chicken feed. One wonders how much progress we could have made in improving education or resolving our health care crisis or strengthening our borders or reducing our national debt or any number of pressing issues with that amount of money. Man, we are talking about big dollars. And the President proposes spending more money, sending more money down that drain.

On every count, an escalation of 20,000 troops is a misguided, costly, unwise course of action. I said at the beginning we ought not go into Iraq. I said that, and I was very loud and clear in saying it. I stood with 22 other Senators. I said from the beginning we ought not to go into Iraq. We had no business there. That nation did not attack us, did it? I said from the beginning I am not going down that road and I didn't and I am not going to now.

This is not a solution. This is not a march toward ''victory.''

The President's own military advisers have indicated we do not have enough troops for this tragedy to be successful. It will put more Americans in harm's way than there already are. It will cost more in U.S. taxpayers' money—your money. You, who are looking through those lenses, looking at the Senate Chamber, hear what I have to say. Many commanders have already said that ours is an Army that is at its breaking point. It is a dangerous idea.

Why, then, is the President advocating it? This decision has the cynical smell of politics to me, suggesting that an additional 20,000 troops will alter the balance of this war. It was a mistake to go into Iraq. Now we want to pour 20,000 more of your men and women, your sons and daughters, into this maelstrom, this sausage grinder, this drainer of blood and life.

We won't alter the balance of this war. It is a way for the President to look forceful, a way for the President to appear to be taking bold action. But it is only the appearance of bold action, not the reality, much like the image of a cocky President in a flight suit declaring ''mission accomplished'' from the deck of a battleship. Remember that?

This is not a new course. It is a continuation of the tragically costly course we have been on for almost 5 years now. Too long. I said in the beginning, I won't go; it is wrong; we should not attack that country which has never invaded us or attacked us. Those persons who attacked this country were not Iraqis, right? Somebody says I am right.

It is simply a policy that buys the President more time, more time to equivocate, more time to continue to resist any suggestion that the President was wrong to enter our country into this war in the first place. This war, in this place, at this time, in this manner, and, importantly, calling for more troops, gives the President more time to hand the Iraq situation off to his successor in the White House. The President apparently believes he can wait this out, that he can continue to make small adjustments here and there to a misguided policy while he maintains the same trajectory until he leaves office and it becomes someone else's problem.

If you are driving in the wrong direction, anyone knows, as you will not get to your destination by going south when you should be going north, what do you do? What should you do? You turn around. I see the Presiding Officer is following me. I saw him use his arm like that. He did just what I did, before I did it. You turn around and get better directions.

This President—I speak respectfully when I speak of the President. I speak respectfully of the President; that is my intention—this President is asking us to step on the gas in Iraq full throttle while he has not clearly articulated where we are going. What is our goal? What is our end game? How much progress will we need to see from the Iraqi Government before our men and women come home? I should think that is what the fathers and mothers of our American troops would want to know. What is our goal? What is our end game? In the first place, why are we there in Iraq? Why are we asking for more troops now? How much progress will we need to see from the Iraqi Government before our men and women come home? How long will American troops be stationed in Iraq, to be maimed and killed in sectarian bloodshed?

The ultimate solution to the situation in Iraq is political and would have to come from the Iraqis themselves. The Iraqi Government will have to address the causes of the insurgency by creating a sustainable power-sharing agreement between and among Sunnis, Shias, and Kurds, and it is far from clear that the Government has the power or the willingness at this point. But as long as American troops are there to bear the brunt of the blame and the fire, the Iraqi Government will not shoulder the responsibility itself. And Iraq's neighbors, especially Iran and Syria, won't commit to helping to stabilize the country as long as they see American troops bogged down and America losing credibility and strength. Keeping the United States Army tied up in a bloody, endless battle in Iraq plays perfectly into Iran's hands and it has little incentive to cease its assistance to the insurgency as long as America is there. America's presence in Iraq is inhibiting a lasting solution, not contributing to one.

Let me say that again. I should repeat that statement. Iraq's neighbors, especially Iran and Syria, won't commit to helping to stabilize the country as long as they see America bogged down and losing credibility and strength. Keeping the United States Army tied up in a bloody, endless battle in Iraq plays perfectly into Iran's hand and it has little incentive to cease its assistance to the insurgency as long as America is there. America's presence in Iraq is inhibiting a lasting solution, not contributing to a lasting solution.

The President has, once again, I say respectfully, gotten it backwards. What I hoped to hear from the President were specific benchmarks of progress that he expects from the Iraqi Government and a plan for the withdrawal of American troops conditioned on those benchmarks. Instead, we were given a vague admonition that the responsibility for security will rest with the Iraqi Government by November, with no suggestion of what that responsibility will mean or how to measure that Government's capacity to handle it.

The President is asking us—you, me, you, you out there, you who look around this Chamber today—asking us once again to trust him while he keeps our troops mired in Iraq. But that trust was long ago squandered. I weep for the waste we have already seen—lives, American lives, Iraqi lives, treasure, time, good will, credibility, opportunity—wasted, wasted. Now the President is calling for us to waste more. I say enough, enough. If he will not provide leadership and statesmanship, if he does not have the strength of vision to recognize a failed policy and to chart a new course, then leadership will have to come from somewhere else. Enough waste, enough lives lost on this misguided venture into Iraq.

I said it was wrongheaded in the beginning and I was right. Enough time and energy spent on a civil war far from our shores while the problems Americans face are ignored. Yes, while the problems that you, the people out there, face—you, the people on the plains and mountains and in the hollows and hills, your problems—we wallow in debt and mortgage our children's future to foreigners. That is what we are doing. We are continuing. We are asking now for more, more, more. Not: Give me more, more, more of your kisses but more, more of your money, more, more of your lives. Enough. It is time to truly change course. Mr. President, it is time to look at the compass, time to change course and start talking about how we can rebalance our foreign policy and bring our sons and daughters home—bring our sons and daughters home.

There are a lot of people making political calculations about the war in Iraq, turning this debate into an exercise of political grandstanding and point scoring. But this is not a political game. This is a game of life and death. This is asking thousands more Americans to make the ultimate sacrifice for a war that we now know, beyond a shadow of a doubt, was a mistake. We had no business going into Iraq. We had no business invading a country that never posed an imminent threat, a serious threat to our own country.

There were those of us who cautioned against the hasty rush to war in Iraq. And I have some credibility on that score. I cautioned against it, yes. And there were others in this Senate Chamber who stood against the hasty rush to war in Iraq. Unfortunately, our cries, like Cassandra's, went unheeded. Like Cassandra, our warnings and our fears proved to be prophetic—proved to be prophetic.

But we are not doomed to repeat our mistakes. We ought to learn from the past. We must understand—and understand it now, and understand it clearly—that more money and more troops—more American troops, more American lives lost in Iraq—are not the answer.

The clock—there is the clock above the Presiding Officer's chair. There it is. There is the clock. There is another one behind me on this wall. These clocks are running, running, running

on our misadventure. And I can say that with credibility because I said it was a misadventure in the beginning—our misadventure into Iraq.

Enough time has been wasted, Mr. President. Enough. Enough. Hear me: Enough. Enough time has been wasted.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. OBAMA). My understanding is, under the previous order, the Senator from Arizona is recognized for up to 15 minutes.

IRAQ

Mr. KYL. Mr. President, I suppose it was inevitable, the criticism of the President's announcement last night. But I ask: What happened to all of the promises of last week, the talk of bipartisanship, the talk of trying to work together, especially on the biggest challenge of our time, this challenge to our national security? Where is the unity that we need at this time for this issue more than at any other? I am disappointed by the attacks on President Bush's strategy, particularly because they come primarily from people who have offered no alternative. It seems to me that threatening to cut off funding for our troops, as some have done, while not giving the President's Iraq strategy a chance, is the worst kind of partisan politics.

When dealing with issues of war and peace, and trying to devise a strategy that will result in the least harm to Americans, with the greatest chance of success, it seems to me we should be trying to find common ground.

The critics of the President throughout last year called for a new strategy and interpreted the election results of 2006 as substantially a repudiation of the President's strategy and confirmation that there needed to be a new strategy.

After consulting with Members of Congress, with generals, with retired generals, with other experts, the Baker-Hamilton Commission, and many others, the President has come up with another strategy, and he announced that strategy last night. It seems to me that we at least owe him the opportunity to see whether that strategy can work before immediately attacking it as a policy that is bound to fail, especially, as I said, because I have seen no alternative.

The only alternative is that we withdraw. There are a lot of different ways that we would withdraw, and timetables for withdrawal, but they all come down to withdrawing. That suggests that leaving the Iraqi forces to establish the stability and peace that is required in Iraq is likely to be more successful than the Iraqi troops combined with U.S. troops—a proposition which, it seems to me, is incredible on its face. So where is the alternative strategy for success?

Now, one of our colleagues, earlier this morning, said:

> We are in a hole in Iraq, and the President says the way to dig out of this hole is to dig deeper. Does that make sense, when you are in a hole, you get out by digging deeper? This is a reckless plan. It is about saving the Bush Presidency. It is not about saving Iraq.

Well, let me talk about the two elements of that—first, the analogy, which I think breaks down. I have used it before. It is a good analogy in certain situations. But it is a little bit like saying that when the first wave of our boys hit the Normandy beaches, because many of them were dying, that it made no sense to add more forces, to land the rest of our troops on the beach. And that, of course, was not the case.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. KYL. Mr. President, I will be happy to yield to the distinguished Senator from West Virginia.

Mr. BYRD. Those of us who disagreed with the plan to go into Iraq in the beginning—and now who disagree with the request that we put more troops into Iraq—we are not talking about the Normandy beach. That was an entirely different matter.

What are we fighting for over here in Iraq? Why are the American people sending their boys and girls into Iraq, a country that has not attacked us? Why are we sending our boys and girls to have their blood spilled in that faraway country? For what? For what are we spending these billions of dollars?

I cannot understand it. I say that most respectfully to the distinguished Senator, who is my friend.

Mr. KYL. Mr. President, I would say to the distinguished Senator from West Virginia, the Senator asked that question in his remarks a few minutes ago, and I had written down that is a fair question. I am prepared to answer that question, and I would like to answer that question. If the Senator would allow me just to finish the point I was making earlier, I will answer that question.

Mr. BYRD. Yes. Very well. I thank the Senator.

Mr. KYL. I might say, by the way, that is the central question, and it has not been adequately answered to date. I will concede that to my friend from West Virginia. But there is an answer, I believe, that justifies, that warrants our participation, and I will make that point.

The point I wanted to make before is that simply because you are having a problem achieving something does not mean it is wrong to try to figure out a new strategy to win. And sometimes applying more force can supply that element, that missing element.

Mr. BYRD. Mr. President, will the Senator yield for a question?

Mr. KYL. Yes, of course, I will be happy to.

Mr. BYRD. What is it we are seeking to achieve by putting more troops into Iraq?

Mr. KYL. Mr. President, first of all, I ask unanimous consent that the time used by the Senator from West Virginia not count against the time I was given.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Secondly, since the Senator has remained on the Senate floor and asked that question a second time, I will go ahead and move to answer that question, and then come back to the other points I was going to make a moment ago.

Basically, the Senator asked two questions: Why are we there in the first place; and, secondly, how is this strategy supposed to enable us to achieve the victory we seek to achieve?

Let me answer that second question first, briefly, because the President talked about this last night. The concept that the President outlined was one that he had developed, or our forces in Iraq had developed with the Maliki government. And it was predicated on a commitment that the President received from the Iraqi Government that it would be willing to do some things differently in the future.

Specifically, what? We appreciate until peace and stability come to Iraq, it is not going to be possible for that Iraqi Government to engage in the political and economic reforms that will be necessary for that society to move forward.

How does one achieve peace and stability? For most of the country there is relative peace. But everyone agrees in Baghdad itself there is great conflict and killing. So the President talked last night about a division of the city into nine specific regions, bringing in more troops from the Iraqi Government, twice as many more as the United States would bring in, in order not just to clear those areas of the killers, as the President called them, but to hold the areas, to prevent them from coming back in and then causing harm to the innocent Iraqi civilians.

The Maliki government had talked about doing this in the past. But when we did the clearing, the killers were allowed to come back and continue their bad action right after we left. We established checkpoints and curfews, and the Iraqi Government said they would like for us to eliminate those checkpoints and curfews. We would arrest these killers and put them in jail, but the Iraqi Government would let them back out. In other words, it was doing things that were antithetical to our ability to consolidate the original victory we obtained by clearing those areas of the killers.

The President obtained a commitment from Maliki that this would change, so the strategy now would be with Iraqi troops taking the lead and American troops assisting, to clear the areas and hold them, and hold the killers responsible, keep them from killing again, and go after the militias, especially in Baghdad, that were doing most of this killing.

Now, that would require some additional troops in Baghdad, and the President talked about the number of troops that would be provided for that. He said the other area where troops

would be provided would be in Al Anbar Province, to the west, where the al-Qaida terrorists had basically developed a tremendous amount of strength and taken over parts of that area, and some additional troops would be needed there.

There were other elements of the President's speech. There were well over 20, as I counted them, of different parts of this strategy. But the key elements were the ones I just mentioned. So that is the role these additional troops are supposed to play.

Now, to the more fundamental question that the Senator asked, if one only looks at Iraq in a vacuum, I can easily understand why one would come to the conclusion that with the death and destruction there, and the harm to our own troops, it does not make sense for us to be there.

But Iraq is not in a vacuum. Iraq is part of a larger war. And this is one thing that both Osama bin Laden and George Bush agree on, probably the only thing: Both of them have called the battle in Iraq critical to achieving victory in the ultimate—the President calls it the war against terrorists; bin Laden calls it the holy jihad. But, in either case, they understand that the loser in this battle in Iraq is not likely to be able to prevail in the larger global war.

In bin Laden's case, he is talking about the war to establish the califate, and he says that Baghdad will be the capital of the califate. This is the area that will be ruled by Sharia, the strict law of his interpretation of Islam. The U.S. concept of victory is a peaceful, stable Iraq that can maintain its society and borders and be an ally with us in the war against the terrorists.

Our security there is identified in two ways. First, because of the al-Qaida and other terrorists who, as I said, have done a tremendous amount of damage in Al Anbar Province and who initiated a lot of the conflict between the Shiites and the Sunnis, among other things, by bombing one of the most holy of the Shiite mosques; they have initiated a lot of this terrorism. We have to be able to defeat al-Qaida and the other terrorists in Iraq.

Secondly, we cannot lose the momentum we have gained in this war against these terrorists in places such as Jordan and Egypt and Saudi Arabia and Pakistan and Afghanistan and Yemen and other places. From a situation where they were actually helping terrorists, we have gotten to a point where they are actually helping us to find and root out and capture or kill the terrorists. Were we to leave Iraq a failed state, it would not only be a devastating—I will use the word—Holocaust for the people of Iraq, especially anyone who tried to help us or participated with the Iraqi Government, but it would be a horrible blow to our national security because it would reverse the momentum we have gained in the war against the terrorists and cause these other states to begin to hedge their bets in working with us because it is a dangerous neighborhood. It would be evident that we have no stomach to stay there and that the terrorists, therefore, can move back in, can use those as a base of operation and continue, then, to work against the states of Afghanistan, Pakistan, Saudi Arabia, and the like. In fact, Saudi Arabia has already talked about trying to provide funding for Sunnis in Iraq. Iran is providing assistance to Shiites in Iraq. These are the reasons why it is more than a battle for Iraq but, rather, to continue the momentum we have gained in dealing with these radicals all throughout that region.

Mr. BYRD. Will my friend yield?

Mr. KYL. I am happy to yield, again, to my friend.

Mr. BYRD. He used these words: ''We have no stomach to stay there.'' The question is, How long and at what cost? Stay there how long? How long are the American taxpayers and mothers and fathers going to put up with the use of their sons and daughters and their money? How long are they going to continue to want to—I shouldn't say it that way—how long are they going to continue to put up with this expenditure of blood and money and for what? I thank my friend for yielding. I hope I don't appear to be discourteous in any way.

Mr. KYL. Mr. President, the Senator from West Virginia has, again, asked the most fundamental of all questions. I am going to have to take some time to go into more detail about my answer to the question. But I think I have tried to answer one of the two questions: What is the U.S. security interest in achieving victory in Iraq?

We know that the world in that region would be thrown into absolute chaos, with probably hundreds of thousands of casualties, if not more, if we leave Iraq a failed state. Even more directly to America's interests and to answer the question of how long will Americans support this effort is the danger that our momentum in the war on terror will be set back and will be dealt a tremendous blow if we leave Iraq a failed state and the terrorists are able to then move out from there and again become dominant in places such as Afghanistan and Pakistan, the Wahabis, and Saudi Arabia and so on. That would be a terrible blow to the progress we have made against these terrorists.

Osama bin Laden has a saying about the weak horse and the strong horse. It has always been his view that we are a weak horse because we get out when the going gets tough—in Lebanon, in Vietnam, and in Mogadishu. He believes that just as he thinks he threw the Soviets out of Afghanistan, he can throw the United States out of all of this part of the world because we are the weak horse. If we confirm to the people in that region that he is right, because we will not stay in Iraq because of the difficulties we have confronted, then we will only validate the view that he has propounded and make it much more difficult for us to confront terrorists.

To the question of how long Americans will continue to support this, I suspect that the answer is only so long as they believe there is a prospect for success and only so long as the hidden costs of failure remain hidden. We have not done as good a job as we need to, to say: All right, maybe this new strategy of President Bush won't work. He believes it will. There are new commitments from the Iraqi Government that suggest it will. We are going to be doing things differently. We believe this has a chance to succeed. We know one thing for sure; that is, the alternative, withdrawal, is a guarantee for failure. And what will that failure bring? Who wants the blood on his or her hands of the hundreds of thousands of people who are likely to be killed as a result of our leaving Iraq a failed state? Who wants to then ask the question of why it is that terrorists began to spread their evil ideology throughout that part of the world to be more effective in potentially attacking the United States, when, in fact, we have had them on the run? The evidence of what we did in Somalia is a good illustration. The fact that the London bombing about 6 months ago was thwarted is another good illustration of the fact that when we have good intelligence and when we have the ability to take the fight to the enemy, we make ourselves more secure.

I appreciate the questions of the Senator from West Virginia. They go to the heart of this debate. I would hope that we will have the opportunity soon to expand on these questions and the answers to them and engage in the kind of debate that we haven't had up to now and this country needs in order to be able to make the decision of what kind of support it wants to give to the President or whether it wants to accept other points of view.

I didn't deliver quite the remarks I intended, but I appreciate the comments of the Senator from West Virginia. I would be happy to engage in that discussion in the future.

Mr. BYRD. I thank the Senator for his comments.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I ask unanimous consent to ask the Senator from Arizona a question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. The question I have is, The distinguished Senator from West Virginia asked the question: How long and at what price? But that is a false choice. Because if we leave Iraq and we walk away, we are going to be fighting this battle again. So it is not about how long and at what price; it is, when are we going to have this battle again? I believe that is up for debate. What the American people lack is the understanding that if we walk out now, we are going to put young men and women

again at risk, at far greater numbers and at far greater cost in the future, as we empower the terrorists. I wonder if the Senator from Arizona may comment.

Mr. KYL. In response to the Senator from Oklahoma, that is the point I raised at the very end. It is not only a question of whether the President's new strategy has a chance to succeed, as he believes it does, but what is the alternative. If the alternative is leaving Iraq a failed state, I have barely scratched the surface of identifying the horrors that that would represent and the dangers to American national security that it would involve. We need to do a better job of articulating that alternative. As I see it, that is the only alternative that has been put forward to the President's new strategy.

AMENDMENTS NOS. 11 AND 13

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, am I correct in my understanding that I control the time between now and 2 o'clock.

The PRESIDING OFFICER. Under the previous order, that is correct.

Mr. DEMINT. I thank the Chair.

I am here to discuss two amendments that will be voted on at 2 o'clock. I see my colleague, Senator COBURN, is here to speak on one of them. I will make a few comments and then yield some time to him.

This whole debate about lobbying and ethics reform is very important to this Congress. We know from the last election that the American people are concerned about how we spend our money, about corruption. The closer we looked at it as Congressmen and Senators, the clearer it became that the practice we have of earmarking, which is providing some favor with tax dollars to some group or entity around the country, has begun to corrupt the process. The scandals we saw on the House side were mostly related specifically to a lobbyist basically buying an earmark, a favor we consider scandalous in the Senate.

The new Speaker of the House, NANCY PELOSI, in a thoughtful proposal, H.R. 6, provided a clear definition of what these earmarks or favors are, so that when we begin to develop reform of the earmarking process, we can target those things that are the problem.

That is what my amendment is about. The bill that is on the floor of the Senate now defines earmarks in a way that only includes about 5 percent of the total earmarks. It would not have included the type of earmarks that got Congressman Duke Cunningham in trouble. It would not have included the Abramoff type of scandal either. We often disagree, but as we start this new session, there is a new climate of bipartisanship, the need to cooperate, Republicans and Democrats. But it is also important, between the House and the Senate, that when we think the House gets it right, whether it is Republican or Democrat, we should take an honest look at it. In this case, Speaker PELOSI has it right on the earmarks.

I would like to speak more about it. Before I do, I will yield whatever time Senator COBURN would like.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I don't think you can have a discussion on earmarks until you set the predicate for what is really going on. It is not dishonorable to want to help your home State. The vast majority of those things that are considered earmarks are not bad projects. They are not dark. They have a common good that most people would say would be adequate.

The question about earmarks is, What has evolved through the years and what have they become? I believe earmarks have been the gateway drug to the lack of control of the Federal budget. The proof of that is, look at who votes against appropriations bills. I will promise you, there won't be Senators in this body who have an earmark in a bill that will vote against the appropriations bill. What does that say? Does that mean everything in that bill was good; they agree with the bill?

What it means is, they have an earmark in the bill. And if they vote against it, the next time they want an earmark, they won't get it. So you have the coercion of using earmarks to control votes.

Our oath is to do what is in the best long-term interest of our country. No matter what our political philosophy, we are all Americans.

We can all agree about that. And whether we are liberal or conservative, we don't want any money wasted. But as we spend money on things that are earmarks that are not bad but definitely should not be a priority when we are fighting a war and have a gulf catastrophe and a budget deficit of $300 billion we are passing on to our children, we get the priorities all out of whack. Priorities are what the American people said they wanted us back on, and they wanted us back on it together.

The bill that is on the floor, as the Senator from South Carolina said, addresses only 5 percent of that problem—5 percent of the earmarks. The Congressional Research Service looked at that—12,318, of which 534 would fall under the bill that is on the floor—correction, 12,852 is the total and there are 12,318 that this bill would not apply to at all. It would have no application to it at all.

The other problem with earmarks is there has to be sunshine. Fixing the problem to make everybody think we fixed it versus really fixing it is what this bill does. It is a charade, as far as earmarks are concerned. There is nothing wrong with wanting an earmark or for me wanting to bring something to Oklahoma. I have chosen not to do that because I cannot see how Oklahoma can be helped with an earmark when we are borrowing $300 billion from our kids and grandkids. I cannot see how that priority can be greater when it undermines the future standard of living of our children and grandchildren. But to put this bill up without the House version—and even it doesn't go far enough because it doesn't list who the sponsor is until after it is passed. In other words, you don't know who the sponsor is until after the bills come through.

We need to be honest with the American people. The only way we are ever going to get our house in order fiscally is to have complete transparency on what we are doing, so they can see it. Today the President of the Senate and I passed a bill that will, after the fact, create transparency so that everybody will know where all the money went. But it does nothing before the fact. We need the discipline to control the spending and to not use this tool of earmarks as a coercive tool with which we get votes on appropriations bills that are spending more money than we have.

This last year, a subcommittee I chaired in the last Congress had 46 oversight hearings where we identified over $200 billion in discretionary waste, fraud, or duplication. We ought to be taking up those things. We ought to be eliminating that. We can do tremendous work.

The other thing that is important in the earmark discussion is that you don't have an earmark if it is authorized. When it is authorized, that means a committee of the Senate—a group of our peers—looked at it and said this is a priority and something that should be done; therefore, it is no longer an appropriations earmark because it has been approved by the committee of jurisdiction.

The best way to eliminate earmarks is to bring them into the sunlight, get them authorized, and allow Appropriations to fund them. That way, we have 100-percent sunshine and the American people know what we are doing, and we defend that in the public, open arena of committee hearings. We should not be afraid to do what is right, what is open, what is honest, and what is transparent for the American public. They deserve no less than that.

The earmark provision that is in the bill in the Senate that we are debating right now is cleaning the outside of the cup while the inside stays dirty. We should not let that happen. There is no doubt in my mind that Senator DEMINT's amendment is going to lose.

So the question has to come to the American public, are you going to hold the Senate accountable for acting as though they are fixing something when they are not? Anybody who votes for this bill, with the language in it the way it is today, is winking and nodding to the American people and saying we fixed it. But we didn't. Everybody here knows it won't be fixed with the language as it sits today. So it is going to

require the American people to have great oversight over us to see who votes for this bill. If you are voting for this bill, you don't want to change the way business is done here; you want to leave it exactly the way it is and leave everything alone. So you want to tell everybody you fixed it when you didn't. That smacks of a lack of integrity in this body that belies its history.

I yield back my time.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I thank my colleague for his persistence and hard work on a very commonsense issue. Many times in this Chamber, and in the House, we assume on our side that if the Democrats have an amendment, there is always some trick in it and they are trying to get us to take a vote and make us look bad; we don't trust each other. I wish to make an appeal that on this one amendment—this amendment No. 11 we have talked about—there is no trick. It is the exact language Speaker NANCY PELOSI put in their ethics bill, because everybody there—many Republicans and Democrats—agree that if we are going to at least have a pretense of changing the culture here, we need to be fully transparent and open and honest in what we are talking about.

As Senator COBURN said, many earmarks are good projects; they help people and organizations. The problem we have is that in order to get a few of those things that are good and necessary, we have to vote for thousands and thousands of earmarks that are not Federal priorities, and many of them, once disclosed, become an embarrassment to us. I think it has made the American people jaded about what we do here.

This is an opportunity to at least work together on one thing. The problem we had—and Senator COBURN mentioned this—in 2006 is that in the appropriations bills there were 12,852 earmarks. I am sure there are many that could be defended. But the biggest problem we have as a Congress is that behind these thousands of earmarks are thousands and thousands of lobbyists who have been paid to come up here and influence us in a way that would include a favor for their client in the bill. Again, many of these are legitimate. But what we have done to ourselves and our country—it drives me crazy to see a little town in South Carolina that is paying a lobbyist firm over $100,000 a year because that firm has promised them they can come up here and get a Federal earmark for a million dollars or more. What a great return—pay $100,000 and get a million dollar earmark. We see little colleges, associations, and businesses hiring lobbyists, hoping to get a particular earmark. So we have thousands of lobbyists in this town who are here to try to influence us to do a favor on behalf of their client. Much of this is legitimate, but our oath and our reason for being here is for the good of this country. We cannot do business with thousands and thousands of special interests who are here to influence us, and we have a system that actually makes it difficult for us not to go along with that, as Senator COBURN has pointed out.

This amendment is very simple. It doesn't create any kind of rigorous process for disclosure, which has been claimed here today by the other side. It simply says if we are going to create a transparent, well-disclosed process of the earmarks we are putting into a bill, all of them are disclosed, not just some small definition that includes only 5 out of 100 earmarks. We have already said there were only 534 out of about 12,800, so we cannot pretend to be putting a stop to the corrupting process of money here in the Congress if we try to convince the American people that somehow we have done some good. If we look at the corruption we are trying to get rid of, Duke Cunningham on the House side was influenced by lobbyists to get a Federal earmark from the Department of Defense. That would not have been included in the bill that is here on the Senate side. But it would be in NANCY PELOSI's language. We could stop the corruption before it ever happens.

We have a real opportunity to do something that is significant. If we are going to spend weeks and weeks—which ultimately we are—with ethics and lobbying reform and transparency, if we get to the end of this and we have something that does not appear remotely honest to the American people, I think we will all be ashamed of the process we went through. Unfortunately, yesterday, we voted down an amendment that would bring another bit of honesty to this organization. We had the big scandal we talked about in the last election, Abramoff. The problem there is that Indian tribes in America are allowed to give unregulated amounts of unaccountable money to Congress to buy influence, and that is what happened in that case.

We had an amendment yesterday that would have asked the Indian tribes to play by the same rules every other group in America plays by, but we voted it down. That means that in the future Indian tribes, with all their casinos and money, are going to continue to flood Congress with money and the American people don't know what it is buying, where it is coming from. It is senseless to go through an ethics reform bill and overlook something that obvious.

Today, we have something equally as obvious. We have a proposal to identify and make transparent the earmarks that come through the appropriation bills. It is something the House has agreed on, and Speaker PELOSI has made it a top priority. This is not a partisan trick. This is a commonsense disclosure provision that will be good for this body.

Mr. COBURN. Will the Senator yield for a moment?

Mr. DEMINT. Yes.

Mr. COBURN. Mr. President, I will make a point. There is nobody down here defending the other side.

Mr. DURBIN. I am here.

Mr. COBURN. I would love to have a debate on the basis of why the amendment that is in this substitute should not cover the other 95 percent of the earmarks. I ask the Senator from Illinois, what is the basis for only covering 5 percent of the earmarks in the bill.

Mr. DURBIN. I thank the Senator from Oklahoma.

The PRESIDING OFFICER. Time is controlled by the Senator from South Carolina.

Mr. DEMINT. I yield to Senator DURBIN so he may answer the question.

Mr. DURBIN. Mr. President, there are two problems, at least, with the amendment. First, we try in the bipartisan Reid-McConnell earmark reform to include not only appropriations earmarks but also tax benefits. It is the same deal. You either send a million dollars to a corporation in an appropriations earmark or in a tax benefit. So we include both. The language of Senator DEMINT's amendment, unfortunately, waters that down and weakens it.

Secondly, we have more stringent reporting requirements in the Reid-McConnell amendment than in the DeMint amendment. There is no reason to walk backward here. We are moving forward toward reform of earmarks. I don't know if it was a drafting error or what, but the DeMint amendment makes language on tax earmarks weaker and the reporting requirements weaker as well.

Mr. DEMINT. I thank the Senator. Reclaiming my time, I would be happy to work with the Senator on that. We include earmarks related to special tax treatment and special tariffs. I know there was discussion in the House. Again, Speaker PELOSI and the Democrats decided on this definition because they believe strongly in it. I do, too. We are certainly willing to work on that.

The strategy today to table this amendment that would move from 5 percent of earmarks to 100 percent does not seem to be an open and honest part of the process to get at a better ethics reform bill.

Mr. COBURN. Will the Senator yield?

Mr. DEMINT. Yes.

Mr. COBURN. I make the point, if you got better reporting on 5 percent and no reporting on 95 percent, you have nothing. That is the whole point. Before the Senator from Illinois came down, I said it is not dishonorable to ask for an earmark. Most of them are good projects. I made that point. But to not have 95 percent of the earmarks reported, whether strong or weak, and say we are going to report 5 percent of the earmarks and report them strongly is not cleaning anything up.

Mr. DURBIN. Will one of the Senators yield?

Mr. DEMINT. I yield.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator. As I said, this is getting perilously close to debate in the Senate, which hardly ever happens.

Mr. DEMINT. Mr. President, I thank the Senator for being here.

Mr. DURBIN. I am glad to be here with my colleague. The difference is this: I have had a passion for a long time about the fight for global AIDS. I believe we need to appropriate the funds that the President promised and for which I applauded him to fight the global AIDS epidemic.

Every year I try to plus up and increase the amount of money that goes to fight global AIDS. I have been successful. I am proud of it. I think it is something I have done that has made a difference in the world.

That, under the Senator's definition, is an earmark. It is not an earmark as we have traditionally understood it. The money is not going to a private company, individual or private entity. The money is going to a Federal agency.

To add to this earmark reform language, all the money that goes to Federal agencies may give the Senator some satisfaction, but it is just creating voluminous, unnecessary paperwork.

Can we not focus on where the abuses have occurred, where the earmarks have gone to special interest groups, businesses, and individuals? Let's get that right. The rest of it is what an appropriations bill is all about.

Mr. DEMINT. In the interest of continued debate, I yield to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from South Carolina yields to the Senator from Oklahoma.

Mr. COBURN. Mr. President, first, that is not an earmark program. It is not an earmark. Everybody knows it is not an earmark. It is the 95 percent that is in the report language that nobody knows about and on which we are not going to report.

The American people deserve transparency. The Senator is good. Senator DURBIN is very good, and I understand debating with him is difficult, but he is not to the point. The point is, that is not an earmark. It is a great move to the side. That is not an earmark. Items authorized are not earmarks. That is the point I made before the Senator from Illinois came to the floor.

All we have to do to get rid of the earmark program is to authorize them in an authorizing committee. Let a group of our peers say they are good. But we don't want to do that. We want to continue to hide this 95 percent that is hidden in the report language that the American public isn't going to know about until an outside group or some Senator raises it to say: Look at this atrocious thing.

Mr. DURBIN. Mr. President, will the Senator yield?

Mr. COBURN. I would like to finish. The point being, let's not send a false message to the American public. This provision that is in this bill is a sham in terms of cleaning up earmarks, and if you are going to defend it, then you are going to have to defend it to the American public.

It will not eliminate 95 percent of the earmarks, it will not make them transparent, and they will never know until after the fact who did it, why, when, and what lobbyist got paid for it.

Mr. DEMINT. Mr. President, reclaiming my time. I am running short. I believe I have until 2 o'clock.

The PRESIDING OFFICER. That is correct. The Senator from Illinois has asked if the Senator from South Carolina will yield for a response.

Mr. DEMINT. I will yield in a moment. I appreciate the Senator from Illinois staying with us because I want to mention another amendment and give him some comment. I do appreciate the opportunity for some debate.

I would like to summarize to make a key point. Nothing in this amendment would limit, in any way, our ability to earmark bills. We could have 12,000 next year, if we want. The main point of this is that if we are going to have 12,800 some-odd earmarks we have a way to show the American people what these earmarks are, where they are going, and who sponsored them so they can see what we are doing.

We know what that would do. It would, first of all, reduce a lot of the earmarks if they were disclosed. It would allow Members to know when we have earmarks. Many times, the 95 percent or so we are voting on are in a conference report, and we haven't seen them. We are not eliminating earmarks, we are disclosing them and making them transparent, which is key to any lobby reform.

Let me mention another amendment we talked about earlier today. It is referred to as an automatic continuing resolution, and I am sure a lot of folks don't know exactly what we are talking about. Every year we go through a process of appropriating money for different Government programs. We have 11 or so different bills, if that is the way we divide it this year. We have to have those done, or supposed to, by the end of our fiscal year in order for the Government to continue operations. But 24 out of the last 25 years, the Congress, under the control of both Republicans and Democrats, has not finished all its appropriations bills before the end of our fiscal year, and we have had to have a continuing resolution to avoid the Government shutting down. We have done that every year I have been in the House and in the Senate.

What that does at the end of every year is create a crisis. We have to vote for the continuing resolution, we have to get it done, and that is when many of these earmarks are slipped in. That is when many times we are told that if we want to keep the Government operating, we need to vote for this resolution, even though we don't know what is in it yet.

Every year we frighten senior citizens, veterans, and other people depending on Government programs that somehow their service is going to be interrupted because the Government is going to close down.

It is completely unnecessary to do this every year. We know, in the last years, it is not unusual for us to pass a continuing resolution in the middle of the night and put it on a jet airplane and fly it to the other part of the world so the President can sign it at the last minute so we won't send all our Federal employees home and cut services around the country. It is a game we play every year that encourages bad legislation, it encourages unnecessary earmarks, and it encourages us to operate with blinders on because we don't know what we are voting on. This is not a partisan trick because the Democrats could be in charge, we could have a Democratic President.

This amendment is, again, very simple. If we have not passed the appropriations bills at the end of the fiscal year that applies to certain agencies of Government, those agencies continue to operate at the budget they had the previous year. At whatever time during the year we pass the appropriations bill that funds them, then that circumvents the automatic CR, and we continue with the new level funding. This would take the crisis out of the end of every year.

What is effective blackmail, where you vote for this or the Government is going to close down, we don't need to do that. What we need is an orderly, transparent process that the American people can see and that we as Members can see.

This amendment would continue the operation of Government until we are able to get our business done, and then we would continue business as usual.

Again, it is simple, commonsense legislation that does not cost the country anything. In fact, I think it will save us millions and millions of dollars when we do our business correctly.

If the Senator from Illinois has some response, I will be glad to yield.

Mr. DURBIN. Mr. President, if the Senator will be kind enough to yield.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I have been speaking with our colleague from Oklahoma. On some of this, I say to the Senator, we may be able to reach an understanding. As I understand it, from the original language of the bill which referred to earmarks as non-Federal spending, that language ''non-Federal'' is stricken, leading us to conclude that it applies to Federal earmarks as well.

The Senator from Oklahoma says he believes the distinction should be whether the program is authorized. That is not in the language of the amendment of the Senator from South Carolina.

It is important for us, if we are going to change the Senate rules, to explore

in some detail the language we use. Although the Senator's intent may be noble, I am opposing it as currently written because I think we need to tighten it and make sure we achieve what we want to achieve.

The final point I will make is, as disappointing as the underlying bill may be to some, to others, I think it is a positive step forward. It is going to result in more required transparency and disclosure than currently exists.

If the Senator feels we should move beyond it, perhaps at another time we can, but let's do it in a manner that achieves exactly what the Senator has described on the floor. I think the language presented to us does not achieve that.

Mr. DEMINT. Mr. President, I appreciate the Senator's transparency. I have been around long enough to know exactly what is going to happen. If we have a transparent provision for 5 percent of earmarks, but if we do them another way, such as in report language, they are not transparent, and this is going to encourage more perversion of the way we do business because what is going to happen is we are going to push more and more of our earmarks into report language in conference bills that we don't know is there and the American people don't know is there.

We know how this place operates, and we are going to choose the path of least resistance. If we don't have to disclose it if it is in report language, but we do if it is in the bill, then we are actually going to do harm to the process.

I will tell the Senator from Illinois this: He mentioned a Senate rule. We are not talking about a Senate rule. We are talking about a statute of law we are passing that will go to conference with the House. The Senator, obviously, as a member of the majority, will have ample opportunity to change this provision, but I think it would be a good signal to America, to the House, to our colleagues in the Senate that if we adopt this amendment today, and if there are ways to improve it in conference, I am certainly open to that. But to table this amendment and to say we don't even want to discuss or vote on an amendment that creates more disclosure and honesty in the process, I think does harm to what we are trying to do today.

Mr. DURBIN. Mr. President, will the Senator yield for a question?

Mr. DEMINT. Yes.

Mr. DURBIN. Mr. President, I say to the Senator, having served in the House and Senate on Appropriations Committees and having been fortunate to chair a subcommittee in the House and now in the Senate, I would like to make this point which I think the Senator's amendment misses.

We cannot authorize a program with committee report language—we cannot authorize a program with committee report language. I learned long ago that unless we have bill language, actually creating a law, we are not authorizing the creation of a program. The Senator's language says:

> The term ''congressional earmark'' means a provision or report language authorizing or recommending a specific amount.

It is not legally possible in a committee report to authorize a program.

Mr. DEMINT. Mr. President, I thank the Senator. The Senator from Illinois is right. We don't authorize, but the Senator also mentioned the word ''recommending.'' Ninety-five percent of the earmarks produced by this Congress are in report language and conference reports that actually do not have the force of law, that are recommended but have been carried out by the executive branch for years just for fear of retribution from the Congress because we talked to the President about this.

There is no reason why these should not be disclosed. There is no reason the American people should not know they are there. We are not limiting the number that can be there. We are not suggesting we change the authorizing process.

Mr. COBURN. Mr. President, will the Senator yield?

Mr. DEMINT. I yield to the Senator from Oklahoma.

Mr. COBURN. I want to put in the RECORD this idea of Federal entity, non-Federal entity. Let me give my colleagues examples of Army Corps of Engineers' earmarks in report language:

Six hundred thousand dollars to study fish passage, Mud Mountain, WA;

Two hundred and seventy-five thousand dollars to remove the sunken vessel State of Pennsylvania from a river in Delaware;

Five hundred thousand dollars for the collection of technical and environmental data to be used to evaluate potential rehabilitation of the St. Mary Storage Unit facilities, Milk River Project, MT;

Five million dollars for rural Idaho environmental infrastructure. Nowhere will you find in that bill what that is for. The American people ought to know what that is for. We ought to know what that is for.

One million and seventy-five thousand dollars for a reformulation study of Fire Island Inlet to Montauk Point, NY;

One hundred and fifty thousand dollars for the Teddy Roosevelt Environmental Education Center;

One million two hundred and fifty thousand dollars for the Sacred Falls demonstration project in Hawaii;

Two million dollars for the Desert Research Institute in Nevada.

None of those are authorized. Nobody will hold anybody accountable for those earmarks. Nobody will know it happened unless we bring it up on the floor, and then we would not have the power to vote because the coercive power of appropriations in this Congress is, if you don't vote for it, you won't get the next earmark you want; you will be excluded from helping your State on a legitimate earmark.

The American people better pay attention to the vote on tabling this amendment because anybody who votes to table this amendment wants to continue the status quo in Washington as far as earmarks.

Mr. LEVIN. Mr. President, I will vote to table the DeMint amendment. This amendment would strike earmark reform language in the Reid-McConnell bipartisan substitute and replace it with provisions which contain, among other things, a definition of earmarked tax benefits which is weaker than the Reid-McConnell language.

The DeMint amendment would define a tax benefit as an earmark only if it benefits 10 or fewer beneficiaries. This leaves open a loophole for earmarks aimed at benefitting very small groups of people, perhaps as few as 11 or 15 or 50 taxpayers. It would be relatively easy to circumvent the DeMint language and the intent of the tax earmark language in the bill.

The bipartisan Reid-McConnell language, on the other hand, defines a tax benefit as an earmark if it ''has the practical effect of providing more favorable tax treatment to a limited group of taxpayers when compared with similarly situated taxpayers.'' This is stronger language—a limited group can be far more than 10.

I am hopeful that this bill will come back from conference committee containing strong and effective earmark reform provisions from both the House and the Senate bills.

Mr. DEMINT. Mr. President, I will give the Senator from Illinois the last word.

The PRESIDING OFFICER. The Senator from Illinois has 2 minutes.

Mr. DURBIN. Mr. President, let me say at the outset that committee report language cannot authorize something that is not legal, no matter what we put in committee report language. This has to be put in bill language.

So referring to a committee report—trust me, after more than 20 years serving on appropriations committees, committee report language is akin to sending a note to your sister—it doesn't mean much. But when it comes to the actual expenditure of money, you want bill language and it is there.

Let me, also, say that the money the Senator is talking about is being transferred, I assume—I don't know those particular projects—to other governmental entities. They could be counties, they could be States, they could be cities. These governmental entities are receiving this money.

What we are talking about, the most egregious cases that have led to the greatest embarrassment on Capitol Hill involves the people who represent private interest groups who come here and receive these earmarked funds. Those people are subject to full disclosure under the underlying bill. That is what this is all about.

The PRESIDING OFFICER. The Senator's time has expired.

The PRESIDING OFFICER. Under the previous order, there will now be 2

minutes of debate equally divided in relation to the DeMint amendment No. 11. Who yields time?

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 1 minute.

Mr. DEMINT. Which amendment is this?

The PRESIDING OFFICER. Amendment No. 11.

Mr. DEMINT. Mr. President, this is what we call the Nancy Pelosi amendment; it is in her honor. I appreciate the opportunity for debate. I appreciate my colleague from Illinois joining us in some give and take. I think there is a temptation to make this more than it is. It is not a new set of regulations. It is applying the same transparency we are trying to apply to 5 percent of earmarks to all the earmarks so that we will not only be honest as a body, but we will appear honest to the American people.

I think all of us know if we walk out of here and the media shines a light on what we have done, and if it becomes obvious that most of the earmarks we pass are completely overlooked by our ethics and lobbying reform bill, then it will be seen for the sham that it really is. We are investing too much of our time and too much of the interests of our country in this idea of ethics reform——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DEMINT. I thank the President for his patience.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 minute.

Mr. DURBIN. Mr. President, I urge my colleagues to vote for a motion to table. We have a good underlying bipartisan bill that will bring about significant reform in the earmark process. The DeMint amendment would weaken the bill in two specific instances.

When it comes to targeted tax benefits, his definition, regardless of the source, is not as strong as the underlying bill, which means the targeted tax benefits that benefit special interest groups will not receive the same full disclosure under DeMint that they will under the underlying bill.

Second, for reasons I don't understand, he removes the requirement of posting these earmarks on the Internet 48 hours in advance. That is a good safeguard. Why he has removed it I don't know, but it weakens the underlying bill.

I urge my colleagues to vote for the motion to table. I will work with my colleagues from South Carolina and Oklahoma in the hopes that we can find some common ground.

Mr. President, I move to table the DeMint amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUYE) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Kansas (Mr. BROWNBACK).

The PRESIDING OFFICER (Mrs. LINCOLN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 51, as follows:

[Rollcall Vote No. 5 Leg.]

YEAS—46

Akaka	Domenici	Murray
Baucus	Dorgan	Nelson (NE)
Bayh	Durbin	Pryor
Bennett	Feinstein	Reed
Biden	Hatch	Reid
Bingaman	Kennedy	Rockefeller
Boxer	Klobuchar	Salazar
Brown	Kohl	Sanders
Bunning	Lautenberg	Schumer
Byrd	Leahy	Smith
Cardin	Levin	Stabenow
Carper	Lincoln	Voinovich
Casey	Lott	Whitehouse
Clinton	McCaskill	Wyden
Conrad	Menendez	
Dodd	Mikulski	

NAYS—51

Alexander	Enzi	McConnell
Allard	Feingold	Murkowski
Bond	Graham	Nelson (FL)
Burr	Grassley	Obama
Cantwell	Gregg	Roberts
Chambliss	Hagel	Sessions
Coburn	Harkin	Shelby
Cochran	Hutchison	Snowe
Coleman	Inhofe	Specter
Collins	Isakson	Stevens
Corker	Kerry	Sununu
Cornyn	Kyl	Tester
Craig	Landrieu	Thomas
Crapo	Lieberman	Thune
DeMint	Lugar	Vitter
Dole	Martinez	Warner
Ensign	McCain	Webb

NOT VOTING—3

Brownback	Inouye	Johnson

The motion was rejected.

Mr. REID. I move to reconsider the vote.

Mr. BENNETT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 13

The PRESIDING OFFICER. There are 2 minutes of debate actually divided prior to the vote on the DeMint amendment, No. 13.

Who yields time?

Mrs. FEINSTEIN. Madam President, I ask for order.

The PRESIDING OFFICER. There will be order in the Chamber.

The Senator from South Carolina is recognized.

Mr. DEMINT. Madam President, it is my understanding I am speaking in defense of amendment No. 13, which we call the automatic continuing resolution.

The PRESIDING OFFICER. That is correct.

Mr. DEMINT. I wish to appeal to my fellow Senators to remember that over the last 25 years, 24 of those years we were not able to complete the appropriations process before the end of the fiscal year. As you know, every year we have a crisis situation here. We are all familiar with the end of the year crisis where we have to vote for a bill or we are going to close down the Government or parts of the Government. We sign a continuing resolution and that night, many times, we are flying to other parts of the world so the President can sign it.

This amendment is a very simple idea. If we are not able to finish an appropriations bill before the end of the fiscal year, it simply continues the Government under last year's funding. That way, we do not have to have a crisis and vote on bills we have not read and that we are embarrassed about 3 weeks later, and we do not have to threaten Federal employees or senior citizens that their services will be cut off.

Please support this amendment. It is simple common sense to continue the operations of Government until we can complete our business.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COCHRAN. Madam President, this amendment essentially provides for an automatic continuing resolution in the event any annual appropriations bill is not enacted prior to the beginning of the fiscal year.

In this fiscal cycle we have passed three continuing resolutions to fund the programs for which appropriations bills have not yet been enacted. Those continuing resolutions have been free of extraneous matter, and have been passed by the House and Senate without particular difficulty.

My desire to enact the regular appropriations bills on time does not stem from fear of our inability to enact a continuing resolution. I do not see that the need to pass continuing resolutions creates a ''crisis atmosphere'' as some have portrayed.

Rather, the pressure to pass the annual spending bills stems from a sincere desire—at least on this Senator's part—to fulfill Congress's constitutional obligation to exercise the power of the purse. It stems from our desire to make intelligent decisions about programs that deserve more funding than was provided in the prior year, and to reduce or cut off funding for other programs that aren't working, or which are a lower priority within the constraints of the budget resolution.

Mr. President, if Senators feel that biennial budgeting is wise, then let us enact a biennial budget. If Members feel that the amount of discretionary spending should be reduced for certain programs, then let us debate amendments to the appropriations bills or to the budget resolution. But let's not abdicate our responsibilities by putting the whole operation on autopilot.

Finally, I would observe that at the end of the last Congress it was not the continuing resolution that was laden with extraneous items. It was rather the tax bill that contained a host of disparate and costly items, many of which were new to members of the Senate. And what was one of the primary

drivers of that tax legislation? The need to extend expiring tax breaks. I wonder how Senators would feel about a formula-driven approach to automatically extend expiring tax provisions?

This isn't a position that I am advocating, but it illustrates the point that a continuing resolution is not a ploy by the Appropriations Committee to pressure Members into supporting appropriations bills.

We don't need an automatic formula of this sort. What we need to do is get to work, debate legislation, move it through in the regular order, and get it done. We should not abdicate our responsibilities and put government on autopilot.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, while this amendment is well intended, I believe it will make the circumstance even worse, because it will put Government on automatic pilot.

Madam President, more seriously, the automatic CR proposed by the Senator guarantees funding levels; therefore, CBO would score the proposal as effectively prefunding the 2008 bills. Thus, if adopted, this amendment will be scored by the Congressional Budget Office with increasing direct spending by hundreds of billions of dollars. The last time CBO scored this bill, this proposal, they put an estimate of $566 billion on this amendment.

The pending amendment deals with matters within the jurisdiction of the Committee on the Budget. I therefore raise a point of order that the pending amendment violates section 306 of the Congressional Budget Act of 1974.

Mr. DEMINT. We get lots of scores around this place. This is not spending. Pursuant to section 904(c)(1) of the Congressional Budget Act, I move to waive the point of order, and I ask for the yeas and nays.

The PRESIDING OFFICER (Ms. CANTWELL). Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUYE) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: The Senator from Kansas (Mr. BROWNBACK).

The yeas and nays resulted—yeas 25, nays 72, as follows:

[Rollcall Vote No. 6 Leg.]

YEAS—25

Allard	Ensign	Martinez
Bunning	Enzi	McCain
Burr	Graham	McConnell
Chambliss	Grassley	Sessions
Coburn	Hatch	Stevens
Corker	Inhofe	Thune
Cornyn	Isakson	Vitter
DeMint	Kyl	
Dole	Lott	

NAYS—72

Akaka	Dorgan	Nelson (FL)
Alexander	Durbin	Nelson (NE)
Baucus	Feingold	Obama
Bayh	Feinstein	Pryor
Bennett	Gregg	Reed
Biden	Hagel	Reid
Bingaman	Harkin	Roberts
Bond	Hutchison	Rockefeller
Boxer	Kennedy	Salazar
Brown	Kerry	Sanders
Byrd	Klobuchar	Schumer
Cantwell	Kohl	Shelby
Cardin	Landrieu	Smith
Carper	Lautenberg	Snowe
Casey	Leahy	Specter
Clinton	Levin	Stabenow
Cochran	Lieberman	Sununu
Coleman	Lincoln	Tester
Collins	Lugar	Thomas
Conrad	McCaskill	Voinovich
Craig	Menendez	Warner
Crapo	Mikulski	Webb
Dodd	Murkowski	Whitehouse
Domenici	Murray	Wyden

NOT VOTING—3

Brownback	Inouye	Johnson

The PRESIDING OFFICER. On this vote, the yeas are 25, the nays are 72. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

The Senator from South Carolina.

Mr. DEMINT. Madam President, if I could have a brief moment to address the majority.

We had a good debate on my first amendment, amendment No. 11, to expand the definitions of earmarks in a way that the American people could understand and see. I appreciate the Senator from Illinois participating in a good and open debate. The motion was to table that amendment, but, with bipartisan support, we defeated the motion to table. And as a customary way of courtesy, I think, in the Senate, we normally accept a voice vote for amendments that are not tabled.

I ask unanimous consent that amendment be accepted.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I see the managers on the floor at this time. I do not wish to interrupt the flow of the discussion. I would like to speak briefly on another matter, to speak for a very few minutes.

Mr. BENNETT. Madam President, if I could be recognized to take care of a few housekeeping details, we would then listen to the Senator from Massachusetts.

Mr. KENNEDY. Madam President, I yield for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah.

AMENDMENTS NOS. 19, 28, AND 29 EN BLOC

Mr. BENNETT. Madam President, I ask unanimous consent to set the pending amendment aside and call up amendments Nos. 19, 28, and 29 en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. BENNETT], for Mr. MCCAIN, proposes an amendment numbered 19 to amendment No. 4.

The Senator from Utah [Mr. BENNETT], for Mr. MCCAIN, for himself, Mr. FEINGOLD, and Mr. GRAHAM, proposes an amendment numbered 28 to amendment No. 3.

The Senator from Utah [Mr. BENNETT], for Mr. MCCAIN, for himself, Mr. FEINGOLD, and Mr. GRAHAM, proposes an amendment numbered 29.

Mr. BENNETT. Madam President, I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 19

(Purpose: To include a reporting requirement)

On page 8, line 4 of the amendment, strike ''expense.''.'' and insert the following: ''expense.

''(i) A Member, officer, or employee who travels on an aircraft operated or paid for by a carrier not licenced by the Federal Aviation Administration shall file a report with the Secretary of the Senate not later than 60 days after the date on which such flight is taken. The report shall include—

''(1) the date of such flight;

''(2) the destination of such flight;

''(3) the owner or lessee of the aircraft;

''(4) the purpose of such travel;

''(5) the persons on such flight (except for any person flying the aircraft); and

''(6) the charter rate paid for such flight.''.

On page 9, line 21 of the amendment, strike ''committee pays'' and insert the following: ''committee—

''(I) pays''

On page 10, line 5 of the amendment, strike ''taken.'' and insert the following: ''taken; and

''(II) files a report with the Secretary of the Senate not later than 60 days after the date on which such flight is taken, such report shall include—

''(aa) the date of such flight;

''(bb) the destination of such flight;

''(cc) the owner or lessee of the aircraft;

''(dd) the purpose of such travel;

''(ee) the persons on such flight (except for any person flying the aircraft); and

''(ff) the charter rate paid for such flight.''.

AMENDMENT NO. 28

(Purpose: To provide congressional transparency)

On page 4, strike line 11 through line 10, page 5, and insert the following:

that portion of the conference report that has not been stricken and any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the conference report;

(B) the question shall be debatable; and

(C) no further amendment shall be in order; and

(3) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅗ of the Members, duly chosen and sworn. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) ANY MATTER.—In this section, the term ''any matter'' means any new matter, including general legislation, unauthorized appropriations, and non-germane matter.

SEC. 102A. REFORM OF CONSIDERATION OF APPROPRIATIONS BILLS IN THE SENATE.

(a) IN GENERAL.—Rule XVI of the Standing Rules of the Senate is amended by adding at the end the following:

''9.(a) On a point of order made by any Senator:

''(1) No new or general legislation nor any unauthorized appropriation may be included in any general appropriation bill.

''(2) No amendment may be received to any general appropriation bill the effect of which will be to add an unauthorized appropriation to the bill.

''(3) No unauthorized appropriation may be included in any amendment between the Houses, or any amendment thereto, in relation to a general appropriation bill.

''(b)(1) If a point of order under subparagraph (a)(1) against a Senate bill or amendment is sustained—

''(A) the new or general legislation or unauthorized appropriation shall be struck from the bill or amendment; and

''(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the bill or amendment shall be made.

''(2) If a point of order under subparagraph (a)(1) against an Act of the House of Representatives is sustained when the Senate is not considering an amendment in the nature of a substitute, then an amendment to the House bill is deemed to have been adopted that—

''(A) strikes the new or general legislation or unauthorized appropriation from the bill; and

''(B) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the bill;

''(c) If the point of order against an amendment under subparagraph (a)(2) is sustained, then the amendment shall be out of order and may not be considered.

''(d)(1) If a point of order under subparagraph (a)(3) against a Senate amendment is sustained, then—

''(A) the unauthorized appropriation shall be struck from the amendment;

''(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the amendment shall be made; and

''(C) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the amendment as so modified.

''(2) If a point of order under subparagraph (a)(3) against a House of Representatives amendment is sustained, then—

''(A) an amendment to the House amendment is deemed to have been adopted that—

''(i) strikes the new or general legislation or unauthorized appropriation from the House amendment; and

''(ii) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the House amendment; and

''(B) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the question of whether to concur with further amendment.

''(e) The disposition of a point of order made under any other paragraph of this rule, or under any other Standing Rule of the Senate, that is not sustained, or is waived, does not preclude, or affect, a point of order made under subparagraph (a) with respect to the same matter.

''(f) A point of order under subparagraph (a) may be waived only by a motion agreed to by the affirmative vote of three-fifths of the Senators duly chosen and sworn. If an appeal is taken from the ruling of the Presiding Officer with respect to such a point of order, the ruling of the Presiding Officer shall be sustained absent an affirmative vote of three-fifths of the Senators duly chosen and sworn.

''(g) Notwithstanding any other rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a general appropriation bill or an amendment between the Houses on a general appropriation bill violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (f), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

''(h) For purposes of this paragraph:

''(1) The term 'new or general legislation' has the meaning given that term when it is used in paragraph 2 of this rule.

''(2)(A) The term 'unauthorized appropriation' means an appropriation—

''(i) not specifically authorized by law or Treaty stipulation (unless the appropriation has been specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law); or

''(ii) the amount of which exceeds the amount specifically authorized by law or Treaty stipulation (or specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law) to be appropriated.

''(B) An appropriation is not specifically authorized if it is restricted or directed to, or authorized to be obligated or expended for the benefit of, an identifiable person, program, project, entity, or jurisdiction by earmarking or other specification, whether by name or description, in a manner that is so restricted, directed, or authorized that it applies only to a single identifiable person, program, project, entity, or jurisdiction, unless the identifiable person, program, project, entity, or jurisdiction to which the restriction, direction, or authorization applies is described or otherwise clearly identified in a law or Treaty stipulation (or an Act or resolution previously passed by the Senate during the same session or in the estimate submitted in accordance with law) that specifically provides for the restriction, direction, or authorization of appropriation for such person, program, project, entity, or jurisdiction.''.

(b) LOBBYING ON BEHALF OF RECIPIENTS OF FEDERAL FUNDS.—The Lobbying Disclosure Act of 1995 is amended by adding after section 5 the following:

''SEC. 5A. REPORTS BY RECIPIENTS OF FEDERAL FUNDS.

''(a) IN GENERAL.—A recipient of Federal funds shall file a report as required by section 5(a) containing—

''(1) the name of any lobbyist registered under this Act to whom the recipient paid money to lobby on behalf of the Federal funding received by the recipient; and

''(2) the amount of money paid as described in paragraph (1).

''(b) DEFINITION.—In this section, the term 'recipient of Federal funds' means the recipient of Federal funds constituting an award, grant, or loan.''.

(c) PROHIBITION ON OBLIGATION OF FUNDS FOR APPROPRIATIONS EARMARKS INCLUDED ONLY IN CONGRESSIONAL REPORTS.—

(1) IN GENERAL.—No Federal agency may obligate any funds made available in an appropriation Act to implement an earmark that is included in a congressional report accompanying the appropriation Act, unless the earmark is also included in the appropriation Act.

(2) DEFINITIONS.—For purposes of this subsection:

(A) The term ''assistance'' includes an award, grant, loan, loan guarantee, contract, or other expenditure.

(B) The term ''congressional report'' means a report of the Committee on Appropriations of the House of Representatives or the Senate, or a joint explanatory statement of a committee of conference.

(C) The term ''earmark'' means a provision that specifies the identity of an entity to receive assistance and the amount of the assistance.

(D) The term ''entity'' includes a State or locality.

(3) EFFECTIVE DATE.—This subsection shall apply to appropriation Acts enacted after December 31, 2007.

SEC. 103. EARMARKS.

The Standing Rules of the Senate are amended by adding at the end the following:

''RULE XLIV

''EARMARKS

''1. In this rule—

''(1) the term 'earmark' means a provision that specifies the identity of an entity (by

AMENDMENT NO. 29

(Purpose: To provide congressional transparency)

On page 4, strike line 11 through line 2, page 5, and insert the following:

that portion of the conference report that has not been stricken and any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the conference report;

(B) the question shall be debatable; and

(C) no further amendment shall be in order; and

(3) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅗ of the Members, duly chosen and sworn. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) ANY MATTER.—In this section, the term ''any matter'' means any new matter, including general legislation, unauthorized appropriations, and non-germane matter.

SEC. 102A. REFORM OF CONSIDERATION OF APPROPRIATIONS BILLS IN THE SENATE.

(a) IN GENERAL.—Rule XVI of the Standing Rules of the Senate is amended by adding at the end the following:

''9.(a) On a point of order made by any Senator:

''(1) No new or general legislation nor any unauthorized appropriation may be included in any general appropriation bill.

''(2) No amendment may be received to any general appropriation bill the effect of which will be to add an unauthorized appropriation to the bill.

''(3) No unauthorized appropriation may be included in any amendment between the Houses, or any amendment thereto, in relation to a general appropriation bill.

''(b)(1) If a point of order under subparagraph (a)(1) against a Senate bill or amendment is sustained—

''(A) the new or general legislation or unauthorized appropriation shall be struck from the bill or amendment; and

''(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the bill or amendment shall be made.

''(2) If a point of order under subparagraph (a)(1) against an Act of the House of Representatives is sustained when the Senate is not considering an amendment in the nature of a substitute, then an amendment to the House bill is deemed to have been adopted that—

''(A) strikes the new or general legislation or unauthorized appropriation from the bill; and

''(B) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the bill;

''(c) If the point of order against an amendment under subparagraph (a)(2) is sustained, then the amendment shall be out of order and may not be considered.

''(d)(1) If a point of order under subparagraph (a)(3) against a Senate amendment is sustained, then—

''(A) the unauthorized appropriation shall be struck from the amendment;

''(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the amendment shall be made; and

''(C) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the amendment as so modified.

''(2) If a point of order under subparagraph (a)(3) against a House of Representatives amendment is sustained, then—

''(A) an amendment to the House amendment is deemed to have been adopted that—

''(i) strikes the new or general legislation or unauthorized appropriation from the House amendment; and

''(ii) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the House amendment; and

''(B) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the question of whether to concur with further amendment.

''(e) The disposition of a point of order made under any other paragraph of this rule, or under any other Standing Rule of the Senate, that is not sustained, or is waived, does not preclude, or affect, a point of order made under subparagraph (a) with respect to the same matter.

''(f) A point of order under subparagraph (a) may be waived only by a motion agreed to by the affirmative vote of three-fifths of the Senators duly chosen and sworn. If an appeal is taken from the ruling of the Presiding Officer with respect to such a point of order, the ruling of the Presiding Officer shall be sustained absent an affirmative vote of three-fifths of the Senators duly chosen and sworn.

''(g) Notwithstanding any other rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a general appropriation bill or an amendment between the Houses on a general appropriation bill violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (f), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

''(h) For purposes of this paragraph:

''(1) The term 'new or general legislation' has the meaning given that term when it is used in paragraph 2 of this rule.

''(2)(A) The term 'unauthorized appropriation' means an appropriation—

''(i) not specifically authorized by law or Treaty stipulation (unless the appropriation has been specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law); or

''(ii) the amount of which exceeds the amount specifically authorized by law or Treaty stipulation (or specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law) to be appropriated.

''(B) An appropriation is not specifically authorized if it is restricted or directed to, or authorized to be obligated or expended for the benefit of, an identifiable person, program, project, entity, or jurisdiction by earmarking or other specification, whether by name or description, in a manner that is so restricted, directed, or authorized that it applies only to a single identifiable person, program, project, entity, or jurisdiction, unless the identifiable person, program, project, entity, or jurisdiction to which the restriction, direction, or authorization applies is described or otherwise clearly identified in a law or Treaty stipulation (or an Act or resolution previously passed by the Senate during the same session or in the estimate submitted in accordance with law) that specifically provides for the restriction, direction, or authorization of appropriation for such person, program, project, entity, or jurisdiction.''.

(b) LOBBYING ON BEHALF OF RECIPIENTS OF FEDERAL FUNDS.—The Lobbying Disclosure Act of 1995 is amended by adding after section 5 the following:

''SEC. 5A. REPORTS BY RECIPIENTS OF FEDERAL FUNDS.

''(a) IN GENERAL.—A recipient of Federal funds shall file a report as required by section 5(a) containing—

''(1) the name of any lobbyist registered under this Act to whom the recipient paid money to lobby on behalf of the Federal funding received by the recipient; and

''(2) the amount of money paid as described in paragraph (1).

''(b) DEFINITION.—In this section, the term 'recipient of Federal funds' means the recipient of Federal funds constituting an award, grant, or loan.''.

(c) PROHIBITION ON OBLIGATION OF FUNDS FOR APPROPRIATIONS EARMARKS INCLUDED ONLY IN CONGRESSIONAL REPORTS.—

(1) IN GENERAL.—No Federal agency may obligate any funds made available in an appropriation Act to implement an earmark that is included in a congressional report accompanying the appropriation Act, unless the earmark is also included in the appropriation Act.

(2) DEFINITIONS.—For purposes of this subsection:

(A) The term ''assistance'' includes an award, grant, loan, loan guarantee, contract, or other expenditure.

(B) The term ''congressional report'' means a report of the Committee on Appropriations of the House of Representatives or the Senate, or a joint explanatory statement of a committee of conference.

(C) The term ''earmark'' means a provision that specifies the identity of an entity to receive assistance and the amount of the assistance.

(D) The term ''entity'' includes a State or locality.

(3) EFFECTIVE DATE.—This subsection shall apply to appropriation Acts enacted after December 31, 2007.

Mr. BENNETT. Senator MCCAIN will have appropriate comments to make on these amendments at some future time.

AMENDMENT NO. 25, AS MODIFIED

Madam President, I, also, ask unanimous consent that amendment No. 25, offered by Senator ENSIGN, be modified in the form I send to the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

SEC. ___. SENATE FIREWALL FOR DEFENSE SPENDING.

For purposes of sections 301 and 302 of the Congressional Budget Act of 1974, the levels of new budget authority and outlays and the allocations for the Committees on Appropriations shall be further divided and separately enforced under section 302(f) of the Congressional Budget Act of 1974 in the following categories:

(1) For the defense allocation, the amount of discretionary spending assumed in the budget resolution for the defense function (050).

(2) For the nondefense allocation, the amount of discretionary spending assumed for all other functions of the budget.

Mr. BENNETT. Thank you, Madam President.

I thank the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I intend to, briefly—if the Senator has a consent request, I will be glad to yield for that purpose.

Mr. VITTER. Madam President, if the Senator would yield, I have a very similar 30-second housekeeping matter.

Mr. KENNEDY. Madam President, I yield for that purpose.

Mr. VITTER. I appreciate it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana.

AMENDMENT NO. 9, AS MODIFIED

Mr. VITTER. Madam President, I request to go to the regular order regarding the Vitter amendment No. 9 and send a revision of that amendment to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

On page 51, between lines 12 and 13, insert the following:

SEC. 242. SPOUSE LOBBYING MEMBER.

(a) IN GENERAL.—Section 207(e) of title 18, United States Code, as amended by section 241, is further amended by adding at the end the following:

''(5) SPOUSES.—Any person who is the spouse of a Member of Congress and who was not serving as a registered lobbyist at least 1 year prior to the election of that Member of Congress to office and who, after the election of such Member, knowingly lobbies on behalf of a client for compensation any Member of Congress or is associated with any such lobbying activity by an employer of that spouse shall be punished as provided in section 216 of this title.''.

Mr. VITTER. Thank you, Madam President.

I thank the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

IRAQ

Mr. KENNEDY. Madam President, Iraq is the overarching issue of our time. American lives, American values, America's role in the world is at stake.

As the November election made clear, the American people oppose this war, and an even greater number oppose sending more troops to Iraq.

The American people are demanding a change in course in Iraq. Instead, the President is accelerating the same failed course he has pursued for nearly 4 years. He must understand Congress will not endorse this course.

The President's decision to send more American troops into the cauldron of civil war is not an acceptable strategy. It is against the advice of his own generals, the Iraq Study Group, and the wishes of the American people and will only compound our original mistake in going to war in Iraq in the first place.

This morning, the Secretary of State testified that the Iraqi Government ''is . . . on borrowed time.'' In fact, time is already up. The Iraqi Government needs to make the political compromises necessary to end this civil war. The answer is not more troops, it is a political settlement.

The President talked about strengthening relations with Congress. He should begin by seeking authority from Congress for any escalation of the war.

The mission of our Armed Forces today in Iraq no longer bears any resemblance whatsoever to the mission authorized by Congress in 2002. The Iraq war resolution authorized a war against the regime of Saddam Hussein because he was believed to have weapons of mass destruction, an operational relationship with al-Qaida, and was in defiance of the U.N. Security Council resolutions.

Not one Member of Congress—not one—would have voted in favor of the resolution if they thought they were sending American troops into a civil war.

The President owes it to the American people to seek approval for this new mission from Congress. Congress should no longer be a rubberstamp for the President's failed strategy. We should insist on a policy that is worthy of the sacrifice of the brave men and women in uniform who have served so gallantly in Iraq.

President Bush has been making up his mind on Iraq ever since the election. Before he escalates the war, the American people deserve a voice in his decision.

He is the Commander in Chief, but he is still accountable to the people. Our system of checks and balances gives Congress a key role in decisions of war and peace.

We know an escalation of troops into this civil war will not work. We have increased our military presence in the past, and each time the violence has increased and the political problems have persisted.

Despite what the President says, his own generals are on the record opposing a surge in troops.

Last November 15, 2006, General Abizaid was unequivocal that increasing our troop commitment is not the answer.

He said:

I've met with every divisional commander—General Casey, the corps commander, General Dempsey—we all talked together. And I said, ''in your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq?'' And they all said no.

On December 29, General Casey said:

The longer we in the U.S. forces continue to bear the main burden of Iraq's security, it lengthens the time that the government of Iraq has to take the hard decisions about reconciliation and dealing with the militias. . . .They can continue to blame us for all of Iraq's problems, which are at base their problems.

Time and again our leaders in Vietnam escalated our military presence, and each new escalation of force led to the next. We escalated the war instead of ending it. And similar to Vietnam, there is no military solution to Iraq, only political. The President is the last person in America to understand that.

We must not only speak against the surge in troops, we must act to prevent it.

I thank the Chair and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARPER). Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

AMENDMENT NO. 30 TO AMENDMENT NO. 3

(Purpose: To establish a Senate Office of Public Integrity.)

Mr. LIEBERMAN. Mr. President, I now ask that amendment No. 30 be called up.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for himself, Ms. COLLINS, Mr. OBAMA, Mr. MCCAIN, Mr. FEINGOLD, Mr. KERRY, and Mr. CARPER, proposes an amendment numbered 30 to amendment No. 3.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. LIEBERMAN. Mr. President, I am proud to offer this amendment, along with Senators COLLINS, OBAMA, MCCAIN, and the occupant of the Chair, the distinguished Senator from Delaware, Mr. CARPER.

This amendment would create a Senate Office of Public Integrity. The matter before the Chamber now is to reform the rules by which Senate ethics and the conduct of lobbyists are governed. It is the contention of those of us who sponsor this amendment that reform of the rules is critically necessary and important following the scandals of recent years. But it is also important to reform the enforcement process by which those rules are applied.

If we are about the business of restoring the public's trust in this institution and its Members and the willingness of this great institution to independently and aggressively investigate allegations of misconduct among Members and then to hold those Members accountable, it seems to me we can no longer be comfortable or content with a process that allows us to investigate charges against us and then reach a judgment about what the response should be to us.

The office that would be created by this amendment would investigate allegations of Member or staff violations of Senate rules or other standards of conduct. It would present cases of probable ethics violations to the Select Committee on Ethics of the Senate which would retain the final authority, consistent with tradition and law.

This office of public integrity would make recommendations to the Ethics

Committee that it report to appropriate Federal or State authorities any substantial evidence of a violation by a Member or staff of any law applicable to the performance of his or her duties or responsibility.

Finally, the Senate office of public integrity, a new office that would be created by this amendment, would approve or deny approval of privately funded trips for Members or staff, subject to the review of the Ethics Committee.

I called up this amendment to inform our colleagues that this group of cosponsors was going to go forward with the amendment and to urge that our colleagues take a look at it, consider it, ask us questions about it, and that we look forward to a full debate on it next week.

Earlier, I failed to say that Senators FEINGOLD and KERRY are also cosponsors of the amendment.

Having introduced it, called it up, I now ask unanimous consent that this amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I was not sure this would come up. I know it has been an issue that has been discussed. But in view of the vote on this issue when we dealt with S. 1 in the previous Congress, I thought perhaps it would not come up. Because in the previous Congress, this was defeated 67 to 30. While we have had some turnover in the Senate, we haven't had a sufficient turnover to obviate 67 votes. Even if every new Senator who has come would vote with the 30, that would probably take them to 40 and is still not enough to pass.

We had a vigorous debate about this in the previous Congress. I don't need to rehearse too many of the issues that were discussed. Just for the record, the Senate does have a record of dealing with its own Members. Under the Constitution, it is the Senate that is charged with punishing its Members for misconduct. And the Senate has done that historically and sometimes courageously.

Interestingly enough, the majority has dealt with Members of the majority. Senator Packwood, who was a valued Member of this body, chairman of the Senate Finance Committee, one of the most prestigious positions a Senator can hold, the master of his craft—I don't know of many Senators who knew the finances of this country any better than Senator Packwood—engaged in activity which the Ethics Committee unanimously decided was inappropriate. Our current Republican leader, Senator MCCONNELL, was at the time the chairman of the Ethics Committee and recognized that the removal of Senator Packwood would undoubtedly, as it did, result in the shift of a seat from the Republican side to the Democratic side. I don't think you will find any more loyal partisan to the Republicans than Senator MCCONNELL.

In that position, with existing procedures, not requiring any office of public integrity, Senator MCCONNELL, as chairman of the Ethics Committee, led a unanimous vote out of the Ethics Committee against the interests of Senator Packwood, and Senator Packwood resigned. He was, indeed, replaced by Senator WYDEN, a Democrat. The Republicans had a seat which they lost and have never gotten back.

On the other side of the aisle, Senator Torricelli was dealt with by the Ethics Committee in a manner that caused him to resign his nomination and, therefore, any hope he may have had of reelection. We have a history in this body of dealing with our Members who act inappropriately with the existing procedures.

S. 1 is all about transparency. Most of the debate has been about transparency, getting more information out. The more information we get out, the better prepared we are within our existing procedures to deal with those of our Members who may or may not act as they should.

For all of those reasons, the Senate, by a vote of 67 to 30, said: We are capable under the present circumstances, under the present rules, under the present structure, to deal effectively with those Members who act inappropriately. I would expect the vote would be very close to the same this time. There is much more that can be said and that has been said. But given the history of this, that is probably a sufficient statement on my part.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank my friend from Utah. I was thinking, there is much more that could be said and much that has been said. Undoubtedly next week much more will be said. The vote was 67 to 30 last time. Those of us who support this remain undaunted in our belief that we can improve the process. The process of ethics and ethical adjudications has been, with all respect, more problematic in the other body of the Congress, but we have an opportunity here, as we consider and I believe pass what will be landmark legislation with regard to the attempt of this great legislative body to set the highest standards of conduct for itself and those who interact with us, to also complete the mission while we are doing so by raising the independence of the enforcement process, still leaving the Senate Ethics Committee, composed of Senators, with the final judgment on what should happen in every case.

First, about the vote last year, I suppose the most general response I would offer is that hope springs eternal and the power of reason of our arguments will touch some of our colleagues. Secondly, we do have some new Members who are very focused on this legislation and upgrading the rules by which we govern ourselves and the process by which those rules are enforced.

Finally, a lot of things have been said here about Iraq and the message the people were sending last year about Iraq. It seems to me they were sending at least as strong a message about the way we in Congress do our business. I saw one public opinion survey or exit poll that showed more people said they voted based on what were ethical wrongdoings here in Congress than on any other issue. I begin this debate to indicate to our colleagues that my cosponsors and I intend to go forward with this amendment next week.

I thank my friend from Utah for beginning what I know will be a serious and elevating discussion.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DEMINT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. DEMINT. Madam President, I would just like a few minutes to address the Senate. I have some deep concerns about some things that are going on.

I have been really encouraged since the new majority took over. We have had some great bipartisan meetings, and we have talked about trying to create a new spirit of cooperation here in the Senate and to work together. I think a lot of us have been trying to do that, and it has been going reasonably well.

Today I had the opportunity to offer an amendment, an amendment that will contribute to the transparency of what we call earmarks or the favors that sometimes lobbyists and Members work out where we put money in bills for specific things. We just wanted to make that transparent and to include all earmarks, not just a few.

We had a good debate. I have to admit it was the most fun I have had since I have been in the Senate. I was given 45 minutes of time before the vote at 2 o'clock, and Senator COBURN came down to speak on my behalf. Senator DURBIN asked me to yield, and I gave him all the time he wanted. I even yielded the last 2 minutes and gave him the last word. We had a good debate about it.

The majority had decided to try to table that amendment so we wouldn't have a vote, so the motion was to table the DeMint amendment. We had a good vote. It is always exciting to see how votes come in. When they held up the final sheet, 51 had voted not to table the amendment and 46 had voted to table it. It wasn't a partisan vote. It wasn't party line at all. That is what was kind of unusual.

Again, I think the spirit of what we have been trying to do is not just to

look at the party but to look at the issue. I think a lot of folks decided that if we are going to have disclosure of earmarks, let's have disclosure of all of them, and this one happens to take it from 5 percent to 100.

But I would like to thank some of my colleagues, my Democratic colleagues who thought about this amendment, who listened to the debate, including Senator LANDRIEU and Senator KERRY, Senator CANTWELL, Senator WEBB, Senator TESTER, Senator HARKIN, Senator FEINGOLD, Senator OBAMA, and my good friend Senator LIEBERMAN, who took the time to listen to the debate and decided that this shouldn't be tabled, that we should have a vote on it. Normally what happens in the Chamber—in fact, I have never seen it done any other way—is if a motion to table fails, then the majority would accept the amendment as a voice vote because the will of the Senate has spoken and a majority have expressed their support of that amendment.

But something happened on the way to civility and camaraderie here today. Instead of the normal procedure of the majority conceding that Republicans and Democrats wanted to pass this amendment, they did not agree when I asked that the amendment be accepted. They objected. Now I am told that after a lot of backroom work, they want to bring the amendment back to the floor, and apparently they have convinced some of my colleagues to change their votes. I have to say, I know when I was in the House, I saw my party guilty of that, after a Medicare vote being open 3 hours and arm-twisting and all kinds of carrying on.

I think we all decided after the last election that maybe the American people didn't want us to do business that way. I think the will of the Senate has spoken on this amendment, and I think the issue is bigger than on my particular amendment; it is, if we are going to have ethics reform, let's be ethical about the process of voting on this reform. We had a good, open, and honest debate.

The amendment is simple and clear. It is actually NANCY PELOSI's amendment from the House side which has been vetted and voted on and discussed. I am aware there is some misinformation now going on about the amendment, but I would just encourage my colleagues—I would encourage my Republican colleagues because some of them voted against this—even if they don't like the amendment, let's support the idea of just following normal courtesies here in the Senate.

I have often heard, since I came from the House side, that the Senate is a much different place, that we are civil, we respect each other's rights. I am afraid a lot of that is slipping away here. I would just like to make an appeal today that my colleagues accept this amendment. The will of the Senate has spoken. It obviously can be worked on and improved in conference. The majority will control the conference. I think it will speak well for the Senate that we are willing to shine the light of day onto all of our earmarks so the American people can see it.

So, Madam President, I thank you for the opportunity to speak, and I yield the floor.

Mr. DEMINT. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

Mr. DEMINT. I object.

The PRESIDING OFFICER. The clerk will continue to call the roll.

The legislative clerk resumed the call of the roll and the following Senators entered the Chamber and answered to their names.

[Quorum No. 2 Leg.]

DeMint	Klobuchar
Durbin	Reid,

The PRESIDING OFFICER. A quorum is not present. The majority leader is recognized.

Mr. REID. I move to instruct the Sergeant at Arms to request the attendance of absent Senators. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Hawaii (Mr. INOUYE), and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senator was necessarily absent: the Senator from Kansas (Mr. BROWNBACK).

The PRESIDING OFFICER (Mr. SANDERS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 6, as follows:

[Rollcall Vote No. 7 Leg.]

YEAS—90

Akaka	Dole	Martinez
Alexander	Domenici	McCaskill
Allard	Dorgan	McConnell
Baucus	Durbin	Menendez
Bayh	Enzi	Mikulski
Bennett	Feingold	Murkowski
Biden	Feinstein	Murray
Bingaman	Graham	Nelson (FL)
Bond	Grassley	Nelson (NE)
Boxer	Gregg	Obama
Brown	Hagel	Pryor
Bunning	Harkin	Reed
Burr	Hatch	Reid
Byrd	Hutchison	Roberts
Cantwell	Inhofe	Rockefeller
Cardin	Isakson	Salazar
Carper	Kennedy	Sanders
Casey	Kerry	Schumer
Chambliss	Klobuchar	Sessions
Clinton	Kohl	Smith
Cochran	Kyl	Snowe
Coleman	Landrieu	Specter
Collins	Lautenberg	Stabenow
Conrad	Leahy	Stevens
Corker	Levin	Sununu
Cornyn	Lieberman	Tester
Craig	Lincoln	Thomas
Crapo	Lugar	Thune
Vitter	Warner	Whitehouse
Voinovich	Webb	Wyden

NAYS—6

Coburn	Ensign	McCain
DeMint	Lott	Shelby

NOT VOTING—4

Brownback	Inouye
Dodd	Johnson

The motion was agreed to.

The PRESIDING OFFICER. With the addition of Senators voting who did not answer the quorum call, a quorum is now present.

The majority leader is recognized.

AMENDMENT NO. 11

Mr. REID. Mr. President, these are the times when some of us who have served in the House yearn for the House procedures. But we are in the Senate. We live by the Senate procedures, and we have to work our way through this.

Everyone keep in mind, the underlying legislation that is bipartisan in nature, sponsored by the Democratic and Republican leaders, is good legislation. It is a significant step forward to anything that has happened in this country since Watergate: ethics reform, lobbying reform, earmark reform—a very sound piece of legislation.

I am going to be patient and listen to what others have to say. I do not know exactly, but I think we have 12 amendments that are pending, maybe 13, and we are going to try to work our way through those.

I have told my friend Senator DEMINT that I know his heart is in the right place. He believes in what he is doing. But this amendment he has offered is going to take a little more time.

Everyone should understand that the DeMint amendment strikes the definition of ''earmark'' in the underlying Reid-McConnell substitute and replaces it with language that is basically the House-passed definition.

I am happy to see the House doing their 100 hours and moving things along very quickly. I admire and respect that. But having served in that body, I know how quickly they can move things and, frankly, sometimes how much thoughtful consideration goes into matters that are on that House floor.

With this matter Senator DEMINT is trying to change, a lot of time went into this—a lot of time—weeks of staff working so that Senator MCCONNELL and I could agree to offer something in a bipartisan fashion.

The earmark provision is good. It is in the underlying bill. If we have an opportunity to vote on the DeMint amendment, I hope it is rejected because the definition that Reid-McConnell has is very much preferable to what Senator DEMINT is trying to do with the ''earmark'' definition.

I repeat, the underlying legislation that deals with earmarks was very carefully vetted by—and I repeat—weeks of work by our respective staffs. And it is stronger in various ways than DeMint.

The underlying Senate definition of ''earmark'' was included in last year's ethics bill. We have refined and defined it a little better now. The relevant committees worked with us on a bipartisan basis. We added language to the underlying section dealing with earmarks that passed 90 to 8 last year.

First, we added language to address the Duke Cunningham situation. Congressman Cunningham wrote his earmarks without actually naming the specific defense contractors he intended to receive Federal contracts. And he never mentioned the defense contractors, but there is only one defense contractor in the world that met his specific definition of that legislation. Under DeMint that would not have to be listed.

Under the new definition in the Reid-McConnell substitute, a Member cannot evade the disclosure requirement by clever drafting. They cannot do that. An earmark is present if the entity to receive Federal support is named or if it is ''described in such a manner that only one entity would qualify.''

Second, the substitute includes an improved definition of ''targeted tax benefit.'' Under the DeMint definition, a tax benefit would only qualify as an earmark if it benefited ''10 or fewer beneficiaries.'' But that leaves open the possibility of drafting mischief. And what kind of mischief could you draft? For example, someone could easily write a provision for 11 or 15 or 50 beneficiaries to evade the definition.

The Reid-McConnell definition says a tax earmark is anything which ''has the practical effect of providing more favorable tax treatment to a limited group of taxpayers when compared with similarly situated taxpayers.'' This subjective standard will capture more earmarks, by far, than the rigid DeMint definition—this ''10 or fewer beneficiaries.''

Actually, the Reid-McConnell definition is based on the definition of ''targeted tax benefit.'' Where did we come up with this? Senator JUDD GREGG, in his line-item veto bill. That is where we got that. I do not like the line-item veto bill, but I like his definition of ''targeted tax benefit.'' That is where we got that. I think Senator GREGG has found a sensible definition for this illusive concept.

Third, the Reid-McConnell substitute requires Members to certify they have no personal financial stake in the earmark. This seems to be a commonsense requirement that was not in the underlying bill. We added that to it.

It is important that the Senate rules be amended slowly and with careful bipartisan deliberation. My friend, the distinguished Senator from North Carolina—South Carolina—north, south; they are close together—the distinguished Senator from South Carolina has said this is exactly like the House provision. I say to my friend that is one of the problems I have with it because I, frankly, do not think they spent the time we have on this.

The House can change its rules at will, and they do. We cannot. The Senate is a continuing body. Our rules are permanent. It takes 67 votes to change a Senate rule. So when we write a Senate rule, we write it in concrete.

Earmark disclosure will be a major change in the way the Senate works. We should adopt the Reid-McConnell version rather than the House version in the DeMint amendment.

If we need to revisit the issue later, we can do that. I would appeal to my friend from South Carolina. I repeat: I know you are doing this because you think it is the right thing to do. But take the opportunity to look at what is here. It is better than the House version—so much better.

I have only touched upon why it is better than the House version. And, frankly, as we all know, we are going to have to do some work in conference. If the House version is what we send over there, there is no way in the world to improve this.

So I would say to my friend: Let's take another look at this. Do we need to vote on this? I hope not. This should not be a partisan issue. This bill is not meant to be partisan. That is why we worked so hard. One of the hardest provisions staff had to work on to get MCCONNELL and me to agree was this earmark provision. Senator MCCONNELL and I are members of the Appropriations Committee—well, I used to be for 20 years. I know the appropriations process very well. I think, with all due respect, the DeMint amendment will weaken the earmark provision. Let's see what we come up with with the underlying amendment that REID and MCCONNELL submitted to the Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DEMINT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from South Carolina is recognized.

Mr. DEMINT. Thank you, Mr. President.

Mr. President, I see that the majority leader was discussing this bill. While I have a number of Members sitting here, if I could respond to the majority leader. I very much appreciate his consideration. I appreciate what happened today. We had a good debate. Some of you listened. We had a good vote on the motion to table, and we won that vote.

As any of you know, if you have ever been through the process of trying to get an amendment up and trying to develop the support you need, to win a vote like that, it is a good day in the Senate.

I am afraid it is starting to feel a little like the House. I remember when I was in the House when the Medicare bill would not pass, the Medicare Part D, and we kept the vote open for 3 hours twisting arms, changing minds until the Republicans got what they wanted. I had hoped the Senate would be different. Our rules are different. We can't hold the vote open that long. But by using tabling and then bringing it back up, as we are doing now, we are doing exactly the same thing.

I will take exception to the House and NANCY PELOSI not taking the time to work this through. I think anyone who looks at the language will see that the Senate version only deals with 5 out of 100, 5 percent of the earmarks that we pass. We have a chart from last year, when there were 12,800 earmarks. Under the Senate provision, only about 500 would be included. The public is not going to believe that we are disclosing earmarks. So if we are going to disclose earmarks, let's disclose them all.

The House did have the good sense, after seeing what that did to the ethical appearance of the House, when the Medicare bill was held open for 3 hours until the majority got what it wanted, to have in their ethics rules that you cannot—I will just read the rule. It says: Clause 2(a) of rule 20 is amended by inserting after the second sentence the following sentence: A record vote by electronic device shall not be held open for the sole purpose of reversing the outcome of such vote.

They know what that does to the appearance and the culture of the House. We didn't hold the vote open, but it has been less time than was held open for that Medicare vote, and we are back here revoting something after some arms have been twisted. If that is the culture we want in the Senate, I think we should stop saying that we have a higher culture than the House.

I believe Speaker PELOSI is sincere in wanting to disclose what we are doing so the American people will know how we are spending their money. This is not a careless amendment. It is something that has been done with a lot of thought. We won this vote fair and square. It is going to happen to all of you. If this is how you want fellow Members treated, if any amendment we offer can be tabled and if you win your amendment, the majority can go off and twist some arms and change some minds and we can have another vote, if that is how we are going to do business, then I think it is time the American people know it, and we might as well set this whole ethics bill aside because it is all pretense anyway.

I appreciate the opportunity to have a few people sitting here listening, but I can assure you that this amendment will improve this bill, and it will improve the perception of this Senate if we pass it.

I thank the Chair.

Mrs. HUTCHISON. Will the Senator yield?

Mr. DEMINT. I yield.

Mrs. HUTCHISON. I wanted to ask the Senator from South Carolina, what

is the difference in his amendment from the underlying bill, and how does it improve the transparency we are all seeking?

Mr. DEMINT. I thank the Senator. I welcome any input into this amendment. We have adopted the exact language that Speaker PELOSI insisted on just for the definition of ''earmarks.'' The most important part to remember is, in the Senate bill, no matter what we do with transparency, it only applies to 5 percent of the earmarks. It doesn't apply to Federal earmarks, the type of earmarks that got Duke Cunningham in trouble. Those need to be disclosed. It doesn't apply to report language in conference reports which include 95 percent of all the earmarks we do. So there is no way for the media or the public to look in on what we do, regardless of how we try to do transparency on that 5 percent and say that we are doing anything to make this place more transparent. That is the main difference.

We can get into the tax provisions. We used the definition the House did, but we do include tax-based earmarks or tariff-based earmarks. Again, in conference, we have the opportunity to work together and change it. But if we defeat this bill with misinformation right now and it doesn't go to conference as part of the mix, the public is going to know from day one that this idea of being open and transparent is just a scam. If we are going to do it, let's do it to all the earmarks, and then let's discuss what the best way is to do it.

Mrs. HUTCHISON. Would the Senator say that the earmarks that are covered in his amendment would include an earmark to a Federal agency as well as an earmark for a private university or some other private entity? Is that what he is saying, that he wanted to cover all the earmarks whether they are a specific earmark for a particular city and an agency such as the Corps of Engineers, a specific water project in a city? You just want that earmark to be known, who the sponsor is, just as if it were an earmark for funding for health research at a university; is that correct?

Mr. DEMINT. The Senator has it right. We are not saying whether earmarks are good or bad. We are not saying that we have some and not others. All we are saying is that earmarks are designated spending. Whether it be Federal, non-Federal, or report language, it should be disclosed in the same way. This chart shows the number of earmarks in the 2006 budget of 12,852. The Senate bill would apply to only 534 of those. So if we are going to have disclosure of earmarks—and that is up to the Senate to decide—if we are going to say we are going to have disclosure, I think we need to include the 12,318 that we don't want to tell people about. People will not believe we are transparent. I think that is what both sides of the aisle want. That is the only thing this amendment does; it doesn't limit earmarks. It doesn't change anything except it defines them in a way that is open and honest.

Mrs. HUTCHISON. I thank the Senator for the explanation. I think it is an excellent amendment. I thank him for bringing it to the floor.

Mr. REID. I couldn't hear the Senator. I am sorry. What did the Senator say?

Mr. DEMINT. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 38 TO AMENDMENT NO. 3

Mrs. FEINSTEIN. Mr. President, is there an amendment pending?

The PRESIDING OFFICER. Yes, there is.

Mrs. FEINSTEIN. I ask unanimous consent that the amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. I send an amendment to the desk on behalf of the ranking member and myself.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself and Mr. BENNETT, proposes an amendment numbered 38 to amendment No. 3.

Mrs. FEINSTEIN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To permit attendance of meetings with bona fide constituents)

At the appropriate place, insert the following:

SEC. ___. FREE ATTENDANCE AT A BONA FIDE CONSTITUENT EVENT.

(a) IN GENERAL.—Paragraph 1(c) of rule XXXV of the Senate Rules is amended by adding at the end the following:

''(24) Subject to the restrictions in subparagraph (a)(2), free attendance at a bona fide constituent event permitted pursuant to subparagraph (h).''.

(b) IN GENERAL.—Paragraph 1 of rule XXXV of the Senate Rules is amended by adding at the end the following:

''(h)(1) A Member, officer or, employee may accept an offer of free attendance at a convention, conference, symposium, forum, panel discussion, dinner event, site visit, viewing, reception, or similar event, provided by a sponsor of the event, if—

''(A) the cost of any meal provided does not exceed $50;

''(B)(i) the event is sponsored by bona fide constituents of, or a group that consists primarily of bona fide constituents of, the Member (or the Member by whom the officer or employee is employed); and

''(ii) the event will be attended by a group of at least 5 bona fide constituents or individuals employed by bona fide constituents of the Member (or the Member by whom the officer or employee is employed) provided that an individual registered to lobby under the Federal Lobbying Disclosure Act shall not attend the event; and

''(C)(i) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

''(ii) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

''(2) A Member, officer, or employee who attends an event described in clause (1) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the Senate.

''(3) For purposes of this paragraph, the term 'free attendance' has the same meaning as in subparagraph (d).

''(4) The Select Committee on Ethics shall issue guidelines within 60 days after the enactment of this subparagraph on determining the definition of the term 'bona fide constituent'.''.

Mrs. FEINSTEIN. Mr. President, this amendment on behalf of Senator BENNETT and myself speaks to a problem that we see with this bill. And that is when you meet with a very small group of people, say, 10 or less, bona fide constituents, no lobbyists present, and you have a sandwich or there is a lunch, somebody puts food in front of you, maybe you eat two bites of it, maybe you don't eat any of it, maybe you eat all of it—we all know we have been through that—you are illegal unless there is some provision that you can accept the lunch.

How many times have I gone to a speaking engagement, got involved, something is put in front of me. I don't touch it or maybe I touch it or maybe something is offered to me, maybe I eat one of it, maybe I eat two of it. It is hard to tell. With respect to these small, bona fide constituent events, one should be able to accept the meal, if one chooses, as long as the value of the meal is under $50. It seems to me that this is a reasonable amendment. The lobbyist is excluded, cannot be present. It is a bona fide constituent event. You can go to them at a Member's home. It can be a coffee. It can be a dinner. They happen all the time. I candidly see nothing wrong with it.

Sometimes you have events where people bring little amounts of food that are shared. To put a pricetag on all of this, to have to decide whether it is de minimis or not, whether it is equal to a baseball cap or a cup of coffee is extraordinarily difficult in the real world where we operate. That is the purpose of this amendment.

I yield to the ranking member.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I thank the chairwoman for her consideration of this. As I pointed out in my opening statement when we got to consideration of this bill, virtually every American has an association with an

entity that employs a lobbyist. If you go to the rotary club, there is a lobbyist for the rotary club here in Washington. If you go to the Girl Scouts, the Girl Scouts have a lobbyist in Washington. If you go to the PTA, they have a lobbyist here in Washington. A bill that says you can't accept anything from any institution or corporation or organization that has a lobbyist means that if the Girl Scouts come by and give you some cookies and you eat those cookies in the presence of the Girl Scouts who are there, you have violated the law. You have taken something, taken a gift from someone who is connected to an organization that employs a lobbyist. And the chairman heard what I had to say on this. We worked on it together. We have been working on it for the past couple of days and came up with a commonsense solution that removes the concern about this situation. I salute her and thank her for the way in which she has worked with me. We have something on which we both agree. We understand it is fairly widely accepted throughout the body. I am more than happy to act as a cosponsor to this amendment and hope the Senate will adopt it.

Mrs. FEINSTEIN. Mr. President, I misspoke. The way we have this drafted, it is at least 5—I think I said 10—it is at least 5 constituents. I hope that is not a problem for anyone.

I thank the ranking member. It has been a pleasure to work with him. I think we both feel similarly about this. This issue of what you accept at a meal is a difficult issue, dependent upon where you are and where you are located. I think this is fair, in view of the nature of events covering all States, low cost of living, rural and urban States. So it is at least five bona fide constituents—that is a member of the State, not a professional lobbyist, although a professional lobbyist can also be a constituent. For the purpose of this bill, they are excluded. I hope this will be agreed to. I know there are some Members who want to look at this. It is at the desk. I urge them to come down right away and look at it because we would like to voice vote it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 20 TO AMENDMENT NO. 3

Mr. BENNETT. Mr. President, I ask unanimous consent that the pending amendment be set aside and that amendment No. 20 be called up and that it be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Utah [Mr. BENNETT] proposes an amendment numbered 20 to amendment No. 3.

The amendment is as follows:

(Purpose: To strike a provision relating to paid efforts to stimulate grassroots lobbying)

Strike section 220 of the amendment (relating to disclosure of paid efforts to stimulate grassroots lobbying).

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 37 TO AMENDMENT NO. 3

Mr. THUNE. Mr. President, I ask unanimous consent that the pending amendment be set aside and that amendment No. 37 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 37 to amendment No. 3.

Mr. THUNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require any recipient of a Federal award to disclose all lobbying and political advocacy)

At the appropriate place, insert the following:

SEC. ____. DISCLOSURE OF POLITICAL ADVOCACY BY THE RECIPIENT OF ANY FEDERAL AWARD.

The Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282) is amended by adding at the end the following:

"SEC. 5. DISCLOSURE OF POLITICAL ADVOCACY BY THE RECIPIENT OF ANY FEDERAL AWARD.

''(a) IN GENERAL.—Not later than December 31 of each year, an entity that receives any Federal award shall provide to each Federal entity that awarded or administered its grant an annual report for the prior Federal fiscal year, certified by the entity's chief executive officer or equivalent person of authority, and setting forth—

''(1) the entity's name;

''(2) the entity's identification number; and

''(3)(A) a statement that the entity did not engage in political advocacy; or

''(B) a statement that the entity did engage in political advocacy, and setting forth for each award—

''(i) the award identification number;

''(ii) the amount or value of the award (including all administrative and overhead costs awarded);

''(iii) a brief description of the purpose or purposes for which the award was awarded;

''(iv) the identity of each Federal, State, and local government entity awarding or administering the award and program thereunder;

''(v) the name and entity identification number of each individual, entity, or organization to whom the entity made an award; and

''(vi) a brief description of the entity's political advocacy, and a good faith estimate of the entity's expenditures on political advocacy, including a list of any lobbyist registered under the Lobbying Disclosure Act of 1995, foreign agent, or employee of a lobbying firm or foreign agent employed by the entity to conduct such advocacy and amounts paid to each lobbyist or foreign agent.

''(b) OMB COORDINATION.—The Office of Management and Budget shall develop by regulation 1 standardized form for the annual report that shall be accepted by every Federal entity, and a uniform procedure by which each entity is assigned 1 permanent and unique entity identification number.

''(c) WEBSITE.—Any information received under this section shall be available on the website established under section 2(b).

''(d) DEFINITIONS.—In this section:

''(1) POLITICAL ADVOCACY.—The term 'political advocacy' includes—

''(A) carrying on propaganda, or otherwise attempting to influence legislation or agency action, including, but not limited to monetary or in-kind contributions, endorsements, publicity, or similar activity;

''(B) participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including but not limited to monetary or in-kind contributions, endorsements, publicity, or similar activity;

''(C) participating in any judicial litigation or agency proceeding (including as an amicus curiae) in which agents or instrumentalities of Federal, State, or local governments are parties, other than litigation in which the entity or award applicant—

''(i) is a defendant appearing in its own behalf;

''(ii) is defending its tax-exempt status; or

''(iii) is challenging a government decision or action directed specifically at the powers, rights, or duties of that entity or award applicant; and

''(D) allocating, disbursing, or contributing any funds or in-kind support to any individual, entity, or organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

''(2) ENTITY AND FEDERAL AWARD.—The terms 'entity' and 'Federal award' shall have the same meaning as in section 2(a).''.

Mr. THUNE. Mr. President, I wish to speak briefly to this amendment before asking that it be set aside.

Currently, Federal grant recipients are generally prohibited from using their Federal grant funds to lobby Congress or to influence legislation or appropriations. Current law also generally prohibits 501(c)(4) civic leagues and social welfare organizations from all lobbying activities, even with their own funds, if they receive a Federal grant, loan or award. But these prohibitions do not prevent Federal grant recipients from lobbying or engaging in political advocacy. Most Federal grant recipients are free to use other parts of their budget, beyond their Federal grant, for lobbying or political advocacy. Even 501(c)(4) organizations whose prohibitions are more stringent can simply incorporate an affiliated organization to engage in lobbying activities or political advocacy.

While the appropriateness of Federal grant recipients engaging in any lobbying or political advocacy, even with their own funds, could be debated, the least we should ask these Federal grant recipients is that they disclose their lobbying and political advocacy activities. Federal grant recipients who are engaging in lobbying should register under the current public disclosure requirements for lobbyists. The public

should also have a right to know if recipients of Federal grants are engaging in political advocacy and to what extent.

In the wake of last year's transparency legislation, information on Federal grants and their recipients will soon be on a publicly available and searchable database. This amendment builds on that concept by requiring Federal grant recipients to disclose any and all political advocacy activities. The amendment would also require a good-faith estimate of the grantee's expenditures on political advocacy.

This, in my view, is a fairly straightforward amendment that adds to the transparency of organizations that engage in political advocacy and lobbying and I think sheds further light on the whole process of getting involved in Federal issues by organizations that actually are receiving Federal funding. I believe that is something the American people would like to see happen.

The Transparency Act that was passed last year, as I said earlier, will bring about disclosure of those organizations. They will have to now disclose, those who receive Federal funds.

All this amendment does is take that a step further and say that those organizations that receive Federal funds need to disclose if they are engaging in a form of political advocacy and to what extent—in other words, how much money are they spending on those types of activities.

The definition of ''political advocacy'' in the amendment is pretty straightforward, but it has to do with:

(A) carrying on propaganda, or otherwise attempting to influence legislation or agency action, including, but not limited to monetary or in-kind contributions, endorsements, publicity, or similar activity;

(B) participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including but not limited to monetary or in-kind contributions, endorsements, publicity, or similar, activity;

(C) participating in any judicial litigation or agency proceeding (including as an amicus curiae) in which agents or instrumentalities of Federal, State, or local governments are parties, other than litigation in which the entity or award applicant—

(i) is defendant appearing in its own behalf;

(ii) is defending its tax-exempt status; or

iii) is challenging a government decision or action directed specifically at the powers, rights, or duties of that entity or award applicant. . . .

This is a fairly straightforward amendment. I am simply trying to shine additional light on this process. It is in line with the thinking behind this underlying bill; that is, bringing greater transparency, greater accountability to the process of lobbying and the whole exercise that we undertake around here and outside organizations undertake in trying to influence Federal legislation and Federal issues.

Mr. President, I yield the floor, and I ask unanimous consent that the amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 40 TO AMENDMENT NO. 3

Mr. STEVENS. Mr. President, I ask that the pending amendment be set aside, and I have an amendment to offer.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes an amendment numbered 40 to amendment No. 3.

Mr. STEVENS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with. I intend to explain it at a later date. There may be a technical change I have to make to this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To permit a limited flight exception for necessary State travel)

On page 8, line 14, after ''entity'' insert ''or by a Member of Congress, Member's spouse or an immediate family member of either''.

On page 10, after line 5, insert the following:

(4) LIMITED FLIGHT EXCEPTION.—Paragraph 1 of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

''(h) For purposes of subparagraph (c)(1) and rule XXXVIII, if there is not more than 1 regularly scheduled flight daily from a point in a Member's State to another point within that Member's State, the Select Committee on Ethics may provide a waiver to the requirements in subparagraph (c)(1) (except in those cases where regular air service is not available between 2 cities) if—

''(1) there is no appearance of or actual conflict of interest; and

''(2) the Member has the trip approved by the committee at a rate determined by the committee.

In determining rates under clause (2), the committee may consider Ethics Committee Interpretive Ruling 412.''.

(5) DISCLOSURE.—

(A) RULES.—Paragraph 2 of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

''(g) A Member, officer, or employee of the Senate shall—

''(1) disclose a flight on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, excluding a flight on an aircraft owned, operated, or leased by a governmental entity, taken in connection with the duties of the Member, officer, or employee as an officeholder or Senate officer or employee; and

''(2) with respect to the flight, file a report with the Secretary of the Senate, including the date, destination, and owner or lessee of the aircraft, the purpose of the trip, and the persons on the trip, except for any person flying the aircraft.

This subparagraph shall apply to flights approved under paragraph 1(h).''.

(B) FECA.—Section 304(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)) is amended—

(i) by striking ''and'' at the end of paragraph (7);

(ii) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(iii) by adding at the end the following:

''(9) in the case of a principal campaign committee of a candidate (other than a candidate for election to the office of President or Vice President), any flight taken by the candidate (other than a flight designated to transport the President, Vice President, or a candidate for election to the office of President or Vice President) during the reporting period on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, together with the following information:

''(A) The date of the flight.

''(B) The destination of the flight.

''(C) The owner or lessee of the aircraft.

''(D) The purpose of the flight.

''(E) The persons on the flight, except for any person flying the aircraft.''.

(C) PUBLIC AVAILABILITY.—Paragraph 2(e) of rule XXXV of the Standing Rules of the Senate is amended to read as follows:

''(e) The Secretary of the Senate shall make available to the public all disclosures filed pursuant to subparagraphs (f) and (g) as soon as possible after they are received and such matters shall be posted on the Member's official website but no later than 30 days after the trip or flight.''.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BROWN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I stand to use this opportunity to again focus us on what I think is a very significant issue in this ongoing ethics and lobbyist debate, and that is the unfortunate practice, in my opinion, and the very clear and huge opportunity for abuse that exists when spouses of sitting Members, Senate or House, are lobbyists and act as lobbyists.

Now, the underlying bill and the underlying substitute, as we all know, have a prohibition on this issue, and it simply says in that case the spouse lobbyist can't directly lobby the Member he or she is married to, and that is good. I hope we all agree with that. I hope that is a no-brainer, an absolute minimum we would all agree to.

I have an amendment on which I look forward to voting in the very near future. It is amendment No. 9. That would broaden that in a way that I think is absolutely necessary. That would simply be a broadening to say that a spouse cannot lobby any Member of Congress, House or Senate. I think that is necessary if we are going to get real, if we are going to get serious in this ethics and lobbying debate, and if this bill is going to be a meaningful attempt to right grievous wrongs we have seen, including in the last couple of years.

The Presiding Officer came from the House of Representatives, as did I. Unfortunately, as we know, there have been these abuses. Really, the abuses fall into two categories; there are not just one but two real dangers we are talking about. One is that a lobbyist who is married to a sitting Member clearly has unusual access to other Members of Congress—forget about his

or her spouse but to other Members. You can't tell me if a lobbyist is going in to see a Member and he happens to be married, say, to a female Member who is chair of a committee on which that other Member sits, that doesn't cross the other Member's mind. You can't tell me that is not part of the equation; that is not part of the backdrop on that lobbying relationship. Clearly, that spouse lobbyist is going to have extraordinary, unusual access to all Members, or many Members, not simply the Member to whom he or she is married.

Of course, there are all sorts of social occasions where we get together, as we should, as families, with spouses. So there is that very real issue. But there is a second very real issue which, in my opinion, is even more serious and more pernicious and that is the clear opportunity for moneyed interests, special interests, to write checks directly into the family bank account of a Member through the lobbyist spouse.

I wish I could stand here and say that this was a hypothetical. I wish I could stand here and say that this was a solution searching for a problem in the real world. I can't. This has happened. This does happen. There have been cases, including in the House, that have been in the press in the last year or two where this does happen, and spouses are making big salaries from interests that have very important matters before Congress and before the Member to whom that lobbyist spouse is married.

This is not theoretical. This is not a solution looking for a problem. This is real and this is real abuse. It is simply a bribe by another name because it is a conduit to send significant amounts of money to the family bank account—the same family bank account that the Member, of course, lives on and relies on and enjoys.

I think this is a very serious issue. Clearly, if we are bringing up a bill that is about two things, ethics and lobbying, you can't ignore this issue. This issue is right in the middle of it. It is all about lobbying. It is all about ethics. It is all about both of those things, that this whole debate is about.

Let me point out that in my amendment I do include an exception. I think it is a fair exception. I can make an argument to have no exceptions, and I was tempted to do that. I wanted to bend over backwards to be fair and meet any legitimate questions out there. There is an exception if the spouse lobbyist was a lobbyist a year or more before the marriage happened, and/or before the Member's first election to Congress happened. In that situation, I think what it would mean is that this spouse had a real, bona fide career and was doing this and built up that practice, way before the marriage relationship ever happened or the representation relationship—membership in the House or Senate—ever happened. I think that legitimately is a different situation than the others.

Again, I can make the argument for no exceptions. I can certainly understand the sentiment: get rid of that exception. But in an abundance of trying to meet reasonable questions, reasonable objections, I included that exception.

I urge all of my colleagues, Democrat and Republican, to take a hard look and then to vote for the amendment because this goes to the heart of what we are talking about. This has been a real abuse. It is subject to continuing abuse. If we do not address it, this exercise, frankly, is not going to have much credibility in the eyes of the American people. If we do not address it, we are not going to be doing enough to restore the confidence of the American people in this institution and the institution across the Rotunda, the House of Representatives.

This has to be at the center of our debate, and I look forward to continuing the debate. I will be happy to answer any objections or questions and continue that debate in the next day or two and look forward to a vote on this very central amendment. I will specifically talk to the majority leader about a vote. He has not responded yet. Certainly, I cannot imagine a reasonable, fair debate on this question of ethics and lobbying and yet we do not at least vote on this issue of spouses lobbying Congress. Of course, I hope we vote the right way and forbid it.

Mr. President, I look forward to the continuation of this discussion and the vote and I yield the floor.

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I announce that there will be no more rollcall votes tonight. However, I caution Members, there will be possibly two rollcall votes, certainly one, tomorrow morning. No more rollcall votes tonight.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 38, AS MODIFIED

Mrs. FEINSTEIN. Mr. President, I ask that amendment No. 38 be the pending business.

The PRESIDING OFFICER. The amendment is now pending.

Mrs. FEINSTEIN. Mr. President, I have a modification at the desk, and I ask the amendment be modified.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment (No. 38), as modified, is as follows:

At the appropriate place, insert the following:

SEC. ___. FREE ATTENDANCE AT A BONA FIDE CONSTITUENT EVENT.

(a) IN GENERAL.—Paragraph 1(c) of rule XXXV of the Senate Rules is amended by adding at the end the following:

''(24) Subject to the restrictions in subparagraph (a)(2), free attendance at a bona fide constituent event permitted pursuant to subparagraph (h).''.

(b) IN GENERAL.—Paragraph 1 of rule XXXV of the Senate Rules is amended by adding at the end the following:

''(h)(1) A Member, officer, or employee may accept an offer of free attendance in the Member's home state at a convention, conference, symposium, forum, panel discussion, dinner event, site visit, viewing, reception, or similar event, provided by a sponsor of the event, if—

''(A) the cost of meals provided the Member officer or employee does not exceed $50;

''(B)(i) the event is sponsored by bona fide constituents of, or a group that consists primarily of bona fide constituents of, the Member (or the Member by whom the officer or employee is employed); and

''(ii) the event will be attended primarily by a group of at least 5 bona fide constituents of the Member (or the Member by whom the officer or employee is employed) provided that an individual registered to lobby under the Federal Lobbying Disclosure Act shall not attend the event; and

''(C)(i) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

''(ii) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

''(2) A Member, officer, or employee who attends an event described in clause (1) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the Senate.

''(3) For purposes of this paragraph, the term 'free attendance' has the same meaning as in subparagraph (d).''

Mrs. FEINSTEIN. Mr. President, I believe both sides are in agreement with the modification.

We are prepared to voice vote the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 38), as modified, was agreed to.

Mr. BENNETT. Mr. President, I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. FEINSTEIN. Mr. President, I wish to clarify that this exception applies only when there are at least five constituents attending the event with a Member and at least half of the group in attendance are constituents.

Thank you very much.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 42 TO AMENDMENT NO. 3

Mrs. FEINSTEIN. Mr. President, I send an amendment to the desk on behalf of Senator ROCKEFELLER and Senator FEINSTEIN.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself and Mr. ROCKEFELLER, proposes an amendment numbered 42 to amendment No. 3.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit an earmark from being included in the classified portion of a report accompanying a measure unless the measure includes a general program description, funding level, and the name of the sponsor of that earmark)

On page 7, after line 6, insert the following:

''4. It shall not be in order to consider any bill, resolution, or conference report that contains an earmark included in any classified portion of a report accompanying the measure unless the bill, resolution, or conference report includes, in unclassified language to the greatest extent possible, a general program description, funding level, and the name of the sponsor of that earmark.''.

Mrs. FEINSTEIN. Mr. President, a brief explanation, and then I wish to set aside the amendment. But essentially what this amendment does is very simple. It relates to classified earmarks and simply says:

It shall not be in order to consider any bill, resolution, or conference report that contains an earmark included in any classified portion of a report accompanying the measure unless the bill, resolution, or conference report includes, in unclassified language, to the greatest extent possible, a general program description, funding level, and the name of the sponsor of that earmark.

Mr. President, I ask unanimous consent that this amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. CLINTON. Mr. President, yesterday evening I voted to table an amendment that would have prohibited authorized committees and leadership PACs from employing the spouse or immediate family members of any candidate or Federal officeholder connected to the committee. I appreciate the concerns raised by Senator VITTER regarding allegations of abuse in this area, and believe action should be taken when the Senate Rules Committee undertakes comprehensive campaign finance reform later this year. I look forward to working with Chairwoman FEINSTEIN and the rest of my colleagues at that time to deal with the concerns raised by Senator VITTER.

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

CORPORAL JASON DUNHAM

Mrs. CLINTON. Mr. President, I rise today to recognize the honorable and heroic actions demonstrated by the late Marine Cpl Jason Dunham of Scio, NY.

Today, the President of the United States presented the Medal of Honor, the Nation's highest decoration for combat heroism, to the family of Cpl Jason Dunham during a ceremony in the White House.

Cpl Jason Dunham was 22 years old in mid-April of 2004 and serving in Husaybah, Iraq. An Iraqi terrorist attacked Dunham, and Dunham selflessly acted to shield his squad members from a hand grenade blast. The blast severely wounded Dunham and he was flown to Bethesda Naval Hospital outside of Washington, DC where he died April 22, 2004.

Corporal Dunham is the first marine to earn the Medal of Honor in more than 30 years and one of only two U.S. service members to be awarded the medal since the wars in Afghanistan and Iraq began.

Corporal Dunham's actions in Iraq were truly humbling and worthy of the greatest honor. This medal is a fitting tribute to a true hero who made the ultimate sacrifice on behalf of his Nation and the marines with whom he proudly served.

I was honored to have sponsored the legislation last year to designate the U.S. Postal Service facility located at 4422 West Sciota Street in Scio, NY, as the ''Corporal Jason L. Dunham Post Office''.

Today, as their son is honored as the incredible hero that he was, I send my thoughts and prayers to Corporal Dunham's family and to all the brave men and women of our Armed Forces.

AGJOBS

Mr. CRAIG. Mr. President, the last Congress worked long and hard to resolve one of the most contentious issues of our time: immigration. As many of our colleagues know, while a number of border enforcement measures were enacted, we did not complete all the critical elements of a comprehensive strategy on immigration reform.

Yesterday, I joined with Senators FEINSTEIN, KENNEDY, MARTINEZ, VOINOVICH, and BOXER in reintroducing legislation to address a very important piece of that unfinished business: the establishment of a workable, secure, effective temporary worker program to match willing foreign workers with jobs that Americans are unwilling or unable to perform.

Our legislation is specific to U.S. agriculture because this economic sector, more than any other, has become dependent for its existence on the labor of immigrants who are here without legal documentation. The only program currently in place to respond to a lack of legal domestic agricultural workers, the H–2A guest worker program, is profoundly broken. Outside of H–2A, farm employers have no effective, reliable assurance that their employees are legal.

The bill we reintroduced is called AgJOBS—the Agricultural Job Opportunity, Benefits, and Security Act. This bill was part of the comprehensive immigration legislation passed last year by the Senate. Today's version incorporates a few language changes that update, but do not substantively amend, that measure.

We are reintroducing AgJOBS to fix the serious flaws that plague our country's current agricultural labor system. Agriculture has unique workforce needs because of the special nature of its products and production, and our bill addresses those needs.

Our bill offers a thoughtful, thorough, two-step solution. On a one-time basis, experienced, trusted workers with a significant work history in American agriculture would be allowed to stay here legally and earn adjustment to legal status. For workers and growers using the H–2A legal guest worker program, that program would be overhauled and made more streamlined, practical, and secure.

This legislation has been tested and examined for years in the Senate and House of Representatives, and it remains the best alternative for resolving urgent problems in our agriculture that require immediate attention. That is why AgJOBS has been endorsed by a historic, broad-based coalition of more than 400 national, State, and local organizations, including farmworkers, growers, the general business community, Latino and immigration issue groups, taxpayer groups, other public interest organizations, State directors of agriculture, and religious groups.

We all want and need a stable, predictable, legal workforce in American agriculture. Willing American workers deserve a system that puts them first in line for available jobs with fair market wages. All workers should receive

decent treatment and protection of fundamental legal rights. Consumers deserve a safe, stable, domestic food supply. American citizens and taxpayers deserve secure borders and a government that works.

AgJOBS would serve all these goals.

Last year, we saw millions of dollars' worth of produce rot in the fields for lack of workers. We are beginning to hear talk of farms moving out of the country, moving to the foreign workforce. All Americans face the danger of losing more and more of our safe, domestic food supply to imports.

Time is running out for American agriculture, farmworkers, and consumers. What was a problem years ago is a crisis today and will be a catastrophe if we do not act immediately. I urge my colleagues to demonstrate their support for U.S. agriculture by cosponsoring the Agricultural Job Opportunity, Benefits, and Security Act—AgJOBS 2007—and by helping us pass this critical legislation as soon as possible.

RETIREMENT OF COLONEL JYUJI D. HEWITT

Ms. SNOWE. Mr. President, I rise today to honor a Maine native and member of the U.S. Army who has served our country for nearly 30 years with both honor and distinction. On this day of his retirement, COL Jyuji D. Hewitt will leave his post as Chief of Staff of the U.S. Army Joint Munitions Command, where he has worked steadfastly to ensure that our military services maintain the logistics and resources necessary to complete their missions and protect our country from the gravest of threats.

Known by his fellow comrades as a man of candor and respect, Colonel Hewitt has amassed an impressive list of accolades and accomplishments throughout his career, which has taken him all over the world, to Germany, Korea, and Japan. However, his journey began in his home State: at the University of Maine-Orono. Shortly after graduating in 1978 with a bachelor of science in chemistry, Colonel Hewitt earned his commission as an officer through the ROTC Program. He then went on to earn a master's degree in systems management from the Florida Institute of Technology, a master of sciences in physics from the University of New Hampshire, and a master's degree in strategic studies from the U.S. Army College.

Following his education, Colonel Hewitt went on to fully utilize his expansive knowledge of science and military affairs by serving overseas as a nuclear policy officer, as well as program manager of the Defense Special Weapons Agency and Army Material Command liaison officer. Those whom he worked with appreciated his stringent managerial style, which often reflected both his personality and his acute understanding of business management.

Balancing his time as a husband and father of two, Colonel Hewitt returned to the United States where among other leadership assignments, he served as a school instructor and team leader at the U.S. Army Ordnance Missile and Munitions School at Redstone Arsenal, AL. After joining the Joint Munitions Command as a commander of installations in Oklahoma and Iowa, Colonel Hewitt's ascension through the military ranks culminated in September 2005, with his promotion as Chief of Staff, a position of great responsibility to the welfare and security of our country.

Colonel Hewitt's military awards and decorations are numerous, for they include the Defense Meritorious Service Medal, the Army Meritorious Service Medal with three Oak Leaf Clusters, the Joint Service Commendation Medal, the Army Commendation Medal with Oak Leaf Cluster, and the Army Achievement Medal with Oak Leaf Cluster.

Today, as he retires from the armed services, Colonel Hewitt deserves the highest of praise for his endless contributions to the military and the United States of America. His dedication and service is not only an asset to our Nation but serves as an inspiration to all Americans who know the price of freedom. Our Nation owes him a tremendous amount of gratitude, and I extend Colonel Hewitt my personal thank you for his service.

ADDITIONAL STATEMENTS

RECOGNITION OF ANN R. TRZUSKOWSKI

• Mr. BIDEN. Mr. President, today I wish to briefly honor a friend of mine of many years who recently reached a milestone in her golf game that many of us strive a lifetime for without success. Ann F. Trzuskowski celebrated the Thanksgiving weekend by achieving something that neither her husband Fran nor I ever have: a hole in one. The lucky club was a 7 wood, striking the ball the perfect 93 yards into the eighth hole of Ford's Colony Williamsburg's Marsh Hawk Course. Golf is the sort of game that draws you in with promises of grace and then torments you with its difficulty. I congratulate my friend on defying the golf gods with a single shot.•

IN MEMORIAM: NORMAN LIVERMORE, JR.

• Mrs. BOXER. Mr. President, today I offer a few words in observance of the passing of Norman Livermore, Jr., a man who dedicated his life to the preservation of beauty in the natural world and left us a magnificent legacy of protected natural resources throughout the State of California.

I extend my deepest sympathy and most sincere condolences to Mr. Livermore's family, especially his wife, Virginia Livermore, and their five children. My thoughts and prayers go out to them as they struggle with the death of a man they loved dearly.

Norman B. ''Ike'' Livermore, Jr. was a successful businessman with a profound appreciation for his surroundings and a passion for environmental advocacy. The son of an engineer and an environmental activist, he learned at an early age to infuse a respect for the bottom-line with a deeply held reverence for the sanctity of nature. Throughout his life, Mr. Livermore would use this remarkable ability to form an environmentally conscious vision of the future that appealed to Californians of all ideological persuasions.

As a youth, Mr. Livermore spent countless hours exploring the Sierra Nevada, beginning a love affair with the mountains that would guide him along his path in life. Strong and athletic, at age 15 he rode 200 miles on horseback and climbed the Grand Teton in tennis shoes. Mr. Livermore would continue to display a robust vigor and zeal for life in early adulthood, representing our nation as a baseball player in the 1936 Olympics and serving with great distinction and honor in the U.S. Navy during World War II.

Before and after the war, Mr. Livermore operated an outfitting business that took people into the Sierra. He ran the business for 20 years, during which time he crossed all 50 Sierra passes over 10,000 feet. Mr. Livermore's outstanding business sense and intimate knowledge of the Sierra and the northern woods of California made him a valuable asset to a wide array of groups seeking to shape the future of the state. He was an active member of the Sierra Club starting in the 1930s and later, in the 1950s and 1960s, he served as treasurer of the Pacific Lumber Company.

With self-effacing modesty, he once referred to himself as a living contradiction, but it was evident for everyone to see that all Mr. Livermore's actions were firmly rooted in a commitment to preserving the environment he encountered in his youth. His capacity to understand and engage the concerns of the industrialist and the environmentalist is what enabled him to be one of the most effective conservationists in California history. Recognizing Mr. Livermore's extraordinary ability and the high regard in which he was universally held, Governor Ronald Reagan tapped him to serve as Secretary for Resources in 1967.

While serving on Governor Reagan's Cabinet, Mr. Livermore played an indispensable role preserving the state we know and love today. California is filled with testaments to his incredible achievement. The Redwood National Park is a product of Mr. Livermore's efforts to protect the forest and the

jobs of lumberjacks by arranging an exchange of federally owned land for private plots that included the most magnificent old growth trees.

With similar resolve and resourcefulness, Mr. Livermore successfully led the campaign to preserve the Eel River. The Army Corps of Engineers and the state Department of Water Resources were supporting the construction of the Dos Rios Dam on the middle fork of the Eel River in an effort to minimize the risk of flooding to areas downstream. The proposed dam would have flooded the Round Valley, home to the Yuki, a Native American Tribe that had lived in the valley for 9,000 years. Arguing that the dam would have traded ''permanent destruction'' for ''occasional protection'', Mr. Livermore fought vigorously against the proposal and arranged a meeting between Governor Reagan and members of the Yuki tribe. The meeting had such a profound impact on the governor that he withdrew his support for the project, saving the Round Valley and preserving the natural state of the middle fork of the Eel River.

Mr. Livermore combined well-reasoned arguments with emotionally compelling appeals to win the hearts and minds of those inside and outside the conservation movement. He recognized that we all care deeply about that which we are familiar and that effective advocacy depends on one's ability to draw connections between experiences. He is known by many as ''Reagan's environmental conscience'', but his impact on our State is not confined to the policy of one administration. Mr. Livermore's legacy is in the beauty of our state and the joy and inspiration it invokes in 37 million Californians.●

IN RECOGNITION OF THE OUTLAND TROPHY

● Mr. NELSON of Nebraska. Mr. President, today I wish to recognize the Greater Omaha Sports Committee, the Omaha World-Herald, and the Downtown Omaha Rotary, which tonight will continue a long-running tradition in honoring college football's top interior lineman.

The Outland Trophy has been awarded every year since 1946 by the Football Writers Association of America. It is named after John Outland, who was an All-American tackle at the University of Pennsylvania in 1897. Mr. Outland created the award in 1946 because he believed his fellow linemen deserved more recognition for their contributions. Indeed, the game of football is often won in the trenches, with the most physically dominating linemen deciding the game's outcome.

From 1946 to 1989, Outland winners received only a plaque, and there was no public ceremony to honor their remarkable achievements. That has since changed, thanks to the dedication of football supporters in Omaha, NE, who not only prepared an impressive trophy presentation but began an annual banquet and public award ceremony.

It is only fitting that the Outland Trophy is awarded in Nebraska, as the University of Nebraska Cornhuskers lead the Nation with seven Outland Trophy winners, while three other Huskers have been named runners up.

This year, we congratulate Wisconsin offensive tackle Joe Thomas, who at 6 feet, 8 inches, 315 pounds, becomes the first Badger to earn the honor. Mr. Thomas led the Badgers' offense to average 30.3 points per game as the team compiled a 12-to-1 record. Congratulations as well to Bill Fischer, the 1948 Outland Trophy winner at offensive guard for the University of Notre Dame and a member of the national championship-winning Fighting Irish teams of 1946 and 1947. Mr. Fisher will receive an authentic Outland Trophy to replace his plaque in a long-overdue award ceremony.

Tonight the State of Nebraska is honored to welcome these men, together with other past winners, in what is sure to be another prestigious evening for the giants of college football. ●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 4:17 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3. An act to amend the Public Health Service Act to provide for human embryonic stem cell research.

The message also announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 4, 2007, the Speaker appoints the following Member of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. TANNER of Tennessee, Chairman.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2. An act to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3. An act to amend the Public Health Service Act to provide for human embryonic stem cell research.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, January 11, 2007, she had presented to the President of the United States the following enrolled bill:

S. 159. An act to redesignate the White Rocks National Recreation Area in the State of Vermont as the ''Robert T. Stafford White Rocks National Recreation Area''.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–257. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Beauveria Bassiana HF23; Exemption from the Requirement of a Tolerance'' (FRL No. 8108–4) received on January 10, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–258. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Mediterranean Fruit Fly; Remove Portions of Los Angeles, San Bernardino, and Santa Clara Counties, CA, From the List of Quarantined Areas'' (Docket No. APHIS–2005–0116) received on January 10, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–259. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to agreements made under the Cooperative Threat Reduction Program; to the Committee on Armed Services.

EC–260. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a review of the Assembled Chemical Weapons Alternatives Program; to the Committee on Armed Services.

EC–261. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving exports to Kenya; to the Committee on Banking, Housing, and Urban Affairs.

EC–262. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law , a report relative to the national emergency declared in Executive Order 12938 of November 14, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC–263. A communication from the Assistant to the Board, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Community Reinvestment Act'' (Docket No. R–1273) received on January 10, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–264. A communication from the Assistant to the Board, Legal Division, Board of

Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Management Official Interlocks'' (Docket No. R–1272) received on January 10, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–265. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Secretary of the Army's recommendation of a flood damage reduction project for the town of Bloomsburg, Columbia County, Pennsylvania; to the Committee on Environment and Public Works.

EC–266. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, a report relative to a document on an Agency assessment of coastal health; to the Committee on Environment and Public Works.

EC–267. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Identification of the Northern Virginia PM2.5 Nonattainment Area'' (FRL No. 8266–1) received on January 10, 2007; to the Committee on Environment and Public Works.

EC–268. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Plans for Designated Facilities; New Jersey; Delegation of Authority'' (FRL No. 8268–9) received on January 10, 2007; to the Committee on Environment and Public Works.

EC–269. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compounds from Medical Device Manufacturing'' (FRL No. 8267–7) received on January 10, 2007; to the Committee on Environment and Public Works.

EC–270. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of the Allen County 8-Hour Ozone Nonattainment Area to Attainment'' (FRL No. 8267–9) received on January 10, 2007; to the Committee on Environment and Public Works.

EC–271. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, South Coast Air Quality Management District and Ventura County Air Pollution Control District'' (FRL No. 8261–3) received on January 10, 2007; to the Committee on Environment and Public Works.

EC–272. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''January–March 2007 Section 42 Bond Factor Amounts'' (Rev. Rul. 2007–5) received on January 10, 2007; to the Committee on Finance.

EC–273. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modification of the Substantial Assistance Rules'' (Notice 2007–13) received on January 10, 2007; to the Committee on Finance.

EC–274. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Qualified Amended Returns'' ((RIN1545–BD40)(TD 9309)) received on January 10, 2007; to the Committee on Finance.

EC–275. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–502, ''Crispus Attucks Park Indemnification Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–276. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–482, ''Omnibus Public Safety Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–277. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–523, ''Digital Inclusion Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–278. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–507, ''Neighborhood Investment Amendment Temporary Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–279. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–506, ''Deed Transfer and Recordation Clarification Temporary Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–280. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–505, ''Uniform Disclaimers of Property Interests Revision Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–281. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–508, ''July Local Supplemental Other Type Appropriations Approval Temporary Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–282. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–509, ''Anti-Tagging and Anti-Vandalism Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–283. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–504, ''Domestic Violence Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–284. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–503, ''District of Columbia Poverty Lawyer Loan Assistance Repayment Program Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–285. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–475, ''Technical Amendments Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–286. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–474, ''Emerging Technology Opportunity Development Task Force Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–287. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–473, ''Targeted Historic Preservation Assistance Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–288. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–437, ''People First Respectful Language Conforming Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–289. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–492, ''Library Procurement Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–290. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–489, ''Metro Bus Funding Requirement Temporary Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–291. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–488, ''Anti-Drunk Driving Clarification Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–292. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–486, ''Health-Care Decisions for Persons with Developmental Disabilities Temporary Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–293. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–485, ''Child and Family Services Grant-making Temporary Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–294. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–476, ''Fiscal Year 2007 Budget Support Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–295. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–496, ''Square 2910 Residential Development Stimulus Temporary Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–296. A communication from the Chairman, Council of the District of Columbia,

transmitting, pursuant to law, a report on D.C. Act 16–495, ''Wisconsin Avenue Bridge Project and Noise Control Temporary Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–297. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–494, ''Separation Pay, Term of Office and Voluntary Retirement Modifications for Chief of Police Charles H. Ramsey Amendment Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–298. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–493, ''Health Insurance Coverage for Habilitative Services for Children Act of 2006'' received on January 10, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–299. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, a report relative to the Commission's competitive sourcing efforts for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–300. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period of April 1, 2006 to September 30, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–301. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Semiannual Report for the period from April 1, 2006 through September 30, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–302. A communication from the Chair of the Board of Directors, Office of Compliance, transmitting, pursuant to law, a report required by Section 102(b)(2) of the Congressional Accountability Act of 1995; referred jointly to the Committees on Rules and Administration and Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself, Mr. GRAHAM, Mr. BIDEN, and Mr. ALEXANDER):

S. 256. A bill to harmonize rate setting standards for copyright licenses under section 112 and 114 of title 17, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH (for himself, Mrs. MURRAY, Mr. WYDEN, and Ms. CANTWELL):

S. 257. A bill to direct the Secretary of the Interior to conduct a study to determine the feasibility of establishing the Columbia-Pacific National Heritage Area in the States of Washington and Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SUNUNU (for himself and Mr. GREGG):

S. 258. A bill to clarify provisions relating to statutory copyright licenses for satellite carriers; to the Committee on the Judiciary.

By Mr. AKAKA (for himself, Mr. INOUYE, Mr. BYRD, Mr. REID, Mr. STEVENS, Mr. KENNEDY, Mr. COCHRAN, Mr. BIDEN, Mrs. CLINTON, Mr. DOMENICI, Mr. DORGAN, Mr. KERRY, Mr. LEAHY, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Ms. MURKOWSKI, Mr. NELSON of Nebraska, Mr. REED, Mr. ROCKEFELLER, Mr. SPECTER, and Mrs. DOLE):

S. 259. A bill to authorize the establishment of the Henry Kuualoha Giugni Kupuna Memorial Archives at the University of Hawaii; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 260. A bill to establish the Fort Stanton-Snowy River Cave National Conservation Area; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL (for herself, Mr. ENSIGN, Mr. SPECTER, Mr. DURBIN, Mr. ALLARD, Mr. VITTER, Mr. LEVIN, Ms. COLLINS, Mr. KYL, and Mrs. FEINSTEIN):

S. 261. A bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAIG (for himself and Mr. CRAPO):

S. 262. A bill to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, and for other purposes; to the Committee on Energy and Natural Resources .

By Mr. SMITH (for himself and Mr. WYDEN):

S. 263. A bill to amend the Oregon Resource Conservation Act of 1996 to reauthorize the participation of the Bureau of Reclamation in the Deschutes River Conservancy, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 264. A bill to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 265. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Subbasins in Oregon; to the Committee on Energy and Natural Resources.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 266. A bill to provide for the modification of an amendatory repayment contract between the Secretary of the Interior and the North Unit Irrigation District, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself, Mr. SMITH, Mr. REID, Mr. FEINGOLD, Mrs. FEINSTEIN, Mrs. BOXER, Mr. BAUCUS, Mrs. MURRAY, and Ms. CANTWELL):

S. 267. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself, Mr. CRAIG, Mr. WYDEN, and Mrs. MURRAY):

S. 268. A bill to designate the Ice Age Floods National Geologic Trail, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself, Mr. LOTT, Mr. ISAKSON, Mr. CHAMBLISS, and Ms. COLLINS):

S. 269. A bill to amend the Internal Revenue Code of 1986 to increase and permanently extend the expensing of certain depreciable business assets for small businesses; to the Committee on Finance.

By Ms. SNOWE (for herself and Mrs. LINCOLN):

S. 270. A bill to permit startup partnerships and S corporations to elect taxable years other than required years; to the Committee on Finance.

By Ms. SNOWE (for herself, Mrs. LINCOLN, Mrs. HUTCHISON, and Mr. KERRY):

S. 271. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain improvements to retail space; to the Committee on Finance.

By Mr. COLEMAN:

S. 272. A bill to amend Public Law 87–383 to reauthorize appropriations to promote the conservation of migratory waterfowl and to offset or prevent the serious loss of important wetland and other waterfowl habitat essential to the preservation of migratory waterfowl, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SPECTER:

S. 273. A bill to amend part D of title XVIII of the Social Security Act to authorize the Secretary of Health and Human Services to negotiate for lower prices for Medicare prescription drugs; to the Committee on Finance.

By Mr. AKAKA (for himself, Ms. COLLINS, Mr. GRASSLEY, Mr. LEVIN, Mr. LIEBERMAN, Mr. LEAHY, Mr. VOINOVICH, Mr. CARPER, Mr. DURBIN, Mr. PRYOR, and Mr. LAUTENBERG):

S. 274. A bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 275. A bill to establish the Prehistoric Trackways National Monument in the State of New Mexico; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself and Mr. SESSIONS):

S. 276. A bill to strengthen the consequences of the fraudulent use of United States or foreign passports and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. MURRAY:

S. Res. 23. A resolution designating the week of February 5 through February 9, 2007, as ''National School Counseling Week''; to the Committee on the Judiciary.

By Mr. BIDEN (for himself and Ms. COLLINS):

S. Res. 24. A resolution designating January 2007 as ''National Stalking Awareness Month''; to the Committee on the Judiciary.

By Mr. NELSON of Florida (for himself and Mr. MARTINEZ):

S. Res. 25. A resolution congratulating the University of Florida football team for winning the 2006 National Collegiate Athletic Association Division I Football Championship; considered and agreed to.

By Mrs. DOLE (for herself and Mr. BURR):

S. Res. 26. A resolution commending the Appalachian State University football team for winning the 2006 National Collegiate Athletic Association Division I–AA Football Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 2

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S. 3

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3, a bill to amend part D of title XVIII of the Social Security Act to provide for fair prescription drug prices for Medicare beneficiaries.

S. 4

At the request of Mr. REID, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

S. 5

At the request of Mr. BROWN, his name was added as a cosponsor of S. 5, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 6

At the request of Mr. BROWN, his name was added as a cosponsor of S. 6, a bill to enhance the security of the United States by reducing the dependence of the United States on foreign and unsustainable energy sources and the risks of global warming, and for other purposes.

S. 7

At the request of Mr. BROWN, his name was added as a cosponsor of S. 7, a bill to amend title IV of the Higher Education Act of 1965 and other laws and provisions and urge Congress to make college more affordable through increased Federal Pell Grants and providing more favorable student loans and other benefits, and for other purposes.

S. 8

At the request of Mr. BROWN, his name was added as a cosponsor of S. 8, a bill to restore and enhance the capabilities of the Armed Forces, to enhance the readiness of the Armed Forces, to support the men and women of the Armed Forces, and for other purposes.

S. 10

At the request of Mr. BROWN, his name was added as a cosponsor of S. 10, a bill to reinstate the pay-as-you-go requirement and reduce budget deficits by strengthening budget enforcement and fiscal responsibility.

At the request of Mr. CONRAD, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 10, supra.

S. 21

At the request of Mr. REID, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 21, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 119

At the request of Mr. LEAHY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 119, a bill to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts, and for other purposes.

S. 154

At the request of Mr. BUNNING, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 154, a bill to promote coal-to-liquid fuel activities.

S. 155

At the request of Mr. BUNNING, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 155, a bill to promote coal-to-liquid fuel activities.

S. 231

At the request of Mrs. FEINSTEIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 231, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

S. 237

At the request of Mrs. FEINSTEIN, the names of the Senator from New York (Mrs. CLINTON), the Senator from Illinois (Mr. OBAMA) and the Senator from Colorado (Mr. SALAZAR) were added as cosponsors of S. 237, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States and for other purposes.

S. 243

At the request of Mr. ENSIGN, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 243, a bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

S. 244

At the request of Mr. GREGG, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 244, a bill to improve women's access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the delivery of obstetrical and gynecological services.

AMENDMENT NO. 20

At the request of Mr. KYL, his name was added as a cosponsor of amendment No. 20 proposed to S. 1, a bill to provide greater transparency in the legislative process.

At the request of Mr. BENNETT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 20 proposed to S. 1, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. GRAHAM, Mr. BIDEN, and Mr. ALEXANDER):

S. 256. A bill to harmonize rate setting standards for copyright licenses under section 112 and 114 of title 17, United States Code, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am pleased to introduce the Platform Equality and Remedies for Rights-holders in Music Act along with Senators GRAHAM, BIDEN, and ALEXANDER.

The need to protect creative works has been an important principle recognized in our country since the time when our Constitution was first drafted.

However, the founding fathers could not have predicted the path innovation would eventually lead us down, nor the amazing new technologies that we now take for granted.

While many of us still enjoy traditional radio, this too is rapidly changing.

Recently, radio stations have begun advertising for a national campaign to switch to High Definition, or HD, radio. This new platform is changing the way music is transmitted and, according to its promoters, ''radio has never sounded better.''

In addition, we can now have music radio programs provided not just in our cars, or on traditional home stereos, but radio programs have expanded to be available through Internet, cable, and satellite music stations.

And radio services are looking to use the new digital transmissions and new technologies to change how music is delivered so that the audience can not only listen but also record, manipulate, collect and create individual music play lists.

Thus, what was once a passive listening experience has turned into a forum where consumers can create their own personalized music libraries.

As the modes of distribution change and the technologies change, so must our laws change.

The government granted a compulsory license for radio-like services by Internet, cable, and satellite providers in order to encourage competition and the creation of new products.

However, as new innovations alter these services from a performance to a distribution, the law must respond.

In addition, as the changing technology evolves the distinctions between the services become less and less, and the differences in how they are treated under the statutory license make less and less sense.

Therefore, I am introducing a bill that will begin to fix the inequities currently in the statute and open the door to further debate about additional issues that need to be addressed.

First, the bill I am introducing today, the PERFORM Act, would create rate parity. All companies covered by the government license created in section 114 of title 17 would be required to pay a ''fair market value'' for use of music libraries rather than having different rate standards apply based on what medium is being used to transmit the music.

The bill would also establish content protection. All companies would be required to use reasonably available, technologically feasible, and economically reasonable means to prevent music theft. In addition, a company may not provide a recording device to a customer that would allow him or her to create their own personalized music library that can be manipulated and maintained without paying a reproduction royalty.

This does not mean such devices cannot be made or distributed. It simply means that the business must negotiate the payment for the music outside of the statutory license.

The bill also contains language to make sure that consumers' current recording habits are not inhibited. Therefore, any recording the consumer chooses to do manually will still be allowed.

In addition, if the device allows the consumer to manipulate music by program, channel, or time period that would still be permitted under the statutory license.

For example, if a listener chooses to automatically record a news station every morning at 9:00 a.m.; a jazz station every afternoon at 2:00 p.m., a blues station every Friday at 3:00 p.m., and a talk radio show every Saturday at 4:00 p.m., that would be allowable. In addition, that listener could then use their recording device to move these programs so that each program of the same genre would be back to back.

What a listener cannot do is set a recording device to find all the Frank Sinatra songs being played on the radio-service and only record those songs. By making these distinctions this bill supports new business models and technologies without harming the songwriters and performers in the process.

Unfortunately, this bill was unable to move last Congress primarily because of misinformation about what the bill does and does not do.

However, there were also some questions that were raised, not about problems with the bill, but about ways to expand its reach. For example, currently the bill does not apply to traditional radio distributed by the broadcasters. This legislation only covers businesses that are under the section 114 license: Internet, cable, and satellite. Yet, some of my Republican colleagues argued that the bill should apply the same recording limitations to over-the-air broadcasters as are applied to Internet, cable, and satellite. While this change has not been made in the version of the bill I am introducing today, I believe it is an issue we should look at in the 110th Congress.

Also, the bill as introduced does not address the other conditions applied to Internet, cable, and satellite services in order for them to get the benefit of the statutory license. The one that I am most concerned with is interactivity.

I think there is real confusion about what is and what is not allowed under the current statute: how much personalization and customization may these new services offer?

Currently, licensing rates are higher for interactive services. However, there are clear disagreements as to what constitutes an ''interactive'' service. I tried to have the parties meet to negotiate a solution to this issue so that we could include new language in this bill; however, the parties were so far apart that a solution could not be reached.

Despite this, I still believe this is an important issue that must be addressed. As introduced, the bill calls for the Copyright Office to make recommendations to Congress, but I am hopeful that through the process of moving this bill through the Senate we can develop a solution sooner rather than rely on a study.

Finally, some have raised concerns that applying content protection to all providers is unfair. They argue that if there is no connection between the distributor of the music and the technology provider that allows for copying and manipulating of performances then they should not be required to protect the music that they broadcast. In general, I do not agree. We know that there are websites out there now that provide so-called stream-ripping services that allow an individual to steal music off an Internet webcast.

It is not enough to turn a blind eye to this type of piracy and do nothing simply because there is no formal connection between the businesses. At the same time, I am sympathetic to the concerns that if the type of technology a company uses is inadequate or ineffective, through no fault of their own, they should not be saddled with huge mandatory penalties.

I am interested in looking at this issue more closely to see if there is some way to address this concern and find a compromise solution.

To be clear, I see this as the beginning of the process. I think this legislation is a good step forward in addressing a real problem that is occurring in the music industry. Changes or additions may be necessary as the bill moves forward, but I believe to wait and do nothing does a disservice to all involved.

Music is an invaluable part of all of our lives. The new technologies and changing delivery systems provide exciting new options for all consumers. As we continue to move forward into new frontiers we must ensure that our laws can stand the test of time.

I look forward to working with my colleagues to pass this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 256

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 ''Platform Equality and Remedies for Rights Holders in Music Act of 2007'' or the ''Perform Act of 2007''.

SEC. 2. RATE SETTING STANDARDS.

(a) SECTION 112 LICENSES.—Section 112(e)(4) of title 17, United States Code, is amended in the third sentence by striking ''fees that would have been negotiated in the marketplace between a willing buyer and a willing seller'' and inserting ''the fair market value of the rights licensed under this subsection''.

(b) SECTION 114 LICENSES.—Section 114(f) of title 17, United States Code, is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (1), (2), (3), and (4), respectively; and

(3) in paragraph (1) (as redesignated under this subsection)—

(A) in subparagraph (A), by striking all after ''Proceedings'' and inserting ''under chapter 8 shall determine reasonable rates and terms of royalty payments for transmissions during 5-year periods beginning on January 1 of the second year following the year in which the proceedings are to be commenced, except where a different transitional period is provided under section 6(b)(3) of the Copyright Royalty and Distribution Reform Act of 2004, or such other period as the parties may agree.'';

(B) in subparagraph (B)—

(i) in the first sentence, by striking ''affected by this paragraph'' and inserting ''under this section'';

(ii) in the second sentence, by striking ''eligible nonsubscription transmission''; and

(iii) in the third sentence—

(I) by striking ''eligible nonsubscription services and new subscription''; and

(II) by striking ''rates and terms that would have been negotiated in the marketplace between a willing buyer and a willing seller'' and inserting ''the fair market value of the rights licensed under this section'';

(iv) in the fourth sentence, by striking ''base its'' and inserting ''base their'';

(v) in clause (i), by striking ''and'' after the semicolon;

(vi) in clause (ii), by striking the period and inserting ''; and'';

(vii) by inserting after clause (ii) the following:

''(iii) the degree to which reasonable recording affects the potential market for sound recordings, and the additional fees that are required to be paid by services for compensation.''; and

(viii) in the matter following clause (ii), by striking ''described in subparagraph (A)''; and

(C) by striking subparagraph (C) and inserting the following:

''(C) The procedures under subparagraphs (A) and (B) shall also be initiated pursuant to a petition filed by any copyright owners of sound recordings or any transmitting entity indicating that a new type of service on which sound recordings are performed is or is

about to become operational, for the purpose of determining reasonable terms and rates of royalty payments with respect to such new type of service for the period beginning with the inception of such new type of service and ending on the date on which the royalty rates and terms for preexisting subscription digital audio transmission services, eligible nonsubscription services, or new subscription services, as the case may be, most recently determined under subparagraph (A) or (B) and chapter 8 expire, or such other period as the parties may agree.''.

(c) CONTENT PROTECTION.—Section 114(d)(2) of title 17, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (ii), by striking ''and'' after the semicolon;

(B) in clause (iii), by adding ''and'' after the semicolon; and

(C) by adding after clause (iii) the following:

''(iv) the transmitting entity takes no affirmative steps to authorize, enable, cause or induce the making of a copy or phonorecord by or for the transmission recipient and uses technology that is reasonably available, technologically feasible, and economically reasonable to prevent the making of copies or phonorecords embodying the transmission in whole or in part, except for reasonable recording as defined in this subsection;'';

(2) in subparagraph (C)—

(A) by striking clause (vi); and

(B) by redesignating clauses (vii) through (ix) as clauses (vi) through (viii), respectively; and

(3) by adding at the end the following:

''For purposes of subparagraph (A)(iv), the mere offering of a transmission and accompanying metadata does not in itself authorize, enable, cause, or induce the making of a phonorecord. Nothing shall preclude or prevent a performing rights society or a mechanical rights organization, or any entity owned in whole or in part by, or acting on behalf of, such organizations or entities, from monitoring public performances or other uses of copyrighted works contained in such transmissions. Any such organization or entity shall be granted a license on either a gratuitous basis or for a de minimus fee to cover only the reasonable costs to the licensor of providing the license, and on reasonable, nondiscriminatory terms, to access and retransmit as necessary any content contained in such transmissions protected by content protection or similar technologies, if such licenses are for purposes of carrying out the activities of such organizations or entities in monitoring the public performance or other uses of copyrighted works, and such organizations or entities employ reasonable methods to protect any such content accessed from further distribution.''.

(d) DEFINITION.—Section 114(j) of title 17, United States Code, is amended—

(1) by redesignating paragraphs (10) through (15) as paragraphs (11) through (16), respectively; and

(2) by inserting after paragraph (9) the following:

''(10)(A) A 'reasonable recording' means the making of a phonorecord embodying all or part of a performance licensed under this section for private, noncommercial use where technological measures used by the transmitting entity, and which are incorporated into a recording device—

''(i) permit automated recording or playback based on specific programs, time periods, or channels as selected by or for the user;

''(ii) do not permit automated recording or playback based on specific sound recordings, albums, or artists;

''(iii) do not permit the separation of component segments of the copyrighted material contained in the transmission program which results in the playback of a manipulated sequence; and

''(iv) do not permit the redistribution, retransmission or other exporting of a phonorecord embodying all or part of a performance licensed under this section from the device by digital outputs or removable media, unless the destination device is part of a secure in-home network that also complies with each of the requirements prescribed in this paragraph.

''(B) Nothing in this paragraph shall prevent a consumer from engaging in non-automated manual recording and playback in a manner that is not an infringement of copyright.''.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 114.—Section 114(f) of title 17, United States Code (as amended by subsection (b) of this section), is further amended—

(A) in paragraph (1)(B), in the first sentence, by striking ''paragraph (3)'' and inserting ''paragraph (2)''; and

(B) in paragraph (4)(C), by striking ''under paragraph (4)'' and inserting ''under paragraph (3)''.

(2) SECTION 804.—Section 804(b)(3)(C) of title 17, United States Code, is amended—

(A) in clause (i), by striking ''and 114(f)(2)(C)''; and

(B) in clause (iv), by striking ''or 114(f)(2)(C), as the case may be''.

SEC. 3. REGISTER OF COPYRIGHTS MEETING AND REPORT.

(a) MEETING.—Not later than 90 days after the date of enactment of this Act, the Register of Copyrights shall convene a meeting among affected parties to discuss whether to recommend creating a new category of limited interactive services, including an appropriate premium rate for such services, within the statutory license contained in section 114 of title 17, United States Code.

(b) REPORT.—Not later than 90 days after the convening of the meeting under subsection (a), the Register of Copyrights shall submit a report on the discussions at that meeting to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

By Mr. AKAKA (for himself, Mr. INOUYE, Mr. BYRD, Mr. REID, Mr. STEVENS, Mr. KENNEDY, Mr. COCHRAN, Mr. BIDEN, Mrs. CLINTON, Mr. DOMENICI, Mr. DORGAN, Mr. KERRY, Mr. LEAHY, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Ms. MURKOWSKI, Mr. NELSON of Nebraska, Mr. REED, Mr. ROCKEFELLER, Mr. SPECTER, and Mrs. DOLE):

S. 259. A bill to authorize the establishment of the Henry Kuualoha Giugni Kupuna Memorial Archives at the University of Hawaii; to the Committee on Health, Education, Labor, and Pensions.

Mr. AKAKA. Mr. President, I am introducing with my dear friend, the senior Senator from Hawaii, DAN INOUYE, and several of our colleagues from both sides of the aisle, a bill paying tribute to one of this body's most loyal servants. The Henry Kuualoha Giugni Kupuna Memorial Archives bill honors Henry K. Giugni, our former Sergeant-at-Arms of the U.S. Senate, through the establishment of cultural and historical digital archives. Mr. Giugni would have turned 82 today, if he were still alive. These archives will enable the sharing and perpetuation of the culture, collective memory, and history of peoples Mr. Giugni so dearly loved.

As many of my colleagues are aware, Henry was a man full of life and loyalty who served our country with distinction. He enlisted in the U.S. Army at the age of 16 after the attack on Pearl Harbor. During World War II he served in combat at the battle of Guadalcanal. Following World War II, he continued to serve the State of Hawaii and our Nation by working as a police officer and firefighter. After nearly a decade of service with Senator INOUYE in the Hawaii territorial legislature, he came to Washington, DC, as the senior Senator's senior executive assistant and then chief of staff for more than 20 years. Mr. Giugni was appointed in 1987 to serve as Sergeant-at-Arms of our revered body—a position that each of my colleagues and I know as crucial to the running of the Senate.

Henry also sought to tear down barriers in society. In 1965 it was Mr. Giugni who represented Senator INOUYE's office, and thus the people of Hawaii, in the famous 1965 Selma to Montgomery civil rights march led by Dr. Martin Luther King, Jr. As Senator INOUYE's chief of staff, Mr. Giugni served as a vital link between the Senator's office and minority groups. He was the first person of color and the first Native Hawaiian to be appointed Senate Sergeant-at-Arms. In this influential position, he sought out capable minorities and women for promotion to ensure that our workforce reflects America. He appointed the first minority, an African-American, to lead the Service Department, and was the first to assign women to the Capitol Police plainclothes unit. Because of his concern about people with disabilities, Mr. Giugni enacted a major expansion of the Special Services Office, which now conducts tours of the U.S. Capitol for the blind, deaf, and wheelchair-bound, and publishes Senate maps and documents in Braille.

Further in his capacity as Sergeant-at-Arms, Henry was the chief law enforcement officer of the U.S. Senate and an able manager of a majority of the Senate's support services. He oversaw a budget of nearly $120 million and approximately 2,000 employees. As Sergeant-at-Arms, Mr. Giugni presided over the inauguration of President George H.W. Bush, and escorted numerous dignitaries on their visits to the U.S. Capitol, including Nelson Mandela, Margaret Thatcher, and Vaclav Havel.

Establishing the Henry Kuualoha Giugni Memorial Archives would be a poignant and appropriate way to honor our loyal friend, colleague, and fellow American, as well as his dear wife Lani, who recently followed him to the great beyond. Henry lived a life full of rich experiences, and along the way he accumulated a wealth of wisdom. His memory and spirit live on, but it is essential we perpetuate his wisdom and

experiences, and those of others like him, so what was learned and accomplished will not be lost to future generations. This is the primary impetus behind creating these archives. There is a dearth of physical archives, museums, or libraries devoted to preserving and perpetuating the history, culture, achievements and collective narratives of indigenous peoples. As one generation passes, a wealth of traditional knowledge could be lost forever. Establishing these archives to perpetuate the traditional knowledge of indigenous peoples such as Henry will ensure that future generations have access to that widsom and, in a sense, will be able to learn from the original sources themselves.

The development of the Internet in managing knowledge in electronic format has enabled the most pervasive storing and sharing of information the world has ever seen. Electronic, digital archives would facilitate the sharing, preservation and perpetuation of the unique native culture, language, tradition and history. These archives will be a source of enduring knowledge, accessible to all. It will help to ensure that the children of today and tomorrow will not be deprived of the rich culture, history and collective knowledge of indigenous peoples. These archives will help to guarantee that the experiences, wisdom and knowledge of kupuna, or elders such as Henry, will not be lost to future generations.

The first section of the Henry Kuualoha Giugni Memorial Archives bill authorizes a grant awarded to the University of Hawaii's Academy for Creative Media for the establishment, maintenance and update of the archives which are to be located at the University of Hawaii. These funds would be used to enable a statewide archival effort which will include the acquisition of a secure, web-accessible repository that will house significant historical and cultural information. This information may include oral histories, collective narratives, photographs, video files, journals, creative works and documentation of practices and customs such as traditional dance and traditional music that were used to convey historical and cultural knowledge in the absence of written language. The funds will enable this important effort by assisting in the purchasing of equipment, hiring of personnel, and establishment of space for the collection and transfer of media, housing the archives, and creating this in-depth database.

The second section of this bill authorizes the use of these grant funds for several different educational activities, many of which are intended to magnify the resourcefulness of these archives and benefit the student populations who will likely access the archives the most. This includes the development of educational materials from the archives that can be used in teaching indigenous students. Despite their focus, these materials are meant to enhance the education of all students, even students from non-native backgrounds. This also includes developing outreach initiatives to introduce the archives to elementary and secondary schools, and as enabling schools to access the archives through the computer.

Grant funds would also be available to help make a college education possible for students who otherwise could not independently afford such an education through scholarship awards. Additionally, funds can be used to address the problem of cultural incongruence in teaching, an issue that impedes effective learning in our Nation's classrooms. Such a lack of congruence exists in a wide range of situations, from rural and underserved communities in remote areas to well-populated urban centers, from my State of Hawaii to areas on the eastern seaboard. The dynamic I am describing exists along lines of race and ethnicity, socioeconomic strata, age, and many other vectors, which can muddy the effective transmission of knowledge. Many of us, especially those from rural, indigenous, or ethnic minority backgrounds, including Henry Giugni, have experienced barriers to learning as we have worked our way through the education system. This bill seeks to improve student achievement by addressing cultural incongruence between teachers and the student population. This will be accomplished by providing professional development training to teachers, enabling them to better communicate with their students.

Finally, as financial illiteracy is a growing problem, especially among college age youth who are exposed to a variety of financial products, funds can be used to increase the economic and financial literacy of college students. This will be accomplished through the propagation of proven best practices that have resulted in positive behavioral change in regards to improved debt and credit management, and economic decision making. Such activities can help to ensure that students stay in school, graduate in a better financial position, and remain disciplined in effectively managing their finances throughout their working and retirement years.

Henry K. Giugni served among us with distinction and honor. I am very grateful to have known him and his family. I encourage all of my colleagues to perpetuate his memory by supporting the Henry Kuualoha Giugni Memorial Archives bill. These archives are the most fitting way we can honor and remember our friend and dear public servant, Henry Kuualoha Giugni.

I ask unanimous consent that the text of the bill be printed in the RECORD and that support letters from University of Hawaii President David McClain and Academy for Creative Media Director Christopher Lee also be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 259

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

SECTION 1. HENRY KUUALOHA GIUGNI KUPUNA MEMORIAL ARCHIVES.

(a) GRANTS AUTHORIZED.—The Secretary of Education is authorized to award a grant to the University of Hawaii Academy for Creative Media for the establishment, maintenance, and periodic modernization of the Henry Kuualoha Giugni Kupuna Memorial Archives at the University of Hawaii.

(b) USE OF FUNDS.—The Henry Kuualoha Giugni Kupuna Memorial Archives shall use the grant funds received under this section—

(1) to facilitate the acquisition of a secure web accessible repository of Native Hawaiian historical data rich in ethnic and cultural significance to our Nation for preservation and access by future generations;

(2) to award scholarships to facilitate access to a college education for students who can not independently afford such education;

(3) to support programmatic efforts associated with the web-based media projects of the archives;

(4) to create educational materials, from the contents of the archives, that are applicable to a broad range of indigenous students such as Native Hawaiians, Alaskan Natives, and Native American Indians;

(5) to develop outreach initiatives that introduce the archival collections to elementary schools and secondary schools;

(6) to develop supplemental web-based resources that define terms and cultural practices innate to Native Hawaiians;

(7) to rent, lease, purchase, maintain, or repair educational facilities to house the archival collections;

(8) to rent, lease, purchase, maintain, or repair computer equipment for use by elementary schools and secondary schools in accessing the archival collections;

(9) to provide pre-service and in-service teacher training to develop a core group of kindergarten through grade 12 teachers who are able to provide instruction in a way that is culturally congruent with the learning modalities of the kindergarten, elementary school, or secondary school students the teachers are teaching, particularly indigenous students such as Native Hawaiians, Alaskan Natives, and Native American Indians, in order to—

(A) ameliorate the lack of cultural congruence between the teachers and the students the teachers teach; and

(B) improve student achievement; and

(10) to increase the economic and financial literacy of college students through the proliferation of proven best practices used at other institutions of higher education that result in positive behavioral change toward improved debt and credit management and economic decision making.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2007, $10,000,000 for fiscal year 2008, and such sums as may be necessary for each of the fiscal years 2009 through 2012.

UNIVERSITY OF HAWAI'I,
Honolulu, HI, August 3, 2006.

Hon. DANIEL K. AKAKA,
U.S. Senator, State of Hawai'i, Hart Senate Office Building, Washington DC.

DEAR SENATOR AKAKA: The University of Hawai'i is proud to support the establishment of the Henry Kuualoha Giugni Kupuna Memorial Archives as detailed in the Senate Bill reviewed with your staff during my June 2006 visit to Washington, D.C. As you know, Henry Giugni was a great friend of the University of Hawai'i. We were honored to be

able to award him an Honorary Doctorate in Humane Letters from the University of Hawai'i in 2003.

Please add the University of Hawai'i to the growing list of many friends and congressional co-sponsors who have joined with you and Senator Inouye to pay appropriate tribute to a great Hawaiian and a worthy advocate for minorities in government—Henry Kuualoha Giugni. Thank you for this opportunity to express our support for one who was so important to our University 'ohana.

With best wishes and Aloha,

DAVID MCCLAIN,
President.

UNIVERSITY OF HAWAI'I,
ACADEMY FOR CREATIVE MEDIA,
Honolulu, HI, August 21, 2006.

Hon. DANIEL K. AKAKA,
U.S. Senator, State of Hawai'i, Hart Senate Office Building Washington, DC.

DEAR SENATOR AKAKA: The Academy for Creative Media at the University of Hawai'i at Manoa is proud to support, and honored to be designated as the primary home for the establishment of the Henry Kuualoha Giugni Kupuna Memorial Archives.

As you know, there is an exciting visual history of Hawai'i that has yet to be collected, documented and archived for the benefit of historians, teachers, students, and all people who embrace the Spirit of Aloha. This is a people's history and archive that will tap deeply into the diversity and multiculturalism of our state.

Unfortunately, much of this rich treasure of moving images on film and video tape is deteriorating with age and cries out to be permanently preserved in a digital archive where it can be readily and interactively accessed by all.

The establishment of the Henry Kuualoha Giugni Kupuna Memorial Archives will enable the creation of a plethora of illustrated oral histories of our beloved elders, create educational programs which can be used to bridge intercultural gaps while embracing an ever wider multicultural society, and empower new generations by grounding them in the richness of values, as reflected by Mr. Giugni, that has defined Hawai'i as the Aloha State.

The Academy for Creative Media stands ready to make this Archive a primary educational center and resource, a living tribute to Henry Kuualoha Giugni and the people of Hawai'i.

Sincerely,

CHRISTOPHER LEE,
Director.

Mr. INOUYE. Mr. President, today I join my partner from Hawaii, Senator AKAKA, and other esteemed colleagues, in lending my support to the Henry Kuualoha Giugni Kupuna Memorial Archives Bill. I offer my support today, on this, the eleventh day of January, Henry's birthday, to herald the significant role that the establishment of these archives will play in shaping the future of a new generation of Americans, just as Henry did during his remarkable tenure as the 30th Sergeant-at-Arms of the United States Senate.

In addition to creating a digital archive and preserving the traditions and culture of Native Hawaiians, this bill will support initiatives critical to the development of Web-based media projects and the creation of educational materials that will richly enhance the educational experience for countless students.

It is my hope that the establishment of these archives will inspire greater academic achievement of indigenous students by sharing with them the stories and histories of accomplished individuals with indigenous backgrounds, such as Henry.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 260. A bill to establish the Fort Stanton-Snowy River Cave National Conservation Area; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, I rise today to introduce legislation to protect a natural wonder in my home State of New Mexico. A passage within the Fort Stanton Cave contains what can only be described as a magnificent white river of calcite. I am pleased to be joined in this effort again this year by my colleague from New Mexico, Senator BINGAMAN.

Many locals are familiar with the Fort Stanton Cave in Lincoln County, NM. Exploration of the cave dates back to at least the 1850s, when troops stationed in the area began visiting the network of caverns. Exploration continued over the years and in 2001 BLM volunteers discovered a two-mile long continuous calcite formation.

We have not found a formation of this size anywhere else in New Mexico or perhaps even in the United States. Because of the beauty and distinct appearance of this discovery, I continue to be excited about the scientific and educational opportunities associated with the find. This large, continuous stretch of calcite may yield valuable research opportunities relating to hydrology, geology, and microbiology. In fact, there may be no limits to what we can learn from this snow white cave passage.

It is not often that we find something so striking and so significant. I believe this find is worthy of study and our most thoughtful management and conservation.

My legislation does the following: (1) creates a Fort Stanton-Snowy River Cave Conservation Area to protect, secure and conserve the natural and unique features of the Snowy River Cave; (2) instructs the BLM to prepare a map and legal description of the Snowy River cave, and to develop a comprehensive, long-term management plan for the cave area; (3) authorizes the conservation of the unique features and environs in the cave for scientific, educational and other public uses deemed safe and appropriate under the management plan; (4) authorizes the BLM to work with State and other institutions and to cooperate with Lincoln County to address the historical involvement of the local community; (5) protects the caves from mineral and mining leasing operations.

As the people of my home State of New Mexico know, we have many natural wonders, and I am proud to play a role in the protection of this recent unique discovery. I hope my colleagues will join with me in approving the Fort Stanton-Snowy River National Cave Conservation Area Act.

I ask unanimous consent that text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 260

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 ''Fort Stanton-Snowy River Cave National Conservation Area Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONSERVATION AREA.—The term ''Conservation Area'' means the Fort Stanton-Snowy River Cave National Conservation Area established by section 3(a).

(2) MANAGEMENT PLAN.—The term ''management plan'' means the management plan developed for the Conservation Area under section 4(c).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

SEC. 3. ESTABLISHMENT OF FORT STANTON-SNOWY RIVER CAVE NATIONAL CONSERVATION AREA.

(a) ESTABLISHMENT; PURPOSES.—There is established the Fort Stanton–Snowy River Cave National Conservation Area in Lincoln County, New Mexico, to protect, conserve, and enhance the unique and nationally important historic, cultural, scientific, archaeological, natural, and educational subterranean cave resources of the Fort Stanton–Snowy River cave system.

(b) AREA INCLUDED.—The Conservation Area shall include the area within the boundaries depicted on the map entitled ''Fort Stanton–Snowy River Cave National Conservation Area'' and dated November 2005.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall submit to Congress a map and legal description of the Conservation Area.

(2) EFFECT.—The map and legal description of the Conservation Area shall have the same force and effect as if included in this Act, except that the Secretary may correct any minor errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—The map and legal description of the Conservation Area shall be available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 4. MANAGEMENT OF THE CONSERVATION AREA.

(a) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Conservation Area—

(A) in a manner that conserves, protects, and enhances the resources and values of the Conservation Area, including the resources and values described in section 3(a); and

(B) in accordance with—

(i) this Act;

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(iii) any other applicable laws.

(2) USES.—The Secretary shall only allow uses of the Conservation Area that are consistent with the protection of the cave resources.

(3) REQUIREMENTS.—In administering the Conservation Area, the Secretary shall provide for—

(A) the conservation and protection of the natural and unique features and environs for scientific, educational, and other appropriate public uses of the Conservation Area;

(B) public access, as appropriate, while providing for the protection of the cave resources and for public safety;

(C) the continuation of other existing uses or other new uses of the Conservation Area that do not impair the purposes for which the Conservation Area is established;

(D) management of the surface area of the Conservation Area in accordance with the Fort Stanton Area of Critical Environmental Concern Final Activity Plan dated March, 2001, or any amendments to the plan, consistent with this Act; and

(E) scientific investigation and research opportunities within the Conservation Area, including through partnerships with colleges, universities, schools, scientific institutions, researchers, and scientists to conduct research and provide educational and interpretive services within the Conservation Area.

(b) WITHDRAWALS.—Subject to valid existing rights, all Federal surface and subsurface land within the Conservation Area and all land and interests in the land that are acquired by the United States after the date of enactment of this Act for inclusion in the Conservation Area, are withdrawn from—

(1) all forms of entry, appropriation, or disposal under the general land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation under the mineral leasing and geothermal leasing laws.

(c) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall develop a comprehensive plan for the long-term management of the Conservation Area.

(2) PURPOSES.—The management plan shall—

(A) describe the appropriate uses and management of the Conservation Area;

(B) incorporate, as appropriate, decisions contained in any other management or activity plan for the land within or adjacent to the Conservation Area;

(C) take into consideration any information developed in studies of the land and resources within or adjacent to the Conservation Area; and

(D) provide for a cooperative agreement with Lincoln County, New Mexico, to address the historical involvement of the local community in the interpretation and protection of the resources of the Conservation Area.

(d) ACTIVITIES OUTSIDE CONSERVATION AREA.—The establishment of the Conservation Area shall not—

(1) create a protective perimeter or buffer zone around the Conservation Area; or

(2) preclude uses or activities outside the Conservation Area that are permitted under other applicable laws, even if the uses or activities are prohibited within the Conservation Area.

(e) RESEARCH AND INTERPRETIVE FACILITIES.—

(1) IN GENERAL.—The Secretary may establish facilities for—

(A) the conduct of scientific research; and

(B) the interpretation of the historical, cultural, scientific, archaeological, natural, and educational resources of the Conservation Area.

(2) COOPERATIVE AGREEMENTS.—The Secretary may, in a manner consistent with this Act, enter into cooperative agreements with the State of New Mexico and other institutions and organizations to carry out the purposes of this Act.

(f) WATER RIGHTS.—Nothing in this Act constitutes an express or implied reservation of any water right.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act. To establish the Fort Stanton-Snowy River Cave National Conservation Area.

By Ms. CANTWELL (for herself, Mr. ENGLISH, Mr. SPECTER, Mr. DURBIN, Mr. ALLARD, Mr. VITTER, Mr. LEVIN, Ms. COLLINS, Mr. KYL, and Mrs. FEINSTEIN):

S. 261. A bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes; to the Committee on the Judiciary.

Ms. CANTWELL. Mr. President, I rise today to join with my colleagues, Senators SPECTER and ENSIGN, in reintroducing the Animal Fighting Prohibition Enforcement Act of 2007. This legislation has won the unanimous approval of the Senate several times, but unfortunately has not yet reached the finish line. I look forward to working with my colleagues to see this important bill finally become the law of the land.

There is no doubt, animal fighting is terribly cruel. Dogs and roosters are drugged to make them hyper-aggressive and forced to keep fighting even after suffering severe injuries such as punctured eyes and pierced lungs.

It's all done for ''entertainment'' and illegal gambling. Children are sometimes brought to these spectacles, and the fights are frequently accompanied by illegal drug trafficking and acts of human violence. In 2006, nine murders related to animal fighting occurred across the country.

Some dogfighters steal pets to use as bait for training their dogs, while others allow trained fighting dogs to roam neighborhoods and endanger the public.

The Animal Fighting Prohibition Enforcement Act will strengthen current law by making the interstate transport of animals for the purpose of fighting a felony and increase the punishment to three years of jail time. This is necessary because the current misdemeanor penalty has proven ineffective—considered a ''cost of doing business'' by those in the animal fighting industry which continues unabated nationwide. These enterprises depend on interstate commerce, as I evidenced by the animal fighting magazines that advertise and promote them.

Our bill also makes it a felony to move cockfighting implements in interstate or foreign commerce. These are razor-sharp knives known as ''slashers'' and ice pick-like gaffs designed exclusively for cockfights and attached to the birds' legs for fighting. Cockfighting magazines I and websites contain hundreds of advertisements for mail-order knives and gaffs, revealing a thriving interstate market for the weapons used in cockfights.

This is long overdue legislation. Both the Senate and House approved felony animal fighting provisions in their Farm Bills in 2001, but they were stripped out in conference. The Senate included felony animal fighting provisions in the 2003 Health Forest Bill, but they were again dropped in conference. In September 2004, the Animal Fighting Prohibition Enforcement Act was approved by the House Judiciary Committee, but did not reach the floor. In April 2005, the Senate passed a bill nearly identical to the one we are introducing today, when it unanimously approved S. 382. In May 2006, the House Crime, Terrorism and Homeland Security Subcommittee held a comprehensive hearing on the House companion bill, H.R. 817, which garnered 324 cosponsors but was not considered on the House floor. The legislative history of this animal fighting felony legislation shows it has broad bipartisan support of more than half the Senate, and it has won unanimous approval on the floor time and time again.

It's time to get this felony animal fighting language enacted. With the bird flu threat looming, we can't afford to wait any longer. The economic consequences are staggering—the World Bank projects worldwide losses of $1.5 to $2 trillion. We must be able to say we did all we could to prevent such a pandemic, and this is an obvious, easy and necessary step.

Interstate and international transport of birds for cockfighting is known to have contributed to the spread of avian influenza in Asia and poses a threat to poultry and public health in the United States. According to the World Health Organization and local news reports, at least nine confirmed human fatalities from avian influenza in Thailand and Vietnam may have been contracted through cockfighting activity since the beginning of 2004. Several children are among those who are reported to have died from avian influenza as a result of exposure through cockfighting, including 4-year-old, 6-year-old, and 18-year-old boys in Thailand and a 6-year-old girl in Vietnam.

There have been many news stories focusing on the connection between bird flu and cockfighting. For example, an MSNBC report headlined, ''Cockfights blamed for Thailand bird flu spread.'' A World Health Organization Asia regional spokesperson interviewed recently on the CBS Evening News described the risk of spreading disease through cockfighting with infected animals as a ''total disaster waiting to happen.''

Because human handling of fighting roosters is a regular occurrence, the opportunity of disease transmission from fighting birds to people is substantial. Fighting-bird handlers come into frequent, sustained contact with their birds during training and during organized fights. It is common practice for handlers to suck saliva and blood from roosters' beaks to help clear their airways and enable them to keep fighting.

Cockfighters frequently move birds across State and foreign borders, bringing them to fight in different locations and risking the spread of infectious diseases. Communications in national

cockfighting magazines and websites have shown that U.S. cockfighters regularly transport their birds to and from other parts of the world, including Asia.

The U.S. Department of Agriculture (USDA), in endorsing the Animal Fighting Prohibition Enforcement Act, noted that strengthening current Federal law on the inhumane practice of animal fighting would enhance the agency's ability to safeguard the health of U.S. poultry against deadly diseases such as avian influenza and exotic Newcastle disease (END). The USDA has stated that cockfighting was implicated in an outbreak of END that spread through California and the Southwest in 2002 and 2003. That outbreak cost U.S. taxpayers nearly $200 million to eradicate and cost the U.S. poultry industry many millions more in lost export markets. The costs of an avian influenza outbreak in this country could be much higher—with the Congressional Budget Office estimating losses between 1.5 and 5 percent of GDP ($185 billion to $618 billion).

The National Chicken Council, which represents 95 percent of all U.S. poultry producers and processors, has also endorsed the Animal Fighting Prohibition Enforcement Act, expressing concern that avian influenza and other diseases can be spread by the movement of game birds and that the commercial chicken industry remains under considerable threat because it operates amidst a national network of game bird operations.

Avian influenza has not yet crossed the species barrier in this country, as it has in Asia. But we must do all we can to minimize this risk. Establishing a more meaningful deterrent to illegal interstate and foreign movement of animals for fighting purposes is an obvious step we can take to reduce this risk.

Besides those associated with the poultry industry, this legislation has been endorsed by a number of other organization including the Humane Society of the United States, the American Veterinary Medical Association, the National Coalition Against Gambling Expansion, the League of United Latin American Citizens, the National Sheriffs' Association, and more than 400 individual sheriffs and police departments covering every State in the country. Those law enforcement agencies recognize that animal fighting often involves the movement of animals across State and foreign borders, so they can't do the job on their own. They need the Federal Government to do its part to help curb this dangerous activity.

Our legislation does not expand the federal government's reach into a new area, but simply aims to make current law more effective. It is explicitly limited to interstate and foreign commerce, so it protects States' rights in the two States where cockfighting is still allowed, and it protects States' rights the other 48 States—and all 50, for dogfighting—where weak Federal law is compromising their ability to keep animal fighting outside their borders.

The bill we introduce today is identical to S. 382, which passed the Senate unanimously in the last Congress, except for one change. The new bill provides for up to three years' jail time, compared to two in S. 382, in order to bring this more in line with penalties for other federal animal cruelty-related felonies. For example, in 1999, Congress authorized imprisonment of up to 5 years for interstate commerce in videos depicting animal cruelty, including animal fighting, P.L. 106–152, and mandatory jail time of up to 10 years for willfully harming or killing a federal police dog or horse (P.L. 106–254).

With every week, there are new reports of animal fighting busts, as local and state law enforcement struggle to rein in this thriving industry. In my own State of Washington, police arrested 5 people on Christmas Day at a cockfight in Brewster, and about 50 people ran off, according to recent news accounts. Three days later, six more were arrested in Okanogan for promoting cockfighting. And nine people were arrested in Tacoma last spring, where investigators seized methamphetamines, marijuana, weapons, thousands of dollars, and fighting roosters.

It's time for Congress to strengthen the federal law so that it can provide as a meaningful deterrent against animal fighting. State and local law enforcement will have a tough law on the books necessary to help them crack down on this interstate industry. I thank my colleagues for their support, and look forward to working with them to finally enacting this common-sense measure into law.

By Mr. BINGAMAN (for himself, Mr. SMITH, Mr. REID, Mrs. FEINSTEIN, Mrs. BOXER, Mr. BAUCUS, Mrs. MURRAY, and Ms. CANTWELL)

S. 267. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine; to the Committee on the Judiciary.

Mr. BINGAMAN. Mr. President, I rise today to introduce the Native American Methamphetamine Enforcement and Treatment Act of 2007.

Unfortunately, when Congress passed the Combat Methamphetamine Epidemic Act, tribes were unintentionally left out as eligible applicants in some of the newly-authorized grant programs. The bill I am introducing today, along with Senators SMITH, REID, BAUCUS, FEINSTEIN, BOXER, FEINGOLD, CANTWELL, and MURRAY, would simply ensure that tribes are able to apply for these funds and give Native American communities the resources they need to fight scourge of methamphetamine use.

The recently-enacted Combat Methamphetamine Epidemic Act of 2005 authorized new funding for three grant programs. The Act authorized $99 million in new funding for the COPS Hot Spots program, which helps local law enforcement agencies obtain the tools they need to reduce the production, distribution, and use of meth. Funding may also be used to clean up meth labs, support health and environmental agencies, and to purchase equipment and support systems.

The Act also authorized $20 million for a Drug-Endangered Children grant program to provide comprehensive services to assist children who live in a home in which meth has been used, manufactured, or sold. Under this program, law enforcement agencies, prosecutors, child protective services, social services, and health care services, work together to ensure that these children get the help they need.

In addition, the Combat Meth Act authorized grants to be made to address the use of meth among pregnant and parenting women offenders. The Pregnant and Parenting Offenders program is aimed at facilitating collaboration between the criminal justice, child welfare, and State substance abuse systems in order to reduce the use of drugs by pregnant women and those with dependent children.

Although Tribes are eligible applicants under the Pregnant and Parenting Offenders program, they were not included as eligible applicants under either the Hot Spots program or the Drug-Endangered Children program. I see no reason why tribes should not be able to access all of these funds.

Meth use has had a devastating impact in communities throughout the country, and Indian Country is no exception. According to NCAI, Native Americans have the highest meth abuse rate among any ethnic group and 70 percent of law enforcement rate meth as their greatest challenge—indeed, a FBI survey found that an estimated 40 percent of violent crime in Indian Country was related to meth use. And last year there was an article in the Gallup Independent newspaper about a Navajo grandmother, her daughter, and granddaughter, who were all arrested for selling meth. There was also a one-year-old child in the home when police executed the arrest warrant. It is absolutely disheartening to hear about cases such as this, with three generations of a family destroyed by meth.

I strongly believe that we need to do everything we can to assist communities as they struggle to deal with the consequences of meth, and ensuring that Native American communities are able to access these funds is an important first step. I hope my colleagues will join me in supporting this important measure.

By Ms. SNOWE (for herself, Mr. LOTT, Mr. ISAKSON, Mr. CHAMBLISS, and Ms. COLLINS):

S. 269. A bill to amend the Internal Revenue Code of 1986 to increase and permanently extend the expensing of certain depreciable business assets for small businesses; to the Committee on Finance.

By Ms. SNOWE (for herself and Mrs. LINCOLN):

S. 270. A bill to permit startup partnerships and S corporations to elect taxable years other than required years; to the Committee on Finance.

By Ms. SNOWE (for herself, Mrs. LINCOLN, Mrs. HUTCHISON, and Mr. KERRY):

S. 271. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain improvements to retail space; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce a series of proposals that, once enacted, will reduce not only the amount of taxes that small businesses pay, but also the administrative burdens which saddle small companies trying to comply with the tax laws. Small businesses are the engine that drives our Nation's economy and I believe these proposals strengthen their ability to lead the way. I am pleased to be joined by colleagues from both sides of the aisle as we work to move these important initiatives for small businesses from legislation to law.

A top priority I hear from small businesses across Maine is the need for tax relief. Despite the fact that small businesses are the real job-creators for Maine's and our Nation's economy, the current tax system is placing an entirely unreasonable burden on them when trying to satisfy their tax obligations. The current tax code imposes a large, and expensive, burden on all taxpayers in terms of satisfying their reporting and record-keeping obligations. The problem, though, is that small companies are disadvantaged most in terms of the money and time spent in satisfying their tax obligation.

For example, according to the Small Business Administration's Office of Advocacy, small businesses spend an astounding 8 billion hours each year complying with government reports. They also spend more than 80 percent of this time on completing tax forms. What's even more troubling is that companies that employ fewer than 20 employees spend nearly $1,304 per employee in tax compliance costs; an amount that is nearly 67 percent more than larger firms.

For that reason, I am introducing a package of proposals that will provide not only targeted, affordable tax relief to small business owners, but also simpler rules under the tax code. By simplifying the tax code, small business owners will be able to satisfy their tax obligation in a cheaper, more efficient manner, allowing them to be able to devote more time and resources to their business.

I am introducing legislation today in response to the repeated requests from small businesses in Maine and from across the nation to allow them to expense more of their investments, like the purchase of essential new equipment. My bill modifies the Internal Revenue Code by doubling the amount a small business can expense from $100,000 to $200,000, and make the provision permanent as President Bush proposed this change in his fiscal year 2007 tax proposals. With small businesses representing 99 percent of all employers, creating 75 percent new jobs and contributing 51 percent of private-sector output, their size is the only 'small' aspect about them.

By doubling and making permanent the current expensing limit and indexing these amounts for inflation, this bill will achieve two important objectives. First, qualifying businesses will be able to write off more of the equipment purchases today, instead of waiting five, seven or more years to recover their costs through depreciation. That represents substantial savings both in dollars and in the time small businesses would otherwise have to spend complying with complex and confusing depreciation rules. Moreover, new equipment will contribute to continued productivity growth in the business community, which economic experts have repeatedly stressed is essential to the long-term vitality of our economy.

Second, as a result of this bill, more businesses will qualify for this benefit because the phase-out limit will be increased to $800,000 in new assets purchases. At the same time, small business capital investment will be pumping more money into the economy. This is a win-win for small business and the economy as a whole and I am please to have Senators LOTT, ISAKSON, CHAMBLISS, and COLLINS join me as cosponsors of this legislation.

Another proposal that I am introducing with Senator LINCOLN, the Small Business Tax Flexibility Act of 2007, will permit start-up small business owners to use a taxable year other than the calendar year if they generally earn fewer than $5 million during the tax year.

Specifically, the Small Business Tax Flexibility Act of 2007 will permit more taxpayers to use the taxable year most suitable to their business cycle. Until 1986, businesses could elect the taxable year-end that made the most economic sense for the business. In 1986, Congress passed legislation requiring partnerships and S corporations, many of which are small businesses, to adopt a December 31 year-end. The tax code does provide alternatives to the calendar year for small businesses, but the compliance costs and administrative burdens associated with these alternatives prove to be too high for most small businesses to utilize.

Meanwhile, C corporations, as large corporations often are, receive much more flexibility in their choice of taxable year. A C corporation can adopt either a calendar year or any fiscal year for tax purposes, as along as it keeps its books on that basis. This creates the unfair result of allowing larger businesses with greater resources greater flexibility in choosing a taxable year than smaller firms with fewer resources. This simply does not make sense to me. My bill changes these existing rules so that more small businesses will be able to use the taxable year that best suits their business.

To provide relief and equity to our nation's 1.5 million retail establishments, most of which have less than five employees, I am introducing a bill with Senators LINCOLN, HUTCHISON, and KERRY that reduces from 39 to 15 years the depreciable life of improvements that are made to retail stores that are owned by the retailer. Under current law, only retailers that lease their property are allowed this accelerated depreciation, which means it excludes retailers that also own the property in which they operate. My bill simply seeks to provide equal treatment to all retailers.

Specifically, this bill will simply conform the tax codes to the realities that retailers on Main Street face. Studies conducted by the Treasury Department, Congressional Research Service and private economists have all found that the 39-year depreciation life for buildings is too long and that the 39-year depreciation life for building improvements is even worse. Retailers generally remodel their stores every five to seven years to reflect changes in customer base and compete with newer stores. Moreover, many improvements such as interior partitions, ceiling tiles, restroom accessories, and paint, may only last a few years before requiring replacement.

This package of proposals are a tremendous opportunity to help small enterprises succeed by providing an incentive for reinvestment and leaving them more of their earnings to do just that. I urge my colleagues to join me in supporting these proposals.

I ask unanimous consent that the the text of these bills be printed in the RECORD.

There being no objection, the texts of the bills were ordered to be printed in the RECORD, as follows:

S. 269

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

SECTION 1. INCREASE AND PERMANENT EXTENSION FOR EXPENSING FOR SMALL BUSINESS.

(a) IN GENERAL.—Paragraph (1) of section 179(b) of the Internal Revenue Code of 1986 (relating to dollar limitation) is amended by striking ''$25,000 ($100,000 in the case of taxable years beginning after 2002 and before 2010)'' and inserting ''$200,000''.

(b) INCREASE IN QUALIFYING INVESTMENT AT WHICH PHASEOUT BEGINS.—Paragraph (2) of section 179(b) of such Code (relating to reduction in limitation) is amended by striking ''$200,000 ($400,000 in the case of taxable years beginning after 2002 and before 2010)'' and inserting ''$800,000''.

(c) INFLATION ADJUSTMENTS.—Section 179(b)(5)(A) of such Code (relating to inflation adjustments) is amended—

(1) in the matter preceding clause (i)—

(A) by striking ''after 2003 and before 2010'' and inserting ''after 2007'', and

(B) by striking ''the $100,000 and $400,000 amounts'' and inserting ''the $200,000 and $800,000 amounts'', and

(2) in clause (ii), by striking ''calendar year 2002'' and inserting ''calendar year 2006''.

(d) REVOCATION OF ELECTION.—Section 179(c)(2) of such Code (relating to election irrevocable) is amended to read as follows:

''(2) REVOCABILITY OF ELECTION.—Any election made under this section, and any specification contained in any such election, may be revoked by the taxpayer with respect to any property, and such revocation, once made, shall be irrevocable.''.

(e) OFF-THE-SHELF COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) of such Code (relating to section 179 property) is amended by striking ''and before 2010''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

S. 270

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 ''Small Business Tax Flexibility Act of 2007''.

SEC. 2. QUALIFIED SMALL BUSINESSES ELECTION OF TAXABLE YEAR ENDING IN A MONTH FROM APRIL TO NOVEMBER.

(a) IN GENERAL.—Part I of subchapter E of chapter 1 of the Internal Revenue Code of 1986 (relating to accounting periods) is amended by inserting after section 444 the following new section:

''SEC. 444A. QUALIFIED SMALL BUSINESSES ELECTION OF TAXABLE YEAR ENDING IN A MONTH FROM APRIL TO NOVEMBER.

''(a) GENERAL RULE.—A qualified small business may elect to have a taxable year, other than the required taxable year, which ends on the last day of any of the months of April through November (or at the end of an equivalent annual period (varying from 52 to 53 weeks)).

''(b) YEARS FOR WHICH ELECTION EFFECTIVE.—An election under subsection (a)—

''(1) shall be made not later than the due date (including extensions thereof) for filing the return of tax for the first taxable year of the qualified small business, and

''(2) shall be effective for such first taxable year or period and for all succeeding taxable years of such qualified small business until such election is terminated under subsection (c).

''(c) TERMINATION.—

''(1) IN GENERAL.—An election under subsection (a) shall be terminated on the earliest of—

''(A) the first day of the taxable year following the taxable year for which the entity fails to meet the gross receipts test,

''(B) the date on which the entity fails to qualify as an S corporation, or

''(C) the date on which the entity terminates.

''(2) GROSS RECEIPTS TEST.—For purposes of paragraph (1), an entity fails to meet the gross receipts test if the entity fails to meet the gross receipts test of section 448(c).

''(3) EFFECT OF TERMINATION.—An entity with respect to which an election is terminated under this subsection shall determine its taxable year for subsequent taxable years under any other method that would be permitted under subtitle A.

''(4) INCOME INCLUSION AND DEDUCTION RULES FOR PERIOD AFTER TERMINATION.—If the termination of an election under paragraph (1)(A) results in a short taxable year—

''(A) items relating to net profits for the period beginning on the day after its last fiscal year-end and ending on the day before the beginning of the taxable year determined under paragraph (3) shall be includible in income ratably over the 4 taxable years following the year of termination, or (if fewer) the number of taxable years equal to the fiscal years for which the election under this section was in effect, and

''(B) items relating to net losses for such period shall be deductible in the first taxable year after the taxable year with respect to which the election terminated.

''(d) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED SMALL BUSINESS.—The term 'qualified small business' means an entity—

''(A)(i) for which an election under section 1362(a) is in effect for the first taxable year or period of such entity and for all subsequent years, or

''(ii) which is treated as a partnership for the first taxable year or period of such entity for Federal income tax purposes,

''(B) which conducts an active trade or business or which would qualify for an election to amortize start-up expenditures under section 195, and

''(C) which is a start-up business.

''(2) START-UP BUSINESS.—For purposes of paragraph (1)(C), an entity shall be treated as a start-up business so long as not more than 75 percent of the entity is owned by any person or persons who previously conducted a similar trade or business at any time within the 1-year period ending on the date on which such entity is formed. For purposes of the preceding sentence, a person and any other person bearing a relationship to such person specified in section 267(b) or 707(b)(1) shall be treated as one person, and sections 267(b) and 707(b)(1) shall be applied as if section 267(c)(4) provided that the family of an individual consists of the individual's spouse and the individual's children under the age of 21.

''(3) REQUIRED TAXABLE YEAR.—The term 'required taxable year' has the meaning given to such term by section 444(e).

''(e) TIERED STRUCTURES.—The Secretary shall prescribe rules similar to the rules of section 444(d)(3) to eliminate abuse of this section through the use of tiered structures.''.

(b) CONFORMING AMENDMENT.—Section 444(a)(1) of the Internal Revenue Code of 1986 is amended by striking ''section,'' and inserting ''section and section 444A''.

(c) CLERICAL AMENDMENT.—The table of sections for part I of subchapter E of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 444 the following new item:

''Sec. 444A. Qualified small businesses election of taxable year ending in a month from April to November.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

S. 271

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

SECTION 1. RECOVERY PERIOD FOR DEPRECIATION OF CERTAIN IMPROVEMENTS TO RETAIL SPACE.

(a) 15-YEAR RECOVERY PERIOD.—Subparagraph (E) of section 168(e)(3) of the Internal Revenue Code of 1986 (relating to 15-year property) is amended by striking ''and'' at the end of clause (vii), by striking the period at the end of clause (viii) and inserting '', and'', and by adding at the end the following new clause:

''(ix) any qualified retail improvement property.''.

(b) QUALIFIED RETAIL IMPROVEMENT PROPERTY.—Subsection (e) of section 168 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(8) QUALIFIED RETAIL IMPROVEMENT PROPERTY.—

''(A) IN GENERAL.—The term 'qualified retail improvement property' means any improvement to an interior portion of a building which is nonresidential real property if—

''(i) such portion is open to the general public and is used in the trade or business of selling tangible personal property or services to the general public; and

''(ii) such improvement is placed in service more than 3 years after the date the building was first placed in service.

''(B) CERTAIN IMPROVEMENTS NOT INCLUDED.—Such term shall not include any improvement for which the expenditure is attributable to—

''(i) the enlargement of the building,

''(ii) any elevator or escalator, or

''(iii) the internal structural framework of the building.''.

(c) REQUIREMENT TO USE STRAIGHT LINE METHOD.—Paragraph (3) of section 168(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) Qualified retail improvement property described in subsection (e)(8).''.

(d) ALTERNATIVE SYSTEM.—The table contained in section 168(g)(3)(B) of the Internal Revenue Code of 1986 is amended by inserting after the item relating to subparagraph (E)(viii) the following new item:

''(E)(ix) ..... 39''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to qualified retail improvement property placed in service after the date of the enactment of this Act.

By Mr. COLEMAN:

S. 272. A bill to amend Public Law 87–383 to reauthorize appropriations to promote the conservation of migratory waterfowl and to offset or prevent the serious loss of important wetland and other waterfowl habitat essential to the preservation of migratory waterfowl, and for other purposes; to the Committee on Environment and Public Works.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill I introduce today—to amend Public Law 87–383 to reauthorize appropriations to promote the conservation of migratory waterfowl and to offset or prevent the serious loss of important wetland and other waterfowl habitat essential to preservation of migratory waterfowl, and for other purposes—be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 272

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

SECTION 1. AUTHORIZATION OF FUNDS FOR CONSERVATION OF MIGRATORY WATERFOWL AND HABITAT.

The first section of Public Law 87–383 (16 U.S.C. 715k–3) is amended—

(1) by striking ''That in'' and inserting the following:

''SECTION 1. AUTHORIZATION OF FUNDS FOR CONSERVATION OF MIGRATORY WATERFOWL HABITAT.

''(a) IN GENERAL.—In'';

(2) by striking ''for the period'' and all that follows through the end of the sentence and inserting ''$400,000,000 for the period of fiscal years 2008 through 2017.''; and

(3) by adding at the end the following:

''(b) ADVANCE TO MIGRATORY BIRD CONSERVATION FUND.—Funds appropriated pursuant to this Act shall be treated as an advance, without interest, to the Migratory Bird Conservation Fund.

''(c) REPAYMENT TO TREASURY.—

''(1) IN GENERAL.—Effective beginning July 1, 2008, funds appropriated pursuant to this Act shall be repaid to the Treasury out of the Migratory Bird Conservation Fund.

''(2) AMOUNTS.—Repayment under this subsection shall be made in annual amounts that are equal to the funds accruing annually to the Migratory Bird Conservation Fund that are attributable to the portion of the price of migratory bird hunting stamps sold that year that is in excess of $15 per stamp.''.

SEC. 2. SENSE OF CONGRESS REGARDING THE USE OF CERTAIN FUNDS.

It is the sense of Congress that—

(1) the funds provided pursuant to the amendments made by this Act—

(A) should be used for preserving and increasing waterfowl populations in accordance with the goals and objectives of the North American Waterfowl Management Plan; and

(B) to that end, should be used to supplement and not replace current conservation funding, including funding for other Federal and State habitat conservation programs; and

(2) this Act and the amendments made by this Act should be implemented in a manner that helps private landowners achieve long-term land use objectives in a manner that enhances the conservation of wetland and wildlife habitat.

By Mr. SPECTER:

S. 273. A bill to amend part D of title XVIII of the Social Security Act to authorize the Secretary of Health and Human Services to negotiate for lower prices for Medicare prescription drugs; to the Committee on Finance.

Mr. SPECTER. Mr. President, I have sought recognition today to introduce the Prescription Drug and Health Improvement Act of 2007 to reduce the high prices of prescription drugs for Medicare beneficiaries. I introduced a similar version of this bill in the 108th and the 109th Congress, S. 2766 and S. 813, respectively.

Americans, specifically senior citizens, pay the highest prices in the world for brand-name prescription drugs. With 46.6 million uninsured Americans and many more senior citizens without an adequate prescription drug benefit, filling a doctor's prescription is unaffordable for many people in this country. The United States has the greatest health care system in the world; however, too many seniors are forced to make difficult choices between life-sustaining prescription drugs and daily necessities.

The Centers for Medicare and Medicaid Services report that in 2005, per capita spending on prescription drugs rose approximately 7 percent, with a similar rate of growth expected for this year. Much of the increase in drug spending is due to higher utilization and the shift from older, lower cost drugs to newer, higher cost drugs. However, rapidly increasing drug prices are a critical component.

High drug prices, combined with the surging older population, are also taking a toll on State budgets and private sector health insurance benefits. Medicaid spending on prescription drugs rose by 7.5 percent between 2004 and 2005. Until lower priced drugs are available, pressures will continue to squeeze public programs at both the State and Federal level.

To address these problems, my legislation would reduce the high prices of prescription drugs to seniors by repealing the prohibition against interference by the Secretary of Health and Human Services (HHS) with negotiations between drug manufacturers, pharmacies, and prescription drug plan sponsors and instead authorize the Secretary to negotiate contracts with manufacturers of covered prescription drugs. It will allow the Secretary to use Medicare's large beneficiary population to leverage bargaining power to obtain lower prescription drug prices for Medicare beneficiaries.

Price negotiations between the Secretary of HHS and prescription drug manufacturers would be analogous to the ability of the Secretary of Veterans Affairs to negotiate prescription drug prices with manufacturers. This bargaining power enables veterans to receive prescription drugs at a significant cost savings. According to the National Association of Chain Drug Stores, the average ''cash cost'' of a prescription in 2005 was $51.89. The average cost in the Veterans Affairs (VA) health care system in fiscal year 2006 was $28.61.

In the 108th Congress, in my capacity as chairman of the Veterans' Affairs Committee, I introduced the Veterans Prescription Drugs Assistance Act, S. 1153, which was reported out of committee, but was not considered before the full Senate. In the 109th Congress, I again introduced the Veterans Prescription Drugs Assistance Act, S. 614, which was not reported out of committee.

This legislation will broaden the ability of veterans to access the Veterans Affairs' Prescription Drug Program. Under my bill, all Medicare-eligible veterans will be able to purchase medications at a tremendous price reduction through the Veterans Affairs' Prescription Drug Program. In many cases, this will save veterans who are Medicare beneficiaries up to 50 percent on the cost of prescribed medications, a significant savings for veterans. Similar savings may be available to America's seniors from the savings achieved using the HHS bargaining power, like the Veterans Affairs bargaining power for the benefit of veterans. These savings may provide America's seniors with fiscal relief from the increasing costs of prescription drugs.

I believe this bill can provide desperately needed access to inexpensive, effective prescription drugs for America's seniors. The time has come for concerted action in this arena. I urge my colleagues to move this legislation forward promptly.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 273

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 ''Prescription Drug and Health Improvement Act of 2007''.

SEC. 2. NEGOTIATING FAIR PRICES FOR MEDICARE PRESCRIPTION DRUGS.

(a) NEGOTIATING FAIR PRICES.—

(1) IN GENERAL.—Section 1860D–11 of the Social Security Act (42 U.S.C. 1395w–111) is amended by striking subsection (i) (relating to noninterference) and by inserting the following:

''(i) AUTHORITY TO NEGOTIATE PRICES WITH MANUFACTURERS.—In order to ensure that beneficiaries enrolled under prescription drug plans and MA–PD plans pay the lowest possible price, the Secretary shall have authority similar to that of other Federal entities that purchase prescription drugs in bulk to negotiate contracts with manufacturers of covered part D drugs, consistent with the requirements and in furtherance of the goals of providing quality care and containing costs under this part.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of enactment of this Act.

(b) HHS REPORTS COMPARING NEGOTIATED PRESCRIPTION DRUG PRICES AND RETAIL PRESCRIPTION DRUG PRICES.—Beginning in 2008, the Secretary of Health and Human Services shall regularly, but in no case less often than quarterly, submit to Congress a report that compares the prices for covered part D drugs (as defined in section 1860D–2(e) of the Social Security Act (42 U.S.C. 1395w–102(e)) negotiated by the Secretary pursuant to section 1860D–11(i) of such Act (42 U.S.C. 1395w–111(i)), as amended by subsection (a), with the average price a retail pharmacy would charge an individual who does not have health insurance coverage for purchasing the same strength, quantity, and dosage form of such covered part D drug.

By Mr. AKAKA (for himself, Ms. COLLINS, Mr. GRASSLEY, Mr. LEVIN, Mr. LIEBERMAN, Mr. LEAHY, Mr. VOINOVICH, Mr. CARPER, Mr. DURBIN, Mr. PRYOR, and Mr. LAUTENBERG):

S. 274. A bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, today I rise to reintroduce the Federal Employee Protection of Disclosures Act, which will make much needed changes to the Whistleblower Protection Act, WPA. I am pleased once again to be

joined in this effort by Senators COLLINS, GRASSLEY, LEVIN, LIEBERMAN, LEAHY, VOINOVICH, CARPER, DURBIN, PRYOR, and LAUTENBERG.

Senator LEVIN and I first introduced this legislation in 2000. In the House, Representatives HENRY WAXMAN and TOM DAVIS, the chairman and ranking member of the House Government Reform Committee, and Representative TODD PLATTS, who has sponsored companion legislation since 2003, have been working to enact strong whistleblower protections.

Over the years, we've worked to educate our colleagues on the need to strengthen the WPA and build consensus for the legislation. I'm especially pleased that last year our bill passed the Senate by unanimous consent as an amendment to the fiscal year 2007 Defense Authorization Act. While the measure was removed with other non-defense specific material in conference, I believe the Senate's action will provide the momentum to make a real difference for Federal whistleblowers in the 110th Congress.

We agree that to ensure the success of any government program there must be appropriate checks in place to weed out mismanagement and wasteful spending. A strong and vibrant WPA is a critical tool in saving taxpayer money and ensuring an open government.

The Federal Employee Protection of Disclosures Act addresses many court decisions that have eroded protections for Federal employees and have ignored congressional intent. Our legislation ensures that Federal whistleblowers are protected from retaliatory action when notifying the public and government leaders of waste, fraud, and abuse. If we fail to protect whistleblowers, then our efforts to improve government management, protect the public, and secure the nation will also fail.

The legislation: clarifies congressional intent that Federal employees are protected for any disclosure of waste, fraud, or abuse—including those made as part of an employee's job duties; provides an independent determination as to whether the loss or denial of a security clearance is retaliation against a whistleblower; and suspends the Federal Circuit Court of Appeals' sole jurisdiction over Federal employee whistleblower cases for 5 years, which would ensure a fuller review of a whistleblower's claim.

Given that the United States will be fighting the war on terror for years to come and that funding such operations requires significant resources, it is imperative that government funds are spent wisely. That is why Federal employees must be confident that they can disclose government waste, fraud, and abuse without fear of retaliation. Restoring credibility to the WPA is no less than a necessity. I look forward to working with my colleagues to pass this critical legislation.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 274

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

SECTION 1. PROTECTION OF CERTAIN DISCLOSURES OF INFORMATION BY FEDERAL EMPLOYEES.

(a) SHORT TITLE.—This Act may be cited as the ''Federal Employee Protection of Disclosures Act''.

(b) CLARIFICATION OF DISCLOSURES COVERED.—Section 2302(b)(8) of title 5, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking ''which the employee or applicant reasonably believes evidences'' and inserting '', without restriction to time, place, form, motive, context, or prior disclosure made to any person by an employee or applicant, including a disclosure made in the ordinary course of an employee's duties, that the employee or applicant reasonably believes is evidence of''; and

(B) in clause (i), by striking ''a violation'' and inserting ''any violation''; and

(2) in subparagraph (B)—

(A) by striking ''which the employee or applicant reasonably believes evidences'' and inserting '', without restriction to time, place, form, motive, context, or prior disclosure made to any person by an employee or applicant, including a disclosure made in the ordinary course of an employee's duties, of information that the employee or applicant reasonably believes is evidence of''; and

(B) in clause (i), by striking ''a violation'' and inserting ''any violation (other than a violation of this section)''.

(c) COVERED DISCLOSURES.—Section 2302(a)(2) of title 5, United States Code, is amended—

(1) in subparagraph (B)(ii), by striking ''and'' at the end;

(2) in subparagraph (C)(iii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) 'disclosure' means a formal or informal communication or transmission, but does not include a communication concerning policy decisions that lawfully exercise discretionary authority unless the employee providing the disclosure reasonably believes that the disclosure evidences—

''(i) any violation of any law, rule, or regulation; or

''(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.''.

(d) REBUTTABLE PRESUMPTION.—Section 2302(b) of title 5, United States Code, is amended by amending the matter following paragraph (12) to read as follows:

''This subsection shall not be construed to authorize the withholding of information from Congress or the taking of any personnel action against an employee who discloses information to Congress, except that an employee or applicant may be disciplined for the disclosure of information described in paragraph (8)(C)(i) to a Member or employee of Congress who is not authorized to receive such information. For purposes of paragraph (8), a determination as to whether an employee or applicant reasonably believes that they have disclosed information that evidences any violation of law, rule, regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety shall be made by determining whether a disinterested observer with knowledge of the essential facts known to and readily ascertainable by the employee could reasonably conclude that the actions of the Government evidence such violations, mismanagement, waste, abuse, or danger.''.

(e) NONDISCLOSURE POLICIES, FORMS, AND AGREEMENTS; SECURITY CLEARANCES; AND RETALIATORY INVESTIGATIONS.—

(1) PERSONNEL ACTION.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(A) in clause (x), by striking ''and'' after the semicolon; and

(B) by redesignating clause (xi) as clause (xiv) and inserting after clause (x) the following:

''(xi) the implementation or enforcement of any nondisclosure policy, form, or agreement;

''(xii) a suspension, revocation, or other determination relating to a security clearance or any other access determination by a covered agency;

''(xiii) an investigation, other than any ministerial or nondiscretionary fact finding activities necessary for the agency to perform its mission, of an employee or applicant for employment because of any activity protected under this section; and''

(2) PROHIBITED PERSONNEL PRACTICE.—Section 2302(b) of title 5, United States Code, is amended—

(A) in paragraph (11), by striking ''or'' at the end;

(B) in paragraph (12), by striking the period and inserting a semicolon; and

(C) by inserting after paragraph (12) the following:

''(13) implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement does not contain the following statement: 'These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosures that could compromise national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Control Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by such Executive order and such statutory provisions are incorporated into this agreement and are controlling'; or

''(14) conduct, or cause to be conducted, an investigation, other than any ministerial or nondiscretionary fact finding activities necessary for the agency to perform its mission, of an employee or applicant for employment because of any activity protected under this section.''.

(3) BOARD AND COURT REVIEW OF ACTIONS RELATING TO SECURITY CLEARANCES.—

(A) IN GENERAL.—Chapter 77 of title 5, United States Code, is amended by inserting after section 7702 the following:

''§ 7702a. Actions relating to security clearances

''(a) In any appeal relating to the suspension, revocation, or other determination relating to a security clearance or access determination, the Merit Systems Protection Board or any reviewing court—

''(1) shall determine whether paragraph (8) or (9) of section 2302(b) was violated;

''(2) may not order the President or the designee of the President to restore a security clearance or otherwise reverse a determination of clearance status or reverse an access determination; and

''(3) subject to paragraph (2), may issue declaratory relief and any other appropriate relief.

''(b)(1) If, in any final judgment, the Board or court declares that any suspension, revocation, or other determination with regard to a security clearance or access determination was made in violation of paragraph (8) or (9) of section 2302(b), the affected agency shall conduct a review of that suspension, revocation, access determination, or other determination, giving great weight to the Board or court judgment.

''(2) Not later than 30 days after any Board or court judgment declaring that a security clearance suspension, revocation, access determination, or other determination was made in violation of paragraph (8) or (9) of section 2302(b), the affected agency shall issue an unclassified report to the congressional committees of jurisdiction (with a classified annex if necessary), detailing the circumstances of the agency's security clearance suspension, revocation, other determination, or access determination. A report under this paragraph shall include any proposed agency action with regard to the security clearance or access determination.

''(c) An allegation that a security clearance or access determination was revoked or suspended in retaliation for a protected disclosure shall receive expedited review by the Office of Special Counsel, the Merit Systems Protection Board, and any reviewing court.

''(d) For purposes of this section, corrective action may not be ordered if the agency demonstrates by a preponderance of the evidence that it would have taken the same personnel action in the absence of such disclosure.''.

(B) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 77 of title 5, United States Code, is amended by inserting after the item relating to section 7702 the following:

''7702a. Actions relating to security clearances.''.

(f) EXCLUSION OF AGENCIES BY THE PRESIDENT.—Section 2302(a)(2)(C) of title 5, United States Code, is amended by striking clause (ii) and inserting the following:

''(ii)(I) the Federal Bureau of Investigation, the Central Intelligence Agency, the Defense Intelligence Agency, the National Imagery and Mapping Agency, the National Security Agency; and

''(II) as determined by the President, any executive agency or unit thereof the principal function of which is the conduct of foreign intelligence or counterintelligence activities, if the determination (as that determination relates to a personnel action) is made before that personnel action; or''.

(g) ATTORNEY FEES.—Section 1204(m)(1) of title 5, United States Code, is amended by striking ''agency involved'' and inserting ''agency where the prevailing party is employed or has applied for employment''.

(h) DISCIPLINARY ACTION.—Section 1215(a)(3) of title 5, United States Code, is amended to read as follows:

''(3)(A) A final order of the Board may impose—

''(i) disciplinary action consisting of removal, reduction in grade, debarment from Federal employment for a period not to exceed 5 years, suspension, or reprimand;

''(ii) an assessment of a civil penalty not to exceed $1,000; or

''(iii) any combination of disciplinary actions described under clause (i) and an assessment described under clause (ii).

''(B) In any case in which the Board finds that an employee has committed a prohibited personnel practice under paragraph (8) or (9) of section 2302(b), the Board shall impose disciplinary action if the Board finds that the activity protected under paragraph (8) or (9) of section 2302(b) was a significant motivating factor, even if other factors also motivated the decision, for the employee's decision to take, fail to take, or threaten to take or fail to take a personnel action, unless that employee demonstrates, by preponderance of evidence, that the employee would have taken, failed to take, or threatened to take or fail to take the same personnel action, in the absence of such protected activity.''.

(i) SPECIAL COUNSEL AMICUS CURIAE APPEARANCE.—Section 1212 of title 5, United States Code, is amended by adding at the end the following:

''(h)(1) The Special Counsel is authorized to appear as amicus curiae in any action brought in a court of the United States related to any civil action brought in connection with section 2302(b) (8) or (9), or subchapter III of chapter 73, or as otherwise authorized by law. In any such action, the Special Counsel is authorized to present the views of the Special Counsel with respect to compliance with section 2302(b) (8) or (9) or subchapter III of chapter 73 and the impact court decisions would have on the enforcement of such provisions of law.

''(2) A court of the United States shall grant the application of the Special Counsel to appear in any such action for the purposes described in subsection (a).''.

(j) JUDICIAL REVIEW.—

(1) IN GENERAL.—Section 7703(b)(1) of title 5, United States Code, is amended to read as follows:

''(b)(1)(A) Except as provided in subparagraph (B) and paragraph (2), a petition to review a final order or final decision of the Board shall be filed in the United States Court of Appeals for the Federal Circuit. Notwithstanding any other provision of law, any petition for review must be filed within 60 days after the date the petitioner received notice of the final order or decision of the Board.

''(B) During the 5-year period beginning on the effective date of the Federal Employee Protection of Disclosures Act, a petition to review a final order or final decision of the Board in a case alleging a violation of paragraph (8) or (9) of section 2302(b) shall be filed in the United States Court of Appeals for the Federal Circuit or any court of appeals of competent jurisdiction as provided under subsection (b)(2).''.

(2) REVIEW OBTAINED BY OFFICE OF PERSONNEL MANAGEMENT.—Section 7703(d) of title 5, United States Code, is amended to read as follows:

''(d)(1) Except as provided under paragraph (2), this paragraph shall apply to any review obtained by the Director of the Office of Personnel Management. The Director of the Office of Personnel Management may obtain review of any final order or decision of the Board by filing, within 60 days after the date the Director received notice of the final order or decision of the Board, a petition for judicial review in the United States Court of Appeals for the Federal Circuit if the Director determines, in his discretion, that the Board erred in interpreting a civil service law, rule, or regulation affecting personnel management and that the Board's decision will have a substantial impact on a civil service law, rule, regulation, or policy directive. If the Director did not intervene in a matter before the Board, the Director may not petition for review of a Board decision under this section unless the Director first petitions the Board for a reconsideration of its decision, and such petition is denied. In addition to the named respondent, the Board and all other parties to the proceedings before the Board shall have the right to appear in the proceeding before the Court of Appeals. The granting of the petition for judicial review shall be at the discretion of the Court of Appeals.

''(2) During the 5-year period beginning on the effective date of the Federal Employee Protection of Disclosures Act, this paragraph shall apply to any review relating to paragraph (8) or (9) of section 2302(b) obtained by the Director of the Office of Personnel Management. The Director of the Office of Personnel Management may obtain review of any final order or decision of the Board by filing, within 60 days after the date the Director received notice of the final order or decision of the Board, a petition for judicial review in the United States Court of Appeals for the Federal Circuit or any court of appeals of competent jurisdiction as provided under subsection (b)(2) if the Director determines, in his discretion, that the Board erred in interpreting paragraph (8) or (9) of section 2302(b). If the Director did not intervene in a matter before the Board, the Director may not petition for review of a Board decision under this section unless the Director first petitions the Board for a reconsideration of its decision, and such petition is denied. In addition to the named respondent, the Board and all other parties to the proceedings before the Board shall have the right to appear in the proceeding before the court of appeals. The granting of the petition for judicial review shall be at the discretion of the Court of Appeals.''.

(k) NONDISCLOSURE POLICIES, FORMS, AND AGREEMENTS.—

(1) IN GENERAL.—

(A) REQUIREMENT.—Each agreement in Standard Forms 312 and 4414 of the Government and any other nondisclosure policy, form, or agreement of the Government shall contain the following statement: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by such Executive order and such statutory provisions are incorporated into this agreement and are controlling.''.

(B) ENFORCEABILITY.—Any nondisclosure policy, form, or agreement described under subparagraph (A) that does not contain the statement required under subparagraph (A) may not be implemented or enforced to the extent such policy, form, or agreement is inconsistent with that statement.

(2) PERSONS OTHER THAN GOVERNMENT EMPLOYEES.—Notwithstanding paragraph (1), a nondisclosure policy, form, or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement

shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that such forms do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

(l) CLARIFICATION OF WHISTLEBLOWER RIGHTS FOR CRITICAL INFRASTRUCTURE INFORMATION.—Section 214(c) of the Homeland Security Act of 2002 (6 U.S.C. 133(c)) is amended by adding at the end the following: ''For purposes of this section a permissible use of independently obtained information includes the disclosure of such information under section 2302(b)(8) of title 5, United States Code.''.

(m) ADVISING EMPLOYEES OF RIGHTS.—Section 2302(c) of title 5, United States Code, is amended by inserting '', including how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of an agency, Congress, or other agency employee designated to receive such disclosures'' after ''chapter 12 of this title''.

(n) SCOPE OF DUE PROCESS.—

(1) SPECIAL COUNSEL.—Section 1214(b)(4)(B)(ii) of title 5, United States Code, is amended by inserting '', after a finding that a protected disclosure was a contributing factor,'' after ''ordered if''.

(2) INDIVIDUAL ACTION.—Section 1221(e)(2) of title 5, United States Code, is amended by inserting '', after a finding that a protected disclosure was a contributing factor,'' after ''ordered if''.

(o) EFFECTIVE DATE.—This Act shall take effect 30 days after the date of enactment of this Act.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 275. A bill to establish the Prehistoric Trackways National Monument in the State of New Mexico; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I'm pleased to reintroduce today with Senator DOMENICI a bill we introduced last Congress. The Prehistoric Trackways National Monument Establishment Act would protect a site of worldwide scientific significance in the Robledo Mountains in my State. The bill would create a national monument to preserve and allow for the continuing scientific investigation of this remarkable ''megatracksite'' of 280,000,000 year-old fossils. The Energy Committee held a hearing last year where the Bureau of Land Management testified in support; in addition the bill has the support of the local community. I appreciate Senator DOMENICI's support on this measure and hope that with the progress we made last Congress we can look forward to moving the bill quickly through the Senate this year.

The vast tidal mudflats that made up much of modern New Mexico 60 million years before the dinosaurs preserved the marks of some of the earliest life on our planet to make its way out of the ocean. The fossil record of this time is scattered throughout New Mexico but, until this discovery, there were few places where the range of life and their interactions with each other could be studied.

Las Cruces resident Jerry MacDonald first brought the find to light in 1988 when he revealed that there was far more to be found in the Robledos than the occasional fossil that local residents had been seeing for years. The trackways he hauled out on his back, some over 20 feet long, showed that there was a great deal of useful information buried in the rock there. These trackways help complete the puzzle of how these ancient creatures lived in a way that we cannot understand from only studying their fossilized bones.

Senator DOMENICI and Representative Skeen joined me in creating legislation, passed in 1990, to protect the area and study its scientific value. In 1994, scientists from the New Mexico Museum of Natural History and Science, the University of Colorado, and the Smithsonian Institution completed their study and documented the significant scientific value of the find. Particularly owing to the quality of the specimens and the wide range of animals that had left their imprint there the study found that the site was of immense scientific value. The study concluded, in part, ''[t]he diversity, abundance and quality of the tracks in the Robledo Mountains is far greater than at any other known tracksite or aggregation of tracksites. Because of this, the Robledo tracks allow a wide range of scientific problems regarding late Paleozoic tracks to be solved that could not be solved before.'' This bill would take the next logical step to follow up from these efforts and set in place permanent protections and allow for scientific investigation of these remarkable resources.

In addition to permanently protecting the fossils for the scientific community the bill would make it a priority that local residents get the opportunity to see these unique specimens and participate in their curation. This should provide a unique scientific and educational opportunity to Las Cruces and the surrounding community.

I look forward to working with my colleagues to protect these important resources and allow for their continuing contribution to our understanding of life on the ancient earth.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 275

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 ''Prehistoric Trackways National Monument Establishment Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MONUMENT.—The term ''Monument'' means the Prehistoric Trackways National Monument established by section 4(a).

(2) PUBLIC LAND.—The term ''public land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

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

SEC. 3. FINDINGS.

Congress finds that—

(1) in 1987, a major deposit of Paleozoic Era fossilized footprint megatrackways was discovered in the Robledo Mountains in southern New Mexico;

(2) the trackways contain footprints of numerous amphibians, reptiles, and insects (including previously unknown species), plants, and petrified wood dating back approximately 280,000,000 years, which collectively provide new opportunities to understand animal behaviors and environments from a time predating the dinosaurs;

(3) title III of Public Law 101–578 (104 Stat. 2860)—

(A) provided interim protection for the site at which the trackways were discovered; and

(B) directed the Secretary of the Interior to—

(i) prepare a study assessing the significance of the site; and

(ii) based on the study, provide recommendations for protection of the paleontological resources at the site;

(4) the Bureau of Land Management completed the Paleozoic Trackways Scientific Study Report in 1994, which characterized the site as containing ''the most scientifically significant Early Permian tracksites'' in the world;

(5) despite the conclusion of the study and the recommendations for protection, the site remains unprotected and many irreplaceable trackways specimens have been lost to vandalism or theft; and

(6) designation of the trackways site as a National Monument would protect the unique fossil resources for present and future generations while allowing for public education and continued scientific research opportunities.

SEC. 4. ESTABLISHMENT.

(a) IN GENERAL.—In order to conserve, protect, and enhance the unique and nationally important paleontological, scientific, educational, scenic, and recreational resources and values of the public land described in subsection (b), there is established the Prehistoric Trackways National Monument in the State of New Mexico.

(b) DESCRIPTION OF LAND.—The Monument shall consist of approximately 5,367 acres of public land in Doña Ana County, New Mexico, as generally depicted on the map entitled ''Prehistoric Trackways National Monument'' and dated June 1, 2006.

(c) MAP; LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare and submit to Congress an official map and legal description of the Monument.

(2) CORRECTIONS.—The map and legal description submitted under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical or typographical errors in the legal description and the map.

(3) CONFLICT BETWEEN MAP AND LEGAL DESCRIPTION.—In the case of a conflict between the map and the legal description, the map shall control.

(4) AVAILABILITY OF MAP AND LEGAL DESCRIPTION.—Copies of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) MINOR BOUNDARY ADJUSTMENTS.—If additional paleontological resources are discovered on public land adjacent to the Monument after the date of enactment of this Act, the Secretary may make minor boundary adjustments to the Monument to include the resources in the Monument.

SEC. 5. ADMINISTRATION.

(a) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Monument—

(A) in a manner that conserves, protects, and enhances the resources and values of the Monument, including the resources and values described in section 4(a); and

(B) in accordance with—

(i) this Act;

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(iii) other applicable laws.

(2) NATIONAL LANDSCAPE CONSERVATION SYSTEM.—The Monument shall be managed as a component of the National Landscape Conservation System.

(3) PROTECTION OF RESOURCES AND VALUES.—The Secretary shall manage public land adjacent to the Monument in a manner that is consistent with the protection of the resources and values of the Monument.

(b) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan for the long-term protection and management of the Monument.

(2) COMPONENTS.—The management plan under paragraph (1)—

(A) shall—

(i) describe the appropriate uses and management of the Monument, consistent with the provisions of this Act; and

(ii) allow for continued scientific research at the Monument during the development of the management plan; and

(B) may—

(i) incorporate any appropriate decisions contained in any current management or activity plan for the land described in section 4(b); and

(ii) use information developed in studies of any land within or adjacent to the Monument that were conducted before the date of enactment of this Act.

(c) AUTHORIZED USES.—The Secretary shall only allow uses of the Monument that the Secretary determines would further the purposes for which the Monument has been established.

(d) INTERPRETATION, EDUCATION, AND SCIENTIFIC RESEARCH.—

(1) IN GENERAL.—The Secretary shall provide for public interpretation of, and education and scientific research on, the paleontological resources of the Monument, with priority given to exhibiting and curating the resources in Doña Ana County, New Mexico.

(2) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with appropriate public entities to carry out paragraph (1).

(e) SPECIAL MANAGEMENT AREAS.—

(1) IN GENERAL.—The establishment of the Monument shall not change the management status of any area within the boundary of the Monument that is—

(A) designated as a wilderness study area and managed in accordance with section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); or

(B) managed as an area of critical environment concern.

(2) CONFLICT OF LAWS.—If there is a conflict between the laws applicable to the areas described in paragraph (1) and this Act, the more restrictive provision shall control.

(f) MOTORIZED VEHICLES.—

(1) IN GENERAL.—Except as needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Monument shall be allowed only on roads and trails designated for use by motorized vehicles under the management plan prepared under subsection (b).

(2) PERMITTED EVENTS.—The Secretary may issue permits for special recreation events involving motorized vehicles within the boundaries of the Monument, including the ''Chile Challenge''—

(A) to the extent the events do not harm paleontological resources; and

(B) subject to any terms and conditions that the Secretary determines to be necessary.

(g) WITHDRAWALS.—Subject to valid existing rights, any Federal land within the Monument and any land or interest in land that is acquired by the United States for inclusion in the Monument after the date of enactment of this Act are withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing laws, geothermal leasing laws, and minerals materials laws.

(h) GRAZING.—The Secretary may allow grazing to continue in any area of the Monument in which grazing is allowed before the date of enactment of this Act, subject to applicable laws (including regulations).

(i) HUNTING.—

(1) IN GENERAL.—Nothing in this Act diminishes the jurisdiction of the State of New Mexico with respect to fish and wildlife management, including regulation of hunting on public land within the Monument.

(2) REGULATIONS.—The Secretary, after consultation with the New Mexico Department of Game and Fish, may issue regulations designating zones in which and establishing periods during which hunting shall not be allowed for reasons of public safety, administration, or public use and enjoyment.

(j) WATER RIGHTS.—Nothing in this Act constitutes an express or implied reservation by the United States of any water or water rights with respect to the Monument.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Mr. DOMENICI. Mr. President, the fossilized trackways near Las Cruces, New Mexico, in Dona Ana County came to my attention in the early 1990's. During the 101st Congress, I cosponsored Senator BINGAMAN's legislation that directed the Bureau of Land Management to study and report on the significance of the prehistoric sites near the Robledo Mountains.

I believe our Federal lands are truly national treasures, and I understand the challenges we face in managing our public lands in a responsible and environmentally sensitive manner. Local leaders, special interest groups, multiple users, New Mexico State University, and the Bureau of Land Management, BLM, have identified many land issues in the Las Cruces area that need to be addressed. The trackways are but one of these issues that can and should be addressed in the context of a broader lands bill. I continue to believe that introduction of comprehensive or omnibus legislation is a preferable approach, rather than the introduction of individual bills to deal with each separate issue.

The trackways are a remarkable resource that need and deserve protection, and I support the intent of this bill. While I am very supportive of the overall goal to protect these prehistoric trackway sites, there are several particulars in this bill that I do not fully embrace and on which I want to continue to work with Senator BINGAMAN, such as ensuring that we authorize all uses in the area that are not inconsistent with the purposes of the bill, and reworking the section regarding BLM authority with respect to hunting activities. As we work through the legislative process, I look forward to working with Senator BINGAMAN to accomplish the objective of protecting the prehistoric trackway sites, while at the same time addressing some of the broader Federal land issues in Dona Ana County.

By Mrs. FEINSTEIN (for herself and Mr. SESSIONS):

S. 276. A bill to strengthen the consequences of the fraudulent use of United States or foreign passports and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, Senator SESSIONS and I are introducing legislation today that will enhance our national security by expanding and strengthening the current passport and visa fraud laws.

The Passport and Visa Security Act bill adds much needed law to punish trafficking in passports and visas and clarifies the current criminal law. It also punishes those who engage in schemes to defraud immigrants based on changes in the immigration law.

This bill is an improved version of a bill Senator SESSIONS and I introduced in the 109th Congress. We both have long been concerned about the need to strengthen our national security by strengthening our document fraud laws.

In fact, we introduced our passport fraud bill well before the comprehensive immigration reform bill was passed in the Senate last Spring.

For that reason, I was pleased that the comprehensive immigration reform bill contained important document fraud provisions. This bill builds on those provisions.

The evidence has shown repeatedly that false immigration documents provide a gateway for organized crime and terrorism. The need to take action against this crime is clear.

For too long, the Federal Government has moved too slowly—or not at all—to enhance our border security. According to the 9/11 National Commission Staff Report on Terrorist Travel, prior to September 11, 2001, no agency of the U.S. government thought of border security as a tool in the counterterrorism arsenal.

Still today, over five years since the tragic attacks on September 11, the Federal Government has failed to devote sufficient time, technology, personnel and resources to make border security a cornerstone of our national security policy.

Last year, Congress passed a law to build a border fence. I believe this law was an important first step, but a fence alone cannot sufficiently protect our vulnerable borders.

In fact, as the 9/11 Commission report demonstrates, individuals with fraudulent documents can pose a far greater threat to our national security than those traveling with no documents at all.

Fraudulent documents give criminals free reign to create a new identity and to plan and carry out attacks in the United States.

We know, for example, that at least two of the 9/11 hijackers used passports that were altered when they entered this country and as many as 15 of the 19 hijackers could have been intercepted by border officials, based in part on their travel documents.

The 9/11 Commission Report detailed the way the terrorist operatives carefully selected the documents they used for travel—most often relying on fraudulent ones.

The terrorists altered passports by substituting photographs, adding false visas, bleaching stamps, and by substituting pages.

The terrorists devoted extensive resources to acquiring and manipulating passports—all to avoid detection of their nefarious activities and objectives.

Today, over five years later, Interpol reports that they have records of more than 12 million stolen and lost travel documents from 113 different countries. These are only the ones we know about.

Interpol estimates that 30 to 40 million travel documents have been stolen worldwide.

We know that over the past few years, passport and visa forgery has become even easier thanks to home computers, digital photography, scanners and color laser printing.

News articles document that passport and visa fraud has become so lucrative that gangs are offering franchises in the multimillion-dollar scam to forgers.

Unfortunately, it's not only foreign passports that can be forged. Forged and fraudulent United States passports can be the most dangerous when in the wrong hands.

With a U.S. passport, criminals can establish American citizenship and have unlimited access to virtually every country in the world.

It's no surprise, then, that passport and visa fraud are often linked to other, very serious crimes in the United States and abroad: narcotics trafficking, organized crimes, money laundering, human trafficking, and identity theft.

For example, this past December, the son of former Liberian President Charles Taylor, Charles McArthur Emmanuel, who headed a violent paramilitary unit in his father's government, was sentenced in Miami for passport fraud.

A day later, a Federal grand jury indicted him on charges of torture and conspiracy involving acts committed in Liberia in 2002.

Emmanuel, also known as Charles ''Chuckie'' Taylor and Roy Belfast Jr., was on Interpol's Most Wanted list and the United Nations travel watch list.

Nevertheless, he escaped detection by falsifying his passport application, ultimately gaining easy entry and exit from the United States while he perpetrated his crimes.

Despite evidence that these crimes are widespread and that millions of travel documents are on the black market, in 2004, the State Department's Diplomatic Security Service reports that it made about 500 arrests for passport fraud, with only 300 convictions.

For these reasons, Senator SESSIONS and I are introducing a bill today to strengthen current passport and visa laws in a number of key ways.

First, this bill adds two new laws with strong penalties to punish those who traffic in fraudulent travel documents. The current law makes no distinction between those caught with multiple false travel documents—the very worst offenders who are often part of organized crime rings—and those with only one false document. Our bill would change that.

The bill also updates the current travel document fraud laws—using plain language advocated for by the practitioners that passed the Senate as part of the comprehensive immigration reform bill.

Thirdly, the bill adds provisions to the current passport and visa fraud laws to ensure that conspiracies and attempts to commit these crimes are investigated and prosecuted just as vigorously as the completed crime.

Fourth—the bill makes explicit that there is extraterritorial jurisdiction over these offenses, so that individuals who counterfeit travel documents while abroad but are caught trying to enter the United States are still subject to prosecution.

The bill also directs the U.S. Sentencing Guidelines Commissions to reconsider the relatively low sentencing guidelines to reflect the potential seriousness of these crimes.

Currently, offenders who engage in passport or visa fraud generally serve less than a year imprisonment, providing little incentive for U.S. Attorney's Offices to expend scarce resources in prosecuting these crimes.

Finally, the bill creates a law to punish sham attorneys who cheat immigrants out of thousands of dollars by preying on their fears that they could be forced to leave the country. We know that when Congress discusses changing the immigration law, scam artists target and exploit these vulnerable populations. These crimes should not go unpunished.

This bill provides much needed reform. It strengthens the security of documents used to illegally gain entry to this country and empowers the agents and prosecutors who enforce our borders to take swift and strong action against these criminals.

I ask my colleagues to join Senator SESSIONS and me in supporting this legislation.

I ask unanimous consent that a bill summary and the text of this bill be printed in the RECORD.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

THE PASSPORT AND VISA SECURITY ACT OF 2007

BILL SUMMARY

Adds two new crimes to penalize the trafficking in 10 or more passports or visas and creates a 20 year maximum penalty for violating these provisions. Under current law, there is no specific provision punishing the trafficking of multiple fraudulent documents and each document must be prosecuted individually.

Simplifies the language of the current passport and visa fraud laws, specifically by changing the required criminal intent from ''knowingly and wilfully'' to ''knowingly.'' The maximum penalty for committing these crimes is amended from 10 years for a first or second offense and 15 years in the case of any other offense to simply 15 years.

Creates a new crime that would penalize those who engage in schemes to defraud aliens in connection with matters authorized by or arising under Federal immigration laws.

Clarifies existing law that the maximum sentence for passport fraud, when used to facilitate a drug trafficking crime, is 20 years; and the maximum sentence for passport fraud, when used to facilitate an act of international terrorism is 25 years. (This change is technical, not substantive, as these are the maximum penalties already in the individual sections of the criminal code.)

Adds language to punish conspiracies and attempts to commit passport fraud and other false document crimes.

Makes explicit that there is extraterritorial jurisdiction over these offenses, so that the United States can prosecute individuals who may have committed a passport fraud crime while abroad (e.g., the law would reach someone who manufactures fake passports in Cameroon and is arrested in the United States).

Adds a definitional section to clarify the terms used in these laws.

Directs the U.S. Sentencing Guidelines Commissions to reconsider the current low sentencing guidelines to reflect the potential seriousness of these crimes and the changes made by this bill.

Creates a rebuttable presumption that a person who commits one of these crimes, or who is found to be unlawfully in the country after having already been ordered deported, is to be detained pending trial.

Adds language directing the Attorney General to create binding regulations to ensure that the prosecution of these crimes is in keeping with current U.S. treaty obligations relating to refugees (which states that refugees carrying false passports should not be prosecuted) without creating a private right of action to enforce this provision.

Clarifies that the Diplomatic Security Service (of the State Department) has authority to investigate these new and revised crimes (using the language found in the 109th Congress Senate passed immigration bill, S. 2611). The Diplomatic Security Service currently investigates passport fraud, this section just clarifies their authority to do so.

Clarifies that the same statute of limitations (10 years) applies to all of the offenses

added or modified by this bill—again incorporating language from the 109th Congress Senate passed immigration bill, S. 2611.

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; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Passport and Visa Security Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REFORM OF PASSPORT FRAUD OFFENSES

Sec. 101. Trafficking in passports.
Sec. 102. False statement in an application for a passport.
Sec. 103. Forgery and unlawful production of a passport.
Sec. 104. Misuse of a passport.
Sec. 105. Schemes to defraud aliens.
Sec. 106. Immigration and visa fraud.
Sec. 107. Alternative imprisonment maximum for certain offenses.
Sec. 108. Attempts, conspiracies, jurisdiction, and definitions.
Sec. 109. Clerical amendment.

TITLE II—OTHER REFORMS

Sec. 201. Directive to the United States Sentencing Commission.
Sec. 202. Release and detention prior to disposition.
Sec. 203. Protection for legitimate refugees and asylum seekers.
Sec. 204. Diplomatic security service.
Sec. 205. Uniform statute of limitations for certain immigration, passport, and naturalization offenses.

TITLE I—REFORM OF PASSPORT FRAUD OFFENSES

SEC. 101. TRAFFICKING IN PASSPORTS.

Section 1541 of title 18, United States Code, is amended to read as follows:

''§ 1541. Trafficking in passports

''(a) MULTIPLE PASSPORTS.—Any person who, during any period of 3 years or less, knowingly—

''(1) and without lawful authority produces, issues, or transfers 10 or more passports;

''(2) forges, counterfeits, alters, or falsely makes 10 or more passports;

''(3) secures, possesses, uses, receives, buys, sells, or distributes 10 or more passports, knowing the passports to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority; or

''(4) completes, mails, prepares, presents, signs, or submits 10 or more applications for a United States passport, knowing the applications to contain any false statement or representation,

shall be fined under this title, imprisoned not more than 20 years, or both.

''(b) PASSPORT MATERIALS.—Any person who knowingly and without lawful authority produces, buys, sells, possesses, or uses any official material (or counterfeit of any official material) used to make a passport, including any distinctive paper, seal, hologram, image, text, symbol, stamp, engraving, or plate, shall be fined under this title, imprisoned not more than 20 years, or both.''.

SEC. 102. FALSE STATEMENT IN AN APPLICATION FOR A PASSPORT.

Section 1542 of title 18, United States Code, is amended to read as follows:

''§ 1542. False statement in an application for a passport

''(a) IN GENERAL.—Whoever knowingly makes any false statement or representation in an application for a United States passport, or mails, prepares, presents, or signs an application for a United States passport knowing the application to contain any false statement or representation, shall be fined under this title, imprisoned not more than 15 years, or both.

''(b) VENUE.—

''(1) IN GENERAL.—An offense under subsection (a) may be prosecuted in any district—

''(A) in which the false statement or representation was made or the application for a United States passport was prepared or signed; or

''(B) in which or to which the application was mailed or presented.

''(2) ACTS OCCURRING OUTSIDE THE UNITED STATES.—An offense under subsection (a) involving an application for a United States passport prepared and adjudicated outside the United States may be prosecuted in the district in which the resultant passport was or would have been produced.

''(c) SAVINGS CLAUSE.—Nothing in this section may be construed to limit the venue otherwise available under sections 3237 and 3238 of this title.''.

SEC. 103. FORGERY AND UNLAWFUL PRODUCTION OF A PASSPORT.

Section 1543 of title 18, United States Code, is amended to read as follows:

''§ 1543. Forgery and unlawful production of a passport

''(a) FORGERY.—Any person who knowingly—

''(1) forges, counterfeits, alters, or falsely makes any passport; or

''(2) transfers any passport knowing it to be forged, counterfeited, altered, falsely made, stolen, or to have been produced or issued without lawful authority,

shall be fined under this title, imprisoned not more than 15 years, or both.

''(b) UNLAWFUL PRODUCTION.—Any person who knowingly and without lawful authority—

''(1) produces, issues, authorizes, or verifies a passport in violation of the laws, regulations, or rules governing the issuance of the passport;

''(2) produces, issues, authorizes, or verifies a United States passport for or to any person knowing or in reckless disregard of the fact that such person is not entitled to receive a passport; or

''(3) transfers or furnishes a passport to any person for use by any person other than the person for whom the passport was issued or designed,

shall be fined under this title, imprisoned not more than 15 years, or both.''.

SEC. 104. MISUSE OF A PASSPORT.

Section 1544 of title 18, United States Code, is amended to read as follows:

''§ 1544. Misuse of a passport

''Any person who knowingly—

''(1) uses any passport issued or designed for the use of another;

''(2) uses any passport in violation of the conditions or restrictions therein contained, or in violation of the laws, regulations, or rules governing the issuance and use of the passport;

''(3) secures, possesses, uses, receives, buys, sells, or distributes any passport knowing it to be forged, counterfeited, altered, falsely made, procured by fraud, or produced or issued without lawful authority; or

''(4) violates the terms and conditions of any safe conduct duly obtained and issued under the authority of the United States,

shall be fined under this title, imprisoned not more than 15 years, or both.''.

SEC. 105. SCHEMES TO DEFRAUD ALIENS.

Section 1545 of title 18, United States Code, is amended to read as follows:

''§ 1545. Schemes to defraud aliens

''(a) IN GENERAL.—Any person who knowingly executes a scheme or artifice, in connection with any matter that is authorized by or arises under Federal immigration laws or any matter the offender claims or represents is authorized by or arises under Federal immigration laws, to—

''(1) defraud any person; or

''(2) obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, promises,

shall be fined under this title, imprisoned not more than 15 years, or both.

''(b) MISREPRESENTATION.—Any person who knowingly and falsely represents that such person is an attorney or an accredited representative (as that term is defined in section 1292.1 of title 8, Code of Federal Regulations (or any successor regulation to such section)) in any matter arising under Federal immigration laws shall be fined under this title, imprisoned not more than 15 years, or both.''.

SEC. 106. IMMIGRATION AND VISA FRAUD.

Section 1546 of title 18, United States Code, is amended to read as follows:

''§ 1546. Immigration and visa fraud

''(a) IN GENERAL.—Any person who knowingly—

''(1) uses any immigration document issued or designed for the use of another;

''(2) forges, counterfeits, alters, or falsely makes any immigration document;

''(3) completes, mails, prepares, presents, signs, or submits any immigration document knowing it to contain any materially false statement or representation;

''(4) secures, possesses, uses, transfers, receives, buys, sells, or distributes any immigration document knowing it to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority;

''(5) adopts or uses a false or fictitious name to evade or to attempt to evade the immigration laws; or

''(6) transfers or furnishes, without lawful authority, an immigration document to another person for use by a person other than the person for whom the passport was issued or designed,

shall be fined under this title, imprisoned not more than 15 years, or both.

''(b) TRAFFICKING.—Any person who, during any period of 3 years or less, knowingly—

''(1) and without lawful authority produces, issues, or transfers 10 or more immigration documents;

''(2) forges, counterfeits, alters, or falsely makes 10 or more immigration documents;

''(3) secures, possesses, uses, buys, sells, or distributes 10 or more immigration documents, knowing the immigration documents to be forged, counterfeited, altered, stolen, falsely made, procured by fraud, or produced or issued without lawful authority; or

''(4) completes, mails, prepares, presents, signs, or submits 10 or more immigration documents knowing the documents to contain any materially false statement or representation,

shall be fined under this title, imprisoned not more than 20 years, or both.

''(c) IMMIGRATION DOCUMENT MATERIALS.—Any person who knowingly and without lawful authority produces, buys, sells, possesses, or uses any official material (or counterfeit of any official material) used to make immigration documents, including any distinctive paper, seal, hologram, image, text, symbol, stamp, engraving, or plate, shall be fined under this title, imprisoned not more than 20 years, or both.

''(d) EMPLOYMENT DOCUMENTS.—Whoever uses—

''(1) an identification document, knowing (or having reason to know) that the document was not issued lawfully for the use of the possessor;

''(2) an identification document knowing (or having reason to know) that the document is false; or

''(3) a false attestation,

for the purpose of satisfying a requirement of section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)), shall be fined under this title, imprisoned not more than 5 years, or both.''.

SEC. 107. ALTERNATIVE IMPRISONMENT MAXIMUM FOR CERTAIN OFFENSES.

Section 1547 of title 18, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''(other than an offense under section 1545)'';

(2) in paragraph (1), by striking ''15'' and inserting ''20''; and

(3) in paragraph (2), by striking ''20'' and inserting ''25''.

SEC. 108. ATTEMPTS, CONSPIRACIES, JURISDICTION, AND DEFINITIONS.

Chapter 75 of title 18, United States Code, is amended by adding after section 1547 the following new sections:

''§ 1548. Attempts and conspiracies

''Any person who attempts or conspires to violate any section of this chapter shall be punished in the same manner as a person who completed a violation of that section.

''§ 1549. Additional jurisdiction

''(a) IN GENERAL.—Any person who commits an offense under this chapter within the special maritime and territorial jurisdiction of the United States shall be punished as provided under this chapter.

''(b) EXTRATERRITORIAL JURISDICTION.—Any person who commits an offense under this chapter outside the United States shall be punished as provided under this chapter if—

''(1) the offense involves a United States passport or immigration document (or any document purporting to be such a document) or any matter, right, or benefit arising under or authorized by Federal immigration laws;

''(2) the offense is in or affects foreign commerce;

''(3) the offense affects, jeopardizes, or poses a significant risk to the lawful administration of Federal immigration laws, or the national security of the United States;

''(4) the offense is committed to facilitate an act of international terrorism (as defined in section 2331) or a drug trafficking crime (as defined in section 929(a)(2)) that affects or would affect the national security of the United States;

''(5) the offender is a national of the United States or an alien lawfully admitted for permanent residence (as those terms are defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))); or

''(6) the offender is a stateless person whose habitual residence is in the United States.

''§ 1550. Authorized law enforcement activities

''Nothing in this chapter shall prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or an intelligence agency of the United States, or any activity authorized under title V of the Organized Crime Control Act of 1970 (Public Law 91–452; 84 Stat. 933).

''§ 1551. Definitions

''As used in this chapter:

''(1) The term 'application for a United States passport' includes any document, photograph, or other piece of evidence submitted in support of an application for a United States passport.

''(2) The term 'false statement or representation' includes a personation or an omission.

''(3) The term 'immigration document'—

''(A) means any application, petition, affidavit, declaration, attestation, form, visa, identification card, alien registration document, employment authorization document, border crossing card, certificate, permit, order, license, stamp, authorization, grant of authority, or other official document, arising under or authorized by the immigration laws of the United States; and

''(B) includes any document, photograph, or other piece of evidence attached to or submitted in support of an immigration document described in subparagraph (A).

''(4) The term 'immigration laws' includes—

''(A) the laws described in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17));

''(B) the laws relating to the issuance and use of passports; and

''(C) the regulations prescribed under the authority of any law described in subparagraph (A) or (B).

''(5) A person does not exercise 'lawful authority' if the person abuses or improperly exercises lawful authority the person otherwise holds.

''(6) The term 'passport' means—

''(A) a travel document attesting to the identity and nationality of the bearer that is issued under the authority of the Secretary of State, a foreign government, or an international organization; or

''(B) any instrument purporting to be a document described in subparagraph (A).

''(7) The term 'produce' means to make, prepare, assemble, issue, print, authenticate, or alter.

''(8) The term 'to present' means to offer or submit for official processing, examination, or adjudication. Any such presentation continues until the official processing, examination, or adjudication is complete.

''(9) The 'use' of a passport or an immigration document referred to in section 1541(a), 1543(b), 1544, 1546(a), and 1546(b) of this chapter includes—

''(A) any officially authorized use;

''(B) use to travel;

''(C) use to demonstrate identity, residence, nationality, citizenship, or immigration status;

''(D) use to seek or maintain employment; or

''(E) use in any matter within the jurisdiction of the Federal government or of a State government.''.

SEC. 109. CLERICAL AMENDMENT.

The table of sections for chapter 75 of title 18, United States Code, is amended to read as follows:

''Sec

''1541. Trafficking in passports.
''1542. False statement in an application for a passport.
''1543. Forgery and unlawful production of a passport.
''1544. Misuse of a passport.
''1545. Schemes to defraud aliens.
''1546. Immigration and visa fraud.
''1547. Alternative imprisonment maximum for certain offenses.
''1548. Attempts and conspiracies.
''1549. Additional jurisdiction.
''1550. Authorized law enforcement activities.
''1550. Definitions.''.

TITLE II—OTHER REFORMS

SEC. 201. DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to the authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall promulgate or amend the sentencing guidelines, policy statements, and official commentaries related to passport fraud offenses, including the offenses described in chapter 75 of title 18, United States Code, as amended by section 2, to reflect the serious nature of such offenses.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the United States Sentencing Commission 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 implementation of this section.

SEC. 202. RELEASE AND DETENTION PRIOR TO DISPOSITION.

(a) DETENTION.—Section 3142(e) of title 18, United States Code, is amended to read as follows:

''(e) DETENTION.—(1) If, after a hearing pursuant to the provisions of subsection (f) of this section, the judicial officer finds that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of any other person and the community, such judicial officer shall order the detention of the person before trial.

''(2) In a case described in subsection (f)(1) of this section, a rebuttable presumption arises that no condition or combination of conditions will reasonably assure the safety of any other person and the community if such judicial officer finds that—

''(A) the person has been convicted of a Federal offense that is described in subsection (f)(1) of this section, or of a State or local offense that would have been an offense described in subsection (f)(1) of this section if a circumstance giving rise to Federal jurisdiction had existed;

''(B) the offense described in subparagraph (A) of this paragraph was committed while the person was on release pending trial for a Federal, State, or local offense; and

''(C) a period of not more than five years has elapsed since the date of conviction, or the release of the person from imprisonment, for the offense described in subparagraph (A) of this paragraph, whichever is later.

''(3) Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community if the judicial officer finds that there is probable cause to believe that the person committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46, an offense under section 924(c), 956(a), or 2332b of this title, or an offense listed in section 2332b(g)(5)(B) of this title for which a maximum term of imprisonment of 10 years or more is prescribed, or an offense involving a minor victim under section 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425 of this title.

''(4) Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required if the judicial officer finds that there is probable cause to believe that the person—

''(A) is an alien; and

''(B)(i) has no lawful immigration status in the United States;

''(ii) is the subject of a final order of removal; or

''(iii) has committed a felony offense under chapter 75 of this title.''.

(b) FACTORS TO BE CONSIDERED.—Section 3142(g)(3) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking ''and'' at the end; and

(2) by adding at the end the following new subparagraph:

''(C) the person's immigration status; and''.

SEC. 203. PROTECTION FOR LEGITIMATE REFUGEES AND ASYLUM SEEKERS.

(a) PROTECTION FOR LEGITIMATE REFUGEES AND ASYLUM SEEKERS.—The Attorney General, in consultation with the Secretary of Homeland Security, shall develop binding prosecution guidelines for Federal prosecutors to ensure that any prosecution of an alien seeking entry into the United States by fraud is consistent with the United States treaty obligations under Article 31(1) of the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951 (as made applicable by the Protocol Relating to the Status of Refugees, done at New York January 31, 1967 (19 UST 6223)).

(b) NO PRIVATE RIGHT OF ACTION.—The guidelines required by subsection (a), and any internal office procedures adopted pursuant thereto, are intended solely for the guidance of attorneys for the United States. This section, such guidelines, and the process for determining such guidelines are not intended to, do not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter

SEC. 204. DIPLOMATIC SECURITY SERVICE.

Section 37(a)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)(1)) is amended to read as follows:

''(1) conduct investigations concerning—

''(A) illegal passport or visa issuance or use;

''(B) identity theft or document fraud affecting or relating to the programs, functions, and authorities of the Department of State;

''(C) violations of chapter 77 of title 18, United States Code; and

''(D) Federal offenses committed within the special maritime and territorial jurisdiction defined in paragraph (9) of section 7 of title 18, United States Code;''.

SEC. 205. UNIFORM STATUTE OF LIMITATIONS FOR CERTAIN IMMIGRATION, PASSPORT, AND NATURALIZATION OFFENSES.

(a) IN GENERAL.—Section 3291 of title 18, United States Code, is amended to read as follows:

''§ 3291. Immigration, passport, and naturalization offenses

''No person shall be prosecuted, tried, or punished for a violation of any section of chapters 69 (relating to nationality and citizenship offenses) or 75 (relating to passport and visa offenses) of this title, or for an attempt or conspiracy to violate any such section, unless the indictment is returned or the information is filed within ten years after the commission of the offense.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 213 of title 18, United States Code, is amended by striking the item relating to section 3291 and inserting the following:

''3291. Immigration, passport, and naturalization offenses''.

Mr. SESSIONS. Mr. President, I want to thank my colleague Senator Feinstein for her hard work on document security issues. She currently serves as the Chair of the Judiciary Committee's Terrorism Subcommittee, Senator KYL is Ranking Member, and I am looking forward to working with her on the document security that issues I am sure our subcommittee will address this Congress.

This year will mark the 3rd year Senator FEINSTEIN and I have worked together on legislation aimed at making it easier to prosecute people trying to enter the U.S. with fraudulent documents.

One of the most dangerous document security issues we face is how to keep passports and visas out of the hands of the people we don't want to have them.

As a 2004 U.S. News and World Report article rightly stated, ''When it comes to terrorists' most valuable weapons, passports and visas probably rank higher than bullets and bombs.'' A 2004 study done by the Department of Homeland Security Office of Inspector General titled ''A Review of the Use of Stolen Passports From Visa Waiver Countries to Enter the United States,'' found that ''[there are] over 10 million lost or stolen passports that might be in circulation.'' As background for the report, the Forensics Documents Laboratory informed the Office of the Inspector General that ''criminals consider a passport'' from a Visa Waiver Country ''a very valuable commodity.''

To keep out terrorists and others we do not want to allow into the United States, we must be able to identify and effectively prosecute people who lie or give us fraudulent information to obtain a U.S. visa or a passport.

Additionally, we must be able to identify and effectively prosecute people trying to enter the U.S. with a passport or visa that belongs to someone else.

Perhaps most importantly, we must effectively prosecute those possessing multiple passports and visas they intend to distribute to others. We must be able to take these ''career'' document traffickers, those caught with more than 10 fraudulent passports or visas, off the streets.

Under current law, violators are not being prosecuted effectively because there is no statute that specifically makes trafficking in multiple (10 or more) documents its own crime. This bill will add that new crime—punishable by 20 years in jail—to the passport and visa fraud sections of the criminal code.

In addition to creating a new crime to penalize trafficking in 10 or more fraudulent immigration documents, 20 year maximum sentence, Title I of the bill simplifies the language of several of the current passport fraud provisions of the criminal code and changes the maximum penalties for these offenses from 10 years for the first offense and 15 years for subsequent offenses, to simply 15 years for each offense.

The bill also includes a new protection for immigrants. Anyone who engages in a scheme to defraud them in connection with matters under Federal immigration law, or who pretends to be an immigration lawyer, will be charged under a new crime that carries a maximum penalty of 15 years. Although this provision is not strictly related to passport fraud, it will protect immigrants from sham attorneys and legal ''experts'' who cheat them out of their money by pretending to offer them immigration benefits or legitimate documents.

Many of the bill's provisions simply clean up sections of the criminal code. For example—one section modifies the alternative sentencing penalties to make sure the penalties for severe passport fraud offenses (such as those used to facilitate a drug trafficking crime or an act of international terrorism) are consistent throughout the code.

Other provisions codify common law principles needed for effective prosecution of document fraud offenses. For example—one section makes needed clarifications on venue. Currently, false statements or documents are often included in the application which is mailed from one location but processed in another location. This section makes clear that the offense is perpetrated both at the location of the mailing and at the location of the adjudication. If the application containing false statements is prepared overseas, this section clarifies that the offense is still punishable in the United States.

In March of 2004, Mark Zuckerman, Assistant U.S. Attorney for New Hampshire, testified before the United States Sentencing Commission. New Hampshire's National Passport Center processed 2 million of the 7 million passports issued in 2003. The National Passport Center also receives nearly all of the applications for passport renewals filed with the State Department. New Hampshire conducted a passport fraud initiative in its U.S. Attorney's Office as part of its anti-terrorism effort. Zuckerman's testimony provides some insight into the problems that arose during the initiative.

Though the passport applications were processed in New Hampshire, cases of passport fraud resulting from those applications were not being handled in New Hampshire. Typically, they were sent back to the district from which they were mailed. Once returned, they were often declined for prosecution by their local U.S. Attorney's office.

One of the reasons frequently given by the regional U.S. Attorney's Offices for declining passport fraud cases was: ''The sentencing guidelines do not treat passport fraud as a serious offense for which a period of incarceration is likely.''

I would reiterate what Mr. Zuckerman so astutely pointed out in his testimony. Under the current Criminal Code, the most common forms of passport fraud—unless they constitute terrorism or drug trafficking—are just class C felonies. When the defendant has no criminal history, the court is simply required to incarcerate the defendant for 0–6 months. This is the lowest and least consequential sentencing range that can be assigned to any felony under the U.S.

Code. (page 5 of Zuckerman's testimony)

The 9/11 Commission also recognized the lack of routine prosecutions for passport fraud offenses. Page 386 of their report noted:

Fraudulent travel documents, for instance, are usually returned to travelers who are denied entry without further examination for terrorist trademarks, investigation into their source, or legal process.

Importantly, the bill we are introducing today directs the Sentencing Commission to reevaluate the current low sentencing guidelines for passport and visa fraud offenses to reflect the potential seriousness of these crimes and the changes made by our bill.

Additionally, we will require the Sentencing Commission to report back to the Congress on the rationale behind their decision to change (or not change) the sentencing guidelines as a result of this direction.

Majority Leader HARRY REID has repeatedly stated that one of the items at the top of the Democratic agenda early this Congress is the implementation of the recommendations of the 9/11 Commission. In addition to their comments on the lack of prosecutions, the 9/11 Commission had a lot more say about the use of fraudulent and altered passports and visas in the Commission of the 9/11 terrorist attacks.

''[W]e endeavor to dispel the myth that their [the hijackers'] entry into the United States was 'clean and legal'. It was not. . . . two [hijackers] carried passports manipulated in a fraudulent manner. It is likely that several more hijackers carried passports with similar fraudulent manipulation. Two hijackers lied on their visa applications'' Preface, 9/11 Commission staff report.

''To avoid detection of their activities and objectives while engaging in travel that necessitates using a passport, terrorists devote extensive resources to acquiring and manipulating passports, entry and exits stamps, and visas. The al Qaeda terrorist organization was no exception. High-level members of Al Qaeda were expert document forgers . . .'' Page 1. 9/11 Commission staff report.

''Travel history, however, is still recorded in passports with entry-exit stamps called cachets, which al Qaeda has trained its operatives to forge and use to conceal their terrorist activities''. Page 403, 9/11 Commission report.

''[C]ertain al Qaeda members were charged with organizing passport collection schemes to keep the pipelines of fraudulent documents flowing.'' Page 186., ibid

''For terrorists, travel documents are as important as weapons. They must travel clandestinely to meet, train, plan, case targets, and gain access to attack . . . In their travels, terrorists use evasive measures, such as altered and counterfeit passports and visas . . .'' Page 384. ibid.

I hope that Senator REID plans to include the Feinstein/Sessions Passport and Visa Fraud Bill in his 9/11 Commission Recommendations Implementation Package.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 23—DESIGNATING THE WEEK OF FEBRUARY 5 THROUGH FEBRUARY 9, 2007, AS ''NATIONAL SCHOOL COUNSELING WEEK''

Mrs. MURRAY submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 23

Whereas the American School Counselor Association has declared the week of February 5 through February 9, 2007, as ''National School Counseling Week'';

Whereas the Senate has recognized the importance of school counseling through the inclusion of elementary and secondary school counseling programs in the reauthorization of the Elementary and Secondary Education Act of 1965;

Whereas school counselors have long advocated that the education system of the United States must leave no child behind and must provide opportunities for every student;

Whereas personal and social growth results in increased academic achievement;

Whereas school counselors help develop well-rounded students by guiding them through their academic, personal, social, and career development;

Whereas school counselors have been instrumental in helping students, teachers, and parents deal with the trauma that was inflicted upon them by hurricanes Katrina, Rita, and Wilma;

Whereas students face myriad challenges every day, including peer pressure, depression, and school violence;

Whereas school counselors are among the few professionals in a school building that are trained in both education and mental health;

Whereas the roles and responsibilities of school counselors are often misunderstood, and the school counselor position is often among the first to be eliminated in order to meet budgetary constraints;

Whereas the national average ratio of students to school counselors of 478-to-1 is more than double the 250-to-1 ratio recommended by the American School Counselor Association, the American Counseling Association, the American Medical Association, the American Psychological Association, and other organizations; and

Whereas the celebration of National School Counseling Week would increase awareness of the important and necessary role school counselors play in the lives of students in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of February 5 through February 9, 2007, as ''National School Counseling Week''; and

(2) encourages the people of the United States to observe the week with appropriate ceremonies and activities that promote awareness of the role school counselors perform in the school and the community at large in preparing students for fulfilling lives as contributing members of society.

SENATE RESOLUTION 24—DESIGNATING JANUARY 2007 AS ''NATIONAL STALKING AWARENESS MONTH''

Mr. BIDEN (for himself and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on the Judiciary:

Mr. BIDEN. Mr. President, I rise today with my good friend from Maine, Senator COLLINS, to submit a Resolution Marking January as National Stalking Awareness Month. I introduce today's measure because I want to renew our Nation's resolve to fight stalking and to promote public awareness about the newest stalking tool, technology.

Imagine that you are a young wife—estranged from your husband. A court has ordered him to stay away from you, but he shows up everywhere you go. You see him while driving on the road, in the parking lot at work, at a nearby table in restaurants, and at your friends' homes. Although you haven't spoken to him in months, he always knows exactly where you are.

Last year, the Seattle police received such a report from Sherri Peak, whose estranged husband seemed to know her every move. Detectives believed that Robert Peak was stalking his wife, and they brought Sherri's car into the city shop to scan for tracking devices. After several hours of futile searching, one officer popped off the dashboard cover and spotted a global positioning system (GPS) and a cell phone embedded in the car. Then police checked the victim's home computer and found spyware that allowed her husband to hack into her e-mail. Sherri Peak was indeed being stalked—via technology.

The Peak case illustrates a disturbing criminal trend and the dark side of technology. The devices we use to surf the Internet, e-mail one another, download music, and find our way in unfamiliar towns have also equipped stalkers with powerful tools. While ''conventional'' stalkers follow a victim from home to work or place countless phone calls to their homes, technology-empowered stalkers use GPS to track victims and computer programs to trace every Web site victims visit and every e-mail they send or receive. Stalkers can harass or threaten their victims (or urge others to do so) via e-mail or Web sites set up to harm the victim.

The potential impact of these tactics is staggering. National statistics show that 1 in 12 women and 1 in 45 men will be stalked during their lifetime. The average duration of stalking is 2 years, and more often than not it is accompanied by physical violence. In one study, 3 of 4 women murdered by their intimate partners had been stalked by that partner before they were killed.

Although all 50 States and the Federal Government have stalking laws, many were drafted before the widespread use of e-mail, the Internet, chat rooms, Web sites, social networking sites, GPS, cell phones, and tiny hand-

held video and digital cameras. Last year Congress tightened the Federal stalking law to take into account these potential stalking tools and techniques. Although some States are following suit, I urge state legislators to continually assess the power of their stalking laws to prohibit and appropriately punish acts of stalking with current or even future technology.

January is National Stalking Awareness Month—the perfect opportunity for parents, lawmakers and community leaders to carefully review State and local laws on stalking and insist that laws keep pace with technology and protect our families. Valuable information on stalking can be found at the Stalking Resource Center (www.ncvc.org/src). We are indebted to the Center's expertise and leadership on this issue. For immediate and confidential assistance, I also urge people to contact the National Crime Victim Helpline at 1–800–FYI–CALL.

I often watch my grandchildren learn with ever more speed to deftly manipulate technology, everything from making digital movies, downloading music, to surfing the Internet. It is clearly a brave, new world. And one that each of us should embrace, learn and celebrate. But with new rights, always come new responsibilities. Through vigilance, both citizens and officials can combat stalking via technology. Just as parents and teens are starting to learn how to protect their privacy while online, we can all learn how to detect high-tech stalking and what to do if it occurs.

Before closing, I would like to thank Senator COLLINS for her commitment to this issue; it is always a pleasure to work with her.

S. RES. 24

Whereas an estimated 1,006,970 women and 370,990 men are stalked annually in the United States and, in the majority of such cases, the person is stalked by someone who is not a stranger;

Whereas 81 percent of women who are stalked by an intimate partner are also physically assaulted by that partner, and 76 percent of women who are killed by an intimate partner were also stalked by that intimate partner;

Whereas 26 percent of stalking victims lose time from work as a result of their victimization, and 7 percent never return to work;

Whereas stalking victims are forced to take drastic measures to protect themselves, such as relocating, changing their addresses, changing their identities, changing jobs, and obtaining protection orders;

Whereas stalking is a crime that cuts across race, culture, gender, age, sexual orientation, physical and mental ability, and economic status;

Whereas stalking is a crime under Federal law and under the laws of all 50 States and the District of Columbia;

Whereas rapid advancements in technology have made cyber-surveillance the new frontier in stalking;

Whereas there are national organizations, local victim service organizations, prosecutors' offices, and police departments that stand ready to assist stalking victims and who are working diligently to craft competent, thorough, and innovative responses to stalking; and

Whereas there is a need to enhance the criminal justice system's response to stalking, including through aggressive investigation and prosecution: Now, therefore, be it

Resolved, That—

(1) the Senate designates January 2007 as ''National Stalking Awareness Month'';

(2) it is the sense of the Senate that—

(A) National Stalking Awareness Month provides an opportunity to educate the people of the United States about stalking;

(B) the people of the United States should applaud the efforts of the many victim service providers, such as police, prosecutors, national and community organizations, and private sector supporters, for their efforts in promoting awareness about stalking; and

(C) policymakers, criminal justice officials, victim service and human service agencies, nonprofit organizations, and others should recognize the need to increase awareness of stalking and availability of services for stalking victims; and

(3) the Senate urges national and community organizations, businesses, and the media to promote, through observation of National Stalking Awareness Month, awareness of the crime of stalking.

SENATE RESOLUTION 25—CONGRATULATING THE UNIVERSITY OF FLORIDA FOOTBALL TEAM FOR WINNING THE 2006 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I FOOTBALL CHAMPIONSHIP

Mr. NELSON of Florida (for himself and Mr. MARTINEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 25

Whereas, on January 8, 2007, before a crowd of nearly 75,000 fans in Glendale, Arizona, the University of Florida football team (referred to in this preamble as the ''Florida Gators'') defeated the football team of The Ohio State University (referred to in this preamble as the ''Buckeyes'') by a score of 41–14, to win the 2006 National Collegiate Athletic Association Division I Football Championship;

Whereas that victory marked only the second national football championship victory for the University of Florida in the storied 100-year history of the Florida Gators;

Whereas the Florida Gators captured the Southeastern Conference Championship and compiled an impressive record of 13 wins and 1 loss;

Whereas although many fans viewed the Florida Gators as underdogs, the team—inspired by the leadership of Head Coach Urban Meyer—finished the game with a 41–7 scoring run, and prevented the opponent from scoring a single point during the second half of the game;

Whereas the 4-year starting quarterback of the Florida Gators, Chris Leak, during the final college game of his career, was chosen as the Offensive Most Valuable Player;

Whereas a defensive end of the Florida Gators, Derrick Harvey, was chosen as the Defensive Most Valuable Player;

Whereas the University of Florida is the first university to at the same time hold both the National Collegiate Athletic Association Division I Football Championship and the National Collegiate Athletic Association Division I Basketball Championship;

Whereas each player, coach, trainer, and manager dedicated his or her time and effort to ensuring that the Florida Gators reached the pinnacle; and

Whereas the families of the players, students, alumni, and faculty of the University of Florida, and all of the supporters of the University of Florida, are to be congratulated for their commitment to, and pride in, the football program at the University of Florida: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Florida football team for winning the 2006 National Collegiate Athletic Association Division I Football Championship;

(2) recognizes the achievements of all of the players, coaches, and support staff who were instrumental in helping the University of Florida football team win the 2006 National Collegiate Athletic Association Division I Football Championship, and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the University of Florida for appropriate display;

(B) the President of the University of Florida, Dr. J. Bernard Machen;

(C) the Athletic Director of the University of Florida, Jeremy Foley; and

(D) the head coach of the University of Florida football team, Urban Meyer.

SENATE RESOLUTION 26—COMMENDING THE APPALACHIAN STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE 2006 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I–AA FOOTBALL CHAMPIONSHIP

Mrs. DOLE (for herself and Mr. BURR) submitted the following resolution; which was considered and agreed to:

S. RES. 26

Whereas, on December 15, 2006, the Appalachian State University football team (referred to in this preamble as the ''Mountaineers'') defeated the University of Massachusetts football team by a score of 28–17, to win the 2006 National Collegiate Athletic Association (NCAA) Division I–AA Football Championship;

Whereas the Mountaineers were successful due to the leadership of Coach Jerry Moore, and in great part to the spectacular play of Most Valuable Player Kevin Richardson, who scored all 4 touchdowns, and to Corey Lynch, whose fourth quarter interception helped seal the victory;

Whereas the championship victory was the pinnacle of a remarkable season for the Mountaineers, who ended the season with a 14–1 record;

Whereas the Mountaineers' offense was led by Southern Conference Freshman of the Year Armanti Edwards, who rushed for over 1,000 yards and passed for over 2,000 yards, and accounted for 30 touchdowns in his first season;

Whereas the success of the Mountaineers' offense is attributed to Kevin Richardson, who rushed for over 1,000 yards, William Mayfield, who had over 1,000 yards receiving, and the impenetrable offensive line, who made it possible for those amazing statistics to occur;

Whereas the Mountaineers' intimidating defense was led by Marques Murell, Jeremy Wiggins, Monte Smith, and Corey Lynch;

Whereas the Mountaineers were undefeated in conference games and are the champions of the Southern Conference for the second year in a row;

Whereas Appalachian State University affirmed its position as a dominant football program by securing its second consecutive national championship;

Whereas, in 2005, Appalachian State University became the first team from North

Carolina to win an NCAA football championship with a 21–16 victory over Northern Iowa;

Whereas the members of the 2006 Appalachian State University football team are excellent representatives of a fine university that is a leader in higher education, producing many fine student-athletes and other leaders;

Whereas the Mountaineers showed tremendous dedication to each other, appreciation to their fans, sportsmanship to their opponents, and respect for the game of football throughout the 2006 season; and

Whereas residents of the Old North State and Appalachian State University fans everywhere are to be commended for their long-standing support, perseverance, and pride in the team: Now, therefore, be it

Resolved, That the Senate—

(1) commends the champion Appalachian State University football team for their historic win in the 2006 National Collegiate Athletic Association Division I–AA Football Championship;

(2) recognizes the achievements of the players, coaches, students, alumni, and support staff who were instrumental in helping Appalachian State University win the championship; and

(3) directs the Secretary of the Senate to transmit copies of this resolution to Appalachian State University Chancellor Kenneth Peacock and head coach Jerry Moore for appropriate display.

AMENDMENTS SUBMITTED AND PROPOSED

SA 22. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table.

SA 23. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 24. Mr. ENSIGN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. Durbin) to the bill S. 1, supra.

SA 25. Mr. ENSIGN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, AND Mr. DURBIN) to the bill S. 1, supra.

SA 26. Mr. CORNYN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 27. Mr. CORNYN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 28. Mr. McCAIN (for himself, Mr. FEINGOLD, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 29. Mr. McCAIN (for himself, Mr. FEINGOLD, and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1, supra.

SA 30. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. OBAMA, Mr. MCCAIN, Mr. FEINGOLD, Mr. KERRY, and Mr. CARPER) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 31. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 32. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 33. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 34. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 35. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 36. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 37. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 38. Mrs. FEINSTEIN (for herself and Mr. BENNETT) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 39. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 40. Mr. STEVENS proposed an amendment to amendment SA 4 proposed by Mr. REID (for himself, Mr. DURBIN, Mr. SALAZAR, and Mr. OBAMA) to the amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 41. Mr. OBAMA (for himself and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 42. Mrs. FEINSTEIN (for herself and Mr. ROCKEFELLER) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

TEXT OF AMENDMENTS

SA 22. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 15, strike lines 10 through 18, and insert the following:

(c) PUBLIC AVAILABILITY.—Rule XXXV of the Standing Rules of the Senate is amended—

(1) in paragraph 2, by striking subparagraph (e) and inserting the following new subparagraph (e):

''(e) Not later than 48 hours after the date a disclosure is required to be filed pursuant to subparagraphs (f) and (g), the Secretary of the Senate shall make such disclosures available to the public over the Internet, without fee or other access charge, in a searchable, sortable, and downloadable manner.''; and

(2) in paragraph 4, by striking ''as soon as possible after they are received'' and inserting ''not later than 48 hours after the date such information is received, and shall make such information available to the public over the Internet, without fee or other access charge, in a searchable, sortable, and downloadable manner''.

At the end of title I, insert the following:

SEC. 120. ELECTRONIC FILING AND SEARCHABLE ONLINE DATABASE OF ALL REPORTS FILED IN THE SENATE.

Rule XXXIV of the Standing Rules of the Senate is amended by adding at the end the following:

''5 (a). Each report required to be filed under this rule shall be filed and maintained in electronic form.

''(b) Not later than 48 hours after the date a report required under this rule is filed, the Secretary of the Senate shall make such report available to the public over the Internet, without fee or other access charge, in a searchable, sortable, and downloadable manner.''.

At the end of subtitle A of title II, insert the following:

SEC. 225. ELECTRONIC FILING OF ELECTION REPORTS OF SENATE CANDIDATES.

(a) IN GENERAL.—Section 304(a)(11)(D) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(D)) is amended to read as follows:

''(D) As used in this paragraph, the terms 'designation', 'statement', or 'report' mean a designation, statement, or report, respectively, which—

''(i) is required by this Act to be filed with the Commission; or

''(ii) is required under section 302(g) to be filed with the Secretary of the Senate and forwarded by the Secretary to the Commission.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 302(g)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(g)(2)) is amended by inserting ''or 1 working day in the case of a designation, statement, or report filed electronically'' after ''2 working days''.

(2) Section 304(a)(11)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(B)) is amended by inserting ''or filed with the Secretary of the Senate under section 302(g)(1) and forwarded to the Commission'' after ''Act''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any designation, statement, or report required to be filed after the date of enactment of this Act.

SA 23. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. NOTICE OF CONSIDERATION.

(a) IN GENERAL.—No matter or measure may be considered in the Senate unless—

(1) a Senator gives notice of his intent to proceed to that matter or measure and such notice and the full text of that matter or measure are printed in the Congressional Record and placed on each Senator's desk at least 3 calendar days in which the Senate is in session prior to proceeding to the matter or measure;

(2) the Senate proceeds to that matter or measure not later than 30 calendar days in which the Senate is in session after having given notice in accordance with paragraph (1); and

(3) the full text of that matter or measure is made available to the general public in searchable format by means of placement on any website within the senate.gov domain, the gpo.gov domain, or through the THOMAS system on the loc.gov domain at least 2 calendar days before the Senate proceeds to that matter or measure.

(b) CALENDAR.—The Secretary of the Senate shall establish for both the Senate Calendar of Business and the Senate Executive Calendar a separate section entitled ''Notices of Intent to Proceed or Consider''. Each section shall include the name of each Senator filing a notice under this section, the title or a description of the measure or matter to which the Senator intends to proceed or offer, and the date the notice was filed.

(c) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅗ of the Members, duly chosen and sworn. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 24. Mr. ENSIGN proposed an amendment to amendment SA 3 proposed by Mr. REID for himself, Mr. MCCONNELL, MRS. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

On page 3, strike line 9 through line 11 and insert the following:

''(a)IN GENERAL.—A point of order may be made by any Senator against any item contained in a conference report that includes or consists of any matter not committed to the conferees by either House.

(1) For the purpose of this section, ''matter not committed to the conferees by either House'' shall be limited to any matter which:

(A) in the case of an appropriations Act, is a provision containing subject matter outside the jurisdiction of the Senate Committee on Appropriations;

(B) would, if offered as an amendment on the Senate floor, be considered ''general legislation'' under Rule XVI of the Standing Rules of the Senate;

(C) would be considered ''not germane'' under Rule XXII of the Standing Rules of the Senate; or

(D) consists specific provision of a containing a specific level of funding for any specific account, specific program, specific project, or specific activity, when no such specific funding was provided for such specific account, specific program, specific project, or specific activity in the measure originally committed to the conferees by either House.

(2) For the purpose of this section, ''matter not committed to the conferees by either House'' shall not include any changes to any numbers, dollar amounts, or dates, or to any specific accounts, specific programs, specific projects, or specific activities which were originally provided for in the measure committed to the conferees by either House.

SA 25. Mr. ENSIGN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follow:

At the appropriate place, insert the following:

SEC. ___. SENATE FIREWALL FOR DEFENSE SPENDING.

(a) For purposes of Section 301 and 302 of the Congressional Budget Act of 1974, the levels of new budget authority and outlays and the allocations for the Committees on Appropriations shall be further divided and separately enforced under Section 302(f) by—

(1) DEFENSE ALLOCATION.—The amount of discretionary spending assumed in the budget resolution for the defense function (050); and

(2) NONDEFENSE ALLOCATION.—The amount of discretionary spending assumed for all other functions of the budget.

SA 26. Mr. CORNYN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

''(a) IN GENERAL. It shall not be in order to consider a bill, joint resolution, report, conference report, or statement of managers unless the following—

''(a) a list of each earmark, limited tax benefit or tariff benefit in the bill, joint resolution, report, conference report, or statement of managers along with:

''(1) its specific budget, contract or other spending authority or revenue impact;

''(2) an identification of the Member of Members who proposed the earmark, targeted tax benefit, or targeted tariff benefit; and

''(3) an explanation of the essential governmental purpose for the earmark, targeted tax benefit, or targeted tariff benefit, including how the earmark, targeted tax benefit, or targeted tariff benefit advances the 'General Welfare' of the United States of America;

''(b) the total number of earmarks, limited tax benefits or tariff benefits in the bill, joint resolution, report, conference report, or statement of managers; and

''(c) a calculation of the total budget, contract or other spending authority or revenue impact of all the congressional earmarks, limited tax benefits or tariff benefits in the bill, joint resolution, report, conference report, or statement of managers;

is available along with such bill, joint resolution, report, conference report, or statement of managers to all Members and the list is made available to the general public by means of placement on any website within the senate.gov domain, the gpo.gov domain, or through the THOMAS system on the loc.gov domain at least 2 calendar days before the Senate proceeds to it.''.

SA 27. Mr. CORNYN proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

SEC. ___. NOTICE OF CONSIDERATION.

(a) IN GENERAL.—No legislative matter or measure may be considered in the Senate unless—

(1) a Senator gives notice of his intent to proceed to that matter or measure and such notice and the full text of that matter or measure are printed in the Congressional Record and placed on each Senator's desk at least 3 calendar days in which the Senate is in session prior to proceeding to the matter or measure;

(2) the Senate proceeds to that matter or measure not later than 30 calendar days in which the Senate is in session after having given notice in accordance with paragraph (1); and

(3) the full text of that matter or measure is made available to the general public in searchable format by means of placement on any website within the senate.gov domain, the gpo.gov domain, or through the THOMAS system on the loc.gov domain at least 2 calendar days before the Senate proceeds to that matter or measure.

(b) CALENDAR.—The Secretary of the Senate shall establish for both the Senate Calendar of Business and the Senate Executive Calendar a separate section entitled ''Notices of Intent to Proceed or Consider''. Each section shall include the name of each Senator filing a notice under this section, the title or a description of the legislative measure or matter to which the Senator intends to proceed, and the date the notice was filed.

(c) WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅗ of the Members, duly chosen and sworn. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 28. Mr. MCCAIN (for himself, Mr. FEINGOLD, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

On page 4, strike line 11 through line 10, page 5, and insert the following:

that portion of the conference report that has not been stricken and any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the conference report;

(B) the question shall be debatable; and

(C) no further amendment shall be in order; and

(3) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅗ of the Members, duly chosen and sworn. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) ANY MATTER.—In this section, the term ''any matter'' means any new matter, including general legislation, unauthorized appropriations, and non-germane matter.

SEC. 102A. REFORM OF CONSIDERATION OF APPROPRIATIONS BILLS IN THE SENATE.

(a) IN GENERAL.—Rule XVI of the Standing Rules of the Senate is amended by adding at the end the following:

''9. (a) On a point of order made by any Senator:

''(1) No new or general legislation nor any unauthorized appropriation may be included in any general appropriation bill.

''(2) No amendment may be received to any general appropriation bill the effect of which will be to add an unauthorized appropriation to the bill.

''(3) No unauthorized appropriation may be included in any amendment between the Houses, or any amendment thereto, in relation to a general appropriation bill.

''(b)(1) If a point of order under subparagraph (a)(1) against a Senate bill or amendment is sustained—

''(A) the new or general legislation or unauthorized appropriation shall be struck from the bill or amendment; and

''(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the bill or amendment shall be made.

''(2) If a point of order under subparagraph (a)(1) against an Act of the House of Representatives is sustained when the Senate is not considering an amendment in the nature of a substitute, then an amendment to the House bill is deemed to have been adopted that—

''(A) strikes the new or general legislation or unauthorized appropriation from the bill; and

''(B) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the bill;

''(c) If the point of order against an amendment under subparagraph (a)(2) is sustained, then the amendment shall be out of order and may not be considered.

''(d)(1) If a point of order under subparagraph (a)(3) against a Senate amendment is sustained, then—

''(A) the unauthorized appropriation shall be struck from the amendment;

''(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the amendment shall be made; and

''(C) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the amendment as so modified.

''(2) If a point of order under subparagraph (a)(3) against a House of Representatives amendment is sustained, then—

''(A) an amendment to the House amendment is deemed to have been adopted that—

''(i) strikes the new or general legislation or unauthorized appropriation from the House amendment; and

''(ii) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the House amendment; and

''(B) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the question of whether to concur with further amendment.

''(e) The disposition of a point of order made under any other paragraph of this rule, or under any other Standing Rule of the Senate, that is not sustained, or is waived, does not preclude, or affect, a point of order made under subparagraph (a) with respect to the same matter.

''(f) A point of order under subparagraph (a) may be waived only by a motion agreed to by the affirmative vote of three-fifths of the Senators duly chosen and sworn. If an appeal is taken from the ruling of the Presiding Officer with respect to such a point of order, the ruling of the Presiding Officer shall be sustained absent an affirmative vote of three-fifths of the Senators duly chosen and sworn.

''(g) Notwithstanding any other rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a general appropriation bill or an amendment between the Houses on a general appropriation bill violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (f), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

''(h) For purposes of this paragraph:

''(1) The term 'new or general legislation' has the meaning given that term when it is used in paragraph 2 of this rule.

''(2)(A) The term 'unauthorized appropriation' means an appropriation—

''(i) not specifically authorized by law or Treaty stipulation (unless the appropriation has been specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law); or

''(ii) the amount of which exceeds the amount specifically authorized by law or Treaty stipulation (or specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law) to be appropriated.

''(B) An appropriation is not specifically authorized if it is restricted or directed to, or authorized to be obligated or expended for the benefit of, an identifiable person, program, project, entity, or jurisdiction by earmarking or other specification, whether by name or description, in a manner that is so restricted, directed, or authorized that it applies only to a single identifiable person, program, project, entity, or jurisdiction, unless the identifiable person, program, project, entity, or jurisdiction to which the restriction, direction, or authorization applies is described or otherwise clearly identified in a law or Treaty stipulation (or an Act or resolution previously passed by the Senate during the same session or in the estimate submitted in accordance with law) that specifically provides for the restriction, direction, or authorization of appropriation for such person, program, project, entity, or jurisdiction.''.

(b) LOBBYING ON BEHALF OF RECIPIENTS OF FEDERAL FUNDS.—The Lobbying Disclosure Act of 1995 is amended by adding after section 5 the following:

''SEC. 5A. REPORTS BY RECIPIENTS OF FEDERAL FUNDS.

''(a) IN GENERAL.—A recipient of Federal funds shall file a report as required by section 5(a) containing—

''(1) the name of any lobbyist registered under this Act to whom the recipient paid money to lobby on behalf of the Federal funding received by the recipient; and

''(2) the amount of money paid as described in paragraph (1).

''(b) DEFINITION.—In this section, the term 'recipient of Federal funds' means the recipient of Federal funds constituting an award, grant, or loan.''.

(c) PROHIBITION ON OBLIGATION OF FUNDS FOR APPROPRIATIONS EARMARKS INCLUDED ONLY IN CONGRESSIONAL REPORTS.—

(1) IN GENERAL.—No Federal agency may obligate any funds made available in an appropriation Act to implement an earmark that is included in a congressional report accompanying the appropriation Act, unless the earmark is also included in the appropriation Act.

(2) DEFINITIONS.—For purposes of this subsection:

(A) The term ''assistance'' includes an award, grant, loan, loan guarantee, contract, or other expenditure.

(B) The term ''congressional report'' means a report of the Committee on Appropriations of the House of Representatives or the Senate, or a joint explanatory statement of a committee of conference.

(C) The term ''earmark'' means a provision that specifies the identity of an entity to receive assistance and the amount of the assistance.

(D) The term ''entity'' includes a State or locality.

(3) EFFECTIVE DATE.—This subsection shall apply to appropriation Acts enacted after December 31, 2007.

SEC. 103. EARMARKS.

The Standing Rules of the Senate are amended by adding at the end the following:

''RULE XLIV

''EARMARKS

''1. In this rule—

''(1) the term 'earmark' means a provision that specifies the identity of an entity (by

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SA 29. Mr. MCCAIN (for himself, Mr. FEINGOLD, and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; as follows:

On page 4, strike line 11 through line 2, page 5, and insert the following:

that portion of the conference report that has not been stricken and any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the conference report;

(B) the question shall be debatable; and

(C) no further amendment shall be in order; and

(3) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅗ of the Members, duly chosen and sworn. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) ANY MATTER.—In this section, the term ''any matter'' means any new matter, including general legislation, unauthorized appropriations, and non-germane matter.

SEC. 102A. REFORM OF CONSIDERATION OF APPROPRIATIONS BILLS IN THE SENATE.

(a) IN GENERAL.—Rule XVI of the Standing Rules of the Senate is amended by adding at the end the following:

''9.(a) On a point of order made by any Senator:

''(1) No new or general legislation nor any unauthorized appropriation may be included in any general appropriation bill.

''(2) No amendment may be received to any general appropriation bill the effect of which will be to add an unauthorized appropriation to the bill.

''(3) No unauthorized appropriation may be included in any amendment between the Houses, or any amendment thereto, in relation to a general appropriation bill.

''(b)(1) If a point of order under subparagraph (a)(1) against a Senate bill or amendment is sustained—

''(A) the new or general legislation or unauthorized appropriation shall be struck from the bill or amendment; and

''(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the bill or amendment shall be made.

''(2) If a point of order under subparagraph (a)(1) against an Act of the House of Representatives is sustained when the Senate is not considering an amendment in the nature of a substitute, then an amendment to the House bill is deemed to have been adopted that—

''(A) strikes the new or general legislation or unauthorized appropriation from the bill; and

''(B) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the bill;

''(c) If the point of order against an amendment under subparagraph (a)(2) is sustained, then the amendment shall be out of order and may not be considered.

''(d)(1) If a point of order under subparagraph (a)(3) against a Senate amendment is sustained, then—

''(A) the unauthorized appropriation shall be struck from the amendment;

''(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the amendment shall be made; and

''(C) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the amendment as so modified.

''(2) If a point of order under subparagraph (a)(3) against a House of Representatives amendment is sustained, then—

''(A) an amendment to the House amendment is deemed to have been adopted that—

''(i) strikes the new or general legislation or unauthorized appropriation from the House amendment; and

''(ii) modifies, if necessary, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the House amendment; and

''(B) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the question of whether to concur with further amendment.

''(e) The disposition of a point of order made under any other paragraph of this rule, or under any other Standing Rule of the Senate, that is not sustained, or is waived, does not preclude, or affect, a point of order made under subparagraph (a) with respect to the same matter.

''(f) A point of order under subparagraph (a) may be waived only by a motion agreed to by the affirmative vote of three-fifths of the Senators duly chosen and sworn. If an appeal is taken from the ruling of the Presiding Officer with respect to such a point of order, the ruling of the Presiding Officer shall be sustained absent an affirmative vote of three-fifths of the Senators duly chosen and sworn.

''(g) Notwithstanding any other rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a general appropriation bill or an amendment between the Houses on a general appropriation bill violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (f), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

''(h) For purposes of this paragraph:

''(1) The term 'new or general legislation' has the meaning given that term when it is used in paragraph 2 of this rule.

''(2)(A) The term 'unauthorized appropriation' means an appropriation—

''(i) not specifically authorized by law or Treaty stipulation (unless the appropriation has been specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law); or

''(ii) the amount of which exceeds the amount specifically authorized by law or Treaty stipulation (or specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law) to be appropriated.

''(B) An appropriation is not specifically authorized if it is restricted or directed to, or authorized to be obligated or expended for the benefit of, an identifiable person, program, project, entity, or jurisdiction by earmarking or other specification, whether by name or description, in a manner that is so restricted, directed, or authorized that it applies only to a single identifiable person, program, project, entity, or jurisdiction, unless the identifiable person, program, project, entity, or jurisdiction to which the restriction, direction, or authorization applies is described or otherwise clearly identified in a law or Treaty stipulation (or an Act or resolution previously passed by the Senate during the same session or in the estimate submitted in accordance with law) that specifically provides for the restriction, direction, or authorization of appropriation for such person, program, project, entity, or jurisdiction.''.

(b) LOBBYING ON BEHALF OF RECIPIENTS OF FEDERAL FUNDS.—The Lobbying Disclosure Act of 1995 is amended by adding after section 5 the following:

''SEC. 5A. REPORTS BY RECIPIENTS OF FEDERAL FUNDS.

''(a) IN GENERAL.—A recipient of Federal funds shall file a report as required by section 5(a) containing—

''(1) the name of any lobbyist registered under this Act to whom the recipient paid money to lobby on behalf of the Federal funding received by the recipient; and

''(2) the amount of money paid as described in paragraph (1).

''(b) DEFINITION.—In this section, the term 'recipient of Federal funds' means the recipient of Federal funds constituting an award, grant, or loan.''.

(c) PROHIBITION ON OBLIGATION OF FUNDS FOR APPROPRIATIONS EARMARKS INCLUDED ONLY IN CONGRESSIONAL REPORTS.—

(1) IN GENERAL.—No Federal agency may obligate any funds made available in an appropriation Act to implement an earmark that is included in a congressional report accompanying the appropriation Act, unless the earmark is also included in the appropriation Act.

(2) DEFINITIONS.—For purposes of this subsection:

(A) The term ''assistance'' includes an award, grant, loan, loan guarantee, contract, or other expenditure.

(B) The term ''congressional report'' means a report of the Committee on Appropriations of the House of Representatives or the Senate, or a joint explanatory statement of a committee of conference.

(C) The term ''earmark'' means a provision that specifies the identity of an entity to receive assistance and the amount of the assistance.

(D) The term ''entity'' includes a State or locality.

(3) EFFECTIVE DATE.—This subsection shall apply to appropriation Acts enacted after December 31, 2007.

SA 30. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. OBAMA, Mr. MCCAIN, Mr. FEINGOLD, Mr. KERRY, Mr. CARPER) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the end of the amendment, add the following:

TITLE III—SENATE OFFICE OF PUBLIC INTEGRITY

SEC. 301. ESTABLISHMENT OF SENATE OFFICE OF PUBLIC INTEGRITY.

There is established, as an office within the Senate, the Senate Office of Public Integrity (referred to in this title as the ''Office'').

SEC. 302. DIRECTOR.

(a) APPOINTMENT OF DIRECTOR.—

(1) IN GENERAL.—The Office shall be headed by a Director who shall be appointed by the President Pro Tempore of the Senate upon the joint recommendation of the majority leader of the Senate and the minority leader of the Senate. The selection and appointment of the Director shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the Office.

(2) QUALIFICATIONS.—The Director shall possess demonstrated integrity, independence, and public credibility and shall have training or experience in law enforcement, the judiciary, civil or criminal litigation, or as a member of a Federal, State, or local ethics enforcement agency.

(b) VACANCY.—A vacancy in the directorship shall be filled in the manner in which the original appointment was made.

(c) TERM OF OFFICE.—The Director shall serve for a term of 5 years and may be reappointed.

(d) REMOVAL.—

(1) AUTHORITY.—The Director may be removed by the President Pro Tempore of the

Senate upon the joint recommendation of the Senate majority and minority leaders for—

(A) disability that substantially prevents the Director from carrying out the duties of the Director;

(B) inefficiency;

(C) neglect of duty; or

(D) malfeasance, including a felony or conduct involving moral turpitude.

(2) STATEMENT OF REASONS.—In removing the Director, a statement of the reasons for removal shall be provided in writing to the Director.

(e) COMPENSATION.—The Director shall be compensated at the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

SEC. 303. DUTIES AND POWERS OF THE OFFICE.

(a) DUTIES.—The Office is authorized—

(1) to investigate any alleged violation by a Member, officer, or employee of the Senate, of any rule or other standard of conduct applicable to the conduct of such Member, officer, or employee under applicable Senate rules in the performance of his duties or the discharge of his responsibilities;

(2) to present a case of probable ethics violations to the Select Committee on Ethics of the Senate;

(3) to make recommendations to the Select Committee on Ethics of the Senate that it report to the appropriate Federal or State authorities any substantial evidence of a violation by a Member, officer, or employee of the Senate of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in an investigation by the Office; and

(4) subject to review by the Select Committee on Ethics to approve, or deny approval, of trips as provided for in paragraph 2(f) of rule XXXV of the Standing Rules of the Senate.

(b) POWERS.—

(1) OBTAINING INFORMATION.—Upon request of the Office, the head of any agency or instrumentality of the Government shall furnish information deemed necessary by the Director to enable the Office to carry out its duties.

(2) REFERRALS TO THE DEPARTMENT OF JUSTICE.—Whenever the Director has reason to believe that a violation of law may have occurred, he shall refer that matter to the Select Committee on Ethics with a recommendation as to whether the matter should be referred to the Department of Justice or other appropriate authority for investigation or other action.

SEC. 304. INVESTIGATIONS AND INTERACTION WITH THE SENATE SELECT COMMITTEE ON ETHICS.

(a) INITIATION OF ENFORCEMENT MATTERS.—

(1) IN GENERAL.—An investigation may be initiated by the filing of a complaint with the Office by a Member of Congress or an outside complainant, or by the Office on its own initiative, based on any information in its possession. The Director shall not accept a complaint concerning a Member of Congress within 60 days of an election involving such Member.

(2) FILED COMPLAINT.—

(A) TIMING.—In the case of a complaint that is filed, the Director shall within 30 days make an initial determination as to whether the complaint should be dismissed or whether there are sufficient grounds to conduct an investigation. The subject of the complaint shall be provided by the Director with an opportunity during the 30-day period to challenge the complaint.

(B) DISMISSAL.—The Director may dismiss a complaint if the Director determines—

(i) the complaint fails to state a violation;

(ii) there is a lack of credible evidence of a violation; or

(iii) the violation is inadvertent, technical, or otherwise of a de minimis nature.

(C) REFERRAL.—In any case where the Director decides to dismiss a complaint, the Director may refer the case to the Select Committee on Ethics of the Senate under paragraph (3) to determine if the complaint is frivolous.

(3) FRIVOLOUS COMPLAINTS.—If the Select Committee on Ethics of the Senate determines that a complaint is frivolous, the committee may notify the Director not to accept any future complaint filed by that same person and the complainant may be required to pay for the costs of the Office resulting from such complaint. The Director may refer the matter to the Department of Justice to collect such costs.

(4) PRELIMINARY DETERMINATION.—For any investigation conducted by the Office at its own initiative, the Director shall make a preliminary determination of whether there are sufficient grounds to conduct an investigation. Before making that determination, the subject of the investigation shall be provided by the Director with an opportunity to submit information to the Director that there are not sufficient grounds to conduct an investigation.

(5) NOTICE TO COMMITTEE.—Whenever the Director determines that there are sufficient grounds to conduct an investigation—

(A) the Director shall notify the Select Committee on Ethics of the Senate of this determination; and

(B) the committee may overrule the determination of the Director if, within 10 legislative days—

(i) the committee by an affirmative, roll-call vote of two-thirds of the full committee votes to overrule the determination of the Director;

(ii) the committee issues a public report on the matter; and

(iii) the vote of each member of the committee on such roll-call vote is included in the report.

(b) CONDUCTING INVESTIGATIONS.—

(1) IN GENERAL.—If the Director determines that there are sufficient grounds to conduct an investigation and his determination is not overruled under subsection (a)(5), the Director shall conduct an investigation to determine if probable cause exists that a violation occurred.

(2) AUTHORITY.—As part of an investigation, the Director may—

(A) administer oaths;

(B) issue subpoenas;

(C) compel the attendance of witnesses and the production of papers, books, accounts, documents, and testimony; and

(D) himself, or by delegation to Office staff, take the deposition of witnesses.

(3) REFUSAL TO OBEY.—If a person disobeys or refuses to comply with a subpoena, or if a witness refuses to testify to a matter, he may be held in contempt of Congress.

(4) ENFORCEMENT.—If the Director determines that the Director is limited in the Director's ability to obtain documents, testimony, and other information needed as part of an investigation because of potential constitutional, statutory, or rules restrictions, or due to lack of compliance, the Director may refer the matter to the Select Committee on Ethics of the Senate for consideration and appropriate action by the committee. The committee shall promptly act on a request under this paragraph.

(c) PRESENTATION OF CASE TO SENATE SELECT COMMITTEE ON ETHICS.—

(1) NOTICE TO COMMITTEES.—If the Director determines, upon conclusion of an investigation, that probable cause exists that an ethics violation has occurred, the Director shall notify the Select Committee on Ethics of the Senate of this determination.

(2) COMMITTEE DECISION.—The Select Committee on Ethics may overrule the determination of the Director if, within 30 legislative days—

(A) the committee by an affirmative, roll-call vote of two-thirds of the full committee votes to overrule the determination of the Director;

(B) the committee issues a public report on the matter; and

(C) the vote of each member of the committee on such roll-call vote is included in the report.

(3) DETERMINATION AND RULING.—

(A) REFERRAL.—If the Director determines there is probable cause that an ethics violation has occurred and the Director's determination is not overruled, the Director shall present the case and evidence to the Select Committee on Ethics of the Senate to hear and make a determination pursuant to its rules.

(B) FINAL DECISION.—The Select Committee on Ethics shall vote upon whether the individual who is the subject of the investigation has violated any rules or other standards of conduct applicable to that individual in his official capacity. Such votes shall be a roll-call vote of the full committee, a quorum being present. The committee shall issue a public report which shall include the vote of each member of the committee on such roll-call vote.

(d) SANCTIONS.—Whenever the Select Committee on Ethics of the Senate finds that an ethics violation has occurred, the Director shall recommend appropriate sanctions to the committee and whether a matter should be referred to the Department of Justice for investigation.

SEC. 305. PROCEDURAL RULES.

(a) PROHIBITION OF CERTAIN INVESTIGATIONS.—No investigation shall be undertaken by the Office of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation.

(b) DISCLOSURE.—Information or testimony received, or the contents of a complaint or the fact of its filing, or recommendations made by the Director to the committee, may be publicly disclosed by the Director or by the staff of the Office only if authorized by the Select Committee on Ethics of the Senate.

SEC. 306. SOPI EMPLOYEES UNDER THE CONGRESSIONAL ACCOUNTABILITY ACT.

Section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 3) is amended—

(1) in paragraph (3)—

(A) in subparagraph (H), by striking ''or'';

(B) in subparagraph (I), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(J) the Office of Public Integrity.''; and

(2) in paragraph (9), by striking ''and the Office of Technology Assessment'' and inserting ''the Office of Technology Assessment, and the Senate Office of Public Integrity''.

SEC. 307. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided by subsection (b), this title shall take effect on October 1, 2007.

(b) EXCEPTION.—Section 302 shall take effect upon the date of enactment of this Act.

SA 31. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 50, line 25, strike ''1995.'';'' and all that follows through page 51, line 12, and insert the following: ''1995.

''(3) MEMBERS OF CONGRESS AND ELECTED OFFICERS.—Any person who is a Member of Congress or an elected officer of either House of Congress and who, within 2 years after that person leaves office, knowingly engages in lobbying activities on behalf of any other person (except the United States) in connection with any matter on which such former Member of Congress or elected officer seeks action by a Member, officer, or employee of either House of Congress shall be punished as provided in section 216 of this title.''.

(3) in paragraph (6)—

(A) by striking ''paragraphs (2), (3), and (4)'' and inserting ''paragraph (2)'';

(B) by striking ''(A)'';

(C) by striking subparagraph (B); and

(D) by redesignating the paragraph as paragraph (4); and

(4) by redesignating paragraph (7) as paragraph (5).

(c) DEFINITION OF LOBBYING ACTIVITY.—Section 207(i) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' after the semicolon;

(2) in paragraph (3), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(4) the term 'lobbying activities' has the same meaning given such term in section 3(7) of the Lobbying Disclosure Act (2 U.S.C. 1602(7)).''.

(d) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect 60 days after the date of enactment of this Act.

SA 32. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 17, line 15, strike ''1 year'' and insert ''2 years''.

On page 50, line 25, strike ''1995.'';'' and all that follows through page 51, line 12, and insert the following: ''1995.

''(3) MEMBERS OF CONGRESS AND ELECTED OFFICERS.—Any person who is a Member of Congress or an elected officer of either House of Congress and who, within 2 years after that person leaves office, knowingly engages in lobbying activities on behalf of any other person (except the United States) in connection with any matter on which such former Member of Congress or elected officer seeks action by a Member, officer, or employee of either House of Congress shall be punished as provided in section 216 of this title.'';

(3) in paragraph (6)—

(A) by striking ''paragraphs (2), (3), and (4)'' and inserting ''paragraph (2)'';

(B) by striking ''(A)'';

(C) by striking subparagraph (B); and

(D) by redesignating the paragraph as paragraph (4); and

(4) by redesignating paragraph (7) as paragraph (5).

(c) DEFINITION OF LOBBYING ACTIVITY.—Section 207(i) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' after the semicolon;

(2) in paragraph (3), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(4) the term 'lobbying activities' has the same meaning given such term in section 3(7) of the Lobbying Disclosure Act (2 U.S.C. 1602(7)).''.

(d) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect 60 days after the date of enactment of this Act.

SA 33. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 10, line 9, strike ''Leader.''.'' and insert the following: ''Leader.

''3. A former Member of the Senate may not exercise privileges to use Senate or House gym or exercise facilities or member-only parking spaces if such Member is—

(1) a registered lobbyist or agent of a foreign principal; or

(2) in the employ of or represents any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat, or amendment of any legislative proposal.''.

SA 34. Mr. FEINGOLD (for himself and Mr. OBAMA) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II insert the following:

SEC. 225. ELECTRONIC FILING OF ELECTION REPORTS OF SENATE CANDIDATES.

(a) IN GENERAL.—Section 304(a)(11)(D) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(D)) is amended to read as follows:

''(D) As used in this paragraph, the terms 'designation', 'statement', or 'report' mean a designation, statement, or report, respectively, which—

''(i) is required by this Act to be filed with the Commission; or

''(ii) is required under section 302(g) to be filed with the Secretary of the Senate and forwarded by the Secretary to the Commission.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 302(g)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(g)(2)) is amended by inserting ''or 1 working day in the case of a designation, statement, or report filed electronically'' after ''2 working days''.

(2) Section 304(a)(11)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(B)) is amended by inserting ''or filed with the Secretary of the Senate under section 302(g)(1) and forwarded to the Commission'' after ''Act''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any designation, statement, or report required to be filed after the date of enactment of this Act.

SA 35. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

SEC. _____. STANDARDS FOR ECONOMIC DEVELOPMENT INITIATIVE EARMARKS.

Section 108(q) of the Housing and Community Development Act of 1974 (42 U.S.C. 5308(q)) is amended by adding at the end the following:

''(5) CRITERIA FOR CONGRESSIONAL EARMARKS.—

''(A) IN GENERAL.—No amount of funds provided or made available in an earmark for purposes of funding grants under this subsection may be made available to the Secretary, unless such funds are used for 1 or more of the following purposes related to real property or public or private nonprofit facilities:

''(i) Acquisition.

''(ii) Planning.

''(iii) Design.

''(iv) Purchase of equipment.

''(v) Revitalization, reconstruction, or rehabilitation.

''(vi) Redevelopment.

''(vii) Construction.

''(B) EXPRESS PROHIBITIONS.—In addition to the general prohibition described in subparagraph (A), no amount of funds provided or made available in an earmark for purposes of funding grants under this section may be used by the Secretary for any of the following purposes:

''(i) Reimbursement of expense, including debt services or retirements.

''(ii) Transportation or road projects.

''(iii) Expenses for program operations.

''(iv) Homeland Security or first responder projects.

''(v) Healthcare facilities.

''(C) REPORTS.—

''(i) REQUIRED BEFORE DISBURSAL.—The Secretary may not release any grant funds provided for or made available by an earmark to an eligible public entity or public or private nonprofit organization under this subsection, unless such entity or organization submits to the Secretary a report detailing the economic impact of the earmark.

''(ii) CONTENTS OF REPORT.—

''(I) IN GENERAL.—The report required under clause (i) shall be submitted by the eligible public entity or public or private nonprofit organization to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(II) LIMITATION.—In any report required under clause (i), the Secretary—

''(aa) shall not require the disclosure of any confidential information of the eligible public entity or public or private nonprofit organization, or of any subgrantee employed by such entity or organization; and

''(bb) shall ensure that the requirements of such report are uniform for all grants funded by an earmark within each fiscal year.

''(III) RELEASE OF CHANGE IN REPORTING REQUIREMENTS.—The Secretary shall publish any changes to the reporting requirements under this subparagraph in the Federal Register not later than January 1 of the year preceding the fiscal year in which such changes are to take effect.

''(iii) AVAILABILITY.—The Secretary shall, upon request, provide any member of Congress with a copy of any report filed under this subparagraph.

''(D) SET ASIDE OF BUDGET AUTHORITY.—Not less than 20 percent of the total funds made available for purposes of this section in any appropriations Act shall be made available to the Secretary, free from earmarks, such that the Secretary may award these funds, in the discretion of the Secretary, to eligible public entities or public or private nonprofit organizations under a competitive bidding process.

''(E) DEFINITIONS.—In this subsection:

''(i) EARMARK.—the term 'earmark' means a provision of law, or a directive contained within a joint explanatory statement or report included in a conference report or bill primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

''(ii) NONPROFIT.—The term 'nonprofit' means, with respect to an organization, association, corporation, or other entity, that no part of the net earnings of the entity inures to the benefit of any member, founder, contributor, or individual.

''(iii) PRIVATE NONPROFIT ORGANIZATION.—The term 'private nonprofit organization' means any private organization (including a State or locally chartered organization) that—

''(I) is incorporated under State or local law;

''(II) is nonprofit in character; and

''(III) complies with standards of financial accountability acceptable to the Secretary.

''(iv) PUBLIC NONPROFIT ORGANIZATION.—The term 'public nonprofit organization' means any public entity that is nonprofit in character.''.

SA 36. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

SEC. ___. AMENDMENTS AND MOTIONS TO RECOMMIT.

Paragraph 1 of rule XV of the Standing Rules of the Senate is amended to read as follows:

''1. (a) An amendment and any instruction accompanying a motion to recommit shall be reduced to writing and copied and provided by the clerk to the desks of the Majority Leader and the Minority Leader and shall be read before being debated.

''(b) A motion shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before being debated.''.

SA 37. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

SEC. ___. DISCLOSURE OF POLITICAL ADVOCACY BY THE RECIPIENT OF ANY FEDERAL AWARD.

The Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282) is amended by adding at the end the following:

''SEC. 5. DISCLOSURE OF POLITICAL ADVOCACY BY THE RECIPIENT OF ANY FEDERAL AWARD.

''(a) IN GENERAL.—Not later than December 31 of each year, an entity that receives any Federal award shall provide to each Federal entity that awarded or administered its grant an annual report for the prior Federal fiscal year, certified by the entity's chief executive officer or equivalent person of authority, and setting forth—

''(1) the entity's name;

''(2) the entity's identification number; and

''(3)(A) a statement that the entity did not engage in political advocacy; or

''(B) a statement that the entity did engage in political advocacy, and setting forth for each award—

''(i) the award identification number;

''(ii) the amount or value of the award (including all administrative and overhead costs awarded);

''(iii) a brief description of the purpose or purposes for which the award was awarded;

''(iv) the identity of each Federal, State, and local government entity awarding or administering the award and program thereunder;

''(v) the name and entity identification number of each individual, entity, or organization to whom the entity made an award; and

''(vi) a brief description of the entity's political advocacy, and a good faith estimate of the entity's expenditures on political advocacy, including a list of any lobbyist registered under the Lobbying Disclosure Act of 1995, foreign agent, or employee of a lobbying firm or foreign agent employed by the entity to conduct such advocacy and amounts paid to each lobbyist or foreign agent.

''(b) OMB COORDINATION.—The Office of Management and Budget shall develop by regulation 1 standardized form for the annual report that shall be accepted by every Federal entity, and a uniform procedure by which each entity is assigned 1 permanent and unique entity identification number.

''(c) WEBSITE.—Any information received under this section shall be available on the website established under section 2(b).

''(d) DEFINITIONS.—In this section:

''(1) POLITICAL ADVOCACY.—The term 'political advocacy' includes—

''(A) carrying on propaganda, or otherwise attempting to influence legislation or agency action, including, but not limited to monetary or in-kind contributions, endorsements, publicity, or similar activity;

''(B) participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including but not limited to monetary or in-kind contributions, endorsements, publicity, or similar activity;

''(C) participating in any judicial litigation or agency proceeding (including as an amicus curiae) in which agents or instrumentalities of Federal, State, or local governments are parties, other than litigation in which the entity or award applicant—

''(i) is a defendant appearing in its own behalf;

''(ii) is defending its tax-exempt status; or

''(iii) is challenging a government decision or action directed specifically at the powers, rights, or duties of that entity or award applicant; and

''(D) allocating, disbursing, or contributing any funds or in-kind support to any individual, entity, or organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

''(2) ENTITY AND FEDERAL AWARD.—The terms 'entity' and 'Federal award' shall have the same meaning as in section 2(a).''.

SA 38. Mrs. FEINSTEIN (for herself and Mr. BENNETT) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

SEC. ___. FREE ATTENDANCE AT A BONA FIDE CONSTITUENT EVENT.

(a) IN GENERAL.—Paragraph 1(c) of rule XXXV of the Senate Rules is amended by adding at the end the following:

''(24) Subject to the restrictions in subparagraph (a)(2), free attendance at a bona fide constituent event permitted pursuant to subparagraph (h).''.

(b) IN GENERAL.—Paragraph 1 of rule XXXV of the Senate Rules is amended by adding at the end the following:

''(h)(1) A Member, officer or, employee may accept an offer of free attendance at a convention, conference, symposium, forum, panel discussion, dinner event, site visit, viewing, reception, or similar event, provided by a sponsor of the event, if—

''(A) the cost of any meal provided does not exceed $50;

''(B)(i) the event is sponsored by bona fide constituents of, or a group that consists primarily of bona fide constituents of, the Member (or the Member by whom the officer or employee is employed); and

''(ii) the event will be attended by a group of at least 5 bona fide constituents or individuals employed by bona fide constituents of the Member (or the Member by whom the officer or employee is employed) provided that an individual registered to lobby under the Federal Lobbying Disclosure Act shall not attend the event; and

''(C)(i) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

''(ii) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

''(2) A Member, officer, or employee who attends an event described in clause (1) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the Senate.

''(3) For purposes of this paragraph, the term 'free attendance' has the same meaning as in subparagraph (d).

''(4) The Select Committee on Ethics shall issue guidelines within 60 days after the enactment of this subparagraph on determining the definition of the term 'bona fide constituent'.''.

SA 39. Mr. COLEMAN sumbitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

SEC. ___. CONGRESSIONAL TRAVEL PUBLIC WEBSITE.

(a) IN GENERAL.—Not later than January 1, 2008, the Secretary of the Senate and the Clerk of the House of Representatives shall each establish a publicly available website that contains information on all officially related congressional travel that is subject to disclosure under the gift rules of the Senate and the House of Representatives, respectively, that includes—

(1) a search engine;

(2) uniform categorization by Member, dates of travel, and any other common categories associated with congressional travel; and

(3) all forms filed in the Senate and the House of Representatives relating to officially-related travel referred to in paragraph (2), including the ''Disclosure of Member or Officer's Reimbursed Travel Expenses'' form in the Senate.

(b) EXTENSION AUTHORITY.—If the Secretary of the Senate or the Clerk of the House of Representatives is unable to meet the deadline established under subsection

(a), the Committee on Rules and Administration of the Senate or the Committee on Rules of the House of Representatives may grant an extension of such date for the Secretary of the Senate or the Clerk of the House of Representatives, respectively.

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

SA 40. Mr. STEVENS proposed an amendment to amendment SA 4 proposed by Mr. REID (for himself, Mr. DURBIN, Mr. SALAZAR, and Mr. OBAMA) to the amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

On page 8, line 14, after ''entity'' insert ''or by a Member of Congress, or Member's spouse or an immediate family member of either''.

On page 10, after line 5, insert the following:

(4) LIMITED FLIGHT EXCEPTION.—Paragraph 1 of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

''(h) For purposes of subparagraph (c)(1) and rule XXXVIII, if there is not more than 1 regularly scheduled flight daily from a point in a Member's State to another point within that Member's State, the Select Committee on Ethics may provide a waiver to the requirements in subparagraph (c)(1) (except in those cases where regular air service is not available between 2 cities) if—

''(1) there is no appearance of or actual conflict of interest; and

''(2) the Member has the trip approved by the committee at a rate determined by the committee.

In determining rates under clause (2), the committee may consider Ethics Committee Interpretive Ruling 412.''.

(5) DISCLOSURE.—

(A) RULES.—Paragraph 2 of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

''(g) A Member, officer, or employee of the Senate shall—

''(1) disclose a flight on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, excluding a flight on an aircraft owned, operated, or leased by a governmental entity, taken in connection with the duties of the Member, officer, or employee as an officeholder or Senate officer or employee; and

''(2) with respect to the flight, file a report with the Secretary of the Senate, including the date, destination, and owner or lessee of the aircraft, the purpose of the trip, and the persons on the trip, except for any person flying the aircraft.

This subparagraph shall apply to flights approved under paragraph 1(h).''.

(B) FECA.—Section 304(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)) is amended—

(i) by striking ''and'' at the end of paragraph (7);

(ii) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(iii) by adding at the end the following:

''(9) in the case of a principal campaign committee of a candidate (other than a candidate for election to the office of President or Vice President), any flight taken by the candidate (other than a flight designated to transport the President, Vice President, or a candidate for election to the office of President or Vice President) during the reporting period on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, together with the following information:

''(A) The date of the flight.

''(B) The destination of the flight.

''(C) The owner or lessee of the aircraft.

''(D) The purpose of the flight.

''(E) The persons on the flight, except for any person flying the aircraft.''.

(C) PUBLIC AVAILABILITY.—Paragraph 2(e) of rule XXXV of the Standing Rules of the Senate is amended to read as follows:

''(e) The Secretary of the Senate shall make available to the public all disclosures filed pursuant to subparagraphs (f) and (g) as soon as possible after they are received and such matters shall be posted on the Member's official website but no later than 30 days after the trip or flight.''.

SA 41. Mr. OBAMA (for himself and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

Strike section 212 and insert the following:

SEC. 212. QUARTERLY REPORTS ON OTHER CONTRIBUTIONS.

Section 5 of the Act (2 U.S.C. 1604) is amended by adding at the end the following:

''(d) QUARTERLY REPORTS ON OTHER CONTRIBUTIONS.—

''(1) IN GENERAL.—Not later than 45 days after the end of the quarterly period beginning on the 20th day of January, April, July, and October of each year, or on the first business day after the 20th if that day is not a business day, each registrant under paragraphs (1) or (2) of section 4(a), and each employee who is listed as a lobbyist on a current registration or report filed under this Act, shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives containing—

''(A) the name of the registrant or lobbyist;

''(B) the employer of the lobbyist or the names of all political committees established or administered by the registrant;

''(C) the name of each Federal candidate or officeholder, leadership PAC, or political party committee, to whom aggregate contributions equal to or exceeding $200 were made by the lobbyist, the registrant, or a political committee established or administered by the registrant within the calendar year, and the date and amount of each contribution made within the quarter;

''(D) the name of each Federal candidate or officeholder, leadership PAC, or political party committee for whom a fundraising event was hosted, co-hosted, or sponsored by the lobbyist, the registrant, or a political committee established or administered by the registrant within the quarter, and the date, location, and total amount (or good faith estimate thereof) raised at such event;

''(E) the name of each Federal candidate or officeholder, leadership PAC, or political party committee for whom aggregate contributions equal to or exceeding $200 were collected or arranged within the calendar year, and to the extent known the aggregate amount of such contributions (or a good faith estimate thereof) within the quarter for each recipient;

''(F) the name of each covered legislative branch official or covered executive branch official for whom the lobbyist, the registrant, or a political committee established or administered by the registrant provided, or directed or caused to be provided, any payment or reimbursements for travel and related expenses in connection with the duties of such covered official, including for each such official—

''(i) an itemization of the payments or reimbursements provided to finance the travel and related expenses, and to whom the payments or reimbursements were made with the express or implied understanding or agreement that such funds will be used for travel and related expenses;

''(ii) the purpose and final itinerary of the trip, including a description of all meetings, tours, events, and outings attended;

''(iii) whether the registrant or lobbyist traveled on any such travel;

''(iv) the identity of the listed sponsor or sponsors of such travel; and

''(v) the identity of any person or entity, other than the listed sponsor or sponsors of the travel, who directly or indirectly provided for payment of travel and related expenses at the request or suggestion of the lobbyist, the registrant, or a political committee established or administered by the registrant;

''(G) the date, recipient, and amount of funds contributed, disbursed, or arranged (or a good faith estimate thereof) by the lobbyist, the registrant, or a political committee established or administered by the registrant—

''(i) to pay the cost of an event to honor or recognize a covered legislative branch official or covered executive branch official;

''(ii) to, or on behalf of, an entity that is named for a covered legislative branch official, or to a person or entity in recognition of such official;

''(iii) to an entity established, financed, maintained, or controlled by a covered legislative branch official or covered executive branch official, or an entity designated by such official; or

''(iv) to pay the costs of a meeting, retreat, conference, or other similar event held by, or for the benefit of, 1 or more covered legislative branch officials or covered executive branch officials;

''(H) the date, recipient, and amount of any gift (that under the standing rules of the House of Representatives or Senate counts towards the $100 cumulative annual limit described in such rules) valued in excess of $20 given by the lobbyist, the registrant, or a political committee established or administered by the registrant to a covered legislative branch official or covered executive branch official; and

''(I) the name of each Presidential library foundation and Presidential inaugural committee, to whom contributions equal to or exceeding $200 were made by the lobbyist, the registrant, or a political committee established or administered by the registrant within the calendar year, and the date and amount of each such contribution within the quarter.

''(2) RULES OF CONSTRUCTION.—

''(A) IN GENERAL.—For purposes of this subsection, contributions, donations, or other funds—

''(i) are 'collected' by a lobbyist where funds donated by a person other than the lobbyist are received by the lobbyist for, or forwarded by the lobbyist to, a Federal candidate or other recipient; and

''(ii) are 'arranged' by a lobbyist—

''(I) where there is a formal or informal agreement, understanding, or arrangement between the lobbyist and a Federal candidate or other recipient that such contributions, donations, or other funds will be or have been credited or attributed by the Federal candidate or other recipient in records, designations, or formal or informal recognitions

as having been raised, solicited, or directed by the lobbyist; or

''(II) where the lobbyist has actual knowledge that the Federal candidate or other recipient is aware that the contributions, donations, or other funds were solicited, arranged, or directed by the lobbyist.

''(B) CLARIFICATIONS.—For the purposes of this paragraph—

''(i) the term 'lobbyist' shall include a lobbyist, registrant, or political committee established or administered by the registrant; and

''(ii) the term 'Federal candidate or other recipient' shall include a Federal candidate, Federal officeholder, leadership PAC, or political party committee.

''(3) DEFINITIONS.—In this subsection, the following definitions shall apply:

''(A) GIFT.—The term 'gift'—

''(i) means a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value; and

''(ii) includes, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred—

''(I) gifts of services;

''(II) training;

''(III) transportation; and

''(IV) lodging and meals.

''(B) LEADERSHIP PAC.—The term 'leadership PAC' means with respect to an individual holding Federal office, an unauthorized political committee which is associated with an individual holding Federal office, except that such term shall not apply in the case of a political committee of a political party.''.

SA 42. Mrs. FEINSTEIN (for herself and Mr. ROCKEFELLER) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; follows:

On page 7, after line 6, insert the following:

''4. It shall not be in order to consider any bill, resolution, or conference report that contains an earmark included in any classified portion of a report accompanying the measure unless the bill, resolution, or conference report includes, in unclassified language, to the greatest extent possible, a general program description, funding level, and the name of the sponsor of that earmark.''.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the full committee of the Committee on Energy and Natural Resources.

The hearing will take place on January 18, 2007, at 9:30 in SD–106 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on issues relating to oil and gas royalty management at the Department of the Interior.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC, 20510–6150.

For further information, please contact Patty Beneke at 202–224–5451 or David Marks at (202) 224–8046.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE BUDGET

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on the Budget be authorized to meet during the session of the Senate on Thursday, January 11, 2007, at 10:30 a.m. to hold hearings to examine the long term budget outlook in SD–608.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, January 11, 2007, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on ''Prescription Drug Pricing and Negotiation: An Overview and Economic Perspectives for the Medicare Prescription Drug Benefit.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, January 11, 2007, at 10 a.m. to hold a hearing on Iraq.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, January 11, 2007, at 2 p.m. to hold a hearing on Iraq.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 11, 2007 at 2:30 p.m. to hold an open hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Terry Blankenship, a legislative fellow in my office, be granted privileges of the floor during consideration of S. 1, the ethics reform bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

CONGRATULATING THE UNIVERSITY OF FLORIDA 2006 NCAA FOOTBALL CHAMPIONS

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 25, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A bill (S. Res. 25) congratulating the University of Florida football team for winning the 2006 National Collegiate Athletic Association Division I Football championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD at the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 25) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 25

Whereas, on January 8, 2007, before a crowd of nearly 75,000 fans in Glendale, Arizona, the University of Florida football team (referred to in this preamble as the ''Florida Gators'') defeated the football team of The Ohio State University (referred to in this preamble as the ''Buckeyes'') by a score of 41–14, to win the 2006 National Collegiate Athletic Association Division I Football Championship;

Whereas that victory marked only the second national football championship victory for the University of Florida in the storied 100-year history of the Florida Gators;

Whereas the Florida Gators captured the Southeastern Conference Championship and compiled an impressive record of 13 wins and 1 loss;

Whereas although many fans viewed the Florida Gators as underdogs, the team—inspired by the leadership of Head Coach Urban Meyer—finished the game with a 41–7 scoring run, and prevented the opponent from scoring a single point during the second half of the game;

Whereas the 4-year starting quarterback of the Florida Gators, Chris Leak, during the final college game of his career, was chosen as the Offensive Most Valuable Player;

Whereas a defensive end of the Florida Gators, Derrick Harvey, was chosen as the Defensive Most Valuable Player;

Whereas the University of Florida is the first university to at the same time hold both the National Collegiate Athletic Association Division I Football Championship and the National Collegiate Athletic Association Division I Basketball Championship;

Whereas each player, coach, trainer, and manager dedicated his or her time and effort

to ensuring that the Florida Gators reached the pinnacle; and

Whereas the families of the players, students, alumni, and faculty of the University of Florida, and all of the supporters of the University of Florida, are to be congratulated for their commitment to, and pride in, the football program at the University of Florida: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Florida football team for winning the 2006 National Collegiate Athletic Association Division I Football Championship;

(2) recognizes the achievements of all of the players, coaches, and support staff who were instrumental in helping the University of Florida football team win the 2006 National Collegiate Athletic Association Division I Football Championship, and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the University of Florida for appropriate display;

(B) the President of the University of Florida, Dr. J. Bernard Machen;

(C) the Athletic Director of the University of Florida, Jeremy Foley; and

(D) the head coach of the University of Florida football team, Urban Meyer.

COMMENDING THE APPALACHIAN STATE UNIVERSITY FOOTBALL 2006 NCAA CHAMPIONS

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 26, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 26) commending the Appalachian State University football team for winning the 2006 National Collegiate Athletic Association Division 1–AA Football Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 26) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 26

Whereas, on December 15, 2006, the Appalachian State University football team (referred to in this preamble as the ''Mountaineers'') defeated the University of Massachusetts football team by a score of 28–17, to win the 2006 National Collegiate Athletic Association (NCAA) Division I-AA Football Championship;

Whereas the Mountaineers were successful due to the leadership of Coach Jerry Moore, and in great part to the spectacular play of Most Valuable Player Kevin Richardson, who scored all 4 touchdowns, and to Corey Lynch, whose fourth quarter interception helped seal the victory;

Whereas the championship victory was the pinnacle of a remarkable season for the Mountaineers, who ended the season with a 14–1 record;

Whereas the Mountaineers' offense was led by Southern Conference Freshman of the Year Armanti Edwards, who rushed for over 1,000 yards and passed for over 2,000 yards, and accounted for 30 touchdowns in his first season;

Whereas the success of the Mountaineers' offense is attributed to Kevin Richardson, who rushed for over 1,000 yards, William Mayfield, who had over 1,000 yards receiving, and the impenetrable offensive line, who made it possible for those amazing statistics to occur;

Whereas the Mountaineers' intimidating defense was led by Marques Murell, Jeremy Wiggins, Monte Smith, and Corey Lynch;

Whereas the Mountaineers were undefeated in conference games and are the champions of the Southern Conference for the second year in a row;

Whereas Appalachian State University affirmed its position as a dominant football program by securing its second consecutive national championship;

Whereas, in 2005, Appalachian State University became the first team from North Carolina to win an NCAA football championship with a 21–16 victory over Northern Iowa;

Whereas the members of the 2006 Appalachian State University football team are excellent representatives of a fine university that is a leader in higher education, producing many fine student-athletes and other leaders;

Whereas the Mountaineers showed tremendous dedication to each other, appreciation to their fans, sportsmanship to their opponents, and respect for the game of football throughout the 2006 season; and

Whereas residents of the Old North State and Appalachian State University fans everywhere are to be commended for their long-standing support, perseverance, and pride in the team: Now, therefore, be it

Resolved, That the Senate—

(1) commends the champion Appalachian State University football team for their historic win in the 2006 National Collegiate Athletic Association Division I-AA Football Championship;

(2) recognizes the achievements of the players, coaches, students, alumni, and support staff who were instrumental in helping Appalachian State University win the championship; and

(3) directs the Secretary of the Senate to transmit copies of this resolution to Appalachian State University Chancellor Kenneth Peacock and head coach Jerry Moore for appropriate display.

MEASURE READ THE FIRST TIME—H.R. 3

Mr. BROWN. Mr. President, I understand that H.R. 3 has been received from the House and is at the desk.

I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3) to amend the Public Health Service Act to provide for human embryonic stem cell research.

Mr. BROWN. Mr. President, I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read the second time on the next legislative day.

ORDER OF PROCEDURE

Mr. BROWN. Mr. President, I ask unanimous consent that on Friday, January 12, after the reporting of S. 1, the Senate proceed to the consideration en bloc of amendments Nos. 1 and 10; and that the time until 9:50 a.m. run concurrently on both amendments, with the time equally divided and controlled between the two leaders or their designees; that at 9:50 a.m., without further intervening action or debate, the Senate proceed to a vote on or in relation to amendment No. 1, to be followed by a vote on or in relation to amendment No. 10; that no amendments be in order to either amendment, and that there be 2 minutes of debate equally divided between the votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I now ask unanimous consent that when the Kerry amendment No. 1 is reported tomorrow, it then be modified with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY, JANUARY 12, 2007

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Friday, January 12; that on Friday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that the Senate then resume consideration of S. 1.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN. Tomorrow, Mr. President, we will have two rollcall votes beginning at 9:50 a.m. The first vote will be on a Kerry amendment relating to congressional pensions, and the second will be on a Vitter amendment regarding an increase in penalties.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 8:03 p.m., adjourned until Friday, January 12, 2007, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate January 11, 2007:

DEPARTMENT OF TRANSPORTATION

DAVID JAMES GRIBBIN IV, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF TRANSPORTATION, VICE JEFFREY A. ROSEN.

DEPARTMENT OF JUSTICE

JOHN ROBERTS HACKMAN, OF VIRGINIA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS, VICE JOHN FRANCIS CLARK.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

EDWARD J. MOSELY, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

TERESA K. PEACE, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. EUGENE G. PAYNE, JR., 0000
BRIG. GEN. DOUGLAS M. STONE, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

LAURA S. BARCHICK, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

PAUL T. CORY, 0000
ROD L. VALENTINE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BEATRICE Y. BREWINGTON, 0000
DEIRDRE M. MCCULLOUGH, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ANTHONY M. DURSO, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

WILLIAM L. TOMSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

STEVEN H. HELM, 0000
STEVEN A. JOHNSON, 0000
KURT P. LAMBERT, 0000
MARY ELLEN MCLEAN, 0000
HAL H. RHEA II, 0000
DONALD C. TIGCHELAAR, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ROBERT E. DUNN, 0000
RICHARD M. ERIKSON, 0000
GWENDOLYN S. KING, 0000
WALTER L. SMITH, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

RICARDO E. ALIVILLAR, 0000
HONG V. BAKER, 0000

To be major

DEBRA L. MCCARTHY, 0000
STEVEN A. REESE, 0000
JACK D. VICK, 0000
MEHDY ZARANDY, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

ROBERT R. BAPTIST, 0000
HAL R. MOORE, 0000

To be major

JEAN F. CYRIAQUE, 0000
FRANCYS E. DAY, 0000
DARYL S. DICKSON, 0000
FLOYD R. MERRILL III, 0000
CHRISTOPHER H. WILKIN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ROBIN MARK ADAM, 0000
JOHN H. ADAMS, JR., 0000
MARY E. ALDRIAN, 0000
DAVID C. ANDERSON, 0000
JOHN A. ANDERSON, 0000
NORMAN L. ANDERSON, 0000
DALE ANDREWS, 0000
FREDERIC MARC ARRENDALE, 0000
JOHN M. BABCOCK, 0000
ANTHONY RAY BAITY, 0000
THEODORE A. BALE, 0000
ARIEL B. BARREDO, 0000
DENNIS T. BEATTY, 0000
LEE A. T. BENNETT, 0000
HENRY G. BIRKDALE, 0000
BRYAN J. BLY, 0000
JOHN J. BORRIS, 0000
TIMOTHY B. BOUGAN, 0000
BRUCE ANDERSON BOWERS, JR., 0000
JOHN J. BREEDEN, 0000
DAVID J. BREITENBACH, 0000
JAMES P. BROCK, JR., 0000
BARRETT P. BROUSSARD, 0000
JOHN PAUL BRYK, 0000
GERALD A. BUCKMAN, 0000
ROBERT DIXON BURTON, 0000
ROBERT J. CAHALAN, 0000
MELINDA L. CARIGNAN, 0000
DOUGLAS I. CARPENTER, 0000
KEVIN G. CAVANAGH, 0000
BURTON R. CHAPMAN, JR., 0000
DONALD P. CHRISTY, 0000
THOMAS GEOFFREY CLARK, 0000
COURTNEY L. COLLIER, 0000
STACY JEANNE COLLINS, 0000
MARTIN PHILIP CONSIDINE, 0000
KENT R. COOPER, 0000
MATTHEW BRADSHAW COPP, 0000
DAVID E. COWAN, JR., 0000
BRUCE R. COX, 0000
TIMOTHY A. COX, 0000
TIMOTHY L. COX, 0000
DANIEL C. CRAWFORD, 0000
RAYMOND E. CROWNHART, 0000
ROGER L. DAUGHERTY, JR., 0000
HELEN CHRISTINE DAVIS, 0000
TRAVIS E. DAWSON, JR., 0000
THOMAS D. DEAN II, 0000
WILLIAM C. DEAN, 0000
TONY R. DEANGELO, 0000
TROY E. DEVINE, 0000
LEONARD S. DICK, 0000
LOUIS J. DIMODUGNO, 0000
BRIAN D. DOBBERT, 0000
WILLIAM L. DOKEY, 0000
MICHAEL J. DOONAN, 0000
DARYL C. DOWNING, 0000
ROBERT J. DUTTERER, 0000
JAMES G. EANES, 0000
RUFUS L. EDGE, 0000
WILLIAM H. EDWARDS, JR., 0000
JEFFREY WAYNE EGGERS, 0000
MICHEL P. ELLERTBECK, 0000
ANTHONY ESPOSITO, 0000
JUDY C. FEARN, 0000
JOSIE FERNANDEZ, 0000
CHRIS ALAN FINTER, 0000
MICHAEL T. FITZHENRY, 0000
JOHN Y. FIZETTE, 0000
MICHAEL J. FORTANAS, 0000
WILLIAM P. FOSDICK, 0000
ANNETTE N. FOSTER, 0000
THOMAS R. FOSTER, 0000
EDSEL A. FRYE, JR., 0000
CHRISTIAN G. FUNK, 0000
JOHN B. GALLETTE, 0000
JOHN F. GAMACHE, 0000
SCOTT J. GARDNER, 0000
STEPHANIE A. GASS, 0000
STEVEN A. GENN, 0000
ROBERT J. GEORGES, 0000
GREGORY S. GILMOUR, 0000
FRANK GINES, 0000
MICHAEL G. GOETT, 0000
RONALD E. GRAVES, 0000
JAMES A. GRAY, 0000
TOBY D. HAMMER, 0000
CHRISTOPHER P. HANNON, 0000
JOHN F. HART, 0000
KEITH WILLIAM HEIEN, 0000
DANIEL J. HEIRES, 0000
MARY Z. HILL, 0000
STEVEN E. HOFMANN, 0000
JOHN F. HOLLY, 0000
STEWART E. HOLMES, JR., 0000
MICHAEL EUGENE HOWARD, 0000
MARK D. HUSTEDT, 0000
ROBERT A. HUSTON, 0000
JOHN IAFALLO, 0000
SCOTT D. IRONS, 0000
EDWARD L. JENNINGS, 0000
SUZANNE JOHNSON, 0000
KURT D. JONES, 0000
GLEN K. KASHIWABARA, 0000
SEAN E. KAVANAGH, 0000
DAVID W. KAYLOR, 0000
PETER M. KAZAROVICH, 0000
LUKE J. KEALY, 0000
GREGORY Y. KEETCH, 0000
CHRISTOPHER L. KENNY, 0000
FRANK P. KING, 0000
CLAUDE W. KIRKLAND, 0000
JAMES F. KLINE, 0000
DAVID P. KONNEKER, 0000
KEITH D. KRAUSE, 0000
KEVIN L. KREBS, 0000
TIMOTHY J. KREIN, 0000
JEFFREY H. KROESE, 0000
JEFFREY J. LAMERS, 0000
ANDREW R. LARSON, 0000
JOHN D. LARSON, 0000
LINCOLN E. LARSON, 0000
RUTH I. LARSON, 0000
STEVEN G. LAYNE, 0000
MARIA V. LEOS, 0000
NATHAN A. LEPPER, 0000
ALAN H. LERNER, 0000
DANIEL J. LEVEILLE, 0000
CHARLES E. LEWIS, 0000
DONALD R. LINDBERG, 0000
JAMES MICHAEL LINDER, 0000
GUY B. LINDHOLM, 0000
TAYLOR R. LOCKER, 0000
MICHAEL J. LOIDA, 0000
LAURA A. LOPEZ, 0000
JON C. LOVE, 0000
DONALD J. LYONS II, 0000
JAMES D. MACAULAY, 0000
PAUL A. MADSEN, 0000
SAMUEL C. MAHANEY, 0000
VINCENT M. MANCUSO, 0000
BETH A. MANN, 0000
LINDA M. MARSH, 0000
HARRY L. MAY, 0000
MICHAEL J. MCCULLY, 0000
LAWRENCE MCHALE, 0000
TAMMY A. MCKONE, 0000
BRETT JAMES MCMULLEN, 0000
KEVIN MELLETT, 0000
JOHN E. METZ, 0000
JAY CARTER MILKEY, 0000
RONALD B. MILLER, 0000
WALTER T. MILLER III, 0000
DANA C. MOREL, 0000
JOEL M. MORIN, 0000
JOHN L. MORING III, 0000
JOHN M. MORRIS, 0000
KARLA J. MOYER, 0000
LAURENCE B. MUNZ, 0000
ERIC C. NEWHOUSE, 0000
MARK A. NICHOLS, 0000
EDDIE L. NORRIS, 0000
MICHAEL P. ODOM, 0000
TERESA HOHOL ODONNELL, 0000
RANDALL A. OGDEN, 0000
LUCIANO ORTIZ, JR., 0000
JOHN D. PARTAIN, 0000
JOHN M. PAUL, 0000
JEFFERY N. PAULUS, 0000
DENNY A. PEEPLES, 0000
CRAIG S. PETERSEN, 0000
ROBERT E. PETERSON, JR., 0000
FRANK C. PETTEBONE, 0000
DARREN L. PIEDMONTE, 0000
JOHN M. PIRIBEK, 0000
ELISE K. PITTERLE, 0000
MICHAEL J. PLACZEK, 0000
JANET M. POLANECZKY, 0000
GRANT V. POOL, 0000
GREGORY J. POWER, 0000
STEPHEN T. PRIORE, 0000
CLYDE L. PRITCHARD, JR., 0000
NORBERT J. RATTAY, 0000
BRIAN S. RAY, 0000
CAROL A. REECE, 0000
ROBERT D. REIGHARD, 0000
ROBERT J. RICHARD, JR., 0000
SHERRY L. RIDDLE, 0000
TERESA M. RILEY, 0000
MICHAEL J. ROCCHETTI, 0000
JOHN J. ROCCHIO, 0000
SEAN P. ROCHE, 0000
AMY K. ROGERSON, 0000
EDWARD J. ROSADO, JR., 0000
STEVEN R. ROSENMEIER, 0000
ERIC P. ROSS, 0000
CYRIL FRANCIS ROURKE, 0000
LAWRENCE G. RUGGIERO, 0000
CARMIA L. SALCEDO, 0000
DARRYL J. SANCHEZ, 0000
JOAN E. SANDENE, 0000
PATRICIA A. SCANLAN, 0000
PAUL R. SCHUBERT, 0000
KEITH D. SCHULTZ, 0000
DOUGLAS J. SCHWARTZ, 0000
LOUIS MICHAEL SHOGRY III, 0000
CLIFTON D. SHUMAN, 0000
GISELE F. SINGLETON, 0000
JAMES H. SMETZER, 0000
JONATHAN WILLIAM SPARE, 0000
JOSEPH STEPHEN SPECKHART, 0000
PATRICK J. SPIVEY, 0000
MALIA K. SPRANGER, 0000
DOUGLAS H. STANDIFER, 0000
GREGORY C. STEUER, 0000
EUGENE D. STEWMAN, 0000
WILLIAM B. STILSON, 0000
DOUGLAS P. STRAND, 0000
DARREN L. STUDER, 0000
REYNOLD V. TAGORDA, 0000
ALAN C. TEAUSEAU, 0000
JERRY A. THAYER, 0000
BRIAN E. THOMAS, 0000
GARY L. THOMAS, 0000
KELLY A. THOMPSON, 0000
ROBERT C. TROISI, 0000
ROBERT G. VALIN, 0000
MATTHEW A. VANWINKLE III, 0000
JAMES R. VASATKA, 0000
GREGG K. VERSER, 0000
PAUL H. VEZZETTI, 0000
RALPH M. VIETS II, 0000

PAUL J. VINING, 0000
MARK R. WAGNER, 0000
JOLYON R. WALKER, 0000
JIMMY D. WALLACE II, 0000
JAMES P. WALLER, 0000
STEPHEN D. WALTERS, 0000
JON A. WEEKS, 0000
CHRISTOPHER WEIMAR, 0000
PAUL A. WEIMER, 0000
BEN W. WILLIAMS, 0000
LISA J. WITT, 0000
DENIS YAROSH, 0000
LORI A. YOUNG, 0000
RANDALL J. ZAK, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

SHARON A. ANDREWS, 0000
VERONICA R. DIERINGER, 0000
DARLENE M. DIERKES, 0000
MARY B. F. FLEURQUIN, 0000
BRENDA B. GARDNER, 0000
MARGARET L. GIVENS, 0000
MAUREEN P. GLENDON, 0000
JOAN L. GONZALEZ, 0000
SUSAN L. HANSHAW, 0000
DONNA M. HUDSON, 0000
AURORA B. KING, 0000
REBECCA LEIGH LORRAINE, 0000
DEBORAH J. LYTALBRITTON, 0000
LOIS E. MACDONALD, 0000
BETH A. MAHAR, 0000
JUDITH ARLENE MAKEM, 0000
FERN E. MALLOY, 0000
JUDITH W. MARCHETTI, 0000
MARGARET M. MCKELVEY, 0000
ELLEN M. MINDEN, 0000
ALAN E. QUITTENTON, 0000
DELIA G. RAMOS, 0000
WALTON F. REDDISH, 0000
DALE WORONOFF RICE, 0000
RONNIE J. ROBERTS, 0000
MARGARET LEWIS SCHOENEMANN, 0000
SHERRILL J. SMITH, 0000
DARLA K. TOPLEY, 0000
CHARLES R. TUPPER, 0000
MARIE F. WALKER, 0000
NANCY P. WILSON, 0000
DONNA M. F. WOIKE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL P. ADLER, 0000
DIEGO X. ALVAREZ, 0000
JOANN LOUISE BASARAN, 0000
LEAH W. BROCKWAY, 0000
RAJIV H. DESAI, 0000
CHRISTOPHER JOSEPH DUNN, 0000
GARY A. FAIRCHILD, 0000
NINA J. GILBERG, 0000
JOHN S. GOLDEN, 0000
SCOTT C. HOWELL, 0000
DARRYL C. HUNTER, 0000
RONALD A. JOHANSON, 0000
CAESAR A. JUNKER, 0000
CHRISTIAN P. LEDET, 0000
CHRISTOPHER W. LENTZ, 0000
PATRICK J. MCGINNIS, 0000
RONALD W. PAULDINE, 0000
AKRAM SADAKA, 0000
BERT A. SILICH, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARK HUGH ALEXANDER, 0000
SUSAN MARY BIRD, 0000
JOHN ARTHUR CASE, 0000
DONNA M. CLARK, 0000
RONALD M. FEDER, 0000
KIMBERLY A. FERGAN, 0000
RICHARD K. JOHNSON, 0000
WILLIAM R. KRAUS, 0000
NICHOLAS R. LOEHR, 0000
JOSEPH A. ROSA, 0000
RICHARD T. TROWBRIDGE, 0000
MARGARET D. WEATHERMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LUISA YVETTE CHARBONNEAU, 0000
JONATHAN M. CLYBURN, 0000
MICHAEL J. DANKOSKY, 0000
FERN FITZHENRY, 0000
SUE D. HORNER, 0000
JUDI D. HURLEY, 0000
SHEILA MARCUSEN, 0000
ARTHUR R. NICHOLSON, 0000
JOHN G. RENDZIO, 0000
SEFERINO S. SILVA, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KATHERINE J. ALGUIRE, 0000
ARTEMUS ARMAS, 0000
LILIAN B. AVIGNONE, 0000
ANDREW W. AYCOCK, 0000
ANNA E. BALSER, 0000
GEORGE A. BARAJAZ, 0000
KERRY A. BARSHINGER, 0000
COLBY J. BENEDICT, 0000
KATHY W. BERGER, 0000
RODNEY A. BERNS, 0000
JACQUELINE E. BERRY, 0000
ROBERT E. BLAND, 0000
STACEY A. BLOTTIAUX, 0000
KATHLEEN M. BRINKER, 0000
MICHELE K. BROWN, 0000
STEVEN C. BROWN, 0000
JEFFREY C. BURGESS, 0000
JOEY M. BURKS, 0000
EDWARD CABALLERO, 0000
CHRISTOPHER L. CAPOZZOLO, 0000
BRENDA S. CASEY, 0000
ENMARIA CHACON, 0000
JAMIE M. CHEN, 0000
DEBORAH J. COCHRAN, 0000
JEFFREY T. COMBALECER, 0000
WILLIAM E. COTTER, 0000
KEVIN J. CREEDON, 0000
KAREN L. CROTEAU, 0000
LORENA C. CROWLEY, 0000
SYLVIA G. CRUZ, 0000
JOHN CURRY, JR., 0000
KAROL J. DAMERON, 0000
ROSHELL L. DEAN, 0000
DAWN M. DEPRIEST, 0000
BRANDON R. DIAMOND, 0000
DOUGLAS E. DILLON, 0000
AARON P. DIMITRAS, 0000
BEATRICE T. DOLIHITE, 0000
TORRE A. DONALDSON, 0000
KAREY M. DUFOUR, 0000
CHRISTOPHER A. EASTBURN, 0000
SHELBY L. FISHER, 0000
TERRI A. FISHER, 0000
RAUL G. FLORES, 0000
DENISE A. FOGH, 0000
INGRID D. FORD, 0000
LORI L. FORTIER, 0000
NICHOLE A. FRITEL, 0000
JOHN H. FUNKE, 0000
JENNIFER J. GALGANO, 0000
SANDRA GALLARDO, 0000
DALIA GARCIA, 0000
WILLIAM D. GILMER, 0000
JENNIFER M. GROFF, 0000
DEBORAH A. HARTMAN, 0000
RACHELLE J. HARTZE, 0000
JENNIFER J. HATZFELD, 0000
NICOLA A. HILL, 0000
KAREN T. HINES, 0000
JUDITH P. HOUK, 0000
BRYAN P. HUTCHESON, 0000
SHELLEY L. JAY, 0000
CHARLIE G. JOHNSON, 0000
NORMA J. KAHOVEC, 0000
NIKI S. KAMBORIS, 0000
STEPHANIE K. KENNEDY, 0000
ROBERT W. KING, 0000
AMY S. KINNON, 0000
BRIAN C. KRAFT, 0000
MARGARET A. LEAVITT, 0000
STEVEN W. LEHR, 0000
LAURA C. LIEN, 0000
JENNIFER A. LOVATO, 0000
PAMELA D. LUDASHER, 0000
TONEKA B. MACHADO, 0000
REBECCA J. MARSHALL, 0000
RODNEY P. MARTENS, 0000
ANGELA J. MASAK, 0000
DEBORAH K. MCCALL, 0000
WILLIAM A. MCCLUNG, 0000
KAREN S. MCCOMB, 0000
REBECCA A. MCCULLERS, 0000
LANCE J. P. MCGINNIS, 0000
MAXINE A. MCINTOSH, 0000
RICHARD M. MERRILL, 0000
KARI A. MILLER, 0000
SHERI L. MOMMERENCY, 0000
MICHELLE L. MONTGOMERY, 0000
REBECCA A. MOORE, 0000
SEAN R. MOORE, 0000
JOANNE E. MURPHY, 0000
CYNTHIA M. MYERS, 0000
MICHELE A. NAGEL, 0000
MARYELLEN OVELLETTE, 0000
KENT M. PALMER, 0000
MARY A. PARKER, 0000
JOHNNA A. PERDUE, 0000
PATTI J. PETERSONBALLIET, 0000
ROBERT R. PHILLIPS, 0000
CAROLINE D. PLAHUTA, 0000
MARVIN E. REDD, 0000
AMY L. ROBERSON, 0000
DENISE J. ROBERTS, 0000
JULIO E. ROBLES, 0000
REBECCA L. ROSA, 0000
RAUL E. RUBIO, 0000
GARY D. RUESCH, 0000
ELIS M. SALAMONE, 0000
STEPHEN E. SAPIERA, 0000
DENISE R. SAVARD, 0000
PAUL D. SCHROTH, 0000
MARY E. SEVERSON, 0000
PAUL B. SIMPSON, 0000
JON A. SINCLAIR, 0000
KRISANDRA K. SMITH, 0000
MARY B. SMITH, 0000
ROBERT D. SMITH, 0000
MICHAEL P. SPARKS, 0000
ERICA L. SPILLANE, 0000
BONNIE E. STEVENSON, 0000
DONNA T. STRAIT, 0000
BETH N. SUMNER, 0000
PAUL V. TALLEY, JR., 0000
OFELIA D. TENNYSON, 0000
MARK E. TERWILLIGER, 0000
MARILYN E. THOMAS, 0000
CHRISTINE M. THRASHER, 0000
RAQUEL TREVINO, 0000
ANDREA S. TROUT, 0000
BEATRICE TURLINGTONWYNN, 0000
KIRSTEN M. VERKAMP, 0000
THERESA A. VERNOSKI, 0000
KIM CHI T. VO, 0000
JEANETTE M. WARD, 0000
JOYCE A. WARRINGTON, 0000
CATHERINE A. WECKWERTH, 0000
GARY A. WELLS II, 0000
CLARISSA H. WILSON, 0000
CONNIE L. WINIK, 0000
CINDEE B. WOLF, 0000
KIMBERLY A. WOOLLEY, 0000
LAURIE A. WORTHY, 0000
REUVEN M. YATROFSKY, 0000
KRISTEN M. ZEBROWSKI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RICHARD G. ANDERSON, 0000
JAMES R. ARMSTRONG, 0000
KLEET A. BARCLAY, 0000
EARNEST E. BEEMAN, 0000
ZENON A. BOCHNAK, 0000
PAUL CASTILLO, 0000
TRENT C. DAVIS, 0000
PETER N. FISCHER, 0000
GLENN H. GRESHAM, 0000
RANDALL D. GROVES, 0000
WILLIAM L. HOGGATT, 0000
LINZY R. LAUGHHUNN, 0000
TIMOTHY S. MOERMOND, 0000
BRENDON M. ODOWD, 0000
ANDREW C. PAK, 0000
MARK J. ROBERTS, 0000
KENT W. SCHMIDT, 0000
ROBIN J. STEPHENSONBRATCHER, 0000
SAMMY C. TUCKER, JR., 0000
JOEL K. WARREN, 0000
MITCHELL ZYGADLO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MAIYA D. ANDERSON, 0000
TERRI L. ANDERSON, 0000
MONTY T. BAKER, 0000
MARK BALLESTEROS, 0000
CHRISTIE L. BARTON, 0000
MICHAEL A. BLOWERS, 0000
STEPHEN L. BOGLARSKI, 0000
DAVID L. BRAZEAU, 0000
BOBBIE A. BROOKER, 0000
DAVID A. BROWDER, 0000
BELINDA F. BROWN, 0000
ALICIA N. BURKE, 0000
MICHAEL R. BURPEE, 0000
DIANNA O. CALVIN, 0000
JULIAN G. T. CANO, 0000
ANTHONY D. CARUSO, 0000
DANIEL J. CASTIGLIA, 0000
JOSEPH L. CATYB, 0000
CHAD D. CLAAR, 0000
RAMIL C. CODINA, 0000
KATHLEEN A. CRIMMINS, 0000
DEBBIE L. DAMICO, 0000
CATHERINE R. DICKINSON, 0000
MELINDA EATON, 0000
BRIAN J. EDDY, 0000
CLAUDIA M. EID, 0000
MICHAEL J. EISENMAN, 0000
BENITO G. ENRIQUEZ, 0000
BRIAN C. EVERITT, 0000
VALLA C. FAIRLEY, 0000
KEVIN J. FAVERO, 0000
MICHAEL J. FEA, 0000
JERRY M. FLETCHER, 0000
JAMES D. FOLTZ, 0000
ERNEST J. FOX, 0000
THOMAS F. GIBBONS, 0000
DANA L. GILLIGAN, 0000
RYAN T. GIRRBACH, 0000
ANGELA M. GOODWIN, 0000
DAVID W. HAGERTY, 0000
PAUL E. HAIAR, 0000
ACHILLES J. HAMILOTHORIS, 0000
HARVEY D. HUDSON II, 0000
BRIAN S. HUGHES, 0000
DAVID A. INGRAHAM, 0000
ROBIN E. JACKSON, 0000
SCOTT A. JONES, 0000
EVAN E. KELLEY, 0000
DAVID M. KEMPISTY, 0000
PATRICK W. KENNEDY, 0000
JOHN J. KIM, 0000
MARIA R. KOHLER, 0000
GODOFREDO C. LANDEZA, 0000
STEVEN H. LANGE, 0000
AGNES H. LEE, 0000
JASON J. LENNEN, 0000
RACHEL S. LENTZ, 0000
MICHELLE H. LINK, 0000

RAYMOND C. LIST, 0000
ANDRE MACH, 0000
TERESA L. MADDOX, 0000
ROBERT G. MARTIN, 0000
THOMAS V. MASSA, 0000
KEVIN S. MCCAUGHIN, 0000
HOLLY D. MCFARLAND, 0000
AARON P. MIDDLEKAUFF, 0000
MICHAEL P. MORAN, 0000
CHRISTINE L. MURPHY, 0000
MICHAEL L. NEACE, 0000
TONY J. NELSON, 0000
TODD W. NEU, 0000
LAWRENCE B. NOEL, JR., 0000
DENIS J. NOLAN, 0000
DEANNA L. NUTTBROCKALLEN, 0000
MARK A. OLIVER, 0000
MELISSA J. PAMMER, 0000
CONNIE D. M. PARTAIN, 0000
JEFFERY J. PETERSON, 0000
DWAYNE I. PORTER, 0000
CYNTHIA L. POUNCEY, 0000
LEEANN RACZ, 0000
ROBERT W. RAINEY, 0000
JUAN M. RAMIREZ, 0000
TIMOTHY A. RITTER, 0000
RUTH A. ROANAVARRETE, 0000
DANIEL A. ROBERTS, 0000
DARRELL A. ROUSSE, 0000
NESTOR A. RUIZGONZALEZ, 0000
IAN C. RYBCZYNSKI, 0000
ERIC E. SASSI, 0000
JEREMY SKABELUND, 0000
ANGELA C. SPANGLER, 0000
STEVEN M. STRAUB, 0000
MADELAINE SUMERA, 0000
FRANCIS T. TARNER, 0000
LISA A. TAUAI, 0000
JENNIFER A. TAY, 0000
RICHARD D. UVA, 0000
STACEY S. VAN ORDEN, 0000
MICHELE T. VITA, 0000
GARRET A. WADSACK, 0000
MICHELLE L. WAITERS, 0000
JEANNETTE M. WATTERSON, 0000
JAMES L. WEINSTEIN, 0000
JON E. WILSON, 0000
JOVANNA O. WILSON, 0000
ELLEN M. WIRTZ, 0000
JEFFREY L. WISNESKI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ROBERT J. AALSETH, 0000
JAMES H. ABBOTT, 0000
JASON K. ABBOTT, 0000
ALEXANDER L. ACKERMAN, 0000
MARK T. ADAMS, 0000
JOSEPH R. ADAMSKI, 0000
SEAN W. ADCOCK, 0000
JOSEPH J. AGUIAR, 0000
EDUARDO D. AGUILAR, 0000
FRANCISCO H. AGUILAR, 0000
RICHARD M. AGUIRRE, 0000
OSCAR J. AHUMADA, 0000
RENE V. ALANIZ, 0000
ALAN P. ALBERT, 0000
DAVID M. ALBERTO, 0000
WILLIAM P. ALCORN, JR., 0000
YAKOV ALEKSEYEV, 0000
MATTHEW W. ALEXANDER, 0000
TRENTON R. ALEXANDER, 0000
WILLIAM F. ALEXANDER, 0000
CARLOS L. ALFORD, 0000
SCOTT M. ALFORD, 0000
BERNIE L. ALLEMEIER, 0000
MARK S. ALLEN, 0000
SKI R. ALLENDER, 0000
STUART L. ALLEY, 0000
KIMANI H. ALSTON, 0000
RICHARD C. ALTOBELLO, 0000
CARLOS X. ALVARADO, 0000
TODD R. ANDEL, 0000
ERIC L. ANDERSON, 0000
ERIN J. ANDERSON, 0000
GAGE A. ANDERSON, 0000
JASON A. ANDERSON, 0000
JOSHUA C. ANDERSON, 0000
KARSTEN J. ANDERSON, 0000
PATRICK J. ANDERSON, 0000
QUINTIN D. ANDERSON, 0000
SCOTT M. ANDERSON, 0000
MARK E. ANDREWS, 0000
JOEY D. ANGELES, 0000
JAVIER I. ANTUNA, 0000
DAVID K. ARAGON, 0000
JOVAN P. ARCHULETA, 0000
JOHN M. ARELLANES, 0000
DOUGLAS A. ARIOLI, 0000
CLINTON J. ARMANI, 0000
MARTY A. ARMENTROUT, 0000
JOSHUA P. ARMEY, 0000
DAVID J. ARMITAGE, 0000
FRANK S. ARNOLD, 0000
JAMES J. ARPASI III, 0000
MICHELLE ARTOLACHIPE, 0000
MATTHEW M. ASHTON, 0000
ROBERT M. ATKINS, 0000
CHRIS D. AUGUSTIN, 0000
BRYAN C. AULNER, 0000
NEIL O. AURELIO, 0000
THOMAS D. AUSHERMAN, 0000
BRANDON J. AVELLA, 0000
RUSSELL J. AYCOCK, 0000
CHRISTOPHER L. AYRE, 0000
SOLOMON R. BAASE, 0000
BRIAN T. BACKMAN, 0000
ANTHONY R. BACZKIEWICZ, 0000
JENNIFER L. BAGOZZI, 0000
KELLY L. BAILEY, 0000
RYAN L. BAILEY, 0000
WENDY L. BAILEY, 0000
RYAN N. BAKAZAN, 0000
DORI M. BAKER, 0000
JESSE M. BAKER, 0000
WILLIAM E. BAKER, JR., 0000
DAVID A. BALDA, 0000
BRENT N. BALDWIN, 0000
ROBIN E. BALDWIN, 0000
JASON T. BALLAH, 0000
LEE E. BALLARD, JR., 0000
MICHAEL P. BALLARD, 0000
BRIAN P. BALLEW, 0000
DAVID M. BANKER, 0000
CHARITY A. BANKS, 0000
JOSEPH A. BANKS, 0000
MATTHEW R. BARFUSS, 0000
CRAIG T. BARHAM, 0000
GARY L. BARKER, 0000
ZACHARY N. BARKER, 0000
CHARLES D. BARKHURST, 0000
RICHARD A. BARKSDALE, JR., 0000
JASON R. BARNES, 0000
JEFFREY A. BARNES, 0000
MICHAEL S. BARNES, 0000
JOHN F. BARRETT III, 0000
WILLIAM A. BARRON, 0000
DANIEL W. BARROWS, 0000
ANTHONY J. BARRY, 0000
MATTHEW J. BARRY, 0000
LANCE D. BARTLETT, 0000
WILLIAM M. BARTLETT, 0000
KARL A. BASHAM, 0000
CLAYTON M. BASKIN, 0000
SHELBY E. BASLER, 0000
ROGER W. BASS, 0000
TONYA M. BATIEWASHINGTON, 0000
JAMIE M. BAUGH, 0000
PATRICK H. BAUM, 0000
STEVEN D. BAUMAN, 0000
DAVID B. BAUMGARTNER, 0000
IAN S. BAUTISTA, 0000
STEVEN M. BEATTIE II, 0000
JOHN R. BEATTY, 0000
SHAWN S. BEAUCHAMP, 0000
BRANDON M. BEAUCHAN, 0000
BRENT E. BEAULIEU, 0000
AVERY B. BEAVER, 0000
GRACE M. BECK, 0000
JEFFREY A. BECKFORD, 0000
CHANDRA M. BECKMAN, 0000
BECKY M. BEERS, 0000
STEVEN G. BEHMER, 0000
MATTHEW W. BEHNKEN, 0000
JENNIFER S. BEHYMER, 0000
BRYAN E. BEIGH, 0000
JASON S. BELCHER, 0000
AARON J. BELL, 0000
CHRISTOPHER P. BELL, 0000
JASON B. BELL, 0000
JEFFREY E. BELL, 0000
JOSHUA S. BELL, 0000
SHELBY L. BELL, 0000
TYSON S. BELL, 0000
RONALD B. BELLAMY, 0000
CASIMIRO BENAVIDEZ III, 0000
CHARLES A. BENBOW, 0000
ERIN Z. BENDER, 0000
DAMIAN O. BENIGNO, 0000
RODERICK L. BENNETT, 0000
JOSHUA A. BENSON, 0000
CASSIUS T. BENTLEY III, 0000
ROY A. BENTLEY, 0000
KENNETH A. BENTON, 0000
ROBERT C. BEPKO, 0000
SAMMUEL C. BERENGUER, 0000
BRYAN K. BERG, 0000
DANIEL P. BERG, 0000
ERIC N. BERG, 0000
DAVID J. BERKLAND, 0000
JEFFREY B. BERLAKOVICH, 0000
LENIN A. BERMUDEZROBLES, 0000
CHRISTOPHER D. BERNARD, 0000
MATTHEW J. BERRIDGE, 0000
NATHAN M. BERTMAN, 0000
MATTHEW J. BERTSCH, 0000
BRYAN R. BERUBE, 0000
MICHAEL S. BESS, 0000
STEVEN M. BETSCHART, 0000
JOHN R. BEURER, 0000
DAVID A. BICKERSTAFF, 0000
RYAN D. BICKET, 0000
JOEL K. BIEBERLE, 0000
JOSEPH M. BIEDENBACH, 0000
LISA M. BIEWER, 0000
TRAVIS A. BIGGAR, 0000
PETER J. BIGLEY, 0000
ERIK V. BILSTROM, 0000
DAVIS R. BIRCH, 0000
DENNIS R. BIRCHENOUGH, 0000
PETER J. BIRCHENOUGH, 0000
ANDREW J. BIRO, 0000
MATTHEW J. BISSELL, 0000
ALLISON K. BLACK, 0000
BRETT T. BLACK, 0000
HEIDI E. BLACK, 0000
RICHARD E. BLAGG, JR., 0000
JOSEPH D. BLAHOVEC, JR., 0000
ROBERT B. BLAKE, 0000
RYAN D. BLAKE, 0000
JACK A. BLALOCK, 0000
JAMES S. BLANCHARD, 0000
CHRISTOPHER J. BLANCHETTE, 0000
MATTHEW G. BLAND, 0000
DAVID B. BLAU, 0000
ANTHONY J. BLEVINS, 0000
EMIL L. BLISS, 0000
TERRY M. BLOOM, 0000
AARON R. BLUM, 0000
ELIZIO A. BODDEN, 0000
DANIEL J. BOEH, 0000
WILLIAM P. BOETTCHER, 0000
HEATHER B. BOGSTIE, 0000
RYAN M. BOHNER, 0000
SCOTT A. BOLE, 0000
KEVIN P. BOLLINO, 0000
BRIAN T. BONE, 0000
MELVIN L. BONIFACIO, 0000
STEVEN J. BONNEAU, 0000
JOHN P. BORAH, 0000
DAVID J. BORCHARDT, 0000
DIANA L. BORCHARDT, 0000
MICHAEL J. BORDERS, JR., 0000
MATTHEW R. BORGOS, 0000
CHRIS E. BORING, 0000
JOHN F. BOROWSKI, 0000
JOY E. BOSTON, 0000
ROBERT K. BOSWORTH, 0000
TERRY J. BOUSKA, 0000
DOUGLAS J. BOUTON, 0000
TERRY J. BOWLES, 0000
JOHN C. BOWMAN III, 0000
AARON J. BOYD, 0000
JEREMY R. BOYD, 0000
EDWIN A. BOYETTE, 0000
RYAN C. BOYLE, 0000
TRAVIS J. BRABEC, 0000
DOUGLAS R. BRADER, 0000
DANIEL A. BRADFORD, 0000
MATTHEW S. BRADFORD, 0000
ERIN K. BRADLEY, 0000
HEATHER D. BRAGG, 0000
SEAN S. BRAMMERHOGAN, 0000
MARVIN T. BRANAN, 0000
ANDREW J. BRANCO, 0000
BENJAMIN M. BRANDT, 0000
CHRISTOPHER W. BRANN, 0000
BRIAN S. BRASHER, 0000
JAMISON D. BRAUN, 0000
ARIS Y. BRAXTON, 0000
ROBERT A. BRAXTON, 0000
KEVIN R. BRAY, 0000
SCOTT M. BREECE, 0000
EDWARD J. BRENNAN, 0000
MATTHEW S. BRENNAN, 0000
BRIAN C. BRENNEMAN, 0000
BRADLEY M. BREWINGTON, 0000
WADE M. BRIDGES, 0000
MATTHEW H. BRIGGS, 0000
DEREK T. BRIGHT, 0000
JASON H. BRIGHTMAN, 0000
ANTHONY T. BRIM, 0000
ERIK G. BRINE, 0000
PAUL D. BRISTER, 0000
BRANDY E. BROADBENT, 0000
MARC A. BROCK, 0000
KEITH A. BROECKER, 0000
TONYA J. BRONSON, 0000
COREY M. BROUSSARD, 0000
ANGELIQUE P. BROWN, 0000
CORY L. BROWN, 0000
DOUGLAS A. BROWN, 0000
JAMES E. BROWN, 0000
JAMES H. BROWN, 0000
JERRY R. BROWN, 0000
JOSHUA A. BROWN, 0000
MATTHEW C. BROWN, 0000
MICHAEL L. BROWN, 0000
MICHAEL L. BROWN, 0000
PATRICK L. BROWN, 0000
PHILLIP M. BROWN, 0000
RUSSELL A. BROWN, 0000
SHEROYD L. BROWN, 0000
MICHELE A. BRUEMMER, 0000
JASON K. BRUGMAN, 0000
DAWSON A. BRUMBELOW, 0000
SHANE R. BRUMFIELD, 0000
MICHAEL C. BRUTON, 0000
PAUL W. BRYANT, 0000
REGINAL L. BRYANT, 0000
THOMAS E. BRYANT, 0000
JEFFREY H. BUCKLAND, 0000
GRANT C. BUCKS, 0000
JASON J. BUDNICK, 0000
RODOLFO G. BUENTELLOHERNANDEZ, 0000
CHRISTINA T. BUERGER, 0000
LAWRENCE D. BUERGER, 0000
CORY F. BULRIS, 0000
CHRISTIAN B. BURBACH, 0000
MARK L. BURCH, 0000
JEFFREY A. BURDETTE, 0000
CHAD N. BURDICK, 0000
JONATHAN E. BURDICK, 0000
CORNELL A. BURGESS, 0000
VICTOR L. BURGOS, JR., 0000
BRIAN J. BURKE, 0000
EDWARD A. BURKE, 0000
DAVID M. BURNETT, 0000
JAMES M. BURNUP, 0000
KENNETH R. BURTON, JR., 0000
DEANO A. BUSCH, 0000
DONALD L. BUSH, JR., 0000
SCOTT D. BUSIJA, 0000
KATHLEEN D. BUSS, 0000
SCOTT D. BUSSANMAS, 0000
MATTHEW J. BUTLER, 0000
TRACEY M. BYBEE, 0000
AQUILINO CABAN, 0000

KELLY M. CAHALAN, 0000
ANTHONY P. CALABRESE, 0000
AL J. CALDWELL II, 0000
BYRON J. CALHOUN, 0000
KATHERINE A. CALLAGHAN, 0000
BRYAN T. CALLAHAN, 0000
RUSSELL C. CALLAWAY, 0000
BENJAMIN R. CAMERON, 0000
ELIZABETH A. CAMPBELL, 0000
JENNIFER M. CAMPBELL, 0000
ANDREW M. CAMPION, 0000
KHALID J. CANNON, 0000
KRISTIE Y. CANNON, 0000
MATTHEW S. CANTORE, 0000
SARAH L. CANTRELL, 0000
DANIEL A. CANTU, 0000
JAMES F. CAPLINGER, 0000
SOFIA E. CARABALLOGARCIA, 0000
JEFFREY A. CARBONETTI, 0000
JEFFREY W. CARDER, 0000
BERYL O. CARPENTER, 0000
NICHOLAS A. CARPINO, 0000
TROY D. CARR, 0000
YVONNE C. CARRICO, 0000
DION M. CARRIERI, 0000
BRIAN C. CARROLL, 0000
CLARK W. CARROLL, 0000
ERIC J. CARTAGENA, 0000
CHRISTIAN H. CARTER, 0000
JEREMY S. CARTER, 0000
JONATHAN T. CARTER, 0000
FREDERICK V. CARTWRIGHT, 0000
ANTHONY S. CARVER, 0000
TRACY R. CARVER, 0000
GARY R. CASE, 0000
BRENDAN K. CASEY, 0000
JEFFREY F. CASHION, 0000
VINCENT E. CASQUEJO, 0000
CHRISTOPHER R. CASSEM, 0000
DAVID P. CASSON, 0000
HARTMUT V. CASSON, 0000
TONY CASTILLO, 0000
ROBBY A. CASTLE, 0000
DAVID A. CASTOR, 0000
ALEXANDER CASTRO, 0000
ERICK J. CASTRO, 0000
JUAN M. CASTRO, 0000
RAYMOND E. CASTRO, 0000
CHARLES C. CATES, 0000
JERRY O. CATES, 0000
DAVID C. CAVAZOS, 0000
PAUL J. CENTINARO, 0000
TIMOTHY M. CHABAIL, 0000
RICK A. CHADWICK, 0000
CARRIE E. CHAPPELL, 0000
DAVID R. CHAUVIN, 0000
BRIAN C. CHELLGREN, 0000
CHRISTOPHER R. CHESSER, 0000
CHRISTOPHER L. CHESTNUT, 0000
DOMINIC V. CHIAPUSIO, 0000
MARC A. CHIASSON, 0000
DAMON R. CHIDESTER, 0000
ALLISON R. CHISHOLM, 0000
MATTHEW G. CHO, 0000
BRIAN S. CHOATE, 0000
SHARON A. CHRIST, 0000
SHAWN D. CHRISTIE, 0000
CORY R. CHRISTOFFER, 0000
BRIAN W. CHUNG, 0000
ALLAN D. CHUNN, 0000
CHRISTOPHER S. CHURCH, 0000
CHARLES G. CHURCHVILLE, 0000
MARK M. CIESEL, 0000
RAYMOND J. CILURSO, 0000
JOHN J. CLAGNAZ, 0000
JOSEPH T. CLANCY, 0000
BENJAMIN C. CLARK, 0000
ROBERT P. CLARK, 0000
STEVEN A. CLARK, 0000
LUIS CLAUDIO, 0000
CYNTHIA R. CLEFISCH, 0000
MARC P. CLEMENTE, 0000
WILLIAM C. CLEMENTS, 0000
GEORGE W. CLIFFORD III, 0000
GRETCHEN R. CLOHESSY, 0000
TRAVIS J. CLOVIS, 0000
REBECCA A. COBB, 0000
JOHN J. COCHRANE, 0000
DANIEL J. CODDINGTON, 0000
RYAN M. COLBURN, 0000
MATTHEW W. COLDSNOW, 0000
ANTHONY R. COLE, 0000
KEVIN B. COLEMAN, 0000
MATTHEW F. COLEMAN, 0000
MICHAEL A. COLEMAN, 0000
SHANNON L. COLEMAN, 0000
ROLAND M. COLINA, 0000
PATRICK M. COLLETTE, 0000
BRIAN P. COLLINS, 0000
WILLIAM J. COLLINS, 0000
WILLIAM T. COLLINS, 0000
DANIEL S. COLLISTER, 0000
MICHAEL L. COLSON, 0000
LISA M. COMBS, 0000
BRETT M. COMER, 0000
ERIC T. COMPTON, 0000
JARED A. CONABOY, 0000
KYLE M. CONE, 0000
SHAWN R. CONES, 0000
BRETT P. CONNER, 0000
CARL R. CONWAY, 0000
BENJAMIN C. COOK IV, 0000
JASON J. COOK, 0000
LARRY N. COOK, JR., 0000
WILLIAM C. COOK, 0000
HEATHER D. COOLEY, 0000
JOHN D. COOLEY, JR., 0000
JEREMY C. COONRAD, 0000
CHAD W. COOPER, 0000
FRANCIS S. COOPER, 0000
JAMES C. COOPER, 0000
JASON L. COOPER, 0000
THOMAS L. COOPER, 0000
PHILLIP M. CORBELL, 0000
MARCUS J. CORBETT, 0000
WILLIAM H. CORBETT, 0000
DANIEL J. CORDES, 0000
CHRISTOPHER L. CORN, 0000
PAUL T. CORY, 0000
TODD S. COTSMAN, 0000
KARL K. COWART, 0000
LELAND K. COWIE, 0000
JOSEPH D. COX, 0000
KEVEN P. COYLE, 0000
ROBERT J. CRABLE, JR., 0000
RONALD S. CRABTREE, 0000
DESIREE L. CRAIG, 0000
KEITH B. CRAIG, 0000
MATTHEW S. CRAIG, 0000
JASON S. CRAWFORD, 0000
MARTIN H. CRAWFORD, 0000
RHONDA R. CRAWFORD, 0000
ROLANDIS J. CRAWL, 0000
THOMAS W. CRENSHAW III, 0000
NATHANAEL D. CRIMMINS, 0000
SHANE M. CRIPPEN, 0000
CASHENNA A. CROSS, 0000
LUTHER T. CROSS, 0000
THOMAS A. CROSS, 0000
ERIC W. CROWELL, 0000
JUNE A. CRUSE, 0000
KEVIN D. CRUSON, 0000
BRUCE J. CRUZ, 0000
JEREMIAH J. CRUZ, 0000
JOSEPH H. CRUZ, 0000
VELEZ E. CRUZ, 0000
JOHN T. CUDAR, 0000
JEREMY D. CUKIERMAN, 0000
RICHARD E. CULLIVAN, 0000
TIMOTHY J. CUMMINGS, 0000
GEORGE M. CUNDIFF, JR., 0000
DANIELLE N. CURLEY, 0000
KEVIN S. CURRIE, 0000
FRANCIS E. CURRIER, 0000
MICHAEL D. CURRY, 0000
APRYL L. CYMBAL, 0000
GREGG J. CZUBIK, 0000
VINCENT J. DABROWSKI, 0000
ANTONY C. DACOSTA, 0000
DANIEL L. DAHL, 0000
JENNIFER B. DAINES, 0000
PAUL G. DAMBRAUSKAS, 0000
CHRISTINA X. DANIELS, 0000
KENNETH J. DANIELS, 0000
TIMOTHY S. DANIELSON, 0000
BRIAN S. DANNAKER, 0000
GREGORY N. DASH, 0000
JONATHON M. DAUR, 0000
MICHAEL E. DAVES, 0000
GREGORY A. DAVIS, 0000
LEIGH A. DAVIS, 0000
GEOFFREY D. DAWSON, 0000
RICHARD E. DAWSON, 0000
STEPHEN J. DAWSON, 0000
SELIMON D. DEAN, 0000
DAVID A. DEANGELIS, 0000
DENO W. DEBACCO, 0000
FLORIAN C. DECASTRO, 0000
KENNETH L. DECKER, JR., 0000
JOHN J. DEENEY IV, 0000
DANNY L. DEKINDER, 0000
JOHN F. DELAHANTY, 0000
TRACY N. DELANEY, 0000
DOUGLAS E. DELCAMPO, 0000
CHERYL M. DELOUGHERY, 0000
CHAD A. DELROSSA, 0000
JOSHUA D. DEMOTTS, 0000
JOHNNIE DENNIS, JR., 0000
MARC F. DESHAIES, 0000
MICHAEL J. DEVELLE, 0000
BRENDAN F. DEVINE, 0000
BRIAN J. DEWEY, 0000
CHARLES J. DEWEY, 0000
DANIEL S. DEYOUNG, 0000
JOSE DIAZ DE LEON, 0000
JONATHAN R. DIAZ, 0000
NICOLAS M. DIAZ, 0000
AARON A. DIBBLE, 0000
BRIAN M. DICKENSON, 0000
DRU D. DICKERSON, 0000
JARED W. DICKERSON, 0000
CARL J. DIECKMANN, 0000
JONATHAN M. DIETRICH, 0000
MICHAEL R. DIETRICH, 0000
WADE E. DILLARD, 0000
KENDRA L. DIMICHELE, 0000
MICHAEL E. DINWIDDIE, 0000
ERNESTO M. DIVITTORIO, 0000
DANIEL A. DOBBELS, 0000
BYRON W. DOBBS, 0000
ALAN F. DOCAUER, 0000
BRYAN C. DOCKTER, 0000
JAMES P. DOHERTY, 0000
MEGHAN B. DOHERTY, 0000
MICHAEL S. DOHERTY, 0000
SHAWNA B. DOHERTY, 0000
BENITO M. DOMINGUEZ IV, 0000
JEFFREY J. DONATO, 0000
JAMES L. DONELSON, JR., 0000
JEFFREY A. DONHAUSER, 0000
CAMERON S. DONOUGH, 0000
BRYAN J. DOPPENBERG, 0000
BRENT D. DORSEY, 0000
JASON C. DOSTER, 0000
DREW E. DOUGHERTY, 0000
STEVEN DOUGHERTY, 0000
BRANDON M. DOUGLASS, 0000
JEFFREY J. DOWNS, 0000
HENRY J. DRAKE, 0000
KILE R. DREHER, 0000
BRIAN S. DRENNON, 0000
ANDREW D. DRIES, 0000
DAWN M. DRINKWINE, 0000
STEVEN J. DRINNON, 0000
BRENT A. DROWN, 0000
JOSHUA P. DROZ, 0000
LINDSAY C. DROZ, 0000
KRISTIN N. DUBY, 0000
JERROD W. DUGGAN, 0000
MASON R. DULA, 0000
DENNIS V. DUMALE, 0000
ERIK N. DUNN, 0000
MICHAEL P. DUNYAK, 0000
TREVYR C. DUPONT, 0000
TROY A. DUPONT, 0000
GABRIELLE M. DUPREE, 0000
MICHAEL J. DURBAND, 0000
VINCENT A. DUTTER, 0000
CHAD M. DUTTON, 0000
APRIL D. DWYER, 0000
MICHAEL T. DYE, 0000
TODD R. DYER, 0000
WESLEY B. EAGLE, 0000
TRAVIS EASTBOURNE, 0000
HEATHER E. EASTLACK, 0000
JON A. EBERLAN, 0000
DANIEL A. EBERT, 0000
JON J. ECKERT, 0000
BRYAN D. EDMUNDS, 0000
DIMEATRIUS A. EDWARDS, 0000
JEREMY T. EDWARDS, 0000
MATTHEW R. EDWARDS, 0000
BRIAN D. EGBERT, 0000
JOSEPH J. EGRESITS, 0000
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KEVIN J. EHRICH, 0000
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ERIK L. EICHIN, 0000
DAVID C. EIDSMOE, 0000
DAVID J. EIKENBURG, 0000
JENNIFER V. EILERT, 0000
DAVID B. EISENBREY, 0000
KIRK E. EKNES, 0000
BRYAN A. ELDER, 0000
JONATHAN E. ELDRIDGE, 0000
JOSEPH S. ELKINS, 0000
STEVEN J. ELLIOTT, 0000
RYAN A. ELOFSON, 0000
CHRISTOPHER J. EMCH, 0000
DAVID G. EMERY, 0000
SARAH L. EMORY, 0000
PAUL D. EMSLIE, 0000
ROBERT C. ENCK, 0000
ROXANE E. ENGELBRECHT, 0000
JOHN M. ENGESSER, 0000
TONY D. ENGLAND, 0000
ALEX M. ENGLE, 0000
MICHAEL J. ENGLEHARDT, 0000
JASON D. ENGLER, 0000
KEITH E. ENGLIN, 0000
CRAIG G. ENRIQUES, 0000
KIRBY M. ENSSER, 0000
JOEL E. EPPLEY, 0000
CHAD M. ERICKSON, 0000
RAYMOND R. ERICKSON, 0000
RICHARD D. ERKKILA, 0000
MATTHEW A. ERPELDING, 0000
BRADLEY J. ERTMER, 0000
MACK A. ERWIN, 0000
PABLO ESCOBEDO, JR., 0000
ROBERT P. ESKRIDGE, 0000
JASON T. ESQUELL, 0000
QUENTEN M. ESSER, 0000
MARK A. ESSLINGER, 0000
MICHAEL A. EVANCIC, 0000
BRANDON C. EVANS, 0000
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JOSEPH R. EWING, 0000
ELIZABETH J. EYCHNER, 0000
STEVEN W. FALL, 0000
MARK D. FALSANI, 0000
EMILY E. FARKAS, 0000
ERICKA S. FARMERHILL, 0000
SCOTT W. FARNHAM, 0000
FRANCIS J. FARRELLY, 0000
ANDREW C. FAULKNER, 0000
MARK J. FAULSTICH, 0000
ELIZABETH R. FEASTER, 0000
JAMES R. FEE, JR., 0000
GARY A. FELAX, 0000
JACK M. FELICI, 0000
JOEL W. FENLASON, 0000
JOSEPH P. FERFOLIA, 0000
JAMES S. FERGUSON, 0000
JEFFREY A. FERGUSON, 0000
MARCUS G. FERGUSON, 0000
JAMES S. FERNANDEZ, 0000
ANDREW P. FETH, 0000
PAUL P. FIDLER, 0000
ERIK J. FIEDERER, 0000
ADAM R. FIEDLER, 0000
PATRICK N. FIEG, 0000
DAMON D. FIGUEROA, 0000
JEFFREY A. FINDLEY, 0000
JONATHAN S. FINDLEY, 0000
DANIEL E. FINKELSTEIN, 0000

SEAN M. FINNAN, 0000
BRADY S. FISCHER, 0000
JEREMY C. FISCHMAN, 0000
GRANT A. FISH, 0000
JEFFREY P. FISHER, 0000
KEVIN D. FISHER, 0000
BARY D. FLACK, 0000
RYAN W. FLEISHAUER, 0000
JASEM R. FLEMING, 0000
LARRY B. FLETCHER, JR., 0000
NATHAN D. FLINT, 0000
DANIEL F. FLORES, 0000
GARRY S. FLOYD, 0000
JACK W. FLYNT, 0000
MICHELLE L. FODREY, 0000
ANDREW M. FOGARTY, 0000
PHILIP M. FORBES, 0000
CHRISTOPHER L. FORD, 0000
JASON M. FORD, 0000
JENNIFER S. FORD, 0000
WILLIAM C. FORD, 0000
CHRISTOPHER D. FORREST, 0000
LESLIE Y. FORRESTER, 0000
ERNEST L. FOSTER II, 0000
JASON P. FOSTER, 0000
RICHARD B. FOSTER, 0000
WILLIAM W. FOSTER, 0000
DEANNA L. FOTY, 0000
DOUGLAS J. FOWLER, 0000
DANIELLE C. FOX, 0000
LANCE E. FRALEY, 0000
JOSEPH B. FRAMPTOM, 0000
JASON E. FRANCE, 0000
KEITH G. FRANCIS, 0000
NICHOLE K. A. FRANCISCO, 0000
JOHN C. FRANCOLINI, 0000
TYLER P. FRANDER, 0000
JOSHUA N. FRANK, 0000
NIKKI R. FRANKINO, 0000
JAMES R. FRANKS, JR., 0000
RYAN P. FRAZIER, 0000
JEFFREY H. FREEDMAN, 0000
CHARLES M. FREEL, 0000
JACOB A. FREEMAN, 0000
MERLISSA N. FREEMAN, 0000
MICHAEL A. FREEMAN, 0000
PAUL B. FREEMAN, 0000
WILLIAM K. FREEMAN, 0000
HUGH J. FREESTROM, 0000
MICHAEL R. FREIMARCK, 0000
MICHAEL H. FREYHOLTZ, 0000
GARY L. FRISARD, 0000
BRIAN S. FRISBEY, 0000
SHAWN J. FRITZ, 0000
CRAIG A. FRONCZEK, 0000
JOHN G. FRUEH, 0000
KEVIN J. FRUHWIRTH, 0000
JENNIFER R. FUGIEL, 0000
JENNIFER D. FUJIMOTO, 0000
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NICOLE E. FULLER, 0000
BRAD T. FUNK, 0000
ERIC M. FURMAN, 0000
JEAN J. FUTEY, 0000
JOSEPH D. GADDIS, 0000
LEO L. GAGE, JR., 0000
BRENT J. GAGNARD, 0000
DARIA J. GAILLARD, 0000
ALLISON M. GALFORD, 0000
CHAD A. GALLAGHER, 0000
JEFFREY M. GALLOWAY, 0000
DANIEL A. GALLTON, 0000
BRIAN J. GAMBLE, 0000
KIMBERLY L. L. GARBETT, 0000
CONNIE R. GARCIA, 0000
FRED E. GARCIA, 0000
MARILYN A. GARCIA, 0000
RICARDO R. GARCIA, 0000
MICHAEL L. GARGASZ, 0000
TIMOTHY R. GARLAND, 0000
MICHAEL H. GARNER, 0000
JASON M. GARRISON, 0000
DARIUS V. GARVIDA, 0000
MARC R. GASBARRO, 0000
ERIC R. GAULIN, 0000
JULIE M. GAULIN, 0000
JEREMY D. GEASLIN, 0000
JASON W. GEITGEY, 0000
ROBERT C. GELLNER, 0000
MARA E. GEORGIANA, 0000
MICHELE J. GERACI, 0000
ALGERD A. GERALT, 0000
TREVOR F. GERSTEN, 0000
JOHN F. GETGOOD, 0000
MATTHEW C. GETTY, 0000
JAMES B. GHERDOVICH, 0000
MARK D. GIBSON, 0000
SEAN M. GIBSON, 0000
RONALD E. GILBERT, 0000
JEREMY R. GILBERTSON, 0000
MICHELLE E. GILLASPIE, 0000
JOHN B. GILLIAM, 0000
SHAWN K. GILLILAND, 0000
MIKI K. GILLOON, 0000
SCOTT R. GILLOON, 0000
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ADAM E. GIZELBACH, 0000
ROSS K. GLEASON, 0000
JASON R. GLOVER, 0000
MATTHEW R. GLYNN, 0000
CHRISTOPHER R. GOAD, 0000
PATRICK M. GODFREY, 0000
EDWARD G. GOEBEL, JR., 0000
BRIAN D. GOLDEN, 0000
KYLE H. GOLDSTEIN, 0000
JEFFREY J. GOMES, 0000
LORELEI GOMEZ, 0000
TIMOTHY M. GONYEA, 0000
BIRMANIA M. GONZALEZ, 0000
GERARDO O. GONZALEZ, 0000
JUANITA M. GONZALEZ, 0000
MICHAEL P. GOOD, 0000
DAVID P. GOODE, 0000
VANCE GOODFELLOW, 0000
JOHN T. GOODSON III, 0000
JEREMY S. GORDON, 0000
RANDEL J. GORDON, 0000
MICHAEL S. GORE, 0000
RYAN E. GORECKI, 0000
MARK D. GOULD, 0000
JAMES P. GOVIN, 0000
MARGARET D. GRAFE, 0000
ARTHUR P. GRAFTON IV, 0000
BRENT W. GRAHAM, 0000
DAVID R. GRAHAM, 0000
LAWRENCE C. GRAHAM IV, 0000
SETH W. GRAHAM, 0000
GEORGE R. GRANHOLM, 0000
HOLLY E. GRANT, 0000
JORDAN G. GRANT, 0000
TODD D. GRANT, 0000
NICOLAUS P. GRAUER, 0000
NATHANAEL L. GRAUVOGEL, 0000
CHRISTOPHER P. GRAVES, 0000
BRYAN T. GRAY, 0000
MYERS S. GRAY, 0000
STACEY A. GRAY, 0000
SCOTT A. GREATHOUSE, 0000
JAMIE L. GREEN, 0000
MAYA D. GREEN, 0000
MERRICK J. GREEN, 0000
DONALD R. GREENE, 0000
KARA M. GREENE, 0000
BRIAN J. GRETE, 0000
ROD D. GRICE, 0000
ANDREW J. GRIFFIN, 0000
GILBERT S. GRIFFIN, 0000
MICHELLE L. GRIFFITH, 0000
MICHAEL A. GRIMAUD, 0000
JOSEPH J. GRINDROD, 0000
TODD J. GROCKI, 0000
KIMBERLY L. GROVER, 0000
JOHN A. GRUBER, 0000
EDWARD B. GRUNDEL, 0000
LIZABETH M. GRUPE, 0000
AARON GUILL, 0000
MARK T. GUILLORY, 0000
ERIN R. GULDEN, 0000
EDWARD J. GUSSMAN, 0000
JOHN M. GUSTAFSON, 0000
JUNG H. HA, 0000
CHARLES R. HAAG, 0000
TROY L. HACKER, 0000
GREGORY R. HAFNER, 0000
MICHAEL J. HAGAN, 0000
CHRISTOPHER M. HAGUE, 0000
MARY C. HAGUE, 0000
TYLER N. HAGUE, 0000
CHRISTOPHER M. HAINES, 0000
DAVID L. HALASIKUN, 0000
JASON P. HALE, 0000
FRANCIS G. HALL, 0000
JONATHAN B. HALL, 0000
PRINCE J. HALL, 0000
RUSSELL J. HALL, 0000
SCOTT J. HALL, 0000
NILS E. HALLBERG, JR., 0000
DAN C. HAMAN, 0000
COURTNEY A. HAMILTON, 0000
JAMES R. HAMILTON, 0000
SCOTT D. HAMILTON, 0000
CHRISTOPHER B. HAMMOND, 0000
JEFFREY A. HAMMOND, 0000
YOUNG I. HAN, 0000
CARL E. HANEY, 0000
JAMES R. HANFORD, 0000
JONATHAN G. HANLEY, 0000
MARK L. HANSEN, 0000
ELIZABETH A. HANSON, 0000
BRIAN L. HARD, 0000
DARION L. HARDEN, 0000
ROBERT W. HARDER, 0000
TAMMY A. HARDER, 0000
BENJAMIN A. HARDING, 0000
JAMES M. HARMON, 0000
ARCHIBALD A. HARNER, 0000
GABRIEL T. HARRIS, 0000
JASON C. HARRIS, 0000
JOHN N. HARRIS, 0000
STANLEY B. HARRIS, 0000
BENJAMIN R. HARRISON, 0000
JIM N. HARRISON, 0000
JOSHUA J. HARTIG, 0000
MATTHEW D. HARTMAN, 0000
CRAIG L. HARVEY, 0000
LESLIE F. HAUCK III, 0000
JASON W. HAVEL, 0000
CHARLES H. HAWKINS, 0000
JEFFERSON G. HAWKINS, 0000
CHRISTOPHER G. HAWN, 0000
CHRISTOPHER J. HAWS, 0000
MATTHEW A. HAYDEN, 0000
DAX A. HAYES, 0000
NEAL W. HAYES, 0000
MICHAEL P. HEALY, 0000
DAVID L. HEARN III, 0000
CLINTON M. HEATON, 0000
CHRISTOPHER M. HEBER, 0000
JESSE A. HEDGE, 0000
CHRISTOPHER C. HEIM, 0000
DOUGLAS J. HELLINGER, 0000
CHRISTEL R. HELQUIST, 0000
JASON A. HELTON, 0000
RICHARD C. HEMMINGS, 0000
CLINT A. HENDERSON, 0000
NATHAN C. HENDRICKS, 0000
JOHN E. HENLEY, 0000
JAY C. HENNETTE, 0000
WADE A. HENNING, 0000
PETER R. HENRIKSON, 0000
DAVID M. HENSLEE, 0000
ANDREW M. HENSON, 0000
WILLIAM C. HEPLER, 0000
JARED D. HERBERT, 0000
JAIME I. HERNANDEZ, 0000
WILLIAM R. HERSCH, 0000
CHE S. HESTER, 0000
MARK R. HEUSINKVELD, 0000
JAMES V. HEWITT, 0000
JASON L. HICKS, 0000
STERLING C. HICKSON, 0000
ALAN J. HIETPAS, 0000
SCOTT R. HIGGINBOTHAM, 0000
TIMOTHY J. HIGGINS, 0000
DENNIS F. HIGUERA, 0000
JAMES R. HILBURN, 0000
DAVID J. HILL, 0000
JONATHAN A. HILL, 0000
JUSTIN M. HILL, 0000
VANESSA M. HILLMAN, 0000
GEOFFREY R. HINDMARSH, 0000
HUYNH A. HINSHAW, 0000
JEFFREY A. HIRATA, 0000
GARNER F. HIXSON, JR., 0000
JARRETT M. HLAVATY, 0000
RYAN A. HODGES, 0000
VINCENT E. HODGES, 0000
CALVIN C. HODGSON, 0000
JOANNA E. HOFLE, 0000
ZABRINA Y. HOGGARD, 0000
SEAN P. HOLAHAN, 0000
GREGG J. HOLASUT, 0000
JAMES M. HOLDER, 0000
RICHARD N. HOLIFIELD, JR., 0000
CHRISTOPHER C. HOLLAND, 0000
CORY S. HOLLON, 0000
DAVID M. HOLM, 0000
KEITH W. HOLMES, 0000
PATRICE O. HOLMES, 0000
TAJ L. HOLMES, 0000
CHAD A. HOLT, 0000
JENNIFER A. HOLTHAUS, 0000
BRYAN K. HOLZEMER, 0000
EVAN L. HOOVER, 0000
CHRISTINA L. HOPPER, 0000
RICHARD T. HORNBUCKLE, 0000
KEVIN D. HORNBURG, 0000
RICHMOND A. HORNBY, 0000
THOMAS J. HORNIK, 0000
JASON D. HORTON, 0000
SEAN A. HOSEY, 0000
ANDREW K. HOSLER, 0000
MATTHEW R. HOUSAND, 0000
ROBERT R. HOWARD, 0000
TRAVIS G. HOWELL, 0000
JOHN N. HSU, 0000
KEVIN S. HUBER, 0000
CHARLES P. HUDSON, 0000
EDWARD T. HUDSON, 0000
JEREMY F. HUFFAKER, 0000
JAROD C. HUGHES, 0000
JASON M. HUGHES, 0000
JOSHUA F. HUGHES, 0000
ROGER D. HUGHES, JR., 0000
BRIAN L. HUMPHREY, 0000
STEPHANI D. HUNSINGER, 0000
AMBER N. HUNT, 0000
RUSSELL T. HUNT, 0000
JEFFEREY V. HUNTER, 0000
JAMES G. HUNTLEY, 0000
KURT F. HUNTZINGER, 0000
SHANE M. HUPP, 0000
JASON A. HURST, 0000
MATTHEW J. IMPERIAL, 0000
SCOTT J. INMON, 0000
JEHANGIR N. IRANI, 0000
WILLIAM E. IRVIN, 0000
JEFFREY C. ISGETT, 0000
JASON J. IVES, 0000
DONALD A. JACK, 0000
ABRAHAM L. JACKSON, 0000
CHARLOTTE A. JACKSON, 0000
JACOB T. JACKSON, 0000
JEFFREY W. JACKSON, 0000
MARCUS D. JACKSON, 0000
AARON W. JACOBS, 0000
VINCENT M. JACOBS, 0000
GLENN C. JACOBSON, 0000
MICHAEL W. JACOBSON, 0000
JESSE S. JAHN, 0000
JASON W. JAMES, 0000
KEITH D. JAMES, 0000
MATTHEW B. JAMES, 0000
ROMEL L. JARAMILLO, 0000
GREGORY C. JARMUSZ, JR., 0000
JASON D. JAROS, 0000
CHRISTOPHER C. JARVIS, 0000
MAURICE J. JEFFERSON, 0000
JENNIFER L. JEFFORDS, 0000
HENRY R. JEFFRESS, 0000
WILLIAM H. JELKS, 0000
RON R. JENKINS, 0000
YOLANDA L. JENKINS, 0000
ANDREW B. JENNINGS, 0000
GINA JENNINGS, 0000
JEFFREY T. JENNINGS, 0000
MARTIN T. JENNINGS, 0000
CAROLINE A. JENSEN, 0000
GEOFFREY M. JENSEN, 0000
MATTHEW C. JENSEN, 0000

SHANE C. JENSEN, 0000
TIMOTHY L. JENSEN, 0000
TODD M. JENSEN, 0000
JAYME J. JIMENEZ, 0000
JORGE I. JIMENEZ, 0000
JOSE E. JIMENEZ, JR., 0000
ANTHONY L. JIOVANI, 0000
SAMUEL L. JOBE, 0000
NIDAL M. JODEH, 0000
JUSTIN L. JOFFRION, 0000
SHERMAN E. JOHNS, 0000
DANIEL C. JOHNSEN, 0000
HILARY R. JOHNSONLUTZ, 0000
BRANDON R. JOHNSON, 0000
BRYAN C. JOHNSON, 0000
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MONIQUE D. JOHNSON, 0000
NATHANIEL M. K. JOHNSON, 0000
PHILLIP J. JOHNSON, JR., 0000
ROBERT W. JOHNSON, 0000
RUSSELL K. JOHNSON, 0000
SAMUEL R. JOHNSON, 0000
SILINDA A. JOHNSON, 0000
TAMMY JOHNSON, 0000
TREAVOR G. JOHNSON, 0000
BRIAN D. JOHNSTON, JR., 0000
ROSS T. JOHNSTON, 0000
DANIEL P. JOHNSTONE, 0000
RICHARD W. JOKINEN, 0000
GREGORY M. JONES, 0000
JEREMY T. JONES, 0000
MARK S. JONES, 0000
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PAUL R. JONES, 0000
SABRINA A. JONES, 0000
KATHY L. JORDAN, 0000
MELISSA L. JORDAN, 0000
ROBERT P. JORDAN, 0000
GUSTAV J. JORDT, 0000
ERIK D. JORGENSEN, 0000
JONATHAN M. JOSHUA, 0000
THOMAS R. JOST, 0000
JEFFREY A. JOYCE, 0000
AARON A. JUHL, 0000
WILLIAM F. JULIAN, 0000
PAUL J. KAAN, 0000
KELLY F. KAFEYAN, 0000
OLIVER M. KAHLER III, 0000
KENNETH M. KALFAS, 0000
MICHAEL C. KALLAI, 0000
ALISON L. KAMATARIS, 0000
ROBERT J. KAMMERER, 0000
PAUL R. KASTER, JR., 0000
ZOLTAN V. KASZAS, 0000
JEFFREY A. KATZMAN, 0000
CHRIS A. KAUFMAN, 0000
EDWARD M. KAUFMAN, 0000
ROBERT B. KEAS, 0000
ROSS A. KEENER, 0000
JOHN B. KELLEY, 0000
BYRON P. KELLY, 0000
THOMAS F. KELLY, 0000
CHERYL L. KENDALL, 0000
SHAWN R. KENG, 0000
JEFFREY M. KENNEDY, 0000
KEVIN T. KENNEDY, 0000
JARED P. KENNISH, JR., 0000
ADAM W. KERKMAN, 0000
ERICH J. KESSLER, 0000
SHARON K. E. KIBILOSKI, 0000
MAURICE H. KIDNEY, 0000
RICHARD C. KIEFFER, 0000
THOMAS E. KIESLING, 0000
JASON D. KIKER, 0000
JOHN W. KILARESKI, 0000
SHAWNA R. KIMBRELL, 0000
ANTHONY K. KIMBROUGH, 0000
BARRY A. KING II, 0000
JASON M. KING, 0000
MARY L. KINNEY, 0000
JOHN P. KINNISON, 0000
JASON E. KINZER, 0000
CASSANDRA C. KIRK, 0000
STEPHEN H. KIRKLAND, 0000
MICHAEL T. KIRKPATRICK, 0000
SCOTT J. KISSLER, 0000
REBECCA L. KITTS, 0000
JOSEPH R. KLEEMAN, 0000
MICHAEL D. KLEFFMAN, 0000
BRADLEY K. KLEMESRUD, 0000
SCOTT L. KLEMPNER, 0000
TONYA M. KLEMPP, 0000
DARYL S. KLENDA, 0000
JOHN S. KLEVEN, 0000
JEREMIAH O. KLOMP, 0000
RYAN T. KNAPP, 0000
MICHELLE R. KNEUPPER, 0000
KENNETH R. KNIGHT, 0000
PATRICK A. KNOTT, 0000
JASON D. KNOWLES, 0000
AMANDA K. KNUDSON, 0000
DANIEL E. KOBS, 0000
NANCY M. KOCHCASTILLO, 0000
CHEREE S. KOCHEN, 0000
SCOTT D. KOECKRITZ, 0000
DARYL B. KOMULAINEN, 0000
THOMAS R. KOOTSIKAS, 0000
MELVIN R. KORSMO, 0000
CLAY M. KOSCHNICK, 0000
TIMOTHY A. KOSS, 0000
ANDREW J. KOWALCHUK, 0000
BRIAN D. KOZOLA, 0000
DAVID D. KRAMBECK, 0000
KAREN N. KRAYBILL, 0000
ZACHARY J. KRBEC, 0000
BRIAN C. KREITLOW, 0000
JAMES H. KRISCHKE, 0000
ANTHONY J. KUCZYNSKI, 0000
PAUL D. KUDER, 0000
DIANE I. K. KUDERIK, 0000
DEVIN M. KUDLAS, 0000
KENNETH P. KUEBLER, 0000
DOUGLAS F. KUHN, 0000
JASON L. KUHNS, 0000
CHRISTOPHER E. KUREK, 0000
JOHN KURIAN, 0000
SHAD J. LACKTORIN, 0000
ERIC J. LACOUTURE, 0000
KEVIN W. LACROIX, 0000
TODD P. LADD, 0000
KRISTIN A. LAFARR, 0000
MICHELLE M. LAI, 0000
CAMERON K. LAMBERT, 0000
ROSENDO C. LAMIS, JR., 0000
KENNETH R. LANCASTER, JR., 0000
DONALD L. LAND, JR., 0000
RYAN J. LANDMANN, 0000
JOEL L. C. LANE, 0000
NATHAN P. LANG, 0000
KENNETH H. LANGERT, 0000
ROBERT V. LANKFORD, 0000
ARMON E. LANSING, JR., 0000
IAN H. LARIVE, 0000
JAMES H. LARKIN, 0000
JOSHUA A. LARSEN, 0000
AARON R. LATTIG, 0000
IAN B. LAUGHREY, 0000
PATRICK R. LAUNEY, 0000
GARY C. LAVERS, 0000
WILLIAM J. LAYTON, 0000
FRANK W. LAZZARA, 0000
DAVID A. LEACH, 0000
KIM T. LEBA, 0000
ANDRE G. LECOURS, 0000
RONALD A. LECZA, 0000
MATTHEW G. LEDDY, 0000
DAVID M. LEDERER, 0000
DANIEL P. LEE, 0000
JOHN H. LEE, 0000
JORDAN D. LEE, 0000
MARION J. F. LEE, 0000
MAURICE L. LEE, 0000
ROBERT H. LEE, JR., 0000
SEAN E. LEE, 0000
JOSEPH D. LEGRADI, 0000
THOMAS A. LEITH, 0000
JASON L. LEMONS, 0000
ADAM G. LENFESTEY, 0000
JOHN A. LESHO, 0000
ALEC S. LEUNG, 0000
DANIEL C. LEUNG, 0000
ANDREW J. LEVIEN, 0000
CHAD G. LEWIS, 0000
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GRANT H. LEWIS, 0000
JARRETT R. LEWIS, 0000
JUSTIN D. LEWIS, 0000
KATHERINE O. LEWIS, 0000
KYLE S. LEWIS, 0000
TYLER E. LEWIS, 0000
WILLIAM H. LEWIS, 0000
PETER J. LEX, 0000
STEVEN X. LI, 0000
JAMES R. LIDDLE, JR., 0000
BRIAN D. LIEBENOW, 0000
JEFFREY H. LIN, 0000
SCOTT C. LINCK, 0000
WILLIAM E. LINDE, 0000
JOHN P. LINDELL, 0000
DAVID B. LINDLER, 0000
LASHAUNA R. LINDSEY, 0000
ERIC J. LINGLE, 0000
MICHAEL T. LINKOUS, 0000
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SCOTT C. LISKO, 0000
BARRY E. LITTLE, 0000
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KEITH A. LITZLER, 0000
MARC S. LLACUNA, 0000
RONALD M. LLANTADA, 0000
JOHN A. LOCKETT, 0000
JASON K. LOE, 0000
JERRY J. LOEFFELBEIN, 0000
ANDREW J. LOFTHOUSE, 0000
ALEXANDER J. LOGAN, 0000
ROY A. LOHSE, 0000
DAWN A. M. LOISEL, 0000
CHRISTOPHER S. LONG, 0000
DAVID C. LONGHORN, 0000
NOLAN D. LONGMORE, 0000
ERIC S. LOPEZ, 0000
OSVALDO S. LOPEZTORRES, 0000
JOHN J. LOSINSKI, 0000
PERRY L. LOTT, 0000
EDMUND X. LOUGHRAN II, 0000
CHARLES M. LOYER, 0000
BRANDON M. LUCAS, 0000
JOHN W. LUCAS, 0000
ANNE R. LUECK, 0000
PETER J. LUECK, 0000
BRIAN D. LUKOWSKI, 0000
JONATHAN E. LUMINATI, 0000
CHRIS D. LUNDY, 0000
GEORGE B. LUSH, 0000
LOUIS L. LUSSIER III, 0000
TIMOTHY A. LUTON, 0000
RODNEY D. LYKINS, 0000
NICHOLAS A. LYNCH, 0000
SUSAN A. LYNCH, 0000
COREY W. LYONS, 0000
ROBERT P. LYONS III, 0000
CHRISTOPHER A. MACAULAY, 0000
JANNELL C. MACAULAY, 0000
BRIAN S. MACFARLANE, 0000
DOUGLAS C. MACIVOR, 0000
SCOTT C. MACNEIL, 0000
PATRICK O. MADDOX, 0000
KEVIN M. MADRIGAL, 0000
MICHAEL R. MAEDER, 0000
JEFFREY B. MAGEE, 0000
TRENT M. MAGYAR, 0000
JOHN K. MAH, 0000
JAYANT MAHAJAN, 0000
DANNY P. MAHEUX, 0000
RYAN J. MAHONEY, 0000
THOMAS J. MAHONEY, 0000
SARAH A. MAILE, 0000
BRYAN G. MAJOR, 0000
RICHARD MAJOR, 0000
DANNY K. MAKALENA, 0000
ERIC F. MAKOVSKY, 0000
BETH L. MAKROS, 0000
ROBERT H. MAKROS, 0000
ROBERT M. MAMMENGA, 0000
MICHAEL L. MAMULA III, 0000
EDZEL D. MANGAHAS, 0000
GEOFFREY C. MANN, 0000
BERTON D. MANNING, 0000
MELISSA L. MANNING, 0000
JONATHAN P. MANTERNACH, 0000
KEVIN R. MANTOVANI, 0000
FREDERICK W. MANUEL, 0000
KRISTA G. MARCHAND, 0000
CHAD E. MARCHESSEAULT, 0000
DARA O. MARCY, 0000
EDWIN J. MARKIE, JR., 0000
SCOTT L. MARKLE, 0000
JOSEPH M. MARKUSFELD, 0000
TODD C. MARKWART, 0000
JAMES F. MARLOW, 0000
BRANDON S. MAROON, 0000
PATRICK R. MARSH, 0000
BRYON L. MARTIN, 0000
JOHN K. MARTIN, 0000
PAUL L. MARTIN III, 0000
RICHARD W. MARTIN, JR., 0000
ELI J. MARTINEZ, 0000
CALEB M. MARTINY, 0000
KEVIN T. MASKELL, 0000
STEPHANIE C. MASONI, 0000
MARK A. MASSARO, 0000
RICHARD P. MASTALERZ II, 0000
ERNEST J. MATA, 0000
PATRICK J. MATAK, 0000
ROBERT A. MATLOCK, 0000
TIMOTHY R. MATLOCK, 0000
MATTHEW W. MATOCHA, 0000
JEFFREY S. MATRE, 0000
SCOTT M. MATSON, 0000
KEVIN B. MATTERN, 0000
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JOHN C. MATUSZAK, 0000
ANDREA R. MAUGERI, 0000
RYAN A. MAXON, 0000
BRANDIE M. MAXWELL, 0000
JAMES A. MAXWELL, 0000
CHERYL L. MAY, 0000
BRIAN P. MAYER, 0000
JAMAAL E. MAYS, 0000
DANIEL C. MCCANN, 0000
ROBERT F. MCCARTHY, 0000
BRYAN P. MCCARTY, 0000
CRAIG A. G. MCCASKILL, 0000
ROBERT C. MCCASLIN, 0000
DYAN E. MCCLAMMA, 0000
JOHN C. MCCLUNG, 0000
KEITH E. MCCORMACK, 0000
PATRICK J. MCCOY, 0000
CAROL L. MCCRADY, 0000
DANIEL C. MCCRARY, 0000
CATHERINE MCDANIEL, 0000
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MIKAL G. MCDANIEL, 0000
MICHAEL W. MCDERMOTT, 0000
BOBBY R. MCDONALD, 0000
JUDSON A. MCDOUGAL, 0000
TAMMY L. MCELHANEY, 0000
ANDREA S. P. MCELVAINE, 0000
CHARLES B. MCFARLAND, 0000
JOEL R. MCGEE, 0000
KENNETH C. MCGHEE, 0000
TROY E. MCGILL, 0000
SAMUEL J. MCGLYNN, 0000
JONATHAN W. MCGOWEN, 0000
TROY A. MCGRATH, 0000
JAMES A. MCGREGOR, 0000
REBECCA L. MCKEE, 0000
SCOTT D. MCKEEVER, 0000
ETHAN S. MCKENNA, 0000
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GARTH P. MCMURRAY, 0000
DENNIS J. MCNABB, 0000
TODD E. MCNEAL, 0000
JOHN M. MCQUADE, 0000
WILLIAM E. MCTERNAN, 0000
NATHAN A. MEAD, 0000
ROBERT G. MEADOWS II, 0000
TASHA R. MEADOWS, 0000
GREGORY J. MECCA, 0000
THEODORE R. MEEK, 0000
JAMES K. MEIER, 0000
PERRY R. MEIXSEL, 0000

JESS A. MELIN, 0000
JASON B. MELLO, 0000
RUTH M. MELOENY, 0000
RYAN J. MELVILLE, 0000
CHAD M. MEMMEL, 0000
BENJAMIN D. MENGES, 0000
DEREK S. MENTZER, 0000
KENNETH M. MERCIER, 0000
BRIAN J. W. MEREDITH, 0000
JASON G. MERGENOV, 0000
GLENN A. MERKLE, 0000
ANGELA C. MERRY, 0000
CYNTHIA M. MESENBRINK, 0000
LEWIS I. MESSICK, 0000
MICHAEL W. MEYER, 0000
RICHARD A. MEZIERE, 0000
ROMAN T. MIAZGA, 0000
SHAYNA H. MICHAEL, 0000
MATTHEW J. MICHAUD, 0000
BRYAN E. MIDDLEKAUFF, 0000
CHARLES J. MIDDLETON, 0000
JACOB MIDDLETON, JR., 0000
JASON P. MIER, 0000
ALYSON M. MILLER, 0000
BRIAN E. MILLER, 0000
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SETH A. MILLER, 0000
JEREMY S. MILLIMAN, 0000
RICHARD E. MILLS, JR., 0000
TED J. MILLS, 0000
RICHARD K. MILTON, 0000
CHAD M. MINER, 0000
JOHN M. MIRTICH, 0000
MONA E. MIRTICH, 0000
JERRY D. MISH, 0000
COLLEEN P. MITCHELL, 0000
JASON M. MITCHELL, 0000
JOY M. MITCHELL, 0000
NATHAN B. MITCHELL, 0000
ROLAND L. MITCHELL, 0000
WILLIAM M. MITCHELL, 0000
DEMETRIUS S. MIZELL, 0000
JASON P. MOBLEY, 0000
CRAIG A. MOCKLER, 0000
CHRISTOPHER A. MOELLER, 0000
FELICIA M. MOHR, 0000
JEFFREY W. MOHR, 0000
JOSEPH M. MONASTRA, 0000
JOSEPH F. MONDELLO, JR., 0000
MICHAEL F. MONFALCONE, 0000
ANTHONY M. MONNAT, 0000
ANTHONY T. MONTELEPRE, 0000
CECILIA I. MONTES DE OCA, 0000
ANN M. K. MONTGOMERY, 0000
JONATHON A. MONTGOMERY, 0000
STEPHEN L. MONTOYA, 0000
BRADLEY R. MOORE, 0000
CHRISTOPHER I. MOORE, 0000
GARY W. MOORE, 0000
TYTONIA S. MOORE, 0000
KARNA P. MORE, 0000
MARC E. MORELAND, 0000
FELIX J. MORET III, 0000
DARRIN D. MORGAN, 0000
LOUIS E. MORGAN, 0000
MICHAEL H. MORGAN, 0000
THOMAS A. MORGAN, 0000
JAMES P. M. P. MORIMOTO, 0000
ANTHONY K. MORRIS, 0000
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SIRENA I. MORRIS, 0000
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RICHARD S. MORRISON, 0000
TOBY A. MORROW, 0000
TYLER W. MORTON, 0000
ROBERT J. MOSCHELLA, 0000
GREGORY M. MOSELEY, 0000
WAYNE MOSELY, JR., 0000
AARON W. MOSES, 0000
MICHAEL A. MOSLEY, 0000
TARRANCE B. MOSLEY, 0000
MARIA V. MOSS, 0000
TIMOTHY T. MOTLEY, 0000
WENDIE L. MOUNT, 0000
MATTHEW R. MOYE, 0000
BRIAN M. MOYER, 0000
MATTHEW G. MOYNIHAN, 0000
RYAN D. MUELLER, 0000
REBECCA L. MUGGLI, 0000
HALIMA A. MUHAMMADWHITEHEAD, 0000
GEORGE K. MULLANI, 0000
KURT E. MULLER, 0000
DAVID M. MURPHY, 0000
JENNIFER L. MURPHY, 0000
JILL M. MURPHY, 0000
JAMES J. MURRAY, 0000
JAMES J. MUSTIN, 0000
ETHAN A. MYERS, 0000
THOMAS S. MYERS, 0000
MELISSA S. NADEAU, 0000
DAVID C. NANCE, 0000
STEVEN L. NAPIER, 0000
DEBORAH F. NASH, 0000
MARK A. NAVO, 0000
EVALINE M. NAZARIO, 0000
LISA S. NEENER, 0000
ALESANDRA L. NEIMAN, 0000
CHRISTOPHER M. NEIMAN, 0000
JARED C. NELSON, 0000
KATHRYN M. NELSON, 0000
LEE A. NELSON, 0000
NELS C. NELSON, 0000
STEVEN A. NELSON, 0000
WILLIAM W. NELSON, 0000
KRISTEN A. NEMISH, 0000
JONATHAN D. NESS, 0000
BRENT M. NESTOR, 0000
GEOFFREY O. NETTLES, 0000
DAVID T. NEUMAN, 0000
MATTHEW C. NEWMAN, 0000
JOHN M. NEWTON, 0000
VIET T. NGUYEN, 0000
CHAD R. NICHOLS, 0000
SHARON A. NICKELBERRY, 0000
ELIZABETH J. NIEBOER, 0000
RICARDO M. NIEVES, 0000
NICHOLAS A. NOBRIGA, 0000
DOUGLAS A. NOCERA, 0000
GEORGE E. NOEL, 0000
DUANE E. NORDEEN, JR., 0000
RYAN J. NORMAN, 0000
DARIL L. NORRIS, 0000
TRAVIS L. NORTON, 0000
KNEILAN K. NOVAK, 0000
RYAN J. NOVOTNY, 0000
SHANE C. NOYES, 0000
RYAN D. NUDI, 0000
JOHN T. NUGENT, JR., 0000
ERIC A. NYMAN, 0000
BENJAMIN C. OAKES, 0000
JEFFREY L. OBLON, 0000
WILLIAM H. OBRIEN IV, 0000
DANIEL J. OCONNELL, 0000
KIRK N. OCONNOR, 0000
CRAIG R. ODELL, 0000
RYAN G. OESTMANN, 0000
GALEN K. OJALA, 0000
JOHN F. OKANE, 0000
SHAN P. OKEEFFE, 0000
BRIAN J. OLDENBURG, 0000
LAURA M. OLMSTED, 0000
CARL J. OLSEN, 0000
CHRISTOPHER M. OLSEN, 0000
DEE J. OLSEN, 0000
SUSAN R. OLSEN, 0000
TAMMY S. OLSEN, 0000
ANDREW P. OLSON, 0000
JEREMY E. OLSON, 0000
STEPHEN E. OLSON, 0000
MICHAEL C. OLVERA, 0000
CAROL L. ONEIL, 0000
KATHLEEN C. ONEILL, 0000
SHAWN K. ORBAN, 0000
MARK A. OREK, 0000
GIOVANNI E. ORTIZ II, 0000
KEVIN J. OSBORNE, 0000
BRIAN E. OSHEA, 0000
DAVID J. OSTERMAN, 0000
CHRISTOPHER M. OSTRANDER, 0000
VICTOR P. OSWEILER, 0000
CHRISTOPHER S. OTIS, 0000
COREY J. OTIS, 0000
JOSHUA L. OWENS, 0000
KEVIN L. OWENS, 0000
MARY A. OWENS, 0000
KYLE F. OYAMA, 0000
STEVEN E. PACKARD, 0000
KRISTOFER F. PADILLA, 0000
DANIEL P. PAGANO, 0000
SHADICA L. PAGE, 0000
SCOTT D. PALEN, 0000
ADAM A. PALMER, 0000
ALICIA M. PALMER, 0000
MATTHEW B. PALMER, 0000
SAMUEL S. PALMER, 0000
GUSTUF S. PALMQUIST, 0000
MARTIN J. PANTAZE, 0000
THEODORIC D. PANTON, 0000
SEAN W. PAPWORTH, 0000
CHARLES S. PARENT, 0000
ANDREW D. PARKE, 0000
ANDREW B. PARKER, 0000
CARIE A. PARKER, 0000
LINDA K. PARKER, 0000
CHARLES M. PARKS, 0000
JEFFREY C. PARR, 0000
KEVIN V. PARRISH, 0000
SCOTT M. PARTIN, 0000
DAVID J. PASTIKA, 0000
JOHN D. PATRICK, 0000
JASON P. PAX, 0000
BRIAN J. PEARSON, 0000
MAX E. PEARSON, 0000
PAUL M. PECONGA, 0000
MICHAEL J. PEELER, 0000
AMY M. PEKALA, 0000
JOSEPH A. PELOQUIN, 0000
JIAN S. PENA, 0000
KEVIN A. PENDLETON, 0000
SCOTTY A. PENDLEY, 0000
JANELLE A. PERCY, 0000
MARIO PEREZ, 0000
RICARDO J. PEREZCANTU, 0000
ANDREW C. PERRY, 0000
JEFFREY A. PESKE, 0000
BETH A. PETERS, 0000
CHRISTOPHER W. PETERS, 0000
GAYLE E. PETERS, 0000
ERIN D. PETERSON, 0000
JESSE L. PETERSON, 0000
JOSHUA D. PETERSON, 0000
MARGARET R. PETERSON, 0000
SCOTT C. PETTS, 0000
JENNIFER L. PETYKOWSKI, 0000
MALCOLM N. PHARR, 0000
JENNIFER A. PHELPS, 0000
MATTHEW E. PHELPS, 0000
AARON S. PHILLIPS, 0000
AMY B. PHILLIPS, 0000
JAMES D. PHILLIPS, 0000
JULIA A. PHILLIPS, 0000
KENNAN E. PICHIRILO, 0000
VICTOR R. PICKETT, 0000
AARON M. PIERCE, 0000
NATHAN R. PIERPOINT, 0000
DEVIN K. PIETRZAK, 0000
CORY J. PIKE, 0000
WILLIAM C. PIKE, 0000
JOHN C. PINNIX, 0000
CANDICE L. PIPES, 0000
STEPHEN C. PIPES, 0000
THERESA A. PISANO, 0000
JAMES C. PITTMAN, 0000
JEFFREY W. PIXLEY, 0000
SCOTT W. PLAKYDA, 0000
GREGORY S. PLEINIS, 0000
THOMAS J. PODWIKA, 0000
DAVID A. POKRIFCHAK, 0000
RICHARD K. POLHEMUS, 0000
DANIEL E. POLSGROVE, 0000
KELLY L. POLSGROVE, 0000
DOYLE A. POMPA, 0000
MICHAEL E. PONTIFF, 0000
APRIL A. E. PONTZ, 0000
TODD A. POPE, 0000
JAMES H. POPPHAN, 0000
CHRISTOPHER M. PORTELE, 0000
JACOB D. PORTER, 0000
MAYNARD J. PORTER III, 0000
ROBERT J. POULIN, 0000
CALVIN B. POWELL, 0000
ERVIN T. POWERS, 0000
GARRIN W. POWERS, 0000
CONRAD A. PREEDOM, 0000
BRADLEY B. PRESTON, 0000
JOHN M. PRESTON, 0000
THOMAS J. PRESTON, 0000
RODNEY E. PRETLOW, 0000
DEREK D. PRICE, 0000
JOHN G. PRICE, 0000
JOSEPH C. PRICE, 0000
JASON M. PRIDDLE, 0000
WILLIAM D. PRINGLE, 0000
ROBB J. PRITCHARD, 0000
MICHAEL D. PRITCHETT, 0000
MICHAEL C. A. PULLIN, 0000
KYLE J. PUMROY, 0000
ANDREW M. PURATH, 0000
KIMBERLY L. PURDON, 0000
LICHEN L. PURSLEY, 0000
RYAN J. QUAALE, 0000
JAMES W. QUASHNOCK, 0000
KEVIN R. QUATTLEBAUM, 0000
ERIN A. QUIJANO, 0000
KALLECE A. QUINN, 0000
ERICA K. RABE, 0000
NATHAN R. RABE, 0000
RYAN C. RABER, 0000
STEVEN R. RADTKE, 0000
NEIL J. RADULSKI, 0000
CHRISTOPHER R. RAINES, 0000
DAPHNE P. RAKESTRAW, 0000
ALFREDO E. RAMIREZ, 0000
AMY M. RAMMEL, 0000
DEAN D. RAMSETT, 0000
TY A. RANDALL, 0000
MICHAEL L. RANERE, 0000
RYAN L. RANSOM, 0000
DONALD E. RATCLIFF, 0000
KURT J. RATHGEB, 0000
CASEY K. RATLIFF, 0000
LISA D. RAUK, 0000
ALFRED D. RAY, 0000
BRANDEN L. RAY, 0000
CHRISTOPHER T. RAYMOND, 0000
ROBERT T. RAYMOND, 0000
DAVID C. REA, 0000
JOHNNY L. REA, 0000
JAMES D. REAVES, 0000
ROY P. RECKER, 0000
COLIN S. REECE, 0000
AARON J. REED, 0000
DALLAN I. REESE, 0000
JARMICA D. REESE, 0000
JOHN V. REEVES, 0000
JERIME L. REID, 0000
ROBERT L. REINHARD, 0000
RYAN B. REINHARDT, 0000
JASON S. REISS, 0000
JASON P. RENTER, 0000
AVIS M. RESCH, 0000
BENJAMIN D. RETZINGER, 0000
KEVIN A. REYNOLDS, 0000
MATTHEW H. REYNOLDS, 0000
RAY A. REYNOSA, 0000
BRIAN S. RHODES, 0000
JAMIE M. RHONE, 0000
FRANKLIN E. RICH, 0000
ANDREW X. RICHARDSON, 0000
TIMOTHY L. RICHARDSON, 0000
TRACEY M. RICHARDSON, 0000
OLIVER I. RICK, 0000
TODD D. RIDDLE, 0000
CHRISTOPHER A. RIDLON, 0000
JOSH C. RIEDER, 0000
GREGORY A. RIFFEL, 0000
DOUGLAS A. RIGGS, 0000
JASON S. RING, 0000
THOMAS J. RINGLEIN, 0000

NYREE D. RINKEVICH, 0000
MEGHAN M. RIPPLE, 0000
JOEL S. RIVARD, 0000
LESLIE W. ROACH, 0000
BRIAN M. ROBERTS, 0000
JEREMY S. ROBERTS, 0000
KEITH D. ROBERTS, 0000
LEEANN N. ROBERTS, 0000
MARIA C. ROBERTS, 0000
PAUL I. ROBERTS, 0000
RAIMONE A. ROBERTS, 0000
RONALD W. ROBERTS, JR., 0000
WILLIAM F. H. ROBERTS, 0000
JAMES B. ROBERTSON, 0000
KELLY A. ROBERTSON, 0000
JOHN S. ROBIN, 0000
BRETT B. ROBINSON, 0000
GREGORY A. ROBY, 0000
MATTHEW J. ROCHON, 0000
JEFFREY W. ROCK, 0000
REGINA D. ROCKEL, 0000
ANDREW L. RODDAN, 0000
WILLIAM K. RODMAN, 0000
RODOLFO I. RODRIGUEZ, 0000
AUGUST G. ROESENER, 0000
ANDREW M. ROGERS, 0000
DAVID A. ROGERS, 0000
JOSHUA D. ROGERS, 0000
LEA P. ROGERS, 0000
RICHARD W. ROGERS, 0000
H. WARREN ROHLFS, 0000
CHARLES B. ROHRIG, 0000
ERIC E. ROLLMAN, 0000
ANDREW C. ROLPH, 0000
JEFF P. ROPER, 0000
LANCE ROSAMIRANDA, 0000
CHRISTOPHER M. ROSATI, 0000
BRIAN D. ROSCISZEWSKI, 0000
ANDREW W. ROSE, 0000
MICHAEL A. ROSE, 0000
STEVEN M. ROSE, 0000
DAVID J. ROSS, 0000
DORENE B. J. ROSS, 0000
STACIE H. ROSS, 0000
BRANDON T. ROTH, 0000
GARY P. ROUSSEAU, JR., 0000
MICHAEL S. ROWE, 0000
TRAVIS M. ROWLEY, 0000
KEVIN R. ROY, 0000
JOHN P. ROZSNYAI, 0000
CHRISTOPHER T. RUBIANO, 0000
STUART M. RUBIO, 0000
CHRISTOPHER V. RUDD, 0000
WILLIE M. RUDD, JR., 0000
VICTOR F. RUIZ, JR., 0000
EMILIO RUIZSORIANO, 0000
LOUIS J. RUSCETTA, 0000
JASON R. RUSCO, 0000
RAFAL RUSEK, 0000
NATHAN L. RUSIN, 0000
BARRY T. RUSSELL, 0000
JENNIFER M. RUSSELL, 0000
JIMMY D. RUSSELL, 0000
BENJAMIN D. RUSSO, 0000
NILES K. RUTHVEN, 0000
DEREK M. RUTLEDGE, 0000
ERIN T. RYAN, 0000
MITCHELL D. RYAN, 0000
MARK H. SADLER, 0000
ROBERT J. SADLER, 0000
CLINTON R. SAFFO, 0000
GABRIEL G. SALAZAR, 0000
MILTON T. SALDIVAR, 0000
DEREK M. SALMI, 0000
ANTHONY J. SALVATORE, 0000
TOSHIO B. SAMESHIMA, 0000
MICHAEL A. SAMUEL, 0000
DANIEL A. SANABRIA, 0000
DONALD J. SANDBERG, 0000
WYNN S. SANDERS, 0000
JOHN B. SANDIFER, 0000
JAY T. SANDUSKY, 0000
ANGEL A. SANTIAGO, 0000
MATTHEW R. SANTORSOLA, 0000
DAVID E. SARABIA, 0000
DAVID P. SASSER, 0000
ELIOT A. SASSON, 0000
RYAN W. SATTERTHWAITE, 0000
JEREMY C. SAUNDERS, 0000
JOHN E. SAUNDERS, 0000
RYAN T. SAVAGEAU, 0000
TRENA M. SAVAGEAU, 0000
TANYA M. SCALIONE, 0000
MARK E. SCEPANSKY, 0000
ROBIN E. SCHAEFFER, 0000
JARED W. SCHAFER, 0000
TYLER R. SCHAFF, 0000
AARON M. SCHEER, 0000
MARK A. SCHEER, 0000
MATTHEW T. SCHELLING, 0000
RYAN J. SCHENK, 0000
ROBERT A. SCHLESIGER, 0000
DAMIAN SCHLUSSEL, 0000
KARL F. SCHLUTER, 0000
RANDALL L. SCHMEDTHORST, 0000
JASON A. SCHMIDT, 0000
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R. ERIC SCHMIDT, 0000
WILLIAM T. SCHMIDT, 0000
SCOTT A. SCHMUNK, 0000
CHRISTOPHER T. SCHNEIDER, 0000
GREGORY P. SCHNURRENBERGER, 0000
RONALD D. SCHOCHENMAIER, 0000
JOSEPH F. SCHOLES III, 0000
JOSEPH R. SCHOLTZ, 0000
ERIC P. SCHOMBURG, 0000
TODD E. SCHOPMEYER, 0000
JASON N. SCHRAMM, 0000
ROBERT J. SCHREINER, 0000
BRADFORD D. SCHRUMPF, 0000
STEVEN A. SCHULA, 0000
ERIC N. SCHULZE, 0000
BRETT C. SCHUMER, 0000
CHRISTOPHER J. SCHUMPP, 0000
MICHAEL J. SCHWAN, 0000
CHRISTINE M. SCOLARO, 0000
FRANCIS J. SCOLARO, 0000
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JEREMY C. SEALS, 0000
TIA A. SEALS, 0000
THOMAS E. SEGARS, JR., 0000
EDWARD W. SEIBERT, 0000
ROBERT A. SEITZ, 0000
BENA E. SELLERS, 0000
HEATHER M. SELLS, 0000
STEPHEN C. SERNIAK, 0000
GREGORY A. SEVENING, 0000
A. RODELL SEVERSON IV, 0000
DAVID M. SHACHTER, 0000
ANTHONY T. SHAFER, JR., 0000
THOMAS A. SHANE, 0000
BRIAN P. SHAWARYN, 0000
DANIEL P. SHEA, 0000
PHILLIP A. SHEA, 0000
STEVEN K. SHEARIN, 0000
ANDREW J. SHEEHAN, 0000
ROBERT W. SHEEHAN, 0000
MELANIE L. SHEPPERD, 0000
NATHAN P. SHERMAN, 0000
RYAN J. SHERMAN, 0000
WALTER D. SHERROD, 0000
STEVEN SHEUMAKER, 0000
FRANKLIN C. SHIFFLETT, 0000
RONALD S. SHIVERS, 0000
DESTIN J. SHOEMAKER, 0000
TRAVIS W. SHOEMAKER, 0000
RALPH R. SHOUKRY, 0000
JOSHUA A. SHOWN, 0000
MICHAEL J. SHREVES, 0000
TODD H. SHUGART, 0000
KATHERINE M. SIEFKIN, 0000
DONALD C. SIEGMUND, 0000
SCOTT M. SIETING, 0000
JOHN E. SILL, 0000
COREY A. SIMMONS, 0000
GHIA P. SIMMONS, 0000
TRAVOLIS A. SIMMONS, 0000
BRIAN M. SIMONIS, 0000
BRENDA S. SIMPSON, 0000
JEROME M. SIMS, 0000
JOHN W. SIMS, JR., 0000
PATRICK A. SIMS, 0000
RODNEY S. SISTARE, 0000
RICHARD SJOGREN, 0000
BRYAN E. SKARDA, 0000
ROBERT E. SKUYA, 0000
REGINALD L. SLADE, 0000
ELTON S. SLEDGE, 0000
BENJAMIN L. SLINKARD, 0000
JOEL A. SLOAN, 0000
RONALD J. SLOMA, 0000
PATRICK R. SMALL, 0000
BEN P. SMALLWOOD, 0000
MARK A. SMEDRA, 0000
DOMENIC SMERAGLIA, 0000
THOMAS A. SMICKLAS, 0000
ADAM R. SMITH, 0000
ALESANDRO V. SMITH, 0000
BERNARD C. SMITH, 0000
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CRAIG A. SMITH, 0000
DANNY C. SMITH, 0000
DARYL E. SMITH, 0000
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JIMMY W. SMITH, 0000
JOSHUA A. SMITH, 0000
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MARIE E. SMITH, 0000
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WILLIAM H. SMITH, 0000
ZACHARY L. SMITH, 0000
ROBERT J. SMOLICH, 0000
TROY A. SNETSINGER, 0000
JOSHUA E. SNOW, 0000
JASON E. SNYDER, 0000
D. MICHAEL SOBERS, JR., 0000
JENNIFER L. SOLES, 0000
MICHAEL G. SOMMERS, 0000
BRITT E. SONNICHSEN, 0000
JAIME SONORA, 0000
AUSTIN L. SORENSEN, 0000
MICHAEL A. SPADA, 0000
BRETT R. SPANGLER, 0000
CLINT H. SPARKMAN, 0000
BRIAN A. SPARKS, 0000
JOSHUA J. SPEAR, 0000
JUSTIN B. SPEARS, 0000
CHRISTOPHER J. SPECHT, 0000
GUY T. SPENCER, 0000
CARLY R. SPERANZA, 0000
SHAUN S. SPERANZA, 0000
WENDY L. SPILLAR, 0000
JOSEPH T. SPOSITO, 0000
TODD C. SPRISTER, 0000
RICHARD T. SQUIRE, 0000
CHRISTOPHER T. STACK, 0000
SCOTT A. STADELMAN, 0000
KRISTA N. STAFF, 0000
ERIN M. STAINEPYNE, 0000
JOHN C. STALLWORTH, 0000
TAIT W. STAMP, 0000
BYRON D. STANCLIFF, 0000
KIPLING D. STANTON, 0000
BETH A. STARGARDT, 0000
ERIC H. STAUB, 0000
THOMAS A. STAYER, 0000
BRADLEY J. STEBBINS, 0000
KRISTIN M. STEINKE, 0000
JENNIE M. STELDT, 0000
EDWARD J. STENGEL II, 0000
NIKOLAS W. STENGLE, 0000
JON A. STERLING, 0000
CHADWICK J. STERR, 0000
BRADLEY R. STEVENS, 0000
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DAVID W. STINE, 0000
ANDREW P. STOHLMANN, 0000
MELISSA A. STONE, 0000
BRIAN E. STORCK, 0000
STEVEN K. STORMS, 0000
CHARLES N. STPIERRE III, 0000
STANLEY D. STRAIGHT, 0000
DANY M. STRAKOS, 0000
TODD L. STRAWSER, 0000
CANDICE L. STREFF, 0000
JEREMY P. STRINGER, 0000
DANIEL L. STROMBERG, 0000
CHRISTOPHER W. STRONG, 0000
AARON C. STUCK, 0000
RYAN P. STUGART, 0000
CLIFFORD V. SULHAM, 0000
VINCENT T. SULLIVAN III, 0000
CHAD L. SUMMITT, 0000
BRIAN A. SURDYK, 0000
WENDY A. SWART, 0000
ANDREW J. SWARTZER, 0000
THEODORE I. SWEENEY, 0000
WESLEY W. SWEITZER, 0000
JAMIL D. SYED, 0000
STEVEN D. SYLVESTER, 0000
CHRISTINA G. SZASZ, 0000
ANDRAS J. SZUCS, 0000
ERYNN M. TAIT, 0000
DAVID A. TALAFUSE, 0000
AARON K. TALLMAN, 0000
PAUL T. TAMASHIRO, 0000
RICHARD C. TANNER, 0000
NATHAN W. TARKOWSKI, 0000
CARMILLA E. TATEL, 0000
MERWIN A. TATEL, 0000
BRIAN R. TAVERNIER, 0000
CHAD D. TAYLOR, 0000
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JARIN R. THAYN, 0000
PAUL A. THERIOT, 0000
JOHN G. THIEN, 0000
DANIEL S. THOMAS, 0000
JOSEPH K. THOMAS IV, 0000
KEVIN S. D. THOMAS, 0000
DOMENIC F. THOMPSON, 0000
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JASON D. THORNBURG, 0000
ERIN R. THORNTON, 0000
DARREN P. THURM, 0000
GRADY A. TIBBOEL, 0000
BRIAN E. TIDBALL, 0000
JERADE W. TIPTON, 0000
JENNIFER A. TITTEL, 0000
NATHAN R. TITUS, 0000
CATHERINE M. TODD, 0000
STEVEN E. TOFTE, 0000
DEVIN G. TOMASESKI, 0000
JUSTIN S. TOMLINSON, 0000
MICHAEL A. TOMM, 0000
EVERARDO TORRES, JR., 0000
JUAN A. TORRES, 0000
JOHN G. TOTTY, 0000
TRAVIS B. TOUGAW, 0000
TIMOTHY M. TOUZEAU, 0000
BRIAN B. TOWELL, 0000
PHUC Q. TRAN, 0000
AARON S. TREHERNE, 0000
MICHAEL W. TRENT, 0000
ERIC D. TRIAS, 0000
WILLIAM L. TRIPLETT, 0000
ERIC T. TROCINSKI, 0000
LAYNE D. TROSPER, 0000
ROBERT Q. TROY, 0000
SASKIA TRUJILLO, 0000
GARRETT A. TRUSKETT, 0000
JONATHAN E. TUCKER, 0000
SAMUEL A. TUCKER, 0000
ADAM C. TUFTS, 0000

RAYMUNDO O. TULIER, 0000
JUSTIN W. TULL, 0000
SEAN F. TUNALEY, 0000
BRADLEY E. TURNER, 0000
MICHELLE L. TURQUETTE, 0000
CHAD P. TUTTLE, 0000
MAJKEN B. TUTTY, 0000
JUSTIN H. TYREE, 0000
CHRISTOPHER J. ULISH, 0000
OLIVER S. ULMER, 0000
GREGORY S. ULRICH, 0000
WILLIAM L. URBAN II, 0000
ATILIO M. USSEGLIO, 0000
PROSPERO A. UYBARRETA, 0000
BRADY J. VAIRA, 0000
ROD L. VALENTINE, 0000
ELISA VALENZUELA, 0000
SHANNON L. VAN VLECK, 0000
MARK D. VANBRUNT, 0000
DOUGLAS W. VANCE, 0000
JAMES C. VANCE, 0000
DAVID D. VANDERBURG, 0000
RYAN E. VANDERVEEN, 0000
CONNIE M. VANHOESEN, 0000
JOSEPH M. VANONI, 0000
VIANESA R. K. VARGAS, 0000
JOHN D. VARILEK, 0000
RICHARD G. VASQUEZ, 0000
JASON F. VATTIONI, 0000
WILLIAM B. VAUGHN, 0000
JUAN VAZQUEZ, 0000
JUANLUIS VELEZ, 0000
MICHAEL L. VENUS, 0000
DAMIAN J. VERELLEN, 0000
SHANE S. VESELY, 0000
STEVEN F. VICSOTKA, 0000
REGINALD C. VICTORIA, 0000
CASEY J. VILE, 0000
WARREN E. VINES, 0000
JOHN R. VIPPERMAN, 0000
JOHN F. VITO, 0000
WILLIAM J. VIVONI, 0000
ALEX M. VLAKANCIC, 0000
BRIAN D. VLAUN, 0000
SARAH A. VOIGT, 0000
BRIAN A. VOLANTE, 0000
WENDY J. VOLKLAND, 0000
TIMOTHY D. VORUZ, 0000
LANCE M. WADDY, 0000
WILLIAM O. WADE, 0000
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JOHN C. WAHRMUND, 0000
ERWIN T. WAIBEL, 0000
CASEY W. WAITE, 0000
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MARC A. WALKER, 0000
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SHANE F. WALLACE, 0000
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GEORGE T. WALLING, 0000
JOHN D. WALSH, 0000
MIA L. WALSH, 0000
MARK J. WALSKE, 0000
DANIEL T. WALTER, 0000
ZACHARY S. WARAKOMSKI, 0000
CASEY J. WARD, 0000
THOMAS W. WARD, 0000
MATTHEW R. WARNER, 0000
BRITT A. WARREN, 0000
CAMERON L. WARREN, 0000
JOSHUA L. WARREN, 0000
JUSTIN C. WASHINGTON, 0000
KEITHEN A. WASHINGTON, 0000
FRANK W. WATERS, 0000
JASON M. WATSON, 0000
LARRY S. WATSON, 0000
STEVEN L. WATTS II, 0000
RAYMOND S. WAY, 0000
DANIEL B. WEBB, 0000
LONNY W. WEBB, 0000
ERIC S. WEBER, 0000
JAMES M. WECHT, 0000
DAVID L. WEIDE, 0000
RYAN P. WEISIGER, 0000
JEREMY B. WELLMON, 0000
BRETT J. WELLS, 0000
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JOSEPH H. WENCKUS, 0000
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SHEILA N. WESLEY, 0000
ANDREW R. WEST, 0000
JAMES L. WEST, 0000
ERIC L. WESTBY, 0000
JASON C. WETZEL, 0000
SUSAN A. WHALEN, 0000
JACK G. WHEELDON III, 0000
RYAN S. WHEELER, 0000
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BRADLEY D. WHITE, 0000
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NATHANAEL T. WHITE, 0000
PETER J. WHITE, 0000
BERNABE F. WHITFIELD, 0000
LARRY W. WHITMORE, 0000
JASON A. WHITTLE, 0000
BRYAN C. WIELAND, 0000
JULIE A. WIEMER, 0000
RYAN M. WIERZBANOWSKI, 0000
BENJAMIN D. WILD, 0000
DENNIS C. WILDE, 0000
DAVID D. WILEY, 0000
MONTE A. WILEY, 0000
SAMUEL R. WILHELM, 0000
ALEXANDER L. WILKERSON, 0000
BEAU S. WILKINS, 0000
CHRISTOPHER A. WILKINS, 0000
JOHN P. WILKINS, 0000
DALTON F. WILLIAMS III, 0000
JASON L. WILLIAMS, 0000
KEVIN S. WILLIAMS, 0000
PATRICK C. WILLIAMS, 0000
PHELEMON T. WILLIAMS, 0000
RICHARD A. WILLIAMS, 0000
TREVEN L. WILLIAMS, 0000
STUART A. WILLIAMSON, 0000
CHRISTOPHER H. WILLIS, 0000
MICHAEL A. WILLIS, 0000
TYSON M. WILLIS, 0000
JERIMY L. WILLS, 0000
CLINTON M. WILSON, 0000
CORY R. WILSON, 0000
DAVID L. WILSON II, 0000
JAMES A. WILSON, 0000
KYLE J. WILSON, 0000
MELISSA A. WILSON, 0000
RICHARD J. WILSON, 0000
RYAN J. WILSON, 0000
SAMUEL S. WILSON, 0000
HAROLD L. WILSTEAD, 0000
KENNETH P. WINNINGS, JR., 0000
ERIC A. WINTERBOTTOM, 0000
PHILLIP C. WINTERTON, 0000
GREGORY S. WINTILL, 0000
BERNADETTE D. WISHOM, 0000
OLGIERD P. WOJNAR, 0000
JULIE A. WOKATYKOZMA, 0000
CHESTER E. WOLFE, 0000
THOMAS B. WOLFE, 0000
CHARLES A. WOLFSANDLE, 0000
CRAIG R. S. WONG, 0000
CARL F. WOOD, 0000
DOUGLAS W. WOODARD, 0000
DAVID B. WOODLEY, 0000
WILLIAM E. WOODWARD, 0000
TRAVIS L. WOODWORTH, 0000
JAMES R. WOOSLEY, 0000
EDSEL B. WOOTEN III, 0000
JASON M. WORK, 0000
MATTHEW W. WORLING, 0000
JASON T. WRIGHT, 0000
JENNIFER L. WRIGHT, 0000
JOSEPH C. WRIGHT, 0000
CHIAFEI V. WU, 0000
DANIEL P. WUNDER, 0000
LEE A. WYNNE, 0000
STEPHEN P. WYNNE, 0000
TODD D. YACKLEY, 0000
TONYA D. YARBER, 0000
JENNIFER J. YATES, 0000
SCOTT T. YEATMAN, 0000
MATTHEW R. YEATTER, 0000
SEAN M. YODER, 0000
MICHAEL D. YORK, 0000
MELISSA L. YOUDERIAN, 0000
JAMES E. YOUNG II, 0000
JAMES G. YOUNG, 0000
MATTHEW T. YOUNG, 0000
RYAN J. YOUNGBLOOD, 0000
LONI B. YU, 0000
DANIEL P. YURASEK, 0000
VINCENT C. ZABALA, 0000
DARIA J. ZALEWSKA, 0000
ROBERT C. ZEESE, 0000
MICHAEL D. ZIEMANN, 0000
JOSEPH F. ZINGARO, 0000
JOHN F. ZOHN, JR., 0000
CLINTON R. ZUMBRUNNEN, 0000
MARIO F. ZUNIGA, 0000

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

THOMAS F. KING, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

MARY P. WHITNEY, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JAMES W. HALIDAY, 0000
BRADLEY D. LOGIE, 0000
STEVEN D. MCCLINTOCK, 0000
DANE ST JOHN, 0000
DIMITRY Y. TSVETOV, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CHRISTINE LYNN BARBER, 0000
NANCY LOUISE BORIACK, 0000
ROBIN POND BURNE, 0000
LAUREL A. M. DINERSTEIN, 0000
J. T. FLOYD, 0000
MARY E. HANSEN, 0000
PETER S. JUMPER, 0000
MICHELE C. PINO, 0000
TIMOTHY J. SHEEHAN, 0000
JAMES W. SMITH, 0000
BRIAN M. SPEARS, 0000
ALLAN D. STOWERS, 0000
MICHELE A. WILLIAMS, 0000
CHUNG H. YEN, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DONALD S. HUDSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JEFFREY N. SAVILLE, 0000

THE FOLLOWING NAMED INDIVIDUAL TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

STEVEN M. DEMATTEO, 0000

EXTENSIONS OF REMARKS

IN MEMORY OF JOE LACEY

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Ms. PELOSI. Madam Speaker, I rise to pay tribute to a longtime San Francisco community leader and friend, Joe Lacey, wno died on December 30, 2006.

Joseph Patrick Lacey's family moved to San Francisco in 1921. As a scholar athlete, Joe attended St. Ignatius High School and the University of Santa Clara on a football scholarship, playing in two Sugar Bowls. In 1940, Joe won the Pacific Coast Heavyweight Boxing Championship. In 194I, Joe played on an All Star Football team in Hawaii where he met his beloved wife of 55 years, Katharine Faye Dooling.

He served our Nation with distinction in the Navy on the USS *Yarnall* DD 541 in World War II participating in several Pacific battles, including Tarawa, Saipan, Guam, Iwo Jima and Okinawa, and again in the Korean War, serving on the USS *Walker*.

After the war, Joe began the next chapter of his life, starting a successful homebuilding company whose work includes thousands of homes in the San Francisco and Sacramento areas. Later in life, he taught special education in the Watsonville, Newark and San Francisco County school districts.

Joe was a life-long volunteer, dedicated to children and our city's most vulnerable residents. He was active in youth sports and a champion of San Francisco's homeless and elderly populations. He served on the boards of several non-profit organizations in San Francisco for more than 25 years, including Old St. Mary's Housing Committee, Catholic Charities, Senior Action Network, Planning for Elders and TURN.

Joe was well known in the halls of San Francisco city government buildings, representing nonprofit organizations. Mayor Willie Brown appointed Joe as a commissioner on the San Francisco Commission on Aging, where he proudly served until his death.

With great appreciation for his extraordinary work and service to our city and our Nation, I extend my deepest sympathy to his large and loving family. He will long be remembered by countless individuals whose lives he touched. He was a great friend to the people of San Francisco, and we are diminished by his passing.

IMPLEMENTING THE 9/11 COMMISSION RECOMMENDATIONS ACT OF 2007

SPEECH OF

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 2007

Mr. MICA. Madam Speaker, I rise today to bring to Members' attention a number of concerns have with the aviation security, emergency preparedness, and port security provisions contained in H.R. 1, the "Implementing the 9/11 Commission Recommendations Act of 2007."

AVIATION SECURITY PROVISIONS

Almost all of the aviation security provisions in H.R. 1 address requirements previously authorized or mandated by the Republicans in the years since September 11th.

H.R. 1 sets up an unrealistic Cargo Inspection Program that will be impossible to implement without bringing commerce to a halt and diverts limited funding and attention from higher security threats. Even more, Congress already addressed this recommendation in the Intelligence Reform and Terrorist Prevention Act of 2004; provided $200M each year 2005–2007 to improve cargo security and $100M each year 2005–2007 for research and development.

H.R. 1 will require inspection or a physical search of each piece of cargo and will therefore bring commerce to a grinding halt.

H.R. 1 ignores risk assessments to date that cargo is not a high threat area. Rather, passenger and baggage screening has been and should continue to be the first priority. Yet, passenger security checkpoints are still using 1950's technology with little explosive detection capability. Currently, only 28 out of 441 commercial airports have full or partial in-line EDS. Of the largest 29 airports that handle 75% of all passengers, only 9 have full in-line EDS systems.

Additionally, even though it is NOT a 9/11 Commission Recommendation, H.R. 1 gives TSA employees collective bargaining which will keep in place a flawed system and negatively impact the introduction of much needed screening technology.

Only thing worse than government bureaucracy is entrenched government bureaucracy. Yet that is exactly what H.R. 1 is seeking to create. In fact, H.R. 1 ignores and reverses Congressional direction in the Aviation and Transportation Security Act that a flexible personnel management system is essential to TSA's critical national security role. H.R. 1 also ignores and reverses TSA's January 2003 determination that, ". . . individuals carrying out the security screening function . . ., in light of their critical national security responsibilities, shall not, . . . be entitled to engage in collective bargaining. . . ."

H.R. 1 will be costly and will keep in place a flawed, security system and deny the opportunity to put in place much needed screening technology. Europeans learned the hard way and moved from a government-run airport security system to a private system with government oversight. It looks like we are not learning from their efforts.

Finally, H.R. 1 does not address many important aviation security issues such as: Ensuring biometrics operations in identification and access control; deploying high technology solutions; improving pilots' licenses; setting a term for TSA Deputy Secretary position. We have had 4 different people in charge in the 5 years since the agency was created (Magaw, Loy, Stone and Hawley)—not counting when the post was unfilled. For instance, in 2001, the Democrat-lead Senate adjourned for the year without taking action to fill this post—the President had to make a recess appointment on January 7th, 2002.

EMERGENCY MANAGEMENT PROVISIONS

The Post Katrina Emergency Management Reform Act and past appropriations bills already address most of the 9/11 Commission's first responder recommendations. Republicans already implemented comprehensive emergency management reform. Normal procedure and a committee markup would have allowed Congress to address the few inconsistencies with the Post Katrina Emergency Management Reform Act enacted by the last Congress.

H.R. 1 makes only minor emergency management reforms. Republicans enacted comprehensive emergency management reform last year in the Post Katrina Emergency Management Reform Act addressing interoperable communications, emergency preparedness standards and FEMA reform. H.R. 1 authorizes another grant program for communications equipment, providing for "such sums as necessary." This is just an authorization, not real money. In contrast, the Republicans passed a law that will allocate a portion of the digital spectrum sale to interoperable communications grants. This is real money, and will be a billion dollars.

H.R. 1 is a first step toward the Federal Government placing unfunded mandates for preparedness on private businesses. It is important for individuals and businesses to be prepared for disasters, but H.R. 1 includes a provision that is a first step toward the Federal government placing unfunded mandates for preparedness on private businesses. It goes well beyond any Congressionally-mandated role and inserts the Federal Government into state and local affairs.

PORT SECURITY PROVISIONS

Well before the 9/11 Commission's report in 2004, Congress recognized the potential for a maritime-based terrorist attack. In 2002, Congress adopted the Maritime Transportation Security Act which established a framework of comprehensive port and vessel security. Congress expanded the Act in 2004 and adopted the SAFE Port Act last year. The SAFE Port Act established a cargo scanning pilot program. That program will start scanning containers bound for the United States in at least 5 foreign ports later this year.

So, I am surprised to see the proposal to mandate 100 percent screening on the floor today. That is NOT the recommendation of the 9/11 Commission. The Commission recommends that the government "identify and evaluate the transportation assets that need to be protected, set risk-based priorities for defending them, select the most practical and cost-effective ways of doing so, and then develop a plan, budget, and funding to implement the effort." That isn't what this provision does.

While the proposal before us today would allow the existing pilot program to continue, it

would also require each and every cargo container to be screened in each and every foreign port not later than 5 years, and as soon as 3 years from enactment. This requirement would come into effect regardless of the results of the pilot program and, perhaps, regardless of the availability of any sufficient screening system.

When this proposal was first made last year, it was opposed by the Administration, the maritime transportation industries, and such voices as the Washington Post's editorial page. Instead of enacting any blanket requirements on the maritime transportation sector without any technologies capable of achieving the standards, Congress rightly required the Department of Homeland Security to test the capabilities of available scanning technologies.

My friends on the other side of the aisle are justifying their proposal by saying that 100 percent scanning systems are in place at two ports overseas. It is not. In these ports, some—but not all—containers are scanned, and none of the scans are analyzed to determine that the container is or is not a risk.

No system currently in place in any port worldwide is capable of scanning and reviewing 100 percent of containers that are bound for the United States. What will we do in 3 years if there are no scanning technologies available without creating massive backups and delays in international maritime commerce? Let's complete the pilot program and not establish mandatory requirements that we may not be able to meet.

Congress has acted to make America's maritime commerce is safer than before 9/11. It is unfortunate that this bill has been brought to the House Floor with the intention of convincing the American people that until now Congress has simply let the 9/11 Commission's recommendations languish. Nothing could be further from the truth.

IN HONOR OF FREDERICK JOHNSEN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 10, 2007

Mr. FARR. Madam Speaker, I rise today to honor the memory of a true national servant. Frederick Johnsen, a 9-year volunteer and contributor to Hospice of the Central Coast, passed away peacefully on Thursday, November 16, 2006. He was 71 years young.

Mr. Johnsen was born in Newark, New Jersey and attended primary schools in Union, New Jersey, and University of Omaha from where he graduated with a B.S. in 1963. Fred retired from the Army in 1980 after 22 years of service with the rank of Major. His outstanding military service earned him the Bronze Star Medal with two Oak Leaf Clusters twice, the Meritorious Service Medal, the Army Commendation Medal, the Good Conduct Medal, the National Defense Service Medal, and the Armed Forces Expeditionary Medal (Dominican Republic). Upon his retirement, Fred and his wife Edith, settled in Marina, California, adjacent to his last duty station at Fort Ord.

During his early years of retirement he enjoyed teaching sailing at the Naval Postgraduate School. He was a founding member of Sun Street Center, and SeaRina Community Recovery Center Advisory Board. He loved growing roses and was a member and president of the Monterey Bay Rose Society and served as a Consulting Rosarian. Most recently he was known for his supportive role as husband and confidante to my good friend Edith Johnsen, former Mayor of Marina and Supervisor for the Fourth District of Monterey. He took great pleasure in gourmet cooking, sports—especially NASCAR racing—and his relationships in the community.

Fred is survived by Edith Vallo Johnsen, his wife of 48 years; his sons, Christopher of Portland and Kenneth of Miami; his brother, Robert Johnsen and his mother, Margaret Salerno Johnsen of Union, New Jersey; along with numerous beloved family members.

Madam Speaker, on behalf of the House, I would like to extend our Nation's deep gratitude for Fred's service to the United States and his own local community. I know I speak for every Member of Congress in offering our condolences to Edith and the whole Johnsen family for the loss of their beloved husband, father, son, and brother.

IMPLEMENTING THE 9/11 COMMISSION RECOMMENDATIONS ACT OF 2007

SPEECH OF

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 2007

Mr. UDALL of New Mexico. Mr. Speaker, I rise today very pleased that we will finally pass legislation to implement in full the recommendations made by the 9/11 Commission over 2 years ago. This is an important day for our Nation, and an extremely important day for the security of our Nation.

There is much to like about this legislation, but today I would like to focus only on a few of the many important provisions in the bill. Specifically, I have supported in the past, and continue to support today, efforts to screen 100 percent of shipping containers headed through United States ports. As I have noted here on the floor of the House before, approximately 95 percent of our Nation's trade, worth nearly $1 trillion, enters or leaves through our seaports. We must secure these ports and do so immediately. We have already waited too long.

I know there is much concern about the feasibility of this provision to screen 100 percent, because of cost as well as whether or not it is simply possible. But Madame Speaker, I believe it is feasible. There are technologies being developed in my district by able small businesses to provide for improved screening processes while ensuring that port operations continue efficiently and effectively. Our Nation has faced challenges to our security before, and industry and our citizens have responded. I believe this can be the case again if we demonstrate the will to lead. And today we are on the verge of doing so.

Another aspect of H.R. 1 that I would like to highlight today are the changes made to the Civil Liberties Oversight Board. Representatives MALONEY, SHAYS, and I introduced legislation during the 109th Congress to make the Board an independent agency, grant the Board subpoena authority, subject all members of the Board to be confirmed by the Senate, require that no more than three members of the same political party be allowed to serve simultaneously, thus creating a more bipartisan and politically diverse board, and require each executive department or agency with law enforcement or antiterrorism functions to designate a privacy and civil liberties officer. H.R. 1 includes each and every one of these provisions.

Mr. Speaker, these are just a few of the many provisions included in H.R. 1 that will help secure our nation and I strongly support the passage of this legislation today. I urge my colleagues to do the same.

PAYING TRIBUTE TO STEPHEN E. EWING

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 10, 2007

Mr. DINGELL. Madam Speaker, I rise today to honor and pay tribute to Stephen E. Ewing, who served the Michigan business community for over 35 years.

Steve retired at the end of 2006 as the Vice Chairman of DTE Energy. He has been an industrious and dedicated leader in Michigan for over 35 years. Steve's career in natural gas began at Michigan Consolidated Gas Company, MichCon, where he held several executive positions and was responsible for corporate planning, personnel, administration and customer service from 1971 to 1985. He became the chief operating officer in 1985 and later the chief executive officer in 1992. Through his leadership, Steve helped MichCon become a founding member of the Heat and Warmth Fund, THAW, an organization that provides energy assistance to low-income families, and the National Fuel Fund Network, NFFN, an organization that promotes privately funded energy assistance.

When MCN Energy Group and DTE Energy merged in 2001, MichCon became a subsidiary and Steve became the head of the DTE Energy Gas Unit. At DTE Energy, Steve worked on creating new business opportunities in natural gas and managed the company's external gas-related business relationships. Steve has been recognized for directing environmentally responsible natural gas exploration and production activities in Northern Michigan, earning DTE Energy praise and trust from northern Michigan's environmental community.

Steve has also devoted his time and knowledge to the energy sector by serving as chairman of American Gas Association and member of the AAA Auto Group Club. He remains deeply involved in the Michigan community by serving on the boards of several economic, education, cultural, and health and human services organizations and businesses; as well as on the executive board of the Boy Scouts of America's Detroit Area Council and the National Petroleum Council. Throughout his career, Steve has been a mentor to his employees, instilling in them the successful leadership qualities that he employed in his executive capacities. Steve is a true pioneer in energy matters and the State of Michigan is grateful for his 35 years of service.

Madam Speaker, I ask that my colleagues join me in extending the appreciation of the U.S. House of Representatives to Stephen E. Ewing for his lifelong work in the energy sector, and in wishing him an enjoyable and adventurous retirement.

HIGHEST SIKH RELIGIOUS AUTHORITY SEEMS TO BE UNDER HINDUTVA CONTROL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. TOWNS. Madam Speaker, the Council of Khalistan recently sent a letter to Joginder Singh Vedanti, the Jathedar of the Akal Takht, who has been promoting a piece of flim-flam known as the Dasam Granth, in which several writers took a snippet of the writing of the last Sikh guru, Guru Gobind Singh, and added other items, some pornographlc, trying to pass it off as the genuine work of Guru Gobind Singh in order to damage the Sikh religion. Jathedar Vedanti's endorsement of the Dasam Granth makes him a particpant in this effort to undermine the Sikh culture and religion.

The Council of Khalistan urged the Jathedar to stop diverting the attention of the Sikhs to this severely altered book and instead to focus on the issue of freedom for Khalistan. He noted that on the two occasions last year when Slkh leaders were arrested for making speeches in support of Khalistan and raising a Khalistani flag, there was no protest from Jathedar Vedanti.

It is time for us to support the legitimate aspirations of the Sikhs and all the minorities of India who are seeking their freedom by stopping our aid to India) suspending our trade with that country and by supporting the right to self-determination for all the minority nations of the subcontinent. Self-determination is the essence of democracy. Why can't "the world's largest democracy" hold a simple vote on this fundamental question?

Madam Speaker, I would like to insert the Council of Khalistan's letter to Jathedar Vedanti into the RECORD at this time for the information of the American people.

JANUARY 9, 2007.

DEAR JATHEDAR VEDANTI: I am writing to you about the Dasam Granth, which you have been promoting as the genuine writing of Guru Gobind Singh. The issue of its authorship was settled long ago. As you know, the authors of the Dasam Granth identify themselves within the text and only a small part is written by Guru Gobind Singh. The rest was appended by Hindu writers looking to harm the Sikh religion. Much of it is pornographic. For a jathedar of the Akal Takht to promote it as genuine Sikh scripture, especially since Guru Gobind Singh left the Guruship in the Guru Granth Sahib, is harmful to the Sikh religion and the Sikh Nation. Sikhs shou]d bow only to the Guru Granth Sahib, nothing else.

The Dasam Granth is not the real issue. Do not get sidetracked, and do not sidetrack the Sikh Nation from the real issue, freedom and sovereignty for Khalistan. Do not let this controversy divert and waste the resources of the Sikh Nation from the preservation of our religion and culture.

It is vitally important that the Akal Takht Jathedar, the spiritual leader of the Sikh religion, be committed to the well-being of the Sikh Nation. Preserving its history, religion, culture, and scripture is essential to that well-being, especially when it is under assault from Hindus who are trying to subsume the Sikh religion and culture into those of the Hindus as part of Hindutva. Remember that a former Cabinet minister said that everyone who lives in India must either be a Hindu or be suhservient to Hindus. But also remember the words of your predecessor, Professor Darshan Singh, who said, "If a Sikh is not a Khalistani, he is not a Sikh."

Jathedar Vedanti, the duty of the Jathedar of the Akal Takht is toprotect, promote, and disseminate the Sikh religion. How can we do that within the framework of India when India is working to destroy the Sikh religion? The experience or the Jewish people shows that when a nation has sovereignty, it flourishes, but when it does not it perishes.

The only way to preserve, promote, and disseminate the Sikh religion and culture is in a free and sovereign Khalistan. Yet when Sikh leaders in Punjab were arrested last year simply for making speeches and raising the Khalistani flag, we did not hear a word of protest from the Akal Takht. Nor did we hear a protest of the actions of the Badal government in Punjab, the most corrupt in Punjab's history. The Badal government even sold jobs—they called it "fee for service" and Mrs. Badal was able to tell how moch money was in a bag just by picking it up.

Please do not let your energy be diverted to issues like the Dasam Granth, which has long been known to be altered. We need every Sikh to help bring freedom, dignity, prosperity, and security is in a free, sovereign, independent Khalistan. Discussion of issues like the Dasam Granth merely diverts the Khalsa Panth from freedom and sets back the cause of protecting the Khalsa Panth.

Panth Da Sewadar,

DR. GURMIT SINGH AULAKH,
President, Council of Khalistan.

A VERY FINE LADY—INDEED—A TRIBUTE TO THE LIFE OF DR. RACHEL HANNAH CELESTINE BOONE KEITH

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. CONYERS. Madam Speaker, tonight I rise to pay tribute to a champion of humanity. Dr. Rachel Hannah Celestine Boone Keith lived an exemplary life, one filled with kindness and caring towards others. She was an exceptional woman who genuinely cared about those around her and was always quick to lend a helping hand. I have known Dr. Keith for over 40 years. She was the wife of my dear friend, Judge Damon Keith. Judge Keith and I have been great friends for a very long time. I initially met Judge Keith when he was the law partner of my brother, Nathan Conyers. It is with a heavy heart that I make this tribute to Dr. Keith who gave so generously in life; she was a wonderful person and physician, she acted on behalf of those who could not help themselves, and she advocated vociferously for the health care rights of the community at large, she will truly be missed.

Rachel Hannah Celestine Boone was born on May 24, 1924, in Monrovia, Liberia. Her father and mother were Baptist medical missionaries who founded a church, ran a school, and provided medical services. She returned to the United States at the age of three, relocating with her family to Richmond, Virginia. She graduated from high school at the age of 13 and was the class valedictorian. Tragically, her mother died that same year. This loss is what prompted her to decide to become a doctor. After her mother's death, she relocated to Boston to live with her aunt, Dr. Bessie B. Tharps. Following in her aunt's footsteps, she attended the Boston University School of Medicine, where she attained the highest score ever recorded on a medical school exam.

In 1951, she relocated to Detroit to become only the second African-American female doctor to serve as a resident physician at the Detroit Receiving Hospital. It was soon after beginning her residency that she met Judge Keith, who was a young lawyer at the time. They were soon married and remained married for 53 years. My friend Damon has said of his wife, "She was the sweetest woman in the world. Her life was a by-product of how she was raised. She was very religious. She was not pushy or demanding. She saw her life as one of service." Judge Keith and Dr. Keith had three wonderful daughters, Cecile, Debbie, and Gilda. She was a devoted wife, mother, and grandmother who taught her children that they were raised to live a simple life.

Professionally, Dr. Keith gave tirelessly to her patients. She was a trained internist who was in private practice over 40 years. During that long tenure, she never turned any patient away based on their inability to pay.

Though she was a strong supporter of her husband and gentle in demeanor, Dr. Keith was exceptionally effective as a leader in developing community unity, and in developing and establishing new ways to deliver health care. She was an early health care activist and far ahead of her time in understanding the importance of health care being universal to all.

In addition to being a strong medical presence in the community, she was heavily involved in civic and social matters. She served on the board of over 20 medical organizations and 18 non-profit groups. She was also honored with numerous awards and honorary degrees. Madam Speaker, the world is a better place because Dr. Keith was here; she will be deeply missed, but her spirit and love that she shared with others will live on indefinitely. Madam Speaker, I ask unanimous consent to enter the homegoing celebration program of Dr. Rachel Hannah Celestine Boone Keith into the CONGRESSIONAL RECORD.

DR. RACHEL HANNAH CELESTINE BOONE KEITH

Rachel Keith was born Rachel Hannah Celestine Boone on May 30, 1924, in Monrovia, Liberia. Her parents, Reverends Clinton C. Boone and Rachel Tharps Boone, were Baptist medical missionaries. Her grandfather, Reverend Lemuel Washington Boone, was a founding trustee of Shaw University. Rachel came to the United States at age three and began her schooling at Paul Laurence Dunbar Elementary School in Richmond, Virginia. She graduated from Armstrong High School in 1938 at the age of 13 as valedictorian of her class. That same year, she lost her mother and moved with her aunt, Dr. Bessie B. Tharps, to Rhode Island. In 1943, as the only African-American student at Houghton College in upstate New York, Rachel graduated magna cum laude and second

in her class. Thereafter, she completed postgraduate studies in biology at Brown University in Providence, Rhode Island. Rachel attained her medical degree from Boston University's School of Medicine in 1949.

Also in 1949, Dr. Rachel Boone was featured in a Look Magazine story about Boston University's home medical service and in The Boston Globe for scoring the highest ever on a national board test. After completing her internship at Harlem Hospital, she served at Brooklyn's Coney Island Hospital before moving to Detroit in 1951. In 1953, she married attorney Damon J. Keith. Dr. Keith completed a 2-year residency in Internal Medicine at Detroit Receiving Hospital in 1953. In 1954, she joined the staff at Detroit Memorial Hospital and entered private practice. During her half century of medical practice, Dr. Keith was also affiliated with Burton Mercy, Detroit Riverview, Detroit Receiving, Harper, Hutzel, and Sinai hospitals.

A member of Tabernacle Missionary Baptist Church for 53 years, Rachel Keith was a deeply religious woman who lived her faith. She served her family, her patients and her community with dedication and tenacity. As a physician, she gave every patient her full attention and complete care. She was a loving and nurturing mother to her daughters, Cecile, Debbie and Gilda and an exemplary role model who taught them to give back and help others. Her devotion and love for her husband of 53 years, Judge Damon J. Keith, was steadfast. As a member of the Detroit community, she as an active participant in numerous civic and social organizations, always with the intent of making life better for others. She was a true pioneer in the medical community, a civil rights activist, a compassionate mentor and a strong advocate for her patients, the poor and uninsured.

In addition to her immediate family, Rachel Boone Keith is survived by her brother, Rev. Clinton C. Boone, II, her granddaughters, Nia and Camara Brown, in whom she took great pride, her son-in-law, Daryle Brown, her niece and nephew, Rane Boone Franklin and Rev. Clinton C. Boone III, and a host of loving relatives and friends.

Opening Hymn, ''Blessed Assurance'', Tabernacle Combined Choirs.

Scriptures: Matthew 25: 34–36, II Timothy 4:6–8, Reverend Nicholas Hood, Sr., Pastor Emeritus, Plymouth United Church of Christ.

Prayer, Reverend Dr. Oscar R. Carter, Inkster Springhill Baptist Church.

Musical Selection, ''The Lord Is My Light'', Walter McLean.

Remarks, The Honorable Jennifer M. Granholm, Governor, State of Michigan, The Honorable Kwame M. Kilpatrick, Mayor, City of Detroit, Dr. James Brown, Longtime Medical Partner.

Family Tribute, Cecile Keith Brown, Daughter.

Silent Reading Of The Obituary, Musical Selection, ''I Really Love The Lord''.

Musical Selection, ''His Eye Is On The Sparrow'', Virginia Winters.

Eulogy, Reverend Dr. Charles G. Adams, Senior Pastor, Hartford Memorial Baptist Church.

Hymn, ''Great Is Thy Faithfulness'', Congregation.

Closing Prayer, Reverend Nathan Johnson, Senior Pastor, Tabernacle Missionary Baptist Church.

Recessional, ''God Be With You Till We Meet Again'', Tabernacle Combined Choirs.

Dr. Keith's medical affiliations included: American Medical Association; Beaumont Hospital; Blue Care Network; Blue Preferred; Comprehensive Cancer Center of Metropolitan Detroit; Detroit Department of Health; Detroit Gastroenterological Society; Detroit Medical Center; Detroit Medical Society; DMC Care; Eastwood Clinic Chemical Dependency Unit; Michigan Board of Medicine; Michigan State Medical Society; National Medical Association; Omnicare; Professional Plaza Health Care Center P.C.; University of Michigan Hospitals, Public Advisory Board; Wayne County Medical Society; Wayne State University College of Nursing; and Wayne State University School of Medicine.

Dr. Keith's civic and cultural affiliations included: African American Association of Liberia; African Development Fund; American Leprosy Mission; Coleman A. Young Foundation; Community Foundation of Southeast Michigan; Detroit Community Music School; Detroit Institute of Arts; Detroit Science Center; Detroit Symphony Orchestra; Governor's Commission on the Future of Higher Education; Links, Inc.—Great Lakes Chapter; Mayor's Committee for the Cultural Center; Mayor's Emergency Relief Committee; Metropolitan Area Service Organization; NAACP—Lifetime Member; National Council of Negro Women, Inc.; Top Ladies of Distinction; and World Energy Conference.

She received numerous awards including: Boston University, Rebecca Lee Award; Boston University, Honorary Degree, Doctor of Humane Letters; Central Michigan University, Honorary Degree, Doctor of Public Service; Mary McLeod Bethune Award; Sinai Hospital Recognition Award; and Zeta Phi Beta Woman of the Year.

Honorary Pallbearers: Robert and Maggie Allesee, Herman Anderson, Dr. William Anderson, Hon. Dennis W. Archer, Hon. Trudy Archer, Leon Atchison, Edward Bailey, Anita Baker, Don and Bella Barden, Dr. and Mrs. Hiram Bell.

Mr. and Mrs. Werten Bellamy, Sr., Dr. Lerone Bennett, Dave Bing, Black Judges Association of Michigan, Alberta Blackburn, Catherine Carter Blackwell, Raymond H. Boone, Charles Boyce, Joe Brown, Dr. Waldo Cain.

Dr. Benjamin A. Carson, Marvel Cheeks, Hon. Carolyn Cheeks-Kilpatrick, Dr. Aram V. Chobanian, Dr. June Christmas, Hon. Erie L. Clay, Senator Hillary Rodham Clinton, Pres. William Jefferson Clinton, Hon. R. Guy Cole, Jr., Prof. James Coleman, William Coleman, Jr.

Pres. Mary Sue Coleman, Dr. Julius V. Combs, Congressman John Conyers, Nathan Conyers, Leon Cooper, Dr. Wendell Cox, Peter D. Cummings and Julie Fisher Cummings, David DiChiera, Congressman John and Debbie Dingell.

Walter E. Douglas, Eugene and Elaine Driker, Prof. Michael Eric Dyson, Esther Gordy Edwards, Bishop Charles H. Ellis, III, Douglas Ellman, Myrlie Evers Williams, Hon. Edward Ewell, Jr., Hon. John Feikens, Oscar Feldman, Dr. Otis Ferguson.

Howard Fitts, Sylvia Flanagan, Rev. Kenneth Flowers, Edsel and Cynthia Ford, Mr. and Mrs. William Clay Ford, Jr., W. Frank Fountain, Aretha Franklin, Dr. John Hope Franklin, Roderick G. Gillum, Dr. Holly S. Gilmer-Hill.

Tom and Carol Goss, Thomas A. Gottschalk, Gov. Jennifer M. Granholm and Daniel Mulhern, The Greater Detroit Links, Forrest Green, Dr. Rosalind Griffin, Prof. Lani Guinier, Elliott Hall, Ronald E. Hall, Sr.

Mr. and Mrs. Steven H. Hamp, Carmen Harlan, Al and Kathy Harrison, Hon. Erma Henderson, Prof. Evelyn Brooks Higginbotham, Oliver W. Hill, Jimmy Hoffa, Jr., Dr. Melvin L. Hollowell, Sr., Melvin ''Butch'' Hollowell, Jr., Dr. Benjamin Hooks.

Willie Horton, Charles Hamilton Houston, III, Corrine Houston, Joseph and Jean Hudson, Dr. Ann Marie Ice, Mike and Marian Ilitch, Dr. Lonnie Joe, Dr. Arthur L. and Chacona Johnson, E. Christopher Johnson, Hon. Sterling Johnson.

Hon. Nathaniel R. Jones, Vernon E. and Ann Jordan, Eleanor Josaitis, Dr. Darnell and Shirley Kaigler, Peter and Danialle Karmanos, Emory King, Joe W. Laymon, Otis K. Lee, Senator Carl Levin, David Baker Lewis.

Diana Lewis, Dr. Ronald Little, Samuel Logan, Hon. Conrad L. Mallett, Jr., Richard and Jane Manoogian, Mrs. Thurgood Marshall, Hon. and Mrs. William McClain, Mrs. Wade McCree, Jr., Aubrey McCutcheon, Jr., Rodney O'Neal.

Genna Rae McNeil, Jesse Jai McNeil, James Nicholson, Steve Palackdharry, Nancy Parson, Dr. Robert E.L. Perkins, Dr. William F. Pickard, Vivian Rogers Pickard, Sharon Madison Polk, Gen. Colin and Alma Powell, Waltraud E. Prechter.

Dr. Irvin D. Reid, Roy S. and Maureen Roberts, Dr. Alma Rose, Dean Kurt L. Schmoke, Alan E. and Marianne Schwartz, The Shaya Family, Roger Short, Tavis Smiley, Senator Debbie Stabenow, Elaine Eason Steele.

Marc Stepp, Emanuel Steward, Chuck Stokes, Herbert Strather, Pres. H. Patrick Swygert, Frank Taylor, Dr. Natalia Tanner, A. Alfred Taubman, Dr. Lorna Thomas, Reginald M. Turner, Jr.

Abe Venable, Richard Wade, Irene Walt, Hon. JoAnn Watson, Rev. Lance Watson, Dr. Charles Whitten, Gov. Douglas Wilder, Hon. Ann Claire Williams, Lt. Kenneth Williams, Mrs. Stanley Winkelman, Robert Hughes Wright, Dean Frank Wu, David N. Zack.

Pallbearers: Luther Alton Keith, Gregory Sims, Reverend Clinton C. Boone, III, Terrence Keith, Martinzey Sims, Alex Parrish.

Flower Bearers: Great Lakes Chapter of the Links, Inc. and friends.

Final Arrangements Entrusted to: Swanson Funeral Home, Inc., 14751 W. McNichols Road, Detroit, Michigan, (313) 272–9000.

Interment: Roseland Park Cemetery, Berkley, Michigan.

Fellowship and Repast: Tabernacle Missionary Baptist Church (Following the Interment).

Acknowledgment: The family of Dr. Rachel Boone Keith, deeply appreciates your expressions of sympathy and acts of kindness. Your love and support have been a great comfort.

Contributions can be made to: The Dr. Rachel Boone Keith Prize Fund at the School of Medicine. Checks should be made payable to: ''Trustees of Boston University'' Note: Rachel Boone Keith Fund Address: BU School of Medicine, 75 Albany Street, L219, Boston, MA 02118. The Rachel Boone Keith Prize Fund is a permanently endowed fund established as a tribute by her family to provide annual awards to one or more forth year African-American female students who demonstrate excellence in performance at the Boston University School of Medicine.

FAIR MINIMUM WAGE ACT OF 2007

SPEECH OF

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 10, 2007

Mr. MEEHAN. Mr. Speaker, today is a day that is long overdue.

Despite the fact that 4 out of 5 Americans support a minimum wage increase, the last Congress did not bring up a clean minimum wage bill.

For more than 9 years, the minimum wage has been frozen. Its value today is at its lowest level since 1955—when Eisenhower was President.

This Congressional neglect—again, 9 years since the last increase—is the longest since the minimum wage was created. The results have been devastating.

A full-time minimum wage worker earns only $10,712 per year—almost $6,000 under the poverty line for a family of three.

Furthermore, this low wage is often the only wage of the house—nearly half of all minimum wage workers are the sole breadwinner in their households.

Today, we will change that and millions of workers will benefit. This extra money—nearly $4,000 for a full-time minimum wage earner—means that they won't have to choose between buying drugs for their children, and putting food on the family dinner table.

It is unacceptable for a person working a full-time job in the richest country in the world to live in poverty.

Mr. Speaker, it is high time that we pay American workers what they deserve: a fair day's wage for a day's work.

Raising the minimum wage is the right thing to do, and I urge my colleagues to support it.

THE STANDARDS TO PROVIDE EDUCATIONAL ACHIEVEMENT FOR ALL KIDS (SPEAK) ACT (H.R. 325)

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. EHLERS. Madam Speaker, I rise in support of the Standards to Provide Educational Achievement for All Kids (SPEAK) Act, H.R. 325.

It has been no secret that I strongly believe that we need to improve our nation's math and science education. High quality math and science education at the K–12 levels is extremely important to ensure that our future workforce is ready to compete in the global economy. We are sacrificing our future and our children's, if we are not investing in today's children.

I have been so concerned about the quality of math and science education in this country, and the limited number of young people who are pursuing math and science-related degrees, that I founded the House STEM Education Caucus with my Democratic colleague MARK UDALL of Colorado in 2004. As you probably know, STEM stands for ''Science, Technology, Engineering, and Mathematics.''

A resounding bipartisan chorus of business leaders, educators, Nobel laureates and other luminaries has called for improvements in our nation's math and science education, as evidenced by the Business Roundtable's Tapping America's Potential and the National Academies' Rising Above the Gathering Storm reports, as well as President Bush's American Competitiveness Initiative.

While the last Congress was unable to pass comprehensive legislation to improve math and science education, we now have a new opportunity to work in a bipartisan and bicameral fashion: the No Child Left Behind Act of 2001 is up for reauthorization this year.

NCLB has made important strides toward strengthening standards-based education and holding states and schools accountable for ensuring that our students are learning. However, with more than 50 different sets of academic standards, state assessments and definitions of proficiency, there is tremendous variability across our nation in the subject matter our students are learning.

I might add that there also is considerable variation across states and even school districts in the sequencing of math and science courses, which is problematic for our increasingly mobile student population. Our students could lack instruction in certain basic science or math concepts if they transfer between schools with completely different sequences of courses.

Despite NCLB and all of our other efforts, the condition of our state standards is not well. In 2006, the Fordham Foundation reported that two-thirds of U.S. kids attend school in states with academic standards in the C, D, and F range. My own state of Michigan was given a C in math and a D in science despite the fact that Michigan was one of the pioneers in the standards movement. (Michigan adopted science guidelines in 1991). Recently, Michigan adopted the Michigan Merit Curriculum, which describes what students should know at each grade level, and is linked to tougher statewide graduation requirements that, for the first time, mandate 3 years of high school science.

States like Michigan are making substantial improvements, but our Nation as a whole needs to redouble its efforts to ensure that we have all students prepared for the jobs of the future, and must improve the quality of our educational standards from the current average or failing grades to excellent or A plus grades.

The SPEAK Act creates, adopts and recommends rigorous voluntary American education content standards in math and science in grades K–12. The bill tasks the National Assessment Governing Board, in consultation with relevant organizations, to review existing standards and to review the issue of course sequencing as it relates to student achievement.

The SPEAK Act authorizes the American Standards Incentive Fund to incentivize states to adopt excellent math and science standards. It offers an ''If You Build It, They Will Come Approach.'' Let me emphasize that this bill does not establish a national curriculum or national standards. Participation by states is strictly voluntary. I have always felt that the ''carrot'' is more effective than the ''stick'' in leading reform. It is my hope that all states will feel the overwhelming responsibility to bolster their state standards in science and math and will step up to the plate.

I am very pleased that 38 organizations listed below have endorsed the SPEAK Act, including national organizations such as the National Education Association, National Council of Teachers of Mathematics, and the National Science Teachers Association. In addition, organizations in my congressional district and elsewhere in Michigan have endorsed the SPEAK Act, including the Grand Rapids Area Chamber of Commerce; the University of Michigan; Michigan State University; the Regional Math and Science Center at Grand Valley State University; Steelcase, Inc; RoMan Manufacturing, Inc.; Cascade Engineering; and the Michigan Science Teachers Association.

I look forward to working with Senator DODD, other Members and the education and business community in a bipartisan and bicameral fashion to pass the SPEAK Act into law. It will greatly improve our Nation's math and science education. New America Foundation, Thomas B. Fordham Institute, National Education Association, Alliance for Excellent Education, Council of the Great City Schools, American Association of Colleges for Teacher Education, National Council of Teachers of Mathematics, National Science Teachers Association, International Reading Association, American Association for the Advancement of Science, The American Chemical Society, Healthcare Leadership Council, SAE International, Math for America, Education Industry Association, National Education Knowledge Industry Association (NEKIA), Eli Broad, Philanthropist/Businessman, The Campaign for Educational Equity, Teachers College, Columbia University, Chicago Science Group, Jacob Ludes, III, Executive Director/CEO, New England Association of Schools and Colleges (NEASC), National Center for Technological Literacy, Project Lead the Way, Museum of Science, Boston, Junior Engineering Technical Society (JETS), National Society of Black Engineers, International Technology Education Association, ASME Center for Public Awareness, Building Engineering and Science Talent, San Diego, CA.

Connecticut-Based Organizations: The University of Connecticut, Connecticut Conference of Independent Colleges, Connecticut Federation of School Administrators, Connecticut Principals' Center, Connecticut Association of Schools.

Michigan-Based Organizations: Grand Rapids, MI, Area Chamber of Commerce, Michigan Science Teachers Association, Michigan State University, Cascade Engineering, MI, RoMan Manufacturing, Inc., MI, Regional Math and Science Center, Grand Valley State University, MI Steelcase, Inc.

PERSONAL EXPLANATION

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. NORWOOD. Madam Speaker, on rollcall No. 18, on passage—H.R. 2, had I been present, I would have voted ''no.''

MOURNING THE PASSING OF PRESIDENT GERALD RUDOLPH FORD

SPEECH OF

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 2007

Mr. TURNER. Mr. Speaker, I am pleased to support H. Res. 15, a resolution honoring the life of President Gerald R. Ford. As America remembers President Ford's leadership and service to the American people, I offer my condolences to the Ford family.

While attending former President Ford's funeral, I had the opportunity to converse with Dr. David Mathews, a community leader in my district. Dr. Mathews served as Secretary of Health, Education and Welfare under President Ford and shared with my office some personal stories of the President's legacy. Dr. Mathews recalled:

Ford was a reconciler. While there was a great balance in Ford, he was also tough as nails. He did what he believed the country needed and was never motivated by polls.

In 1976 one U.S. soldier stationed at Fort Dix died of the swine flu. There was some concern that the potential for an epidemic existed. A panel of the best and brightest scientists of the day was convened. That panel included Doctors Jonas Salk and Albert Sabin, who did much of his research at the University of Cincinnati. Both were pioneers in developing polio vaccines. Some of the panelists counseled the president to quickly begin creating vaccine and getting the word out to the nation. Others thought it prudent not to risk a panic, and wait. President Ford was decisive and unwilling to risk an epidemic, giving the order to produce the vaccine. To emphasize the point President Ford and I received the first and second doses of the vaccine.

The working relationship and personal friendship between President Ford and I continued after the Ford administration. In the early 1980s, when I became president of the Kettering Foundation, I suggested to Ford that he invite former president Jimmy Carter to the first conference at the Gerald R. Ford Presidential Library. That conference addressed the public's reaction to proposals to strengthen the Nation's Social Security program. The meeting was based on results from a citizens' briefing book prepared for the National Issues Forums.

Characteristically, President Ford agreed, not just begrudgingly, or acquiescing, he was enthusiastic about inviting Carter . . . That was the first project Presidents Ford and Carter did together. It resulted in a life-long friendship.

I am pleased to join my colleagues in supporting H. Res. 15 and honoring the life of President Ford.

TRIBUTE TO ROBBIE & JIM HEINTZMAN

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. McKEON. Madam Speaker, I rise today to say farewell to two very special people, Robbie & Jim Heintzman. Robbie began working as a caseworker for me when I started my first term of office and her husband, Jim, was a helicopter pilot for many years with the Los Angeles Police Department. Now, they have decided to retire and will soon move to Prescott, Arizona to begin a new chapter in their new lives.

Robbie has been a true asset to me and I value her loyalty, dedication and expertise. Her compassionate and cheerful presence will be sorely missed in my office, and I know the loss of Jim's expertise and dedicated service will create a void at the police department as well.

Robbie's very interesting life prepared her well for the job in my office. She was born in Japan and was the only child of an Air Force dad and a mom who was the Administrative Assistant to the Chief Justice of the Japanese War Crimes Trial. Living in many places throughout the world, Robbie has always loved traveling and hopes that retirement will afford her the opportunity to finally satisfy her wanderlust.

Over the years, Robbie has held many different jobs including bartender, cocktail waitress, newspaper/radio advertising consultant, secretary, saleslady and mother to sons, Sean and Colin Donohue. The three major careers in her life have been as a singer, sailor and as solver of problems for my constituents. She also found time to be a travel coordinator/consultant and now is looking forward to having the time to lead tours to exotic locales.

Robbie's singing career started in Hawaii in 1974. In 1975, she went to Tokyo to sing as the house vocalist for Club El Morocco, which at the time was rated the premier nightclub in Japan. After returning to the United States, she formed "Just Us," her own Country-Pop group, in Kingman, Arizona and sang professionally until 1983.

While cruising the waters around Hawaii on the *S.S. Independence* and *S.S. Constitution* from 1983–1985, and on the waters around Tahiti on the *S.S. Liberte* in 1986, Robbie held the positions of Bartender, Junior Assistant Purser, Cashier, Yeoman and Senior Purser. She served the last four positions as a commissioned Staff Officer in the U.S. Merchant Marine. In February 1986, she was promoted to Cruise Hostess and resumed singing with the orchestra as part of her duties.

Eventually leaving Tahiti for the United States, she started her career as a Staff Assistant/Caseworker with California Senator Ed Davis in 1989 and after I was elected to Congress, Robbie began working for me in January of 1993. Always kind, attentive and sympathetic, she delighted in solving constituent problems and loved helping to make a difference in their lives.

About the time that Robbie began her singing career, Jim started his law enforcement career in his hometown of Bloomington-Normal, Illinois. However, sunny California soon beckoned and he moved west to pursue a career with the Los Angeles Police Department.

Jim entered the LAPD Academy on January 22, 1973 and after six grueling months of training, he graduated second in his class. Jim's first assignment was the Hollywood Patrol where he walked the Hollywood Boulevard Foot Beat for 2½ years. He went on to serve in Hollywood Vice, Metro Division and SWAT. He was promoted to Sergeant in 1982 and continued his career at Pacific Division. In August 1983, Jim joined the elite Air Support Division and received his Command Pilot wings in January, 1984. He was promoted to Sgt. II in 1992. Air Support Division has been his home for the past 23 years and he has over 5,000 flight hours under his belt. Some of Jim's more interesting adventures included Pope Paul's visit to Los Angeles, the Los Angeles Summer Olympics, the 1992 Riots, the 1994 Northridge earthquake and the 2000 Democratic National Convention. Jim is most proud though, of his day-to-day patrol over the streets of LA and his ability to be the ground officers' "eye in the sky" which greatly enhanced their safety.

Robbie and Jim are active volunteers in the Santa Clarita Valley and participate in many organizations. Although California's loss will be Arizona's gain, they plan to quickly resume volunteer activities in their new community. In addition, Jim hopes to continue his flying career in some capacity. Very soon, there will be more time for golf, visiting and other leisure activities. But more importantly, there will be enough time to pursue Robbie's passion for travel because there is more of the world to see and many new people to meet.

As Robbie and Jim begin those pleasant, well-deserved years of retirement, I would like to thank them for their many years of dedicated service. I ask my colleagues to join me and extend our best wishes to the Heintzmans for a healthy and happy future filled with success.

RECOGNIZING JARRETT LOWE FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Jarrett Lowe, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 495, and in earning the most prestigious award of Eagle Scout.

Jarrett has been very active with his troop, participating in many Scout activities. Over the many years Jarrett has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Jarrett Lowe for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. I am honored to represent Jarrett in the United States House of Representatives.

HIGHEST SIKH RELIGIOUS AUTHORITY SEEMS TO BE UNDER HINDUTVA CONTROL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. TOWNS. Madam Speaker, the Council of Khalistan recently sent a letter to Joginder Singh Vedanti, the Jathedar of the Akal Takht, who has been promoting a piece of flim-flam known as the Dasam Granth, in which several writers took a snippet of the writing of the last Sikh guru, Guru Gobind Singh, and added other items, some pornographic, trying to pass it off as the genuine work of Guru Gobind Singh in order to damage the Sikh religion. Jathedar Vedanti's endorsement of the Dasam Granth makes him a participant in this effort to undermine the Sikh culture and religion.

The Council of Khalistan urged the Jathedar to stop diverting the attention of the Sikhs to this severely altered book and instead to focus on the issue of freedom for Khalistan. He noted that on the two occasions last year when Sikh leaders were arrested for making speeches in support of Khalistan and raising a Khalistani flag, there was no protest from Jathedar Vedanti.

It is time for as to support the legitimate aspirations of the Sikhs and all the minorities of India who are seeking their freedom by stopping our aid to India, suspending our trade with that country and by supporting the right to self-determination for all the minority nations of the subcontinent. Self-determination is the

essence of democracy. Why can't "the world's largest democracy" hold a simple vote on this fundamental question?

Madam Speaker, I would like to insert the Council of Khalistan's letter to Jathedar Vedanti into the RECORD at this time for the information of the American people.

COUNCIL OF KHALISTAN,
Washington, DC, January 9, 2007.

S. JOGINDER SINGH VEDANTI,
Jathedar of the Akal Takht, Golden Temple, Arnritsar, Punjab, India

DEAR JATHEDAR VEDANTI: I am writing to you about the Dasam Granth, which you have been promoting as the genuine writing of Guru Gobind Singh. The issue of its authorship was settled long ago. As you know, the authors of the Dasam Granth identify themselves within the text and only a small part is written by Guru Gobind Singh. The rest was appended by Hindu writers looking to harm the Sikh religion. Much of it is pornographic. For a jathedar of the Akal Takht to promote it as genuine Sikh scripture, especially since Guru Gobind Singh left the Guruship in the Guru Granth Sahib, is harmful to the Sikh religion and the Sikh Nation. Sikhs should bow only to the Guru Granth Sahih, nothing else.

The Dasam Granth is not the real issue. Do not get sidetracked, and do not sidetrack the Sikh Nation from the real issue, freedom and sovereignty for Khalistan. Do not let this controversy divert and waste the resources of the Sikh Nation from the preservation of our religion and culture.

It is vitally important that the Akal Takht Jathedar, the spiritual leader of the Sikh religion, be committed to the well-being of the Sikh Nation. Preserving its history, religion, culture, and scripture is essential to that well-being, especially when it is under assault from Hindus who are trying to subsume the Sikh religion and culture into those of the Hindus as part of Hindutva. Remember that a former Cabinet minister said that everyone who lives in India must either be a Hindu or be subservient to Hindus. But also remember the words of your predecessor, Professor Darshan Singh, who said, "If a Sikh is not a Khalistani, he is not a Sikh."

Jathedar Vedanti, the duty of the Jathedar of the Akal Takht is to protect, promote, and disseminate the Sikh religion. How can we do that within the framework of India when India is working to destroy the Sikh religion? The experience of tbe Jewish people shows that when a nation has sovereignty, it flourishes, but when it does not it perishes.

The only way to preserve, promote, and disseminate the Sikh religion and culture is in a free and sovereign Khalistan. Yet when Sikh leaders in Punjab were arrested last year simply for making speeches and raising the Khalistani flag, we did not hear a word of protest from the Akal Takht. Nor did we hear a protest of the actions of the Badal government in Punjab, the most corrupt in Punjab's history. The Badal government even sold jobs—they called it "fee for service" and Mrs. Badal was able to tell how much money was in a bag just by picking it up.

Please do not let your energy be diverted to issues like the Dasam Granth, which has long become known to be altered. We need every Sikh to help bring freedom, dignity, prosperity, and security is in a free, sovereign, independent Khalistan. Discussion of issues like the Dasam Granth merely diverts the Khalsa Panth from freedom and sets back the cause of protecting the Khalsa Panth.

Panth Da Sewadar,
DR. GURMIT SINGH AULAKH,
President, Council of Khalistan.

IN RESPONSE TO PRESIDENT BUSH'S IRAQ "SURGE" SPEECH

HON. JOHN CONYERS, JR.

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 11, 2007

Mr. CONYERS. Madam Speaker, last night, the president announced that he will escalate the war in Iraq. Still in his cloud of denial, Mr. Bush seems to believe that he can achieve some ill-defined "victory" by perpetuating America's involvement in a bloody civil war halfway around the world. It is unclear what such a victory would look like, let alone how it might be achieved. Mr. Bush's "troop surge" is not a strategy; it is a desperate, last-ditch effort to allow the president to avoid admitting that his war of choice has been a failure.

Generals and foreign policy experts alike agree that adding 21,500 more troops to the quagmire in Iraq will have little effect on either our chances for "victory" or the safety and stability of the Iraqi nation. Indeed, President Bush chose this course of action against the unanimous opposition of the Joint Chiefs of Staff and most of the commanders on the ground in Iraq. Everyone except the president seems to realize that the essential problem in Iraq requires a political solution, not a military one. The American people understand it, as they demonstrated overwhelmingly last November. Yet the president wants to put even more American troops in harm's way for no strategic advantage. He persists in his foolhardy escalation, apparently more concerned with preserving his legacy as "the president who didn't lose Iraq" than with the well-being of either our brave troops or the Iraqi people.

An escalation in Iraq will do nothing to improve America's security; on the contrary, it will undermine it. Our military is already stretched to the breaking point, and Mr. Bush's "surge" will cause additional damage that will take billions of dollars and many years to fix. Exactly none of the military's active duty or reserve brigades is considered "combat ready." Only thirty percent of equipment considered "essential" to homeland security is on-hand here at home. Should disaster strike here at home or elsewhere in the world, we will be left virtually defenseless while our troops and equipment are bogged down in an unwinnable war that threatens to drag on for years, if not decades.

While Mr. Bush claims to have been "listening" to the advice of military and foreign policy experts over the last months, he seems to have emerged as stubbornly committed to his failed policy as ever. It is up to the Congress to put an end to this madness. I particularly want to call on my friends on the other side of the aisle to listen to the voices of their constituents, the everyday Americans who understand what we have at stake in this war in a way that the president has proven himself incapable of doing. We cannot throw away more American lives. We cannot mortgage our children's futures to further enrich war profiteers. We cannot continue to contribute to the devastation of Iraq.

The president seems unable to comprehend that American military might is not the answer to all the world's problems. But the American people do understand. They know that there is only one way forward in Iraq. We must begin the phased withdrawal of American troops in the next four to six months. We must change our mission from combat to training and logistical assistance for Iraq forces. We must provide the economic assistance the Iraqis need to repair their devastated society and give whatever help they require in moving their political process forward. This is the only way to achieve any sort of victory in Iraq.

THE INDEPENDENT STUDY OF DISTANCE EDUCATION ACT OF 2007

HON. VERNON J. EHLERS

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 11, 2007

Mr. EHLERS. Madam Speaker, I rise in support of the Independent Study of Distance Education Act of 2007. This bill requires that the National Academy of Sciences (NAS) conduct a scientifically correct, statistically valid study of the quality of distance education programs as compared to campus-based programs.

Allow me to provide some background on congressional actions related to distance education. During the 1992 reauthorization of the Higher Education Act, Congress passed a rule to counter fraud and abuse perpetuated by diploma mills and some correspondence programs in the 1980s. This rule, known as the "50-percent rule", prevents any college or university that enrolls more than 50 percent of its students in distance education or provides more than half of its courses via distance education from participating in federal financial aid programs.

During the 1998 reauthorization, Congress recognized that, with changes in technology, schools are increasingly offering courses via distance education. The Distance Education Demonstration Program was established to examine the quality and viability of expanding distance education programs. This demo program allowed 24 colleges and universities to waive several program requirements for participating in the federal financial aid programs, including the 50-percent rule, in exchange for participating in studies by the Secretary of Education.

The Secretary provided Congress with three studies of the Distance Education Demonstration Program. The Secretary found that the "mode of distance education delivery does not appear to be a salient factor in student outcomes." However, in 2004, the Office of the Inspector General found that the Secretary's conclusions about the impact of distance education methods on student learning was unsupported, fostering uncertainty about the quality of distance education programs as compared to the quality of campus-based programs.

As a scientist, I strive to base my policy decisions and voting on reliable studies and data. Unfortunately, when it comes to the Higher Education Act and distance education, there is no scientifically correct, statistically valid study of the quality of distance education programs as compared to campus-based programs.

You may think that this has halted congressional action related to distance education programs. Certainly, it would be prudent to know whether distance education is effective before allowing for the rapid proliferation of federal financial aid funds going to students in such programs.

However, in 2005, as part of the Deficit Reduction Act, Congress repealed the ''50-percent rule'', which could potentially result in rapid expansion of distance education programs. While the House-version of this bill included an amendment I offered to have the National Academy of Sciences conduct a study, this provision was stripped out during conference because of the arcane ''Byrd rule,'' which prohibits provisions without a fiscal impact in budget reconciliation bills.

Please know that I am not against distance education. In fact, as a K–12 student, I completed correspondence courses by distance. But, before we spend more federal dollars on this, we need to know more about the quality of distance education programs, as compared to campus-based programs. Simply put, the Independent Study of Distance Education Act will provide scientifically correct, statistically valid information on which to base future votes and policy decisions related to distance education programs.

I urge all Members to support this important legislation.

FAIR MINIMUM WAGE ACT OF 2007

SPEECH OF

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 2007

Mr. MEEHAN. Mr. Speaker, this week presents Congress the chance to deal with some long overdue business.

It's been more than nine years since the Minimum Wage was increased. It's been nearly six years since the President cut off federal funding for stem cell research. And, it's been nearly two and a half years since the 9/11 Commission released its recommendations.

Its recommendations were a clear road map to what the Government needed to do to reduce the chances of another terrorist attack and prepare if we were to be attacked again. But many of the recommendations went unheeded.

In December 2005, the Commission gave the government a shameful report card—17 D's and F's. An F because our first responders still can't communicate with each other. An F for failing to screen airline passengers. And an F for basing Homeland Security funding on politics instead of risk.

Today, Mr. Speaker, we will turn these F's to A's—from failure to action.

The bill before us is a strong first step for this Congress towards securing our country and preventing another 9/11. I am proud to say that this bill includes a provision to create a director of non-proliferation within the White House to coordinate efforts at the Departments of Defense, Energy and State.

This provision was introduced in the 108th Congress, and again in the 109th Congress, by myself, Mrs. TAUSCHER and Mr. SPRATT, and believe that it is crucial to our efforts to create a comprehensive strategy to deal with the threats of Weapons of Mass Destruction. I was proud to work with both Mrs. TAUSCHER and Mr. SPRATT on this provision and I thank them for their leadership on this issue.

After today, America will be a safer place. 9/11 must never happen again. I strongly encourage members to vote in favor of it.

PERSONAL EXPLANATION

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. NORWOOD. Madam Speaker, on rollcall No. 17; On Motion to Recommit with Instructions (H.R. 2). Had I been present, I would have voted ''yes.''

IN RECOGNITION OF JOHN A. McGINNESS, FOR MORE THAN 40 YEARS OF SERVICE TO LOCAL 12 OF THE UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. LYNCH. Madam Speaker, I rise today in honor of a man whose professional life has been dedicated to improving the lives of working men and women in Massachusetts, across our nation and beyond our borders. Jack McGinness is a remarkable labor leader with a long and illustrious career in the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada.

Brother Jack McGinness, the youngest of six children, was born in Cambridge, Massachusetts to William and Anne McGinness. He grew up in the City of Cambridge and graduated from Cambridge High and Latin School. After graduation, Jack honorably served our country by enlisting in the United States Marine Corps.

Jack was initiated into the Plumbers Apprenticeship Program on September 28, 1964. In his first year, Jack worked for the George Murphy Company in Cambridge, Massachusetts. Following the completion of his five year apprentice training program, Jack worked as a plumber and foreman for U.A. Contractors within the jurisdiction of Local 12 but also other U.A. contractors on the road in the U.S. and Canada.

During his tenure, brother McGinness served as a member of Plumbers Local 12, as an officer on Local 12's Joint Conference Board, Executive Board, the Apprentice Committee as well as served as Trustee for the Local 12 Health and Welfare Fund, delegate to the United Association's National Convention in 1991, 1996, 2001 and 2006. Brother McGinness served on the Sergeant of Arms Committee from 2001 until 2006. He was elected Business Agent in 1994.

Jack's dedication to the men and women of the Building Trades has been regularly acknowledged by his peers. He was elected by his brothers and sisters of labor to serve as President of the Framingham-Newton Building Trades Council as well as to serve on the State Building Trades Executive Board as a Delegate to the National Building Trades Convention in 2001 and 2005.

Anyone who has had the privilege to work along side Jack knows that he is a dedicated and thoughtful individual, concerned primarily for the safety and welfare of his union brothers and sisters and their families.

Beyond his professional commitment, Jack devoted much of his time to developing Local 12's annual participation in Dads' Day and Toys for Tots as well as the Local 12 Golf Committee and the Local 12 Social Committee.

Madam Speaker, it is my distinct honor to take the Floor of the House today to join with Jack McGinness' family, friends and brothers and sisters of labor to thank him for more than forty years of remarkable service to the American Labor Movement. I hope my Colleagues will join me in celebrating Jack's distinguished career and wishing him good health and God's blessing in all his future endeavors.

BOBBY GOLD REMEMBERED

HON. BRAD ELLSWORTH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. ELLSWORTH. Madam Speaker, I rise today to honor the memory of Bobby L. Gold, a man who dedicated his life's work to the concerns of poor, elderly and minority residents of Evansville, Indiana. Mr. Gold passed away on Thursday, January 4 at the age 61.

He began his advocacy in the 1960s, fighting for civil rights and against poverty in Evansville. His work in public service included the Community Action Program of Evansville and the AARP Senior Community Service Employment Program.

During his life, Mr. Gold sought to improve opportunities for the children of Evansville, especially those from low income backgrounds. While serving as a youth counselor for the Community Action Program of Evansville, he worked for the creation of a school breakfast program. He also recruited high school and college students to tutor local elementary school students in math and reading.

In his last years of his life, Mr. Gold devoted his time to the Evansville Housing Authority. His activism for public housing was enhanced by passion and understanding that being a resident of that system provided. He pushed for a zero tolerance policy for illegal drugs on the property of the housing authority to promote safety and security for residents. Even as his health deteriorated near the end of his life, Mr. Gold remained interested and involved in the work of the Housing Authority.

For his hard work, Mr. Gold was bestowed with the Indiana State Human Rights Award in 1999, and in September 2005 Evansville Mayor Jonathan Weinzapfel presented him with a Celebration of Diversity Award.

Throughout his life, Mr. Gold was a strong voice for those in the Evansville community who needed it most. The people of Evansville have lost a dear friend and outspoken advocate. Bobby Gold will be missed, but his spirit of public service will live on. I'm proud to call him my friend.

INTRODUCTION OF LEGISLATION TO REPEAL THE SELECTIVE SERVICE ACT AND RELATED PARTS OF THE UNITED STATES CODE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. PAUL. Madam Speaker, I am today introducing legislation to repeal the Selective Service Act and related parts of the United States Code. The Department of Defense, in response to calls to reinstate the draft, has confirmed that conscription serves no military need.

In his December confirmation hearings, Secretary of Defense Robert Gates stated his opposition to a military draft. Secretary Gates' immediate predecessor, Donald Rumsfield, also publicly opposed reinstating the draft. The opposition of the two most recent Defense Secretaries is only the most recent confirmation that the draft serves no military purpose.

Obviously, if there is no military need for the draft, then there is no need for Selective Service registration. Furthermore, Mr. Speaker, Selective Service registration is an outdated and outmoded system, which has been made obsolete by technological advances.

In fact, in 1993, the Department of Defense issued a report stating that registration could be stopped "with no effect on military mobilization and no measurable effect on the time it would take to I mobilize, and no measurable effect on military recruitment." Yet the American taxpayer has been forced to spend over $500 million dollars on an outdated system "with no measurable effect on military mobilization!"

Shutting down Selective Service will give taxpayers a break without adversely affecting military efforts. Shutting down Selective Service will also end a program that violates the very principals of individual liberty our Nation was founded upon. The moral case against the draft was eloquently expressed by former President Ronald Regan in the publication Human Events in 1979: ". . . it [conscription] rests on the assumption that your kids belong to the state. If we buy that assumption then it is for the state—not for parents, the community, the religious institutions or teachers—to decide who shall have what values and who shall do what work, when, where and how in our society. That assumption isn't a new one. The Nazis thought it was a great idea."

I hope all my colleagues join me in working to shut down this un-American relic of a bygone era and help realize the financial savings land the gains to individual liberties that can be achieved by ending Selective Service registration.

LEE'S SUMMIT JOURNAL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize the Lee's Summit Journal in Lee's Summit, Missouri. This newspaper will be celebrating its 125th anniversary of publication this month. Over the past 125 years, this newspaper has provided valuable services to its readers in their local communities.

As a staple of the community for all these years, the newspaper went through growth and expansion along with the community it serves. From its humble beginnings of being a 4-page paper, to its current publication schedule of twice a week, this newspaper has been and continues to be a stabilizing force within the community.

Since its inception in 1887, the Lee's Summit Journal provided quality news coverage for its reading community. Even through tough times, such as a fire which destroyed the newspaper office, the Lee's Summit Journal continued to deliver quality and reliable news service to the community.

Madam Speaker, I proudly ask you to join me in recognizing the Lee's Summit Journal. The services the outstanding staff of the Lee's Summit Journal have provided over these 125 years have been an essential part of the community.

PERSONAL EXPLANATION

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. NORWOOD. Madam Speaker, on rollcall No. 16, on Motion to Table the Appeal of the Ruling of the Chair (H.R. 2), had I been present, I would have voted "no."

INTRODUCTION OF THE PRESERVATION OF RECORDS OF SERVITUDE, EMANCIPATION, AND POST-CIVIL WAR RECONSTRUCTION ACT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. LANTOS. Madam Speaker, I am delighted to reintroduce H.R. 390, the Preservation of Records of Servitude, Emancipation, and Post-Civil War Reconstruction Act. This important legislation, which passed the Government Reform Committee unanimously last year, will ensure that African-Americans who want to trace their family's history in our country are not prevented from doing so because of inadequate preservation and access to the records.

Madam Speaker, as you are aware, for most Americans, researching their genealogical history involves searching through municipal birth, death, and marriage records—almost all of which have been properly archived as public historical documents. However, African-Americans in the United States face a unique challenge when conducting genealogical research due to our Nation's history of slavery and discrimination. Instead of looking up wills, land deeds, birth and death certificates, or other traditional genealogical research documents, African-Americans must often try to identify the name of former slave owners, hoping that the owners kept records of pertinent information, such as births and deaths.

To compound this difficulty, African-American genealogists find that most current records of servitude, emancipation, and post-Civil War reconstruction are frequently inaccessible, poorly catalogued, and inadequately preserved from decay. While some states and localities have undertaken efforts to collect these documents with varying degrees of success, there has not been any national effort to preserve these pieces of public and personal history to make them readily and easily accessible to all Americans.

Madam Speaker, in 2000, both the House and Senate unanimously passed the Freedmen's Bureau Records Preservation Act, which became Public Law 106–444, and required the Archivist of the United States to create a searchable indexing system to catalogue the genealogical records from the post-Civil War Reconstruction period. This law was the first step towards ensuring that many of these valuable and important records are appropriately accessible to genealogists and historians, and based on its success we now recognize the need to expand the scope of the original law or risk losing other critically important historic documents.

Madam Speaker, H.R. 390, the Preservation of Records of Servitude, Emancipation, and Post-Civil War Reconstruction Act, tackles the problems of poorly catalogued and inadequately preserved records in two ways. First, it will make sure that records of servitude, emancipation, and post-Civil War reconstruction currently being stored within the various agencies of the federal government will be properly preserved. This will protect a vast amount of genealogical information, including records from the Southern Claims Commission Records, the Records of the Freedmen's Bank, the Slave Impressments Records, and even Slave Payroll Records and Slave Manifests. By providing the Archivist of the United States with the resources necessary to preserve, maintain and electronically catalogue these important records we can eliminate many of the barriers that African-Americans encounter when trying to engage in a proper genealogy search. However, since many of these records are disbursed around the country in non-federal depositories, this legislation would also authorize the National Archives to distribute grants to the States, academic institutions, and genealogical associations in order to preserve and establish online databases of these important local records of servitude, emancipation, and post-Civil War reconstruction. These grants will ensure that families doing research in my home State of California or anywhere in the country will access to these treasure troves of genealogical information without having to leave the comforts of their computer chair.

Madam Speaker, I am delighted to be joined by colleagues from both sides of the aisle who are original cosponsors of my legislation and particularly appreciate the support of my good friends and colleagues, TOM DAVIS, and ELIJAH CUMMINGS, whose assistance in drafting this bill has been monumental. I would urge the rest of our colleagues to support this legislation and hope that we will be voting on this bill soon.

RECOGNIZING DOUGLAS McLAIN FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Douglas McLain, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and in earning the most prestigious award of Eagle Scout.

Douglas has been very active with his troop, participating in many scout activities. Over the many years Douglas has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Douglas McLain for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. I am honored to represent Douglas in the United States House of Representatives.

INTRODUCTION OF THE VETERANS DISABILITY COMPENSATION AUTOMATIC COLA ACT

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. KNOLLENBERG. Madam Speaker, today I am introducing an important piece of legislation that speaks to our commitment to our Nation's veterans.

In the 109th Congress, I introduced the Veterans Disability Compensation Automatic COLA Act. This legislation would automatically increase disability benefits for veterans, each year, by the Consumer Price Index. Today I am re-introducing this important legislation.

Currently, it takes a yearly act by Congress to ensure disabled veterans receive a cost-of-living adjustment (COLA). While we have done this every year for the past three decades we cannot guarantee that future Congresses will act as responsibly. Taking a chance on disabled veterans' benefits is a chance I am not willing to take.

My legislation would simply make the COLA for veterans with disability benefits automatic each year. Furthermore, this important legislation also has no budgetary impact. In fact, both Congress and the President assume the increase in their budgets.

Madam Speaker, Social Security and Medicare beneficiaries receive an automatic COLA and our disabled veterans deserve the same. Thank you.

IMPLEMENTING THE 9/11 COMMISSION RECOMMENDATIONS ACT OF 2007

SPEECH OF

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 2007

Mr. POMEROY. Mr. Speaker, I rise today in support of H.R. 1. This bill takes an important long-overdue step to implement recommendations put forth by the 9/11 Commission. This bill improves interoperability, enhances cargo and overall port security, and strengthens U.S. efforts to reduce the proliferation of weapons of mass destruction.

I do recommend that implementation of this bill be undertaken in such a way as to ensure that our rural first responders do not receive less funding as a result of the redistribution of the homeland security grants in the legislation. First responders across the Nation must be equipped to readily deal with and react to security concerns in the United States. Therefore, I think it is critical that North Dakota's first responders continue to receive the funding that they need and deserve to do their job.

IMPLEMENTING THE 9/11 COMMISSION RECOMMENDATIONS ACT OF 2007

SPEECH OF

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 2007

Mr. CONAWAY. Mr. Speaker, I wish to revise and extend my remarks with regard to the vote on H.R. 1—Implementing the 9/11 Commission Recommendations Act of 2007.

While I certainly support the goal of this legislation and believe it to be imperative that Congress continue to work with the Administration to ensure the safety and security of our Nation, I could not in good conscience vote in favor of the measure as it was presented. I agree there is still work to be done and it would benefit this Congress to discuss the continued implementation of the recommendations of the 9/11 Commission; however, I believe H.R. 1 contained some critical flaws that prevent it from being a solution to the security dilemmas that we face today.

First and foremost, I believe this legislation is fiscally irresponsible. Not only does it create new government spending without providing any offsets, it essentially provides a blank check for these unfunded mandates by authorizing "such sums as may be necessary" for an unspecified number of years. Providing effective and common sense security measures is essential; however we cannot do so at the expense of fiscal responsibility and subject our Nation to higher government spending and a greater Federal deficit.

Beyond being fiscally irresponsible, I had concerns about the manner in which this legislation was considered. Decisions on matters as grave and enduring as the security and safety of this Nation should not be undertaken hastily or impulsively and should not subvert the normal legislative process. This legislation was not afforded the opportunity to traverse the regular order and be debated on, amended, or considered during the committee process. Further, as no amendments were allowed, it cannot be said that the proposal received a fair and open debate.

Further, the 9/11 Commission Recommendations Act contains a provision expressing the Sense of Congress that the Proliferation Security Initiative (PSI) should be authorized by the United Nations. I believe it presents a dangerous situation to allow the UN control over such an important program which restricts the transfer of banned weapons and technology, given that the UN membership includes some of the nations responsible for the violations that PSI seeks to prevent.

Finally, I am opposed to the provision that extends collective bargaining guarantees to the employees of the Transportation Security Administration (TSA). It is important to remember this is an idea that was explored during the creation of the TSA as the Homeland Security Act of 2002 was considered and at that time, it was determined it was not in the best interest of the organization and its mission. Unionizing TSA employees would tie the hands of the agency and disallow it the flexibility to deploy its workforce and change the nature of employees' work and locations in response to national emergencies.

Again, I want to emphasize for the record that I recognize the critical and serious nature of the business of protecting and securing our Nation and its citizens. However, as previously explained, I could not in good conscience vote for legislation that I do not believe to be an effective or responsible means in which to address these important Issues.

RECOGNIZING TYLER SANDOVAL FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Tyler Sandoval, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 495, and in earning the most prestigious award of Eagle Scout.

Tyler has been very active with his troop, participating in many Scout activities. Over the many years Tyler has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Tyler Sandoval for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. I am honored to represent Tyler in the United States House of Representatives.

IN HONOR OF MRS. PHYLLIS MILLER

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. NADLER. Madam Speaker, I rise today to congratulate Mrs. Phyllis Miller upon receiving the Zella Butler Bronfman Award, presented by the UJA-Federation's Task Force on People With Disabilities and the J.E. and Z.B. Butler Foundation.

Throughout her 25-year career, Phyllis Miller has worked tirelessly on behalf of people with developmental disabilities. She taught Judaic studies and Hebrew language to both special and regular education elementary school students, beginning in 1973 at the Armed Forces Center for English as a Second Language in Fort Knox, Kentucky. She later taught at Temple Beth El Hebrew School in Springfield, Massachusetts; Hillel Academy in Passaic, New Jersey; and Yeshiva of North Jersey in River Edge, New Jersey

In 1997, Mrs. Miller took a position as a Family and Child Advocate at the Board of Jewish Education of Greater New York, which she represents on the UJA Task Force on Disabilities. In this capacity, she assists people with special needs and their families in finding the programs and schools that best serve them. She also coordinates the Association of Jewish Special Educators and the Jewish Parent Advocate Coalition, through which she arranges in-service workshops for teachers and an annual Parent Empowerment Conference and Resource Fair for parents and social service providers. She also acts as the liaison to social service agencies and to families searching for special needs services.

A graduate of Stern College at Yeshiva University with a degree in Psychology and Judaic Studies, Mrs. Miller has five wonderful children, one of whom is currently studying at the Hebrew University in Jerusalem. Phyllis and her husband, Michael, have done tremendous work in forging relationships within Jewish communities both here and in Israel.

I am pleased to honor Mrs. Phyllis Miller for her many years of outstanding service, and to thank her for her extraordinary dedication to the developmentally disabled.

MOURNING THE PASSING OF PRESIDENT GERALD RUDOLPH FORD

SPEECH OF

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 2007

Mr. BOEHNER. Mr. Speaker, I stand in strong support of the resolution honoring the life of former President Gerald R. Ford.

Gerald Ford served America with great distinction—first in the military, then as a Member of the U.S. House, and later as Vice President and President of the United States. After faithfully serving his Michigan constituents for 25 years in the House, he was called to serve all of the American people in the White House when his country needed him most.

The Watergate crisis was one of the most difficult times in our nation's history, and President Ford's unflinching leadership helped heal a nation and restore the American people's faith in their government. His decision to pardon President Nixon was a controversial and difficult move that drew a great deal of criticism. But in hindsight, I think most Americans would agree it was the right decision, the honorable decision, and reflected President Ford's good judgment and straightforward approach.

Throughout the ordeal, President Ford earned our affection and respect. He will be remembered for the integrity, character, and grace he exhibited in his work and throughout his life.

As public servants we owe a huge debt to those who have served before us, and we owe President Ford a debt of gratitude for the enormous contributions and sacrifices he made on behalf of his country. I am humbled to serve in the same elected leadership post he occupied for eight years during his tenure in the House.

Our thoughts and prayers, and those of a grateful nation, are with Betty and the Ford family. I urge all my colleagues to support this resolution.

RECOGNIZING JACOB KLINGENSMITH FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Jacob Klingensmith, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 100, and in earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many Scout activities. Over the many years Jacob has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Jacob Klingensmith for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. I am honored to represent Jacob in the United States House of Representatives.

IN RESPONSE TO THE PRESIDENT'S ANNOUNCEMENT OF THE DEPLOYMENT OF 20,000 NEW TROOPS TO IRAQ

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Ms. JACKSON-LEE of Texas. Madam Speaker, last night the President announced to the Nation his intention to deploy another 20,000 troops to Iraq.

Madam Speaker, troop surges in Iraq are not new and, judging from history, the one announced last night by the President will not work. It will only succeed in putting more American troops in harm's way for no good reason and without any strategic advantage. The armed forces of the United States are not to be used to respond to 911 calls from governments like Iraq's that have done all they can to take responsibility for the security of their country and safety of their own people. The United States cannot do for Iraq what Iraqis are not willing to do for themselves.

Troop surges have been tried several times in the past. The success of these surges has, to put it charitably, been underwhelming. Let's briefly review the record:

1. Operation Together Forward, (June–October 2006): In June the Bush administration announced a new plan for securing Baghdad by increasing the presence of Iraqi Security Forces. That plan failed, so in July the White House announced that additional American troops would be sent into Baghdad. By October, a U.S. military spokesman, Gen. William Caldwell, acknowledged that the operation and troop increase was a failure and had "not met our overall expectations of sustaining a reduction in the levels of violence." [CNN, 12/19/06. Washington Post, 7/26/06. Brookings Institution, 12/21/06.]

2. Elections and Constitutional Referendum (September–December 2005): In the fall of 2005 the Bush administration increased troop levels by 22,000, making a total of 160,000 American troops in Iraq around the constitutional referendum and parliamentary elections. While the elections went off without major violence these escalations had little long-term impact on quelling sectarian violence or attacks on American troops. [Brookings Institution, 12/21/06. www.icasualties.org]

3. Constitutional Elections and Fallujah (November 2004–March 2005): As part of an effort to improve counterinsurgency operations after the Fallujah offensive in November 2004 and to increase security before the January 2005 constitutional elections U.S. forces were increased by 12,000 to 150,000. Again there was no long-term security impact. [Brookings Institution, 12/21/06. New York Times, 12/2/04.]

4. Massive Troop Rotations (December 2003–April 2004): As part of a massive rotation of 250,000 troops in the winter and spring of 2004, troop levels in Iraq were raised from 122,000 to 137,000. Yet, the increase did nothing to prevent Muqtada al-Sadr's Najaf uprising and April of 2004 was the second deadliest month for American forces. [Brookings Institution, 12/21/06. www.icasualties.org. USA Today, 3/4/04]

Madam Speaker, rather than surging militarily for the third time in a year, the president should surge diplomatically. A further military escalation would simply mean repeating a failed strategy. A diplomatic surge would involve appointing an individual with the stature of a former secretary of state, such as Colin Powell or Madeleine Albright, as a special envoy. This person would be charged with getting all six of Iraq's neighbors—Iran, Turkey, Syria, Jordan, Saudi Arabia, and Kuwait—involved more constructively in stabilizing Iraq. These countries are already involved in a bilateral, self-interested and disorganized way.

While their interests and ours are not identical, none of these countries wants to live with an Iraq that, after our redeployment, becomes a failed state or a humanitarian catastrophe that could become a haven for terrorists or a hemorrhage of millions more refugees streaming into their countries.

The high-profile envoy would also address the Israeli-Palestinian conflict, the role of Hezbollah and Syria in Lebanon, and Iran's rising influence in the region. The aim would not be necessarily to solve these problems, but to prevent them from getting worse and to show the Arab and Muslim world that we share their concerns about the problems in this region.

Madam Speaker, the President's plan has not worked. Doing the same thing over and over and expecting a different result is, as we all know, a definition of insanity. It is time to try something new. It is time for change. It is time for a new direction.

FAIR MINIMUM WAGE ACT OF 2007

SPEECH OF

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 10, 2007

Mr. TERRY. Mr. Speaker, I rise today to speak in favor of lifting people out of poverty by giving them the means to succeed. I rise today to speak against the Democrat's raise in the minimum wage.

No American wants to see their fellow person live in poverty. There are ways to continue to help Americans have all the means necessary to not only survive, but to thrive. However, the Democrat's bill to raise the minimum wage is nothing more than a Band-Aid on a broken little toe. While their intentions may be good, and I believe they are, their philosophical approach is economically and socially flawed. In reality, this plan will create an economic hardship for the employers who provide millions of Americans the opportunity to participate in our economy.

Some of my colleagues would have you believe that the right thing to do is mandate unto all businesses, small, family-owned, and corporate alike, that the business cannot determine the wage worth of an employee. They would have you believe it is the job of the government to do so. I believe in a market system without an intrusive, dictating government that will likely minimize potential employment opportunities for lower skilled workers.

I and many of my fellow free-market thinking colleagues believe that the correct action to take to help these individuals is two-fold.

First, on the macro-level, we must have a strong, growing economy from which highpaying jobs are available and competition for employees. Facts show that lowering taxes is an economic motivator. In the past 5 years, Congress has passed and or extended the following tax cuts: marriage penalty relief, accelerated the increase in the child credit, accelerated the expansion of the 15 percent rate bracket for married couples, reduction in individual income tax rates, reduction of other regular tax rates, increased the alternative minimum tax exemption, reduce individual capital gains rates, and accelerated depreciation.

These tax cuts have helped grow our economy here in the U.S. to the point where we are now in a time of economic prosperity with Americans enjoying the benefits. Since August 2003, when the 2001 tax extensions were passed, the American economy has added over 7 million new jobs—this is more than all other major industrialized nations combined—and posted job gains for 39 straight months. We have also attained an impressive 4.5 percent unemployment rate. This economy is most conducive to producing higher paying jobs.

Secondly, on the micro-level, these individuals who are making minimum wage most importantly need advancement in skills and education. I have had many conversations with a gentleman named Fernando "Butch" Lecuona III. Butch is the commissioner of Labor for the Nebraska Department of Labor and is the head of the Department of Labor in Nebraska. Butch also adheres to the philosophy and will be the first one to say that education is the key to lifting people from poverty.

In December of 2006, we in the House passed a tax credit for businesses who hired individuals in the Welfare to Work program, which provided a tax credit to employers when they hire individuals who have received public assistance for 18 months or who have exhausted their benefits. In addition to the Welfare to Work program I also supported the Work Opportunity Tax Credit, WOTC, when employers hire individuals from eight "target" groups—such as families receiving public assistance, high-risk youths, ex-felons, qualified veterans, and food stamp recipients under the age of 35. This is an example of the proper roll of government to help individuals succeed.

While doing my research for this vote, I attempted to find the number of people that are the bread-winners for their families working at or below minimum wage. According to the U.S. Department of Labor, Nebraska has roughly 1 million people in our workforce pool. Nearly 60 percent of our workers work for an hourly wage. In the United States, 1.5 percent of hourly workers aged 25 and above make at or below minimum wage; 1.5 percent of our hourly workers in Nebraska equals about 8,000 people. Of the total 17,000 minimum wage workers in Nebraska, more than half of those are aged 16–24. These are not typically the breadwinners of the family.

The best tool to battle poverty is a free market with an educated workforce. We have the tools in this Nation to continue to provide Americans with the opportunities for which we are known. Increasing the minimum wage does nothing to help an individual better themselves, their family, or their community.

This is why I will not be supporting the minimum wage increase and I urge my colleagues to join me.

TRIBUTE TO GENERAL JAMES L. JONES

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. SKELTON. Madam Speaker, let me take this opportunity to recognize the long and distinguish career of GEN James L. Jones. General Jones just completed his assignment as Supreme Allied Commander, Europe and Commander, U.S. European Command.

General Jones received a bachelor of science degree from the Georgetown University School of Foreign Service in 1966. He also attended the Basic School, the Amphibious Warfare School, and the National War College in Washington, DC.

General Jones was commissioned a Second Lieutenant in the Marine Corps where he was ordered to the Republic of Vietnam in January 1967. After serving as a Platoon and Company Commander he was promoted to First Lieutenant. He returned to the United States in December 1968 where he served as a Company Commander at Camp Pendelton, CA. From May 1970 to July 1973, General Jones served at Marine Barracks, Washington, DC, as a Company Commander. Remaining in Washington, General Jones served in the Officer Assignments Section at Headquarters Marine Corps where he was later appointed to Major and soon after served as the Marine Corps Liaison Officer to the United States Senate.

After being promoted to Lieutenant Colonel, General Jones was assigned to Camp Pendleton, CA, and in August 1987, returned to Headquarters Marine Corps where he served as Senior Aide to the Commandant of the Marine Corps. He was promoted to Colonel in April 1988, where later General Jones would become Military Secretary to the Commandant.

General Jones was assigned as the Commanding Officer, 24th Marine Expeditionary Unit at Camp Lejeune, NC, where he participated in Operation Provide Comfort in Northern Iraq and Turkey. He was advanced to Brigadier General and was assigned to duties as Deputy Director, J–3, U.S. European Command, Stuggart, Germany. During this tour of duty he was reassigned as Chief of Staff, Joint Task Force Provide Promise for operations in Bosnia-Herzegovina and Macedonia.

General Jones was advanced to the rank of Major General in July 1994, and was then assigned as Commanding General, 2d Marine Division, Marine Forces Atlantic, Camp Lejeune, NC. After serving as Director, Expeditionary Warfare Division (N85), Office of the Chief of Naval Operations, and then as the Deputy Chief of Staff for Plans, Policies, and Operations, Headquarters Marine Corps, General Jones was advanced to Lieutenant General.

General Jones served as the Military Assistant to the Secretary of Defense, and on July 1, 1999 became the 32nd Commandant of the United States Marine Corps. He assumed his duties as the Commander of U.S. European Command on January 16, 2003, and Supreme Allied Commander Europe on January 17, 2003.

General Jones' has been awarded the Defense Distinguished Service Medal with two oak leaf clusters, Silver Star Medal, Legion of Merit with four gold stars, Bronze Star Medal with Combat "V", and the Combat Action Ribbon.

Madam Speaker, I know the Members of the House will join me in paying tribute to GEN James L. Jones for his commitment to the United States Marine Corps and the safety and security of America.

PERSONAL EXPLANATION

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. KNOLLENBERG. Madam Speaker, on January 9 and 10, 2007, I was absent and

missed rollcall votes 12–18. For the record, had I been present on January 9th, I would have voted: rollcall vote 12—"yea"; rollcall vote 13—"no"; rollcall vote 14—"yea"; and rollcall vote 15—"yea."

Further, had I been present on January 10th, I would have voted: rollcall vote 16—"no"; rollcall vote 17—"no"; and rollcall vote 18—"yea."

I support an increase in the minimum wage. The last time the minimum wage was increased was ten years ago and workers deserve to have the minimum wage increased to $7.25.

I am pleased the House of Representatives passed the initial version of H.R. 2 and look forward to voting on its final passage in the coming weeks.

RECOGNIZING DAVID LEININGER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOUR

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize David Leininger, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 495, and in earning the most prestigious award of Eagle Scout.

David has been very active with his troop, participating in many Scout activities. Over the many years David has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending David Leininger for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout. I am honored to represent David in the United States House of Representatives.

MOURNING THE PASSING OF PRESIDENT GERALD RUDOLPH FORD

SPEECH OF

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 9, 2007

Mr. REGULA. Madam Speaker, I would like to comment on the life and legacy of President Gerald Ford.

I served with him in the House of Representatives and had the pleasure of working with him when he served both as Vice President and President of the United States. I will always think fondly on President Ford as a humble, genuine President and good friend.

The people of Ohio will always be extremely grateful for his leadership in creating Ohio's Cuyahoga National Park, one of the most visited in the 388 National Parks and other sites administered by the National Park Service.

President Ford's leadership and service to the Nation is well described in the title of his book "A Time to Heal."

His wife Betty in her role as First Lady also was a wonderful role model for millions of American women, particularly her devotion to helping people in establishing the Betty Ford Clinic to help individuals with challenging personal problems.

Our Nation was enormously enriched by the leadership of President Ford and his wife Betty.

I would like to extend my sincere condolences to the Ford family. I pray that you are comforted by the kind words and admiration the country has shown for President Ford.

EXTENDING CONGRATULATIONS TO THE RETIRING DIRECTOR OF THE JOHN F. KENNEDY SPACE CENTER, JAMES W. KENNEDY

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. WELDON of Florida. Madam Speaker, I rise to extend congratulations to the retiring Director of the John F. Kennedy Space Center, James W. Kennedy, for his vast contributions to our Nation's space program. Jim's long and successful career has ensured that America's leadership in space exploration will continue well into the future.

Jim Kennedy was raised in my congressional district, on the Space Coast of Florida. In fact, he was in the first graduating class at Cocoa Beach High School. After graduation, he began his distinguished career with NASA in 1968 in the Aerospace Engineering Cooperative Education Program at Kennedy Space Center. He joined Marshall Space Flight Center in 1980 as an engineer in the Shuttle Projects Office, and in 1987, was named manager of the Shuttle Program Planning and Management Systems Office. Following that, he served as the manager of the Solid Rocket Booster Project Office.

Jim served as the Deputy Director of Marshall's Science and Engineering Directorate and was later named Director of the center's Engineering Directorate. In 2001, he was selected to serve as Deputy Director of the Marshall Space Flight Center, and just two years later, he returned to Florida and was named the Deputy Director of the Kennedy Space Center. In 2003, he became the eighth Director of the Kennedy Space Center.

Jim has received numerous awards during his illustrious career in our Nation's Space Program, including the National Space Club's Astronautics Engineer of the Year Award, the Marshall Space Flight Center Leadership Award, the Astronaut's own Silver Snoopy Award, NASA's Distinguished Service Medal, the Presidential Rank Meritorious and Distinguished Service Awards, and the NASA Outstanding Leadership Medal. Most recently, he received the Dr. Kurt H. Debus Award from the National Space Club's Florida Committee.

Jim oversaw the critical job of ensuring a safe "Return to Flight" of the Shuttle Program as well as the resumption of International Space Station construction. I watched with pride last July 4th as Jim's team at Kennedy Space Center performed a successful launch of Space Shuttle *Discovery*. This particular launch was a fitting tribute to Kennedy Space Center and a wonderful cap to Jim Kennedy's career, as it proved that both our nation's Space Shuttle Program and the International Space Station Program were once again on firm footing. Jim Kennedy's leadership, and the fine professionals at KSC, gave our country renewed confidence that the goals of our Space Program would be realized. Because of the leadership and hard work of Jim Kennedy, America's premier space launch center proved that it is up to the task. Jim Kennedy's leadership has helped ensure our Space Program is on track for completion of the remaining Shuttle missions and continue the Manned Space Program which will include the return of Americans to the surface of the Moon, then Mars and beyond.

I should also mention that, as with most successful leaders, Jim Kennedy was supported in his NASA career by a devoted family that includes his wife, Bernadette, as well as his two grown children, Jeff and Jamie. I would like to extend our country's appreciation for the sacrifices they made during Jim's years with our Nation's space program.

Much of Jim Kennedy's career was devoted to launching mankind's most sophisticated and complex inventions. The Space Shuttles are truly the jewels of American technological prowess. Each successful launch overseen by Jim Kennedy lifted the spirits of all Americans and underlined our identity as the world's leading space faring Nation. As a representative from the Space Coast, I share deeply in this sense of pride in the promise of Kennedy Space Center and NASA and in Jim Kennedy's devoted service to our Nation.

IN HONOR OF JACK KAKIS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. FARR. Madam Speaker, I rise today to honor the memory of Jack Kakis, a war hero who immigrated to the United States from his native Greece and created his American Dream.

Jack was born in Thessalonica in Greece in 1920. When his country was occupied by Italian and German troops during World War II, he served with the U.S. Office of Strategic Services, a precursor to the Central Intelligence Agency. Trained by British commandos in guerrilla operations, he was commissioned as an officer and led his men on horseback through Greece harassing the occupying armies. He received the Medal for Bravery Under Duress from his government, the National Medal of Greek Resistance, and was inducted into the Military Order of the World Wars.

After the war, he studied agriculture in Greece, working in that field until he was recalled to active duty because of the Greek Civil War, during which he attained the rank of major. In 1951, following that conflict he and his wife, Mirka, immigrated to the United States.

Jack arrived in this country with no English skills. He drove a flower delivery truck in New York City while attending night school. Eventually he earned a master's degree in horticulture from the University of Connecticut, also mastering English, French, Spanish, Portuguese, Italian, and German. He arrived in

Monterey County, California to work for Basic American Foods Company, where his language skills took him all over the world. On leaving Basic he set up his own business, Monterey Agricultural Products, which specialized in garlic. Jack was given the title ''Garlic King'' by the agricultural industry because of his expertise with that crop, and he was the first president of the Order of the Stinking Rose, an association of garlic growers and processors.

Jack continued to be active in agriculture even in retirement. He worked with Volunteers in Overseas Cooperative Assistance, helping Central American Indians become more self-sufficient by growing and selling crops. One of his favorite charities was the American Farm School at the Thessalonica Agricultural and Industrial Institute in Greece, which has provided free education to Greek children since 1904, and where he was a trustee.

Madam Speaker, I honor the life of Jack Kakis, a man who worked hard and diligently to make a place for himself and his family in his adopted country, but who never forgot his homeland and worked for the betterment of people in need all over the world.

TRIBUTE TO ELISE FIGUEROA

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. CROWLEY. Madam Speaker, I rise today to pay tribute to the accomplishments of one of my constituents, Elise Figueroa, a teacher at P.S. 44 in Bronx, New York. I wish to recognize Ms. Figueroa for being named a National Board Certified Teacher by the National Board for Professional Teaching Standards. This program was created in 1987 in order to honor teachers who meet high standards of excellence and professionalism. This award also aims to identify and integrate highly competent and certified teachers into current educational reform efforts.

We must recognize that education is critical to building a society founded upon respect and acceptance and credit our teachers with producing our responsible leaders and citizens. They deserve to be honored for their commitment and contributions to this crucial foundation which touches the lives of all our children.

Madam Speaker, I join to wish Ms. Figueroa best wishes and good fortune in her future projects.

GRANTING MILLIONS HOPE

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. MEEHAN. Madam Speaker, in the United States this year alone we will see more than 500,000 people die from cancer, 200,000 people die from diabetes, 75,000 people go blind and 50,000 people will be added to the scores who already suffer from Parkinson's or Alzheimer's.

These are 825,000 reasons why my colleagues must vote today in support of Stem Cell research. As one researcher at Harvard Medical School wrote in the New England Journal of Medicine: ''the science of human embryonic stem cells is in its infancy.'' Restricting stem cell research now, he said: ''threaten[s] to starve the field at a critical stage.'' But that's exactly what President Bush has done.

In August 2001, the President ruled that federal funding couldn't be used to research new stem cell lines. In effect, he gave our scientists—the best in the world—only 19 stem cell lines, many of which were contaminated and unusable.

Today we can right this terrible wrong. With more stem cells available, our scientific community will have a better chance of making incredible discoveries—like curing cancer and diabetes, and saving kidneys and livers. Some opponents of this bill argue that there is no need for embryonic stem cell research. This is a false choice. We don't have to stop embryonic stem cell research and only focus on amniotic stem cells, or adult stem cells, or cord blood stem cells.

We can, we should, and we must research all areas of stem cells—because anyone area could produce the miracle cure. This bill is as ethical as it is common sense. There are millions of reasons to say yes, and no good reason to say no.

TRIBUTE TO THE MIDWAY HIGH SCHOOL'S 1937 BASKETBALL TEAM ON THE 70TH ANNIVERSARY OF THEIR STATE CHAMPIONSHIP

HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. CHANDLER. Madam Speaker, today I would like to commemorate the 70th anniversary of Midway High School's 1937 Kentucky state basketball championship. Under the guidance and leadership of Coach G.L. ''Bobby'' Burns, the Midway Blue Jays reinvented the game of basketball for years to come. The Blue Jays rejuvenated Kentucky basketball and made it a truly exciting spectator sport with their up tempo ''run and gun'' style of play.

Coach Burns and his squad of: Jack Penn, Ernest Jefferson, Armon Portwood, Carl Thomas, Raymond and Harold Sanderson, James Murphy, Sherman and Quentin Columbia, and Karl Jefferson used their natural abilities and athleticism to play against their taller competition. They averaged only 5′8″, the smallest team to ever win the state tournament. Yet they persevered, as Coach Burns believed that natural instincts and physical stamina, combined with fundamental basketball, were keys to success. Coach Burns was right.

To celebrate this historic occasion, on January 12, 2007, the Woodford County Yellow Jackets will honor the ''Boys of '37'' by dressing in the blue and white uniforms of Midway High School during their regular season game against Madison Central High. Additionally, during the halftime ceremony, a giant banner will be raised and installed in the Woodford County Gym to honor the Midway Blue Jays' tournament win. In March, the members of the '37 squad will be honored in a ceremony at the halftime of the 2007 state championship game.

Madam Speaker, it is with great honor to have this momentous occasion celebrated in my home district. The ''Boys of '37'' truly represent Kentucky's passion and dedication to the game of basketball. This group of individuals will always be remembered as Kentucky's finest and we will continue to celebrate their accomplishments for years to come.

IN HONOR OF JOYCE SMITH STEVENS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. FARR. Madam Speaker, I rise today to honor one of my district's most colorful characters, Joyce Smith Stevens. Joyce is known for her outspoken devotion to local environmental issues, and for her wonderful sense of humor.

Joyce was born in Seattle, WA, in 1927. She graduated from the University of Washington in 1954 with a degree in architecture. Encountering gender discrimination in this ''man's field,'' and looking at the experiences of female civilians working for the government, she decided that she would be happier in that environment. As a single mother, she moved to Carmel, CA, in 1962 and took a job as Post Engineer at Fort Ord, working there until her retirement more than 20 years later.

One of Joyce's proudest achievements was designing the Post Chapel at Fort Hunter Liggett. It is located near the Hacienda, which was designed by another female California architect, Julia Morgan. She also convinced, pestered, actually, the Army into protecting some rare native plant habitat at Fort Ord. Because of her persistence she had the satisfaction of seeing Fort Ord receive ecology awards.

Joyce's commitment to the community is unparalleled. She appointed herself full-time activist to save everything we all love about the Monterey Peninsula. As chair of the Ventana Chapter of the Sierra Club, she was devoted to protecting our local natural setting. She served on the Board of Trustees of Big Sur Land Trust, which is dedicated to preserving the wild lands of Big Sur. Joyce joined Pine Watch to educate people about the significance of our native Monterey Pine Forest, with the goal of creating a Monterey Pine State Park.

For over 20 years Joyce served on the Carmel Area Wastewater District. She became known as the ''Sewer Queen'' for her work to save the Carmel River by encouraging the increased use of treated wastewater and thus reduce pumping from the river. She formed the Dunes Coalition to save the Monterey Bay shores from development. Eventually this concept grew into the Monterey Bay State Shore. She also created the Hatton Canyon Coalition to preserve the scenic beauty of Carmel and the canyon.

Joyce was very active in the local chapter of the American Institute of Architects and was one of the founders of AIA's Carmel Sand Castle Contest—a great Carmel tradition. It is generally suspected that she volunteered to

serve as a judge in order to solicit bribes. However it started, it has become part of the fun of the event for judges to offer to accept bribes from the various competitors, champagne being a favorite.

In all of these activities, she never hesitates to roll up her sleeves and do the actual work, whether it is getting up at 5 a.m. to pull weeds, or working on dune planting during winter storms. She uses her graphics skills to convince the public that they don't want to see resorts on the beaches, freeways in the canyons, and mega-mansions all over our native forest habitat. Joyce is a gem among gems, and we are indebted to her for her fierce devotion to the importance and the beauty of our natural resources.

TRIBUTE TO ERIC PLAKS

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 11, 2007

Mr. CROWLEY. Madam Speaker, I rise today to pay tribute to the accomplishments of one of my constituents, Eric Plaks, a teacher at Bronx Charter School for Arts in Bronx, NY. I wish to recognize Mr. Plaks for being named a National Board Certified Teacher by the National Board for Professional Teaching Standards. This program was created in 1987 in order to honor teachers who meet high standards of excellence and professionalism. This award also aims to identify and integrate highly competent and certified teachers into current educational reform efforts.

We must recognize that education is critical to building a society founded upon respect and acceptance and credit our teachers with producing our responsible leaders and citizens. They deserve to be honored for their commitment and contributions to this crucial foundation which touches the lives of all our children.

Madam Speaker, I join to wish Mr. Plaks best wishes and good fortune in his future projects.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S405–S484

Measures Introduced: Twenty-one bills and four resolutions were introduced, as follows: S. 256–276, and S. Res. 23–26. **Pages S445–46**

Measures Passed:

University of Florida Football Team Champions: Senate agreed to S. Res. 25, congratulating the University of Florida football team for winning the 2006 National Collegiate Athletic Association Division I Football Championship. **Pages S474–75**

Appalachian State Football Team Champions: Senate agreed to S. Res. 26, commending the Appalachian State University football team for winning the 2006 National Collegiate Athletic Association Division I–AA Football Championship. **Page S475**

ETHICS BILL: Senate continued consideration of S. 1, to provide greater transparency in the legislative process, taking action on the following amendments proposed thereto: **Pages S415–41**

Adopted:

Feinstein/Bennett Modified Amendment No. 38 (to Amendment No. 3), to permit attendance of meetings with bona fide constituents. **Pages S437–38, S440–41**

Pending:

Reid Amendment No. 3, in the nature of a substitute. **Page S415**

Reid Amendment No. 4 (to Amendment No. 3), to strengthen the gift and travel bans. **Page S415**

DeMint Amendment No. 11 (to Amendment No. 3), to strengthen the earmark reform. (By 46 yeas to 51 nays (Vote No. 5), Senate earlier failed to table the amendment.) **Pages S415–16, S425–29, S435–37**

DeMint Amendment No. 12 (to Amendment No. 3), to clarify that earmarks added to a conference report that are not considered by the Senate or the House of Representatives are out of scope. **Page S415**

DeMint Amendment No. 14 (to Amendment No. 3), to protect individuals from having their money involuntarily collected and used for lobbying by a labor organization. **Page S415**

Vitter/Inhofe Modified Amendment No. 9 (to Amendment No. 3), to place certain restrictions on the ability of the spouses of Members of Congress to lobby Congress. **Page S433**

Vitter Amendment No. 10 (to Amendment No. 3), to increase the penalty for failure to comply with lobbying disclosure requirements. **Page S415**

Leahy/Pryor Amendment No. 2 (to Amendment No. 3), to give investigators and prosecutors the tools they need to combat public corruption. **Page S415**

Gregg Amendment No. 17 (to Amendment No. 3), to establish a legislative line item veto. **Page S415**

Ensign Amendment No. 24 (to Amendment No. 3), to provide for better transparency and enhanced Congressional oversight of spending by clarifying the treatment of matter not committed to the conferees by either House. **Page S418**

Ensign Modified Amendment No. 25 (to Amendment No. 3), to ensure full funding for the Department of Defense within the regular appropriations process, to limit the reliance of the Department of Defense on supplemental appropriations bills, and to improve the integrity of the Congressional budget process. **Pages S418, S432–33**

Cornyn Amendment No. 26 (to Amendment No. 3), to require full separate disclosure of any earmarks in any bill, joint resolution, report, conference report or statement of managers. **Pages S418, S419–25**

Cornyn Amendment No. 27 (to Amendment No. 3), to require 3 calendar days notice in the Senate before proceeding to any matter. **Pages S418–19**

Bennett (for McCain) Amendment No. 19 (to Amendment No. 4), to include a reporting requirement. **Page S430**

Bennett (for McCain) Amendment No. 28 (to Amendment No. 3), to provide congressional transparency. **Pages S430–31**

Bennett (for McCain) Amendment No. 29, to provide congressional transparency. **Pages S431–32**

Lieberman Amendment No. 30 (to Amendment No. 3), to establish a Senate Office of Public Integrity. **Page S433**

Bennett/McConnell Amendment No. 20 (to Amendment No. 3), to strike a provision relating to paid efforts to stimulate grassroots lobbying. **Page S438**

Thune Amendment No. 37 (to Amendment No. 3), to require any recipient of a Federal award to disclose all lobbying and political advocacy. **Pages S438–39**

Stevens Amendment No. 40 (to Amendment No. 4), to permit a limited flight exception for necessary State travel. **Pages S439–40**

Feinstein/Rockefeller Amendment No. 42 (to Amendment No. 3), to prohibit an earmark from being included in the classified portion of a report accompanying a measure unless the measure includes a general program description, funding level, and the name of the sponsor of that earmark. **Page S441**

During consideration of this measure today, the following action, also occurred:

By 25 yeas to 72 nays (Vote No. 6), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 306 of the Congressional Budget Act of 1974 pursuant to section 904(c)(1) of that Act, with respect to DeMint Amendment No. 13 (to Amendment No. 3), to prevent government shutdowns. Subsequently, the point of order that the amendment was in violation of section 306 of the Congressional Budget Act of 1974, was sustained, and the amendment thus fell. **Pages S416–17, S425–30**

By 90 yeas to 6 nays (Vote No. 7), Senate agreed to the motion to instruct the Sergeant at Arms to request the attendance of absent Senators. **Page S435**

A unanimous-consent-time agreement was reached providing that at 9:30 a.m., on Friday, January 12, 2007, Senate continue consideration of the bill, and begin en bloc consideration of Kerry Amendment No. 1 and Vitter Amendment No. 10 (see listed above); that the time until 9:50 a.m. run concurrently on both amendments, with the time equally divided and controlled between the Majority and Republican Leaders, or their designees; that at 9:50 a.m., Senate vote on, or in relation to, Amendment No. 1, to be followed by a vote on, or in relation to, Amendment No. 10; that no amendments be in order to either amendment, and that there by 2 minutes of debate equally divided between the votes; provided further, that when Kerry Amendment No. 1 is reported, it then be modified with the changes at the desk. **Page S475**

Nominations Received: Senate received the following nominations:

David James Gribbin IV, of Virginia, to be General Counsel of the Department of Transportation.

John Roberts Hackman, of Virginia, to be United States Marshal for the Eastern District of Virginia for the term of four years.

2 Marine Corps nominations in the rank of general.

Routine lists in the Air Force, Army, Coast Guard, Navy. **Pages S475–84**

Messages From the House: **Page S443**

Measures Placed on the Calendar: **Page S443**

Measures Read the First Time: **Pages S443, S475**

Enrolled Bills Presented: **Page S443**

Executive Communications: **Pages S443–45**

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Additional Statements: **Pages S442–43**

Amendments Submitted: **Pages S466–74**

Notices of Hearings/Meetings: **Page S474**

Authorities for Committees to Meet: **Page S474**

Privileges of the Floor: **Page S474**

Quorum Calls: One quorum call was taken today. (Total—2) **Page S435**

Record Votes: Three record votes were taken today. (Total—7) **Pages S429, S430, S435**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:03 p.m., until 9:30 a.m., on Friday, January 12, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S475.)

Committee Meetings

(Committees not listed did not meet)

LONG-TERM BUDGET OUTLOOK

Committee on the Budget: Committee concluded a hearing to examine the long-term budget outlook and the challenges it presents, after receiving testimony from David M. Walker, Comptroller General, Government Accountability Office.

MEDICARE PRESCRIPTION DRUG

Committee on Finance: Committee concluded a hearing to examine an overview and economic perspectives for the Medicare Prescription Drug Benefit, focusing on prescription drug pricing and negotiation by governments and other countries, by U.S. private payers, such as employer-based health plans, and by Federal programs other than Medicare Part D, after receiving testimony from John E. Dicken, Director, Health Care, Government Accountability Office; Gerard F.

Anderson, Johns Hopkins University Bloomberg School of Public Health, Baltimore, Maryland; Edmund F. Haislmaier, Heritage Foundation, Washington, DC; Richard G. Frank, Harvard University Department of Health Care Policy, Cambridge, Massachusetts; and Fiona M. Scott Morton, Yale University School of Management, New Haven, Connecticut.

IRAQ

Committee on Foreign Relations: Committee held hearings to examine the remaining options relating to securing America's interests in Iraq, focusing on troop surge, partition, withdrawal, or strengthening the center, receiving testimony from Condoleezza Rice, Secretary of State; and Peter W. Galbraith, Center for Arms Control and Non-Proliferation, Frederick W. Kagan, American Enterprise Institute, and Ted Galen Carpenter, CATO Institute, all of Washington, DC.

Hearing recessed subject to the call.

ANNUAL THREAT ASSESSMENT

Select Committee on Intelligence: Committee concluded a hearing to examine current and projected national security threats, after receiving testimony from John D. Negroponte, Director of National Intelligence, General Michael V. Hayden, Director, Central Intelligence Agency; Lieutenant General Michael D. Maples, U.S. Army, Director, Defense Intelligence Agency, Department of Defense; Robert S. Mueller, III, Director, Federal Bureau of Investigation, Department of Justice; and Randall M. Fort, Assistant Secretary of State, Bureau of Intelligence and Research.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 32 public bills, H.R. 400–431; and 7 resolutions, H.J. Res. 12–13; H. Con. Res. 30; and H. Res. 52–55 were introduced. **Pages H433–35**

Additional Cosponsors: **Page H435**

Reports Filed: There were no reports filed today.

Order of Members to act as Speaker Pro Tempore: The Chair announced that on January 11, 2007, the Speaker delivered a letter to the Clerk listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule 1. **Page H349**

Stem Cell Research Enhancement Act of 2007: The House passed H.R. 3, to amend the Public Health Service Act to provide for human embryonic stem cell research, by a Recorded vote of 253 ayes to 174 noes, Roll No. 20. **Pages H349–92**

Rejected the Burgess motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a Yea-and-Nay vote of 189 yeas to 238 nays, Roll No. 19. **Pages H389–92**

Title V of H. Res. 6, the portion of the rule providing for consideration of the bill, was agreed to on Friday, January 5.

Suspension—Proceedings Postponed: The House agreed to suspend the rules and agree to the following measure which was debated on Tuesday, January 9:

Mourning the passing of President Gerald Rudolph Ford and celebrating his leadership and service to the people of the United States: H. Res. 15, amended, to mourn the passing of President Gerald Rudolph Ford and celebrate his leadership and service to the people of the United States, by a 2/3 Yea-and-Nay vote of 423 yeas with none voting "nay," Roll No. 21. **Pages H392–93**

United States Group of the NATO Parliamentary Assembly—Appointment: The Chair announced the Speaker's appointment of the following Member of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Representative Tanner, Chairman. **Page H393**

Quorum Calls—Votes: Two Yea-and-Nay votes and one Recorded vote developed during the proceedings of today and appear on pages H391–92, H392, H392–93. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 9 p.m.

Committee Meetings

IRAQ—THE WAY FORWARD

Committee on Armed Services: Held a hearing on the way forward in Iraq. Testimony was heard from the following officials of the Department of Defense:

Robert M. Gates, Secretary; and GEN Peter Pace, USMC, Chairman, Joint Chiefs of Staff.

BRIEFING IRAN CRISIS—NEXT STEPS

Committee on Foreign Affairs: Held a briefing on the Next Steps in the Iran Crisis. The Committee was briefed by Thomas R. Pickering, former Under Secretary, Political Affairs, Department of State; and R. James Woolsey, Jr., former Director, CIA.

IRAQ BRIEFING

Committee on Foreign Affairs: Held a briefing on Iraq. The Committee was briefed by Condoleezza Rice, Secretary of State.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D4–8)*

H.R. 486, to provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico, for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base. Signed on January 11, 2007. (Public Law 109–470)

H.R. 4588, to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Water Resources Research Act of 1984. Signed on January 11, 2007. (Public Law 109–471)

H.R. 6060, to authorize certain activities by the Department of State. Signed on January 11, 2007. (Public Law 109–472)

H.R. 6345, to make a conforming amendment to the Federal Deposit Insurance Act with respect to examinations of certain insured depository institutions. Signed on January 11, 2007. (Public Law 109–473)

COMMITTEE MEETINGS FOR FRIDAY, JANUARY 12, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the current situation in Iraq; there is a possibility of a closed session in S–407 following the open session, 9:30 a.m., SH–216.

House

Committee on Rules, to meet for organizational purposes, 10:30 a.m., H–313 Capitol.

Next Meeting of the SENATE

9:30 a.m., Friday, January 12

Senate Chamber

Program for Friday: Senate will continue consideration of S.1, Ethics Bill and vote on, or in relation to, certain amendments at approximately 9:50 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9:00 a.m., Friday, January 12

House Chamber

Program for Friday: Consideration of H.R. 4—Medicare Prescription Drug Price Negotiation Act of 2007.

Extensions of Remarks as inserted in this issue

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