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# *House of Representatives*

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. ISRAEL).

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*May 22, 2007.*

I hereby appoint the Honorable STEVE ISRAEL to act as Speaker pro tempore on this day.

NANCY PELOSI,
*Speaker of the House of Representatives.*

## MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes, but in no event shall debate extend beyond 9:50 a.m.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

## FARM BILL/FOOD BILL

Mr. BLUMENAUER. Thank you, Mr. Speaker.

The farm bill is described as the most important legislation that most of America ignores. It's big, complex and involves lots of money all over the country, but the details are not well known. One of the reasons might be the name. We call it a farm bill. But it could and perhaps should be called a food bill, because that is what it is.

Many people do not understand that the farm bill isn't just about farmers. It is a bill that funds food stamps, nutritional programs and farmers' markets. The programs we're talking about all impact rural, urban and suburban families alike.

Currently, our farm programs provide too little help to the majority of American farmers and ranchers. The majority of commodity payments go to a few large-scale farm operations with only 40 percent of the farmers receiving any commodity payments at all. My State of Oregon is an example. Even though it is a major agricultural producer, it really doesn't benefit that much from the farm bill.

With the 2007 farm bill reauthorization, we have a chance to make dramatic reforms in American agricultural policy by crafting forward-looking policies to help farmers manage the transition to a new farm economy. I would suggest some basic principles for strengthening the farm bill so that we ensure the future of American agriculture by giving small farmers the increased markets they need, a dependable workforce, the ability to pass their farms and heritage on to the next generation, and be protected from urban sprawl.

Farm workers also need safe, family wage jobs, and rural communities need a stronger economy. We need to provide safe access to nutrition and reliable foods to all Americans, especially the most vulnerable members of our communities; children, the elderly and the poor.

We need to increase the health and safety of our communities by improving access to local markets that can improve farmers' revenues, improve rural economies, and strengthen the vital connections between urban and rural communities. We can have programs to reimburse farmers for providing environmental services such as flood control, carbon sinks and wildlife habitat. This can help reduce global warming, increase communities' resilience to natural events, and give farmers the opportunity to diversify their revenue stream.

In short, we can move American agriculture into the 21st century by not being devoted to policies from the last 200 years.

To that end, I have recently introduced the Local Food and Farm Support Act to connect local farms to schools to provide healthy food choices for children and promoting a stronger local farm economy by providing funding and programs that connect farmers with local markets, including school to cafeteria programs, and the promotion of farmers' markets. This legislation would provide grants to farmers to explore innovative new ways to connect to local markets and increase food assistance for senior and low-income families.

Mr. Speaker, I could just as easily talk about the farm bill as being the most important piece of environmental legislation we will consider in this Congress, because the potential for energy with biomass and wind, greenhouse gas reduction and energy conservation all enable us to reduce the carbon and energy footprint of America's vast agricultural landscape. In the area of water, a sound farm bill is the best and most cost-effective way to improve the quality and quantity of water across America, and of course it is essential to land preservation.

This is why we all need to pay attention to this critical legislation. Every Member of Congress should deal with the challenge to work with America's farmers and ranchers to produce agricultural legislation that meets the needs of America in the 21st century.

☐ 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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## FOOD STAMP CHALLENGE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentlewoman from Illinois (Ms. SCHAKOWSKY) is recognized during morning-hour debate for 5 minutes.

Ms. SCHAKOWSKY. Thank you, Mr. Speaker.

Last week I accepted the Food Stamp Challenge, living for the past week on the average food stamp benefit of $1 per meal or $21 for the entire week.

I did it in order to draw attention to the persistent problem of hunger in America. I didn't realize just how hard it would be, but on my first shopping trip to Safeway, I quickly found out. It was hard enough to buy basic staples, but once I got to the produce section, it was impossible to buy much of anything. There was no way to eat a nutritious diet. Fruits and vegetables were simply out of my price range.

For me, it was a learning experience. For 26 million Americans and 1.2 million Illinoisans, it is a way of life. I wonder how parents on food stamps can stretch their budgets so their children have enough to eat or how seniors with chronic illness afford both eating nutritious meals and purchasing adequate medication. The answer for many is they simply can't.

In the richest country in the world, the fact that families face these sort of trade-offs is unjust and I would say it's immoral. The United States is spending merely $3 billion each week in Iraq, yet we expect hungry Americans to eat on $3 a day?

We need to pass Representatives JIM MCGOVERN's and JO ANN EMERSON's Feeding America's Families Act which would strengthen America's anti-hunger safety net programs, including food stamps, at a reasonable and affordable cost of about $4 billion per year. These are the kinds of provisions that ought to be part of the farm bill which includes the food stamp program.

I just ended this challenge yesterday. I am looking forward to a big salad for lunch where I include all kinds of vegetables at the salad bar that's in the cafeteria, adding whatever I want to that salad rather than having to carefully pick and choose what I had last week, which was one head of lettuce and one tomato and a few carrots, and that was about it. My snacks were water and, on a good moment, ice water.

It was an interesting and instructive week for me, but imagining my children and grandchildren having to live that way made it very, very clear to me that this really ought not to be a forced option for so many millions of Americans.

We can do better. This is a matter of priorities. We can change those priorities. We can make sure that with pride we say that no one in this country goes hungry, that everyone in this country at least has the opportunity to make healthy choices about the food that they eat and the food that they serve their children.

How can a child learn in school when they come without an adequate breakfast? How can they achieve in life without the nutrition that they need as their bones are growing and as their minds are growing? I am very hopeful that the experiment that I did with Congressmen MCGOVERN and EMERSON and TIM RYAN will prove to be helpful in making sure that we are able to pass more humane, and important to all Americans, legislation that will provide nutritious and affordable food for all of our residents in the United States.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 10 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CLEAVER) at 10 a.m.

## PRAYER

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

Lord God, guardian of our freedom and provider for all, as we approach Memorial Day, let us not forget the true meaning of this Nation's moment of memory. We shall not be mindless of all our blessings as Your people. Rather, in the leisure of the holiday weekend, we shall demonstrate our indebtedness to our brothers and sisters who serve in the military. With reverence, we shall call to mind those who have made the ultimate sacrifice in serving this Nation and protecting human freedom around the world.

Thus Your Holy Scriptures, Lord, shall be fulfilled in us as this holiday unfolds and names to be memorialized are brought on to our attention. The Bible says, ''Every living person appreciates generosity. Do not withhold your gratitude, even when someone is dead. Do not turn your back on those who weep, but mourn with those who mourn.'' Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

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

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

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

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 254. An act to award posthumously a Congressional gold medal to Constantino Brumidi.

## MINIMUM WAGE INCREASE TIED TO FUNDING IRAQ WAR

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

Mr. KUCINICH. Mr. Speaker, the Associated Press reports that the latest Iraq supplemental funding plan incredibly will tie an increase in the minimum wage to funding the war through October. If this is true, and I hope it is not, it tells American workers that the only way they will get an increase in wages is to continue funding a war which is taking the lives of their sons and daughters. First, blood for oil; now a minimum wage for maximum blood? Aren't the American people giving enough blood for this war without having to give more to have a wage increase? What's happened to our country? We are losing our moral compass. We are losing our sense of justice. We are losing touch with the difference between right and wrong.

We do not have to fund this war. We must leave Iraq now. Support our troops. Bring them home. H.R. 1234 is a plan to end the war and stabilize Iraq and give Iraqis control of their oil. We must take a new path. We must take a path of truth and justice.

## TAX REDUCTIONS BENEFIT FAMILIES

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday's The Hill features an advertisement by Merrill Lynch that praised the 2003 tax cuts, proclaiming, ''Lower capital gains and dividend tax rates have produced major economic gains.''

I was present 4 years ago this week when President Bush signed the tax reduction legislation. The results are some of the most successful ever. The economy has expanded $1.6 trillion; 7.8 million new jobs have been created; unemployment rates are near historic lows. The stock market is at a record high, soaring 40 percent. Tax revenues are the highest ever because of private sector growth. Twenty-four million

families have received an average tax cut of $950. The lower rate on savings and investments has helped our economy grow to benefit American families.

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

## DEMOCRATS COMPLETE A BUDGET, SOMETHING THAT ELUDED PAST REPUBLICAN CONGRESSES

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

Mr. BUTTERFIELD. Mr. Speaker, last week, congressional Democrats accomplished something the Republican ''do-nothing'' Congress could not do. We passed a final budget through both the House and Senate.

Over 3 of the last 5 years, the Republican-led Congress failed to reach agreement on a final budget resolution, leading to unparalleled deficit spending. Unlike our Republican predecessors, this new Democratic Congress has produced a fiscally responsible budget that serves as a blueprint for investing in America's priorities, providing tax cuts to middle-class families, and balances the budget in just 5 years without raising taxes. Not even the President's proposed budget comes out of the red after 5 years.

Mr. Speaker, budgets serve as a blueprint of a Congress' priorities. Our final budget strengthens our military readiness and invests in our troops and veterans. It also spurs innovation to boost our economy and expands investments in renewable energy and energy efficiency to reduce global warming and our dangerous dependence on foreign oil.

Democrats vowed to run this Congress differently, and we have, by producing a final budget agreement.

## SECOND VERSE SAME AS THE FIRST

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

Mr. POE. Mr. Speaker, the new, reformed, inclusive, repackaged, politically motivated Senate immigration proposal is more of the same lip service we have heard for years about protecting our borders.

In the 1980s, the American public was promised, and Congress passed, legislation that was supposed to beef up the border, reform the troublesome immigration service, and grant amnesty to 3 million people. The result? Our borders are less secure now. The immigration service is overwhelmed with mismanagement and lack of resources. But that amnesty deal, it did happen. Now 20 years later, the amnesty gift has only increased illegal entry, not slowed it down. We now have 12- to 20 million people here without permission.

Why doesn't the Federal Government enforce the existing law and secure the border? Because the Federal Government doesn't have the moral will to enforce current law, and if Congress tries to pass a similar bill like the 1980s: we will get more of the same: lax border security and an immigration service that is in confusion. But we'll sure let those illegals stay in America. It's another case of second verse, same as the first.

And that's just the way it is.

## GREEN JOBS—PATHWAYS FROM POVERTY

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

Ms. SOLIS. Mr. Speaker, I rise today to bring attention to opportunities of job growth and hopefully eradicating poverty through a green economy.

A major national investment in renewable energy could create potentially 3.5 million green-collar jobs over the next 10 years.

We must say to America's workers, particularly those in urban and rural underserved communities, there is a place for you in the green economy. Investment should not only be improving infrastructure, but improving economic opportunities for all. That is why I am proud to be working with Congressman JOHN TIERNEY and others to create a green jobs bill that will create pathways out of poverty.

Job training can lead to self-sufficiency and prosperity through higher wages, access to benefits and more career choices. Other cities and States throughout the country have taken the lead to shape the new economy, which is creating demand for green products and services.

Under Speaker PELOSI's leadership, Congress has taken steps to ensure our Nation has a secure energy future. I hope that ensuring underserved communities achieve economic security can be a part of this green future.

## GIVE THE TROOPS THE FUNDS THEY NEED

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, over 100 days have passed since the President's first request of additional monies for our troops, and still no money. As Members of Congress, we have a responsibility to ensure men and women in our military have the resources and tools necessary to succeed. Just 2 weeks ago, we heard from nearly 3,000 of those men and women asking for our support.

Mr. Speaker, politics should never interfere with wartime decisions. Unfortunately, some have taken this opportunity to score what they believe to be political points and undermine our Commander in Chief. Our troops deserve a clean supplemental that does not embolden the enemy with language of retreat and defeat.

Mr. Speaker, the Democrat leadership should stop the rhetoric of empty promises of ''we support our troops'' by giving them the critical funds they need today so they can finish the mission we gave them and come home in victory.

## PRESIDENT'S ENERGY PROPOSAL IS TOO LITTLE, TOO LATE

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

Mr. HARE. Mr. Speaker, it's that time of year again. Just as families are preparing to hit the road for their summer vacations, the gas prices are once again hitting record highs. Drivers are paying a heavy price for the Bush administration's failure to enact a comprehensive energy strategy. And just last week, the President attempted to show that he's taking action by announcing an Executive Order that doesn't call for any action until a few weeks before he leaves office. This is simply too little, too late. Where has he been for the last 6 years when prices were hitting record numbers each Memorial Day?

The Democratic Congress refuses to ignore this problem. We passed legislation that will roll back $14 billion in taxpayer subsidies for Big Oil, and instead we would reinvest here at home in clean alternative fuels, renewable energy and energy efficiency.

In the coming weeks we will bring legislation to the House floor that will crack down on price gouging by the big oil companies so we can provide immediate relief to consumers. Unlike the Bush administration, the Democratic Congress is not simply going to ignore this problem.

## HOW EXACTLY IS BUSH SUPPORTING OUR TROOPS WHEN HE THREATENS A VETO OF DOD?

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

Mrs. CHRISTENSEN. Mr. Speaker, last week Democrats and Republicans came together in a strong bipartisan fashion to approve a defense authorization that prioritizes the immediate needs of our military personnel.

While the President believed that a 3 percent pay raise was suitable for our troops in combat, Democrats and Republicans in this House said our military personnel deserved more, and approved a bill that gives them a 3.5 percent raise. The President's response, a threatened veto.

How exactly is the President supporting our troops when he threatens to veto a bill that he says gives our troops too large a pay raise? Has the President forgotten how much he's asked them to sacrifice over the last 4 years? Troops were initially told that their stays in Iraq would last a year, only to be informed at the end of that year that those stays were being extended by several months as a result of the President's troop escalation plan.

Mr. Speaker, if President Bush really wants to support our troops, he would reconsider his veto threat and help us give our troops a much deserved pay raise.

## IN SUPPORT OF H. RES. 171

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

Mr. DENT. Mr. Speaker, I do want to take a moment today to thank my colleague from Missouri, the chairman of the Armed Services Committee, Mr. SKELTON, for providing this opportunity today to honor an American hero.

I rise today to discuss H. Res. 171, a bill to recognize the 250th anniversary of the birth of the Marquis de Lafayette.

On September 6, 2007, our Nation will celebrate the 250th birthday of one of the truly outstanding and extraordinary people in our country's history, the Marquis de Lafayette.

Born in the Auvergne section of France, Lafayette did not become an honorary American citizen until 2002, some 168 years after his death. He was commissioned with the rank of major general in the Continental Army just shy of his 20th birthday, and he soon became one of George Washington's closest confidants. The first foreign dignitary to address the House of Representatives, Lafayette was a steadfast supporter of liberty, loyalty and democracy.

You have heard many of my colleagues speak to Lafayette's legacy as a military leader. I rise today to offer a different perspective as to Lafayette's influence on our Nation's history.

Lafayette College, located in my district in eastern Pennsylvania, was founded in 1826 by the citizens of Easton. And I am here once again to commemorate this auspicious occasion and ask that my colleagues join me in this celebration.

□ 1015

## DEMOCRATS WANT TO PROTECT THE HOMELAND BUT THE PRESIDENT IS FIGHTING POPULAR MEASURES

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

Mr. SIRES. Mr. Speaker, for the first 4 months of this year, the new Democratic-led House approved key legislation that will move us in a new direction and allow us better defense of our Nation and strengthen our military. Unfortunately, time and time again, the President has either vetoed our efforts or has threatened to veto.

During our first 100 hours, we passed a bill implementing the recommendations of the bipartisan 9/11 Commission, including improvements in securing our ports, our border and our infrastructure. The administration currently opposes this legislation.

This House also approved the Rail and Mass Transit Security Act, which requires the Homeland Security Department to develop plans to protect our rail and mass transit. Despite strong bipartisan support here in the House, President Bush has threatened to veto it.

Mr. Speaker, protecting our homeland is not a partisan issue. This House approved both of these critical homeland security bills with the votes of both Republicans and Democrats. I would hope the President would stop being an obstructionist and instead support our important bills.

## THE DEMOCRATIC TRAIL OF BROKEN PROMISES

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

Mrs. BLACKBURN. Mr. Speaker, today I want to talk just a little bit about some of my encounters with my constituents over the weekend. What they are saying when I meet them is, what is going on in Washington? What is happening up there? We thought we were going to see a different type of environment. But you know what, it seems like nothing is getting done.

Quite frankly, Mr. Speaker, they are right on the mark, because we are zero in '07 on the six for '06 that the leadership had promised that they were going to do.

More importantly to my constituents, and especially to some of those at Fort Campbell that I had the opportunity to spend time with on Sunday evening as they had their Normandy barbecue, the number one question was, what is going on with the Iraq supplemental? It is truly a disservice to our men and women in uniform for this not to be passed. Our troops in the field need that funding.

Other constituents were saying, what is this we are hearing about this budget? My goodness, the single largest tax increase in history?

Yes, indeed. And I can guarantee you, Mr. Speaker, many of us will stand in the gap to keep that from becoming law.

## HOUSE REPUBLICANS STILL WANT TO PROVIDE THE PRESIDENT A BLANK CHECK ON IRAQ WAR

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

Mr. YARMUTH. Mr. Speaker, when it comes to addressing the most important issues currently facing our Nation, the Republicans in this body are once again all talk and no action. Despite overwhelming public opposition to President Bush's open-ended commitment in Iraq, despite thousands of lives lost and hundreds of billions of dollars of taxpayers money spent, Republicans still won't actually take action to end this war.

Oh, they talk a good game. They say they are listening to the retired generals, the soldiers and the American people who want our troops brought home. A few of them even went to the White House a few weeks ago to vent their frustration over the war in Iraq and the President's leadership.

But when it comes to actually moving to send President Bush a message that this Congress is moving the war in the right direction, my colleagues on the other side the aisle do what they always do; they line up and vote with their leadership and with President Bush.

Mr. Speaker, despite their claims, Republicans still want to write blank checks and rubber-stamp the President's policy. While they wait, Democrats are moving forward with our commitment to making serious changes in Iraq.

## THE GRAND BARGAIN IS NO BARGAIN FOR THE AMERICAN PEOPLE

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

Mr. PENCE. Mr. Speaker, over the past year, I have worked with colleagues in the House and Senate to achieve border security and comprehensive immigration reform without amnesty. I believe illegal immigration is a crisis that demands a national response, but amnesty is not that response.

From what we know about the recent compromise announced in the Senate, there are many commendable elements of the plan, including stronger border security measures and a shift to a merit-based immigration system. However, ultimately what has been dubbed a ''grand bargain'' is no bargain for the American people.

By permitting illegal immigrants to get right with the law without leaving the country, the Senate compromise amounts to amnesty for millions of illegal immigrants, and I cannot support it.

I do hope to continue to work with colleagues in both parties in the House and Senate to craft final legislation that puts border security first, creates a temporary worker program without amnesty, that requires illegal immigrants to leave the country to apply, and, when they come, to learn English and live under the law when they are here.

## PROVIDING FOR AMERICAN SOLDIERS, VETERANS AND THEIR FAMILIES

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

Mr. MCNERNEY. Mr. Speaker, last week this House passed a bipartisan defense authorization bill. The legislation includes two provisions to which

President Bush objected. One gives our military a well-deserved pay raise, and the other offers surviving spouses of fallen armed servicemembers an additional $40 per month.

Our men and women in uniform and their family members have sacrificed enormously. They have earned honor, and they deserve the benefits that would be provided to them in this bill.

While the President has repeatedly called for supporting our troops and their families, it appears that his words do not match his deeds. On the other hand, this Congress has committed to providing our troops the equipment, training and benefits they need and deserve, ensuring our veterans get the care to which they are entitled and caring for our military families who endure many issues when their loved ones serve overseas and when they return home.

Our Nation owes our soldiers, our veterans and our families more than just empty talk.

## SUPPORTING THE TROOPS WITH A FAIR PAY RAISE

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

Ms. SHEA-PORTER. Mr. Speaker, I was a military spouse and I lived on military pay. It is very difficult to do that. But we do that with honor and with gratitude for the chance to serve this country.

The House of Representatives recognizes that service and called for a 3.5 percent increase in pay for the military. The President, who talks about supporting the troops, does not want that. He is strongly opposed to raising the pay of military families.

How much does that really mean? For an E–4, it means $200 a year. $200 a year. The President provides $536 billion of tax breaks for the top 1 percent, and is unwilling to give $200 a year to an E–4. Seventy times what we are asking, seventy times, goes to the rich.

It is time for the President to start supporting the troops instead of supporting the rich. I hope before Veterans' Day, the President changes his mind and agrees with the House of Representatives that our men and women in uniform deserve this pay.

## BEING HONEST ABOUT PLANS IN IRAQ

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

Mr. MCDERMOTT. Mr. Speaker, many of my friends ask me as we struggle to fund this war, why are the Iraqi Parliamentarians going on a 2-month vacation? The answer is very simple: Self-preservation. The AP reported that ''a few shells'' fell in the Green Zone last weekend. Well, my sources in Amman and in Baghdad told me that 47 mortar rounds landed in the Green Zone on Sunday, and on Monday they hit the parliament building, destroying the office of Dr. Mashhadani 5 minutes after he left it.

The AP also reports that the Defense Minister, Mr. Obeidi, has told reporters that Iraq's military was drawing up plans in case U.S. forces left the country quickly. ''The army plans on the basis of a worst case scenario so as not to allow any security vacuum. There are meetings with political leaders on how we can deal with the sudden pullout.''

It sounds to me like we are looking at off-the-hotel-roof in Vietnam, or maybe it was the pullout from Beirut.

I wish, Mr. Speaker, we could make the President be honest with us about what he is actually planning. The world can't figure it out.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Recorded votes on postponed questions will be taken later today.

## HONORING THE MARQUIS DE LAFAYETTE ON THE OCCASION OF THE 250TH ANNIVERSARY OF HIS BIRTH

Mr. SKELTON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 171) honoring the Marquis de Lafayette on the occasion of the 250th anniversary of his birth, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 171

Whereas Marie-Joseph-Paul-Yves-Roch-Gilbert Du Motier, commonly known as the Marquis de Lafayette, was born on September 6, 1757, and occupies a considerable place in the history of the United States;

Whereas Lafayette was a man of considerable military skill who expressed sympathy for American revolutionary fighters, decided to aid colonists in their struggle for independence, and was voted by Congress the rank and commission of major general in the Continental Army;

Whereas Lafayette's military service was invaluable to General George Washington during many Revolutionary War battles, earning him the reputation as ''the soldier's friend'';

Whereas Lafayette's strategic thinking, military skill, and dedication as a general officer serve as a model for present day American military officers;

Whereas Congress appropriated awards and honors in honor of Lafayette's service to the American people, including the commissioning of a portrait that hangs in the House Chamber;

Whereas because of Lafayette's strong belief in freedom, he advocated the abolition of slavery in the Americas, favored equal legal rights for religious minorities in France, and became a prominent figure in the French Revolution;

Whereas, in 1824, at the invitation of President Monroe, Lafayette embarked upon a triumphant, 13-month tour of all 24 States of the then-United States, during which he became the first foreign dignitary to address the House of Representatives, and visited many Masonic bodies;

Whereas because of America's affection for Lafayette, many United States cities, towns, and counties have been named for him;

Whereas Lafayette symbolizes the assistance America received from Europe in the struggle for independence;

Whereas United States aid to France during the world wars of 1917-1918 and 1941-1945 stemmed in part from shared values of democracy and freedom, which Lafayette strongly supported;

Whereas the friendship between the people of the United States and France has not diminished; and

Whereas continued relationships between the United States and France are important to the success of our global partnerships: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) honors Marquis de Lafayette on the 250th anniversary of his birth; and

(2) urges the cadets of the United States military academies and military officers participating in various professional military education courses to study Lafayette's impact on the creation of the United States and on the United States military.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. SKELTON) and the gentleman from South Carolina (Mr. WILSON) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. SKELTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this resolution under consideration.

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

There was no objection.

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

Mr. Speaker, I hail from Lafayette County, Missouri. Its county seat is Lexington, my home. A few miles westbound on Highway 224 are the small towns of Napoleon, Wellington and Waterloo. These communities, which are nestled into the fertile farmland and rolling hills south of the Missouri River, are named after prominent figures or places in French history. They are a very long way from France. But their names and the namesake of my home county, Marquis de Lafayette, reflect a friendship that has existed between the United States and France since the early days of the American Revolution.

No one person better symbolizes that friendship and the assistance American colonists received from Europe in our struggle for independence than the Marquis de Lafayette. He occupies a considerable place in the history of the United States, which is why I was

pleased to author H. Res. 171, a resolution honoring the life of the Marquis de Lafayette on the occasion of his 250th birthday on September 6, 2007.

Lafayette was a man of considerable military skill who sympathized with the American revolutionary fighters. After withdrawing from the French army and traveling across the ocean at his own expense, the Congress voted Lafayette the rank and commission of major general in the Continental Army. His military service during the Revolutionary War was invaluable to George Washington, earning him the reputation as ''the soldier's friend.'' Lafayette's strategic thinking and dedication as a general officer serve as a model for our present day military personnel.

After achieving military victory, Lafayette returned to France, helping the U.S. secure trade agreements and critical loans with European nations. He also became a prominent figure in the French Revolution, speaking out in support of universal freedom and human rights.

Because of Lafayette's commitment to America, Congress honored him with awards of money and land. Congress was also presented a life-size portrait of Lafayette that hangs here in the Chamber of the House of Representatives. The other large portrait is of President George Washington, Lafayette's closest friend and role model.

At the invitation of President James Monroe, Lafayette returned to the United States in 1824. He embarked upon a triumphant tour, during which he visited 24 States, including Missouri, and he became the first foreign dignitary to address the House of Representatives. Lafayette also visited many Masonic bodies across America.

During this visit and thereafter, various American leaders honored Lafayette by naming cities, towns and counties for him or for his French estate, known as LaGrange. Schools, monuments and parks were named for him throughout the United States. One of the most prominent is Lafayette Park in Washington D.C., which is located directly across from the White House.

As we take a moment this year to honor the Marquis de Lafayette on the occasion of his 250th birthday, let us remember how he helped secure American independence and helped establish the United States as an international presence. The values of democracy espoused by our Founding Fathers and by Lafayette have been the bedrock of U.S. domestic and international policymaking for generations. I urge all Americans, and especially those wearing the American military uniform, to study Lafayette as America pays tribute to him this year.

As we take to the floor today to honor a respected Frenchman, I would be remiss if I did not also take the opportunity to say a word of appreciation to the current French Ambassador to the United States, Jean-David Levitte.

□ 1030

Through his time in Washington, I have come to know Ambassador Levitte as a fine person and an outstanding representative of the people of France. Last week, I learned that the newly elected French President, Nicolas Sarkozy, has appointed Ambassador Levitte to be his chief diplomatic adviser. Let me take this means to wish him well as he takes on more responsibilities. But more importantly, let me thank him for his friendship.

I ask Members to support H. Res. 171.

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

Mr. WILSON of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of House Resolution 171, a resolution that honors Marie-Joseph-Paul-Yves-Roch-Gilbert Du Motier, commonly known as the Marquis de Lafayette, on the occasion of his 250th birthday.

Lafayette is honored here in the House Chamber with a greater-than-life-size portrait, only joined by a portrait of George Washington. This is a reminder also that France was America's first ally.

H. Res. 171 was introduced by a man I admire greatly, the Armed Services Committee chairman, IKE SKELTON, a leader in promoting the study of history.

My family has a strong French heritage. My home State of South Carolina is proud of the French Huguenot settlers highlighted by General Francis Marion, the Swamp Fox of the American Revolution, and I am grateful to have cosponsored this resolution.

The Lafayette family was one of ancient nobility. Lafayette was merely 2 years old when his father was killed in the Seven Years War. At the age of 16, he inherited his title, although he later renounced the ''marquis,'' and a large fortune was received from his grandfather.

In keeping with his family tradition, Lafayette joined the French Army at the age of 14, and was a junior officer in the French army when he defied the orders of King Louis the Sixteenth and sailed to the American Colonies from Spain. In speaking of the colonists' Declaration of Independence, he stated in his memoirs, ''My heart was enrolled in it.''

At age 20, after volunteering to serve in the American Army at his own expense, he received the rank of major general from the United States Congress.

My home State of South Carolina is particularly appreciative of Lafayette in that he landed in America near the South Carolina city of Georgetown on June 13, 1777, at the young age of 19.

Lafayette commanded members of the American Army during several conflicts, faced off against Benedict Arnold, and ultimately faced off against Lord Cornwallis where he commanded the brigade at the siege of Yorktown in Virginia.

Throughout his time in America, Lafayette became close friends with General George Washington. They were so close that Lafayette named his son Georges Washington-Lafayette, and asked General Washington to be his son's godfather. He also was very close with young Alexander Hamilton, Washington's chief aide-de-camp.

Because of Lafayette's service to the American people, he was made an honorary U.S. citizen in 2002. Many U.S. towns and cities have been named after him, and three U.S. naval vessels bear his name.

I am proud that Lafayette's dedication, military skill and strategic thinking as an officer now serve as a model for our officers in uniform. General Lafayette symbolizes the assistance America received from Europe during our dynamic struggle for independence. And because of our shared values for democracy and human rights, a deep, long-lasting friendship between the United States and France continues and flourishes to this day.

Mr. Speaker, I am pleased this resolution has been brought to the floor, and I urge my colleagues to join me in support of the resolution.

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

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

Mr. WILSON of South Carolina. Mr. Speaker, I yield 3 minutes to my friend and colleague, the former judge and gentleman from Texas (Mr. POE).

Mr. POE. Mr. Speaker, I want to thank Mr. SKELTON for sponsoring this legislation, and I appreciate Mr. WILSON yielding me time to speak on this important individual.

It is true in this House of Representatives, what we call the People's House, there are only two portraits. There could be more, but there are only two. We honor George Washington and we honor Lafayette. And there are reasons for that; because both of these men were not only friends, but they were resilient in their quest for American liberty many, many years ago.

One evening in 1776, at the dinner table with King George III's relatives, the Marquis de Lafayette got wind of America's Declaration of Independence written by Thomas Jefferson and the trouble the colonists were making for the British—all in the name of liberty.

Facing disapproval from his Noble family and arrest by his own French people, young Lafayette sailed to America. He volunteered to serve at his own expense in the Continental Army with General George Washington. Lafayette was a superior military tactician, and he was fearless. Only in his late 20s, Major General Lafayette went to war with the American colonists.

He was wounded in the battle at Brandywine, he defeated the Hessians alongside General Greene at Gloucester Point, and he stayed faithful to Washington when even some American discontented generals thought they could do a better job than George Washington.

It was Lafayette who persuaded the French to help the Americans in their fight for freedom. And Lafayette never lost his place alongside Washington and his ragged Continental Army. That is one reason we have his portrait in this House.

Lafayette remained a passionate advocate for the cause of freedom until his death, and stood firm in the French Revolution. So much so that at one point he suffered imprisonment for 5 years in Austria and Prussia because of his quest for liberty in France.

Mr. Speaker, I am proud to honor a man who paid both blood and money on two continents for the sake of liberty. As loyal as he remained to Washington and the United States throughout his life, so the people of our great Nation remain indebted to his sacrifice, his courage and his loyalty, and to the example of his unwavering commitment to freedom.

In troubled times, America could always count on Marquis de Lafayette.

Mr. SKELTON. Mr. Speaker, I am so pleased that we are able to take this resolution up today honoring the Marquis de Lafayette. Those of us who grew up in Lafayette County knew that there was some special meaning to the name of our county.

It was Lillard County once upon a time, and after Lafayette's visit to the State of Missouri, St. Louis to be exact, the General Assembly of our State named the western county which borders Jackson County, which now encompasses Kansas City, named it after Marquis de Lafayette and called it Lafayette County. We in Lafayette County are very proud of the reason and the heritage that this county has been so named.

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

Mr. WILSON of South Carolina. Mr. Speaker, I yield 2 minutes to my friend and colleague, a noted physician, the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Speaker, I thank my colleague from South Carolina for giving me time.

I also want to pay tribute and thank my colleague, friend and student of history, the distinguished Armed Services Committee chairman, Mr. SKELTON, for bringing this very important resolution to the floor today.

Mr. Speaker, I rise today as a native of Lafayette, Louisiana, to pay tribute to the Marquis de Lafayette and the French culture that continues to leave an indelible mark on south Louisiana. It is not by coincidence that my hometown is named after this French hero of America's Revolutionary War.

During the Acadian deportation of 1755, thousands of men, women and children were expelled from Nova Scotia. Some returned to France, but many sailed through to the French colony of Louisiana, where, over the centuries, they have established their own unique French-Acadian or what we now call Cajun culture.

It is now estimated that there are over 450,000 Acadian descendants in Louisiana alone, and nearly 250,000 claimed French to be their principal language.

Last week, I introduced House Resolution 398 to congratulate newly elected French President Nicolas Sarkozy on his recent victory, as well as to recognize the longstanding relationship between the United States and our friends in France.

Clearly, nowhere is this relationship between our two countries displayed more than right here in this Chamber where each day we face the portraits of America's first President, George Washington, but also America's adopted son, Marquis de Lafayette.

It is clearly fitting that we recognize the Marquis de Lafayette's accomplishments on the 250th anniversary of his birth today. I urge my colleagues to support this important resolution.

The distinguished gentleman from Missouri (Mr. SKELTON) outlined the history of the Marquis de Lafayette's accomplishments, and I am not going to repeat all of that at this time. But suffice it to say, clearly the Marquis de Lafayette was a great patriot and a great friend of America, and the relationship between Marquis de Lafayette and our first President is emblematic of the relationship between our two great countries.

Mr. WILSON of South Carolina. Mr. Speaker, I have no further speakers, but at this time I want to commend the chairman of the Armed Services Committee for recognizing the Marquis de Lafayette, and to recognize the strong relationship that has been so firm, so important, and that is the alliance with our first ally, the Republic of France.

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

Mr. SKELTON. Mr. Speaker, let me give a special thanks to my friend from South Carolina (Mr. WILSON) who, among other assets, has a sense of history which has been exhibited this morning. I appreciate him speaking, as well as the gentleman from Louisiana speaking of his hometown of Lafayette. It was very kind of you to do so, as well as my friend from Texas coming here to discuss the Marquis de Lafayette.

As the gentleman from South Carolina has pointed out, Marquis de Lafayette was a very unusual man. Doing what he did at such an early age and making such a great impact upon this country, it is fitting and proper that we, as a body, honor him, honor his memory, and honor the fact that he was of such great assistance and help to General George Washington in those very difficult days.

As one leaves Lexington, my hometown, on the Missouri River and travels on Highway 224 towards Kansas City, one goes through Wellington, Missouri; Waterloo, Missouri; and Napoleon, Missouri, in that order, and it is rather interesting that part of French history between Lexington and Kansas City is reflected in the names of those communities.

History has not borne out who named them such. There is no way for us to record or learn the genesis of those three names except they do exist, Wellington, Napoleon, and in between, Waterloo. But whoever did it did us all a favor so we can discuss and learn more of history; and today we are learning more about the Marquis de Lafayette and honoring his memory.

Mr. JINDAL. Mr. Speaker, I rise today to honor the Marquis de La Fayette on the 250th anniversary of his birth. General Lafayette dedicated his life to the creation of democracy in America and France. Revered by many in both the new world and the old, La

Fayette became known as the ''Hero of Two Worlds.''

At the age of 19, La Fayette invested his own funds and outfitted a frigate, sailing for America in 1777, where he joined the forces of General George Washington, with whom he established a lifelong friendship.

In 1781, the Battle of Yorktown, Virginia was a crucial victory by the combined American and French force led by General George Washington and the Marquis de La Fayette, over the British army commanded by General Lord Charles Cornwallis. The surrender of Cornwallis' army caused the British government to negotiate an end to the American Revolutionary War.

In my home state of Louisiana, the Marquis de Lafayette has an enduring legacy by having a leading parish and city named in his honor. Lafayette, Louisiana is one of the fastest growing communities in the South. Lafayette's energy, telecommuncations and agriculture industries are of national importance.

The parish of Lafayette Louisiana is the site of a year-long commemoration of the 250th anniversary of the birth of the Marquis de La Fayette throughout 2007. The 2007 commemoration includes exhibitions, festivals, music, conferences and lectures.

Known for its unique cuisine, music, outstanding hospitality, Cajun and Creole language and traditions, Lafayette welcomes visitors of all ages to this full year of events devoted to Louisiana's French heritage, and focusing on La Fayette, the ''Hero of Two Wodds.''

In conclusion, Mr. Speaker I would like to thank Lafayette, Louisiana's City Parish President Joey Durel and his wife Lynne for their leadership of the 2007 commeration. May La Fayette's vision of democracy and freedom we enjoy today—be cherished always.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H. Res. 171, honoring Marquis de Lafayette on the occasion of the 250th anniversary of his birth. Marquis de Lafayette certainly holds a special place in the history of our country. It was his support for the ideals of our Revolutionary warriors that helped give birth to the greatest nation in the world. In fact, due to his support for the revolution, and the aid he provided to the colonist in their struggle for independence, Marquis de Lafayette was voted by Congress the rank and commission of major general in the Continental Army. Lafayette offered his services as an unpaid volunteer. On July 31, 1777 Congress passed a resolution, ''that his services be accepted, and that, in consideration of his zeal, illustrious family, and connections, he

have the rank and commission of major-general of the United States.''

He was a man that was admired by our first President George Washington and that affection was mutual. In fact Marquis de Lafayette even named his son after our first President, and Washington was the godfather to Lafayette's child.

This is a gentleman that is so revered in American history that in 2002, he was posthumously made an honorary citizen of the United States; one of only six persons so honored. Likewise, a portrait of Lafayette hangs in the House Chamber.

Marquis de Lafayette, held a strong belief in freedom, he advocated the abolition of slavery in the Americas, he favored equal legal rights for religious minorities in France, and he was a prominent figure in the French Revolution. Now some will cite the fact that Lafayette himself owned slaves as a sign of hypocrisy, but he encouraged George Washington to free his own slaves as an example to others. Lafayette would subsequently purchase an estate in French Guinea and settle his slaves there and offered a place for Washington's slaves to live also. Lafayette was famously quoted as saying, ''I would never have drawn my sword in the cause of America if I could have conceived thereby that I was founding a land of slavery.''

The fact that Lafayette was the first foreign dignitary to address the House of Representatives symbolizes the wonderful relationsbip between France and the United States. In light of the recent elections' in France, I hope that our leaders in Congress, the Senate, and the White House will maintain our strong ties with the newly elected leader of France, Nicolas Sarkozy. France is a nation that the United States has shared the same values with since its inception. Lafayette symbolized the assistance America received from Europe in the struggle for independence, just like United States aid to France during World Wars I and II stemmed in part from shared values of democracy and freedom, values that Lafayette held. I am confident that the administration of President Sarkozy will work earnestly with our leaders and continue in the great tradition of not only a French hero, but a true American hero, Marquis de Lafayette.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. SKELTON) that the House suspend the rules and agree to the resolution, H. Res. 171, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

□ 1045

## EXPRESSING SYMPATHY TO THE CITIZENS OF GREENSBURG, KANSAS

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 400) expressing the sympathy of the House of Representatives to the citizens of Greensburg, Kansas, over the devastating tornado of May 4, 2007.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 400

Whereas on the evening of Friday, May 4, 2007, a tornado struck the community of Greensburg, Kansas;

Whereas this tornado was classified as an EF–5, the strongest possible type, with winds estimated at 205 miles per hour;

Whereas 9 lives were lost;

Whereas approximately 95 percent of Greensburg was destroyed, causing over 1,500 residents to be displaced from their homes; and

Whereas the strength, courage, and determination of the citizens of Greensburg, Kansas, have been evident following the tornado: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) expresses its deepest sympathies to the citizens of Greensburg, Kansas, over the devastation caused by the powerful tornado that struck the community on May 4, 2007; and

(2) expresses its support as the citizens of Greensburg continue their efforts to rebuild their community and their lives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from Kansas (Mr. MORAN) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Res. 400.

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

There was no objection.

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

Mr. Speaker, on May 4, 2007, life in the close-knit community of Greensburg, Kansas, changed forever. At approximately 9:45 p.m. central time, a massive tornado all but destroyed the Kansas town of Greensburg, Kansas, located in south central Kansas, east of Dodge City, Kansas. The tornado was classified as an EF–5, a large and extremely dangerous mile-wide tornado with winds up to 205 miles per hour.

The 20-minute warning time was reasonable, but the tornado was so destructive that nine people in Greensburg unfortunately died, and 95 percent of the town was damaged or destroyed. While the infrastructure damage is crushing, citizens of Greensburg have refused to let this incident crush their spirit, hope and determination. Resilience is the watchword, and rebuilding is the daily driving force.

We're here today as representatives of all the citizens of this great Nation to express our sympathy to the residents of Greensburg for this tragedy of historic proportions. More importantly, we stand in support for the citizens of Greensburg as they heal their families and rebuild their community.

I stand here in support of this resolution.

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

Mr. MORAN of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, to the gentleman from Maryland, I'm very grateful for his support and for his help in bringing this legislation to the House floor today.

I rise in support of H. Res. 400, which I introduced along with my fellow colleagues from Kansas. It does express the sympathy of the House of Representatives for the loss of life and the tremendous property damage to a community in my district of a population of about 1,500.

The tornado occurred at about 10 p.m. on Friday evening, May 4, now a little more than 2 weeks ago. It was an F–5 tornado, one of the most powerful tornados to strike the United States in more than 8 years. It was fortunate that the people of Greensburg had a 20-minute warning, that the National Weather Service performed its function. An emergency was declared, and people had 20 minutes to try to save their families' lives and to move to safety.

My guess is that that 20 minutes went by in a flash. Mr. Speaker, while 20 minutes may go by in a flash, I'm sure that the 2 minutes that the tornado was on the ground went by very, very slowly. It was an eternity. In that 20 minutes of warning, people did what they could do. In that 2 minutes, at least the buildings of the community were destroyed; 205-mile-an-hour winds can do great damage.

Mr. Speaker, we in Kansas are accustomed from time to time to tornados, but never have I seen the devastation and destruction that occurs to one community. The losses are significant. Certainly our prayers and support are with the families of those 10 individuals who died that night, but 95 percent of the town is gone. There is no high school. There is no grade school. There is no city hall. There is no hospital. There is no library. The entire business district, six or seven blocks of a business district in the county seat town, not a business remains.

Sixty-three people were injured, and while faced with such destruction, I've been to Greensburg seven times in the last 2 weeks, I have seen nothing but the sense of spirit about rebuilding lives. You can stand in front of a home that is totally destroyed and listen to the people there sorting through the rubble, trying to find something of value, and when you have a conversation with them, it doesn't take long before a smile appears on their face and they talk about how things could be worse than they are, how we're better off than our neighbors, how we'll get through this.

And so, Mr. Speaker, in what is truly a time of devastation, it's also truly a

time of hope. And what we saw in Kansas that night and every day since reaffirms my belief in the value of caring for your family, love and compassion for your neighbor, that your community matters, and a sense that together we can get through this.

I'm proud, Mr. Speaker, to see the tremendous support that comes from across the country. Many Members of the House of Representatives have stopped to visit with me. Many ambassadors and Presidents of foreign countries have sent notes of condolences and concern. And I appreciate that President Bush came to Greensburg, Kansas, last Wednesday and spent 4 hours commiserating with the people of that community.

There is a sense in America that we're all in this together, and in this case the sense is more than just a feeling. It's been a reality.

An example, the nearby community of Haviland, population about 450, the grocery store there was open last Sunday. It's a typical grocery store in a small town. My guess is it makes no money. It's more of a community service than it is a business. It has the old wooden floors and the tin ceiling that is very traditional, very common in communities I represent. And I watched as the owner of the grocery store stood behind the counter, and people brought groceries to the counter and placed them there, ready to pay, and he would ask the question, ''Where are you from?'' And if the answer was, Greensburg, his answer was, ''No charge.''

We've seen this exhibited time and time again by friends and family, but even as important as that, we've seen it demonstrated time and time again by people who know no one in Greensburg, Kansas.

So, Mr. Speaker, the tragedy was tremendous, the destruction was great, but in reality, people have the faith in their future and are willing to take the steps necessary to see that their community is rebuilt and that their children and grandchildren have a future in Greensburg.

So, Mr. Speaker, I rise today in support of the resolution commending these people of Greensburg, Kansas, for their spirit, their bravery, their compassion, their love for friends and family, and I also say thank you to the Members of the House of Representatives and to Americans around the country who also have taken the steps to make sure that good things happen in the future of Greensburg.

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

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

Just very briefly before I yield to my good friend Mr. SKELTON, let me just say this, that I was very pleased and very moved by the statement of the gentleman from Kansas (Mr. MORAN), and it reminds me that this country, our influence in the world is largely based on our moral authority, and that moral authority is one that says that we will leave no American behind.

That's basically what you're saying. It's about the business of all of us lifting each other and being there and underlining under that United States, united.

And so I appreciate what you've said.

Mr. Speaker, I yield 4 minutes to my good friend from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, I thank the gentleman from Maryland and compliment him on the wisdom in his reflection of the character of our people of our country. Strength of character is the message today.

I compliment my friend from Kansas (Mr. MORAN) for introducing this legislation. All of us, of course, express sympathy to the people of Greensburg, Kansas. We rise in solidarity, and you are an excellent reflection of the character of those brave and solid people. We thank you for bringing this to our attention.

A community was destroyed by a massive tornado, and those of us from the Midwest are used to severe weather, thunderstorms, winter winds, ice. Weather conditions are just a part of life for us.

In Missouri, tornadoes have been prevalent during my 30 years that I have served here, and, in fact, I was here just a few weeks in May of 1977 when tornadoes ravaged Pleasant Hill and Sedalia, Missouri.

More recently in 2003, the city of Stockton was decimated by a large tornado. The storm damaged or destroyed over 250 homes, killing three residents and injuring numerous others. Since then, the city's been working with residents and both Federal and State authorities to rebuild the downtown and improve upon the public facilities.

As the people of Kansas deal with the aftermath of Mother Nature's fury, we in Missouri stand with our neighbors to the west.

And again, we thank the gentleman from Maryland for his words. We thank the gentleman from Kansas for introducing this resolution.

Mr. MORAN of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Beside me I have a photograph of Greensburg, Kansas, taken shortly after the tornado that perhaps gives Members of the House of Representatives and really America a sense of the extent of the destruction.

And there are Members of Congress, I suppose, who come from places different than the middle of America, and let me describe Greensburg, Kansas, to you.

Greensburg, Kansas, is a community of about 1,500 people. It's the county seat town of Kiowa County. It is the hub of activity for that county. It's in many ways a typical community that I represent. Its downtown consists of four or five blocks on both sides of the street of businesses, the hardware store, a drugstore, a grocery store. There's the seats of government, the city hall, the library, the hospital, the courthouse.

Mr. Speaker, it's a community in which people have lived there, in many instances, for four and five generations, and it's a community that welcomes newcomers. In fact, that's the plea of every Kansas community: We'd like to grow and see some prosperity, see new people in our town.

And so this is a community that has a combination of people who are senior citizens and young folks, a community that has folks who have lived there generation after generation, generally involved in agriculture, farming and ranching; but it's also a community that embraces new ideas and new people, a look toward the future. It's a community that has numerous churches, and yet today, as we talk about Greensburg, those structures, those buildings are gone.

But in many ways, what's happened in Greensburg only reinforces who the people who call Greensburg home are. The fact that the buildings are gone is something they will live with. In fact, their response was how quickly can we get back into town so we can begin the process of rebuilding our homes, our businesses and our lives.

On Saturday, I was in Greensburg for high school graduation. As I indicated, Greensburg is a town of about 1,500 people. Twenty-five seniors from Greensburg High School graduated on Saturday morning. Graduation was held under a tent on the golf course, the golf course because it's the only place in town that has no debris and rubble. Population 1,500, there were 1,800 people at graduation. They were there to tell the students, congratulations and best wishes.

□ 1100

They were also there to reinforce the importance of community, that life revolves around what goes on in the town, and life revolves around its future based upon its young people. Once again we saw the demonstration of how friends and family and neighbors and people who don't even know anybody in Greensburg came together in one more instance to make certain that there was love and compassion and care and concern demonstrated for the people of this community. I am so grateful again for the opportunity to represent the people of a community like Greensburg, Kansas.

The question particularly by the national media has been, Congressman, do you believe they will rebuild their community? I can tell you that effort is ongoing today, and it began on Saturday, Saturday morning the day after the tornado, and it continues each and every moment.

The city administrator, the mayor, the sheriff, the police chief, the county commissioners, the city council members all lost their homes. Yet Saturday morning, they were all gathered there to try to restore the services for electricity and gas and power and water to

the community. They lost everything, but yet, as community leaders, they were there.

My friend, Dennis McKinney, the Democrat leader of the House of Representatives of the State of Kansas, announced on Sunday, a week ago, ''I have already hired the contractor to rebuild the house on the same foundation where I lived before the tornado, because leaders have to be leaders.'' Again, we see the determination of people.

What I answered to the national media who asked me if they think Greensburg will be rebuilt, I don't know a lot of people in other communities, but I know the people of Greensburg, Kansas. In Kansas and in Greensburg, Kansas, we all have a place we love. It's called ''home.''

There is a great attraction to make certain that we do everything in this Congress, that the Federal Government responds appropriately to help the folks of Greensburg. I can tell you that the love of home is sufficient, that the people of Greensburg, Kansas, are rebuilding today.

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

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

Again, I want to thank Mr. MORAN for his statements. There was one scene that I am sure most Americans saw on TV. Right after the storm and the tornado, and people were looking through their belongings, there was one lady who said, ''You know, if I could just find my wedding ring, if I could just find my wedding ring.''

Her house was totally demolished. Apparently she had said that early in the day. Then later in the day, they showed her again, saying, ''You won't believe this. I found my wedding ring.''

For some reason, that was a very telling statement on her part, because what she was basically saying is that while the buildings may fall, while so much may seem so dim, the fact is that I still have family. I want that wedding ring, that band, that symbol of unity, that symbol of togetherness, that symbol of generations yet unborn, and those who have come before me; that's what I am looking for.

Just as she found her wedding ring, I know the citizens of Greensburg will make it. Just as Mr. MORAN said, they will rebuild.

Then there was another scene, just yesterday on the news, where the commentators were talking about how a bank or two had kind of a temporary building, and other buildings were slowly coming up just to keep things rolling and doing business. Then to hear about the graduation of 25 students and 1,800 guests appearing, I think that sends a very powerful message to our Nation, and such a powerful message to so many people.

Throughout life, we all fall down, but the question is whether we will get up. I think that as people watch the citizens of Greensburg, they realize that there will always, in the words of Martin Luther King, be interruptions in our lives. The question is whether we will continue our lives after the interruptions.

On behalf of all of our Members, and I know there will be a unanimous vote from all of our Members, we want to say to the citizens of Greensburg that we stand with you, that our prayers are with you, and just know that as we remind you, God holds you in the palm of His hand.

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

Mr. MORAN of Kansas. I thank the gentleman from Maryland. He has touched me by his personal interest, not only in this resolution, but in his awareness and concern for the people of Greensburg, Kansas.

Mr. Speaker, once again, it's good to see in this House of Representatives where people from across the country recognize the value of working together to see that good happens.

I also wish to express my appreciation to all the volunteers from across the country. Sunday, the two Sundays since the tornado, collection plates have been passed in our churches, the prayers have been said. The Red Cross has arrived, the Salvation Army is there, the National Guard, our soldiers away from home, again, helping in time of need. Our law enforcement officers from across the State and FEMA have performed admirably in this very difficult circumstance.

I am pleased by the spirit exhibited today by the gentleman from Maryland and look forward to that spirit continuing as we work to rebuild Greensburg and all of America.

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

Mr. CUMMINGS. I yield myself such time as I may consume.

As I close, Mr. Speaker, I hope that many people from Greensburg observe this small session that we are going through right now. I hope that they know that we are with them.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 400, which expresses the sympathy of the House of Representatives to the citizens of Greensburg, KS, over the devastating tornado of May 4, 2007.

Just over 2 weeks ago, a devastating weekend of storms left at least 9 people dead and much of the farm town of Greensburg, KS, destroyed. Mile-wide tornadoes with winds of up to 205 miles per hour were recorded, leveling the town and destroying much of the equipment used by first-responders, including city and county trucks. By the time the winds finally settled, approximately 95 percent had been destroyed, displacing over 1,500 residents from their homes.

The tragedy of this storm was compounded by the lack of available responders and equipment. Governor Kathleen Sebelius has lamented the deployment of much needed troops and resources to Iraq, stating ''When the troops get deployed, the equipment goes with them. So here in Kansas about 50 percent of our trucks are gone. We need trucks. We are missing Humvees, we're missing all kinds of equipment that could help us respond in this kind of emergency.''

This storm illustrated precisely how rescue and recovery efforts here at home are being severely hampered by our ongoing involvement in Iraq. National Guard representatives have echoed this statement, with MG. Tod Bunting of the Kansas National Guard noting that first-responders lacked resources even before the war, which has subsequently ''further depleted us.''

Despite these shortages, Guard troops are to be commended for their efforts at providing much needed security and supplies.

Here in Congress, as hurricane season rapidly approaches, we are actively examining our Nation's response to natural disasters. Two years ago we learned, from Hurricane Katrina, the extent to which we were unprepared for, and unable to adequately respond to, a disaster of this magnitude.

I urge this Congress to continue to pursue this important issue; the tornadoes in Kansas serve to remind us all that nature's furies are varied and unpredictable.

Mr. Speaker, Greensburg, KS, remains in shambles. Homes are demolished, livelihoods lost, lives interrupted. I would like to join my colleague, Mr. MORAN of Kansas, the sponsor of this bill, in expressing my deep personal sympathy to the victims of this natural disaster. Similarly, I would like to express my strong support for this resolution, and I would urge my colleagues to do likewise.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and agree to the resolution, H. Res. 400.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

## RECOGNIZING THE SERVICE OF UNITED STATES MERCHANT MARINE VETERANS

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 413) recognizing the service of United States Merchant Marine Veterans.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

Whereas the United States Merchant Marine served as the Nation's first Navy and helped George Washington's Continental Army defeat the British Navy;

Whereas since 1775, United States Merchant Mariners have served valiantly in times of peace and in every war;

Whereas after the terrorist attacks of September 11, 2001, 29 United States Merchant Marine Academy cadets operated a fleet of boats in New York Harbor, transporting firefighters and other emergency equipment workers, medical supplies, and food;

Whereas today, more than 8,000 Merchant Mariners serve in the Military Sealift Command, most of them working in support of Operation Iraqi Freedom and Operation Enduring Freedom;

Whereas the United States Merchant Marine Academy is the only one of the five service academies that sends its cadets into war, and 142 undergraduates of the Academy were lost during World War II;

Whereas during World War II, Merchant Mariners served honorably in combat but were denied veterans benefits and recognition at the end of the war despite sustaining the highest rate of casualties of any of the armed services;

Whereas more than 95 percent of the Allied Forces and materiel that was transported during World War II was transported by Merchant Marine ships;

Whereas the Merchant Mariners of World War II were denied the unprecedented benefits of the Servicemen's Readjustment Act of 1944 (known as the ''GI Bill of 1944'');

Whereas the story of the United States Merchant Mariners of World War II is one of patriotism, of youthful exuberance, of dedication to duty, of bravery in the midst of battle, and of a Nation that forgot these heroes after the end of the war for more than 40 years until 1988, when they were given veteran status;

Whereas by that time, over 125,000 of those Merchant Mariners had died and many had lost out on opportunities and benefits they greatly deserved; and

Whereas, on National Maritime Day, Congress recognizes the tremendous sacrifices and contributions of the Merchant Marine and its veterans and the entire maritime industry to the Nation: Now, therefore, be it

*Resolved*, That on National Maritime Day, the House of Representatives recognizes the heroic and invaluable sacrifices that the United States Merchant Marine veterans have made to help ensure our Nation's prosperity and safety.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from Kansas (Mr. MORAN) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 413.

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

There was no objection.

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

Mr. Speaker, as the chairman of the Subcommittee on Coast Guard and Maritime Transportation, I am honored to take this opportunity afforded by National Maritime Day to pay tribute to our Nation's merchant mariners and to the entire maritime industry.

I also honor the tireless work of the men and women of the United States Coast Guard, who ensure the safety and security of our Nation's ports, who protect our economic interests in the maritime environment around the world and who, every year, save the lives of thousands of mariners in distress.

In 1933, the United States first honored our merchant mariners through the designation of May 22 as National Maritime Day. Seventy-four years later, we again pause to honor the service and sacrifices of our merchant mariners by considering H. Res. 413, offered by my distinguished colleague, Congressman BOB FILNER, the chairman of the Committee on Veterans' Affairs.

H. Res. 413 pays special tribute to the estimated 250,000 Americans who served in the War Shipping Administration, moving 95 percent of the goods and materiel used by the allies used during World War II.

The Congressional Research Service report said more than 50 percent of those who served in the Merchant Marine in World War II were under the age of 25, and some 20,000 of these men were killed or wounded in the war, yielding among the Merchant Marine the highest casualty rate of any service, according to the U.S. Maritime Service Veterans.

Despite their gallant service, World War II-era U.S. merchant mariners have still not received many of the benefits given to those who served in the other U.S. military forces engaged in World War II. U.S. merchant mariners have still never been made eligible for the GI Bill or for the housing, educational or unemployment benefits that the bill provided for other U.S. veterans.

Not until 1988 were World War II-era merchant mariners made eligible for services from the Veterans Administration. Not until 1998 were they made eligible for burial and cemetery benefits. While these are important benefits long overdue to World War II-era merchant mariners, many of these mariners were no longer with us when these benefits were extended. Even fewer of the World War II-era mariners are with us today. For many, therefore, any benefits granted now come too late.

Further, even for those who are still with us, it is too late to give them the opportunities that they might have had, had they been eligible for the benefits of the GI Bill at the conclusion of their service.

I urge my colleagues to take this opportunity to honor all of those who served in our Nation's Merchant Marine during World War II, and I hope that the experience of these mariners will be a lesson to ensure that we never, never again deny any veteran who has served the United States any of the benefits he or she has earned.

As I close, I also honor the vital role that our merchant mariners continue to play in responding to our Nation's emergencies. Most recently, the U.S. merchant mariners help evacuate an estimated 160,000 people from Manhattan on September 11, 2001, and provided aid and emergency assistance along the gulf coast to the victims of Hurricane Katrina and Hurricane Rita.

Merchant mariners also continue to provide the sealift capacity that keeps our Armed Forces equipped to fight the global war on terrorism. More than 8,000 merchant mariners serve in the Military Sealift Command, and the Seafarers International Union has written that civilian crews and military support ships have moved some 79 million square feet of cargo to United States troops in Iraq and throughout the world since 9/11. Without these highly trained men and women, we will likely be unable to equip our Armed Forces with the supplies they need to defend our Nation.

I honor all of the members, past and present, of the United States Merchant Marine. I urge the passage of H.R. 413 and again commend my colleague, Congressman FILNER, for his tireless efforts on behalf of our World War II-era merchant mariners.

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

Mr. MORAN of Kansas. Mr. Speaker, I join my colleague from Maryland in honoring the men and women who served in the United States Merchant Marine, and H. Res. 413 does just that. It recognizes the important role the Merchant Marine plays in ensuring our national security and strengthening our national economy.

The 465 U.S.-flag oceangoing commercial vessels and the approximately 69,000 men and women that comprise the U.S. Merchant Marine provide critical services to the United States, the transportation of maritime commerce to and from U.S. ports and their support for our armed services in times of national emergency.

It's appropriate that we do this today. This is National Maritime Day, which was designated by Congress to pay tribute to the merchant mariners, both current and past, and recognize their faithful service to the United States of America. Since 1933, the Nation has celebrated and commemorated the service of the merchant mariners on May 22 each year.

I, too, commend the resolution sponsored by my friend and colleague from California (Mr. FILNER) for introducing this legislation. I join him in urging all Members to support this bill and the United States Merchant Marine.

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

Mr. CUMMINGS. Mr. Speaker, I yield 5 minutes to the very distinguished gentleman from California (Mr. FILNER). He is the author of this resolution, and, without a doubt, in this Congress, be it on whatever side, either side of the aisle, he has distinguished himself as being a fierce fighter for the rights and benefits of our veterans.

□ 1115

Mr. FILNER. I thank the chairman not only for his kind words, but for bringing this resolution to us on National Maritime Day, and for his making the connection between what we are doing today and the historical record that we as a Nation, I think, have to recognize and correct.

This resolution, H. Res. 413, does recognize the heroic and brave service of the Merchant Marine veterans who have gone unheralded by this country for far too long. Of course, this is the best time to do this, on National Maritime Day, which was first celebrated in

1933. It is intended to recognize the invaluable role that the maritime industry in general and the Merchant Marine in particular served to our Nation's economy and to our security.

Throughout our Nation's history, the Merchant Marine has played a crucial part in ensuring our freedom and security during war and in transporting our commerce during peace.

This day was conceptualized by Franklin Delano Roosevelt, a former Assistant Secretary of the Navy, who firmly believed, as we continue to, that the Nation needed a strong Merchant Marine to serve as an auxiliary to our naval and other military forces during war. In fact, the Merchant Marine has participated in every war since serving as the Nation's first Navy, helping George Washington's Continental Army defeat the British.

After the terrorist attacks on September 11, 2001, 29 Merchant Marine Academy cadets operated a fleet of boats in New York Harbor, transporting the firefighters and other emergency equipment workers and medical supplies.

It is interesting to note that the United States Merchant Marine Academy is the only one of our five military academies that will send its cadets into war; and, in fact, we have lost 142 of those cadets since World War II.

Today, more than 8,000 merchant mariners serve in the Military Sealift Command, most working in support of Operation Iraqi Freedom and Operation Enduring Freedom.

I thank my colleague for bringing up the situation of our World War II veterans. As he said, it is too late to give them education benefits. But I have a bill, H.R. 23, that says we want to give you a belated thank you with a payment for the last years of their life, most of whom are over 80 right now.

During World War II, these merchant mariners traversed the dangerous U-boat-laden waters of the Atlantic and the Pacific, faced down fierce air attacks from kamikaze planes, and were instrumental in every theater of war by carrying 95 percent of all tank supplies and troops during the Great War. As a result, they suffered, as was pointed out, the highest casualty rate of any of the military branches.

It is indisputable that the allied forces would not have been able to begin, sustain, or finish World War II without their valiant and selfless service.

When I first heard of the plight of the merchant mariners of World War II, I could not believe the treatment that they have received. They did not receive any recognition as veterans that they deserved, or the benefits of the GI bill which they had earned. And their fight for equality continued for over 40 years, when they finally attained veteran status after a lengthy court battle. By then, over 125,000 of them had died.

I actually had the privilege of receiving the heart-wrenching testimony during a hearing before the Veterans' Affairs Committee from one of the named parties in that suit, in the 1980s, a merchant mariner named Stanley Willner. He was captured, interned, beaten, starved, and tortured as a POW for 3 years. He actually was one of the unfortunate group of Allied Forces who was forced to build the infamous bridge on the River Kwai.

Upon release, he weighed a mere 74 pounds. When he returned home, even his wife couldn't recognize him. Well, neither did his country. The brave merchant mariner received just 2 weeks of medical care and little else for his incredible service and sacrifice. What a travesty of justice.

Mr. Speaker, there are many more stories like this that tell about the merchant mariners of World War II, of opportunities lost and dreams foreclosed. It is long overdue that we treat these veterans the same as we try to do with all other veterans: Do our best to make them whole again.

As such, in recognition of the 74th anniversary of National Maritime Day, I invite all of the country and my colleagues to join me in recognizing the brave men and women of the sea who, like the Merchant Marine veterans of World War II, serve selflessly to ensure our Nation's continued safety and prosperity by voting in favor of this resolution, and then taking action, hopefully in a few weeks, where we give a belated ''thank you'' to the merchant mariners of World War II and pass H.R. 23.

Mr. CUMMINGS. Mr. Speaker, I yield to the distinguished lady from New Hampshire (Ms. SHEA-PORTER) 4 minutes.

Ms. SHEA-PORTER. I thank the gentleman for bringing this to the floor.

Mr. Speaker, I, too, rise in support of recognizing what our maritime men did for us during World War II. The danger that they lived through, the sinking of their ships, the efforts to protect our other soldiers and bring supplies to them was nothing short of heroic.

When I spoke to some of these brave men, I talked about how my father had joined the Navy, and one of the reasons he liked to say was because he always was fed, and he always had ice cream. I never really thought about where all that came from.

And then I met a constituent of mine in Wolfeboro, New Hampshire, who wrote a letter to me speaking about his father who was a merchant marine and what he had been deprived of after World War II. And here is what Larry Warren had to say.

''I am writing on behalf of all World War II Merchant Marine veterans, but one in particular, my father Fred Warren of Wolfeboro. They need help.

''My father served with the Merchant Marines during World War II. His hearing is damaged from working in the engine rooms, and his lungs are damaged from the asbestos used in the construction of the merchant ships. He survived typhoons in the Pacific, German U-boats in the Atlantic, and Axis torpedo bombers in the Mediterranean. I don't know all the harrowing experiences. He doesn't talk about it.

''He was lucky to have made it home. Many didn't. The casualty rate for World War II merchant marines was one in 26, higher than any branch of the armed services. Merchant Marines fought and died with members of our Armed Forces; some were captured and held POWs. Merchant ships and the crews on them were considered expendable by the Allied leaders. Freedom is not free, and the merchant marines of World War II paid dearly.

''My father has never received help in any form from our government because merchant mariners were denied benefits under the GI bill; no low-interest loans, no unemployment pay, no free college training, no health or prescription drugs, nothing. World War II merchant mariners were not even considered veterans until an act of Congress in 1988.

''I respect all of our veterans and consider them heroes, but I am especially proud of my father. In my eyes, he is a hero, too. It is time to make amends.''

It is time to make amends. It is time to reward these men and their widows for what they have gone through. And we thank them; and there is no better way to thank them first by recognizing through this resolution, and then by recognizing them with the next bill that hopefully will pass through Congress that will provide some financial support and say to them, as we have tried to say to all veterans, ''Thank you very much for saving our country.''

Mr. McNERNEY. Mr. Speaker, I rise today in recognition of the brave men and women who have served this country, in peace and in war, as Merchant Mariners. The United States Merchant Mariners have supported and served alongside our Armed Forces in every major seafaring conflict since the birth of this Nation.

In times of peace, Mariners make the seas their home, transporting American goods all over the world and bolstering our national economy. In times of war, from the Revolutionary War to the conflicts today in the Middle East, Merchant Mariners have served as a lifeline to our international military operations, transporting troops, equipment, and needed supplies to theaters of operation.

The dedication and sacrifice of our Merchant Mariners is unassailable. Despite higher casualty rates than any branch of regular military service in World War II, Merchant Mariners have continued to answer the call to war with unflinching patriotism and valor.

Today, National Maritime Day, we should take time to reflect on the devotion of all our Merchant Mariners and the deep and lasting debt owed them by a grateful Nation.

Therefore, it is with great pride that I honor the service and sacrifice that the brave men and women of the United States Merchant Marine exemplify, on this, the 75th celebration of National Maritime Day.

Mr. OBERSTAR. Mr. Speaker, 189 years ago, on May 22, 1819, the steamship Savannah departed Savannah, Georgia, on the first transatlantic voyage by a steamship. This voyage demonstrated the commercial viability of

steamships and meant that commercial shipping was no longer totally dependent upon the wind.

The U.S.-flag merchant marine has continued to promote international transportation and global trade. U.S.-flag shipping companies lead the way in the invention and development of containerized shipping and the double-stacked train system. If it were not for visionaries such as Malcolm McLean, cargo would still be transported in small boxes and loaded on a ship like you see in old movies. Today's modern containership can carry over 12,000 20-foot containers, equivalent to 6,000 semi-trailer trucks on our highways.

The merchant marine has also made significant contributions to the freedom and liberty that we enjoy in the United States. Civilian mariners served gallantly during World War II transporting arms and supplies in support of our military forces. More than 700 cargo ships and 6,000 mariners died in that war. U.S. mariners have continued to service during the Korean War, the Vietnam War, the Gulf War, and now in Operation Iraqi Freedom and Operation Enduring Freedom.

Mr. Speaker, President Franklin D. Roosevelt first called on Americans to commemorate National Maritime Day in 1933. Today, it is fitting that the House of Representatives recognize National Maritime Day to honor the men and women that have served our Nation in the U.S. merchant marine. They have transformed our Nation from an island nation into the hub of the world's commerce. They have shown how U.S. technology can revolutionize the world.

Yet to many Americans, maritime transportation is the invisible component of our global transportation system. People have no idea how goods manufactured in China suddenly appear on store shelves in their neighborhood. This global logistics system is now vital to the U.S. economy. U.S. manufacturers no longer have large warehouses stocked full of spare parts for their factories. They are dependent on a "just in time" delivery system that will supply them with the components they need within days or hours of their being assembled. If this global trade were to be shut down for a few days, store shelves would begin to become empty and factory production lines would be shut down.

I hope that in the coming year we can help Americans understand the important contributions that the U.S. merchant marine makes to all of our lives and that we develop legislation to help increase the size of the U.S.-flag fleet competing in the world trade.

Mr. Speaker, I strongly urge my colleagues to join me in supporting House Resolution 413, recognizing the service of U.S. Merchant Marine veterans today on National Maritime Day.

Mr. MORAN of Kansas. I yield back the balance of my time.

Mr. CUMMINGS. Mr. Speaker, before yielding back, I just want to associate myself with the words of Ms. SHEA-PORTER and Mr. FILNER, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and agree to the resolution, H. Res. 413.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

## AUTHORIZING THE PRINTING OF A COMMEMORATIVE DOCUMENT IN MEMORY OF THE LATE PRESIDENT OF THE UNITED STATES, GERALD RUDOLPH FORD

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 128) authorizing the printing of a commemorative document in memory of the late President of the United States, Gerald Rudolph Ford.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 128

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

**SECTION 1. COMMEMORATIVE DOCUMENT AUTHORIZED.**

(a) IN GENERAL.—A commemorative document in memory of the late President of the United States, Gerald Rudolph Ford, shall be printed as a House document, with illustrations and suitable binding, under the direction of the Joint Committee on Printing.

(b) CONTENTS.—The document shall consist of the eulogies and encomiums for Gerald Rudolph Ford, as expressed in the Senate and the House of Representatives, together with the texts of each of the following:

(1) The funeral ceremony at Palm Desert, California.

(2) The state funeral ceremony at the rotunda of the United States Capitol.

(3) The national funeral service held at the Washington National Cathedral in the District of Columbia.

(4) The interment ceremony at the Gerald Ford Presidential Museum, Grand Rapids, Michigan.

**SEC. 2. PRINTING OF DOCUMENT.**

In addition to the usual number of copies printed of the commemorative document under section 1, there shall be printed the lesser of—

(1) 32,500 copies, of which 22,150 copies shall be for the use of the House of Representatives and 10,350 copies shall be for the use of the Senate; or

(2) such number of copies that does not exceed a production and printing cost of $600,000, with distribution of the copies to be allocated in the same proportion as described in paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on this concurrent resolution.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution provides for the printing of a memorial tribute to honor our late 38th President, Gerald R. Ford. A former minority leader of this House, President Ford died on December 26, 2006, at the age of 93. Our distinguished colleague from Michigan (Mr. EHLERS), who now represents Gerald Ford's former district, introduced this resolution. The measure takes the same form as that passed after President Reagan's death in 2004. I support the gentleman's resolution, and I thank him for sponsoring it.

Mr. Speaker, since President Ford's death, Americans have expressed their respect and gratitude for his remarkable career that took him into the Navy during World War II, to this House, to the Vice Presidency, and then to the White House. In the aftermath of the ordeal of Watergate, many consider President Ford, then and now, as the right man at the right time. It is fitting that Congress provide for this customary tribute, and I urge the House to adopt the concurrent resolution.

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

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

Mr. Speaker, I rise today in strong support of House Concurrent Resolution 128, authorizing the printing of a commemorative document in memory of the late President of the United States, Gerald R. Ford.

It was an honor for me to serve as a scientific adviser to Congressman Ford in the late 1960s and early 1970s, and I then came to know President Ford in many capacities throughout the years. I now have the privilege of serving the people of Grand Rapids and western Michigan in the exact seat he held from 1949 until 1973, and I am now most pleased to recognize one of the great sons of the State of Michigan.

Although President Ford's life ambition was to become Speaker of this esteemed body, fate and the Lord had other plans for Jerry Ford. While he was not a man who sought the Presidency, Ford was a tireless public servant who did not shrink from duty when his country needed him most. He bore the mantle that had been thrust upon him with great humility, never forgetting the solid Michigan values that were his compass in the most trying of times.

When he ascended to the Presidency upon President Nixon's resignation in 1974, Ford served with honor and dignity, telling us that ''our long national nightmare is over.'' He was recommended and approved for his position by people in Congress who knew him very well. In fact, I believe he is the only President of the past one and a half centuries who served as the choice of the Members of Congress. Their trust in him aided him in governing and leading our Nation out of that nightmare. In pardoning President Nixon, he essentially gave up any chance he had of a second term as

President; but, in doing so, he literally healed the Nation. And I recall a very personal discussion with him one time where he said he knew full well that he would likely lose the election, because of the pardon, but he saw no alternative but to pardon President Nixon in order to put the whole Watergate episode behind us and get the Nation moving again.

I am privileged, and I have always felt a sense of honor, to be serving in the same House seat that Congressman Ford served. By publishing this book, we will educate future generations about the contributions of a great man who came from ordinary beginnings yet found himself performing well in extraordinary circumstances. Jerry Ford personified the many good traits that west Michigan has to offer our Nation, with his honesty, his forthrightness, and his hard work. And I urge my colleagues to support the creation of this commemorative volume. I urge strong support of this resolution.

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

Mr. BRADY of Pennsylvania. Mr. Speaker, I join my colleague from Michigan in support of this fitting tribute for our late President Ford. I urge the House to support the resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 128.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1130

## INTERNET SPYWARE (I-SPY) PREVENTION ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1525) to amend title 18, United States Code, to discourage spyware, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1525

*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 ''Internet Spyware (I–SPY) Prevention Act of 2007''.*

***SEC. 2. PENALTIES FOR CERTAIN UNAUTHORIZED ACTIVITIES RELATING TO COMPUTERS.***

*(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:*

***''§ 1030A. Illicit indirect use of protected computers***

*''(a) Whoever intentionally accesses a protected computer without authorization, or exceeds authorized access to a protected computer, by causing a computer program or code to be copied onto the protected computer, and intentionally uses that program or code in furtherance of another Federal criminal offense shall be fined under this title or imprisoned not more than 5 years, or both.*

*''(b) Whoever intentionally accesses a protected computer without authorization, or exceeds authorized access to a protected computer, by causing a computer program or code to be copied onto the protected computer, and by means of that program or code—*

*''(1) intentionally obtains, or transmits to another, personal information with the intent to defraud or injure a person or cause damage to a protected computer; or*

*''(2) intentionally impairs the security protection of the protected computer with the intent to defraud or injure a person or damage a protected computer;*

*shall be fined under this title or imprisoned not more than 2 years, or both.*

*''(c) No person may bring a civil action under the law of any State if such action is premised in whole or in part upon the defendant's violating this section. For the purposes of this subsection, the term 'State' includes the District of Columbia, Puerto Rico, and any other territory or possession of the United States.*

*''(d) As used in this section—*

*''(1) the terms 'protected computer' and 'exceeds authorized access' have, respectively, the meanings given those terms in section 1030; and*

*''(2) the term 'personal information' means—*

*''(A) a first and last name;*

*''(B) a home or other physical address, including street name;*

*''(C) an electronic mail address;*

*''(D) a telephone number;*

*''(E) a Social Security number, tax identification number, drivers license number, passport number, or any other government-issued identification number; or*

*''(F) a credit card or bank account number or any password or access code associated with a credit card or bank account.*

*''(e) This section does not 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 of an intelligence agency of the United States.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following new item:*

*''1030A. Illicit indirect use of protected computers.''.*

***SEC. 3. AUTHORIZATION OF APPROPRIATIONS.***

*In addition to any other sums otherwise authorized to be appropriated for this purpose, there are authorized to be appropriated for each of fiscal years 2008 through 2011, the sum of $10,000,000 to the Attorney General for prosecutions needed to discourage the use of spyware and the practices commonly called phishing and pharming.*

***SEC. 4. FINDINGS AND SENSE OF CONGRESS CONCERNING THE ENFORCEMENT OF CERTAIN CYBERCRIMES.***

*(a) FINDINGS.—Congress makes the following findings:*

*(1) Software and electronic communications are increasingly being used by criminals to invade individuals' and businesses' computers without authorization.*

*(2) Two particularly egregious types of such schemes are the use of spyware and phishing scams.*

*(3) These schemes are often used to obtain personal information, such as bank account and credit card numbers, which can then be used as a means to commit other types of theft.*

*(4) In addition to the devastating damage that these heinous activities can inflict on individuals and businesses, they also undermine the confidence that citizens have in using the Internet.*

*(5) The continued development of innovative technologies in response to consumer demand is crucial in the fight against spyware.*

*(b) SENSE OF CONGRESS.—Because of the serious nature of these offenses, and the Internet's unique importance in the daily lives of citizens and in interstate commerce, it is the sense of Congress that the Department of Justice should use the amendments made by this Act, and all other available tools, vigorously to prosecute those who use spyware to commit crimes and those that conduct phishing and pharming scams.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Florida (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume.

Software and electronic communications are increasingly being used by criminals to invade individuals and businesses' computers without authorization. These practices undermine consumer confidence in the integrity and security of the Internet itself. Two particularly egregious examples involve the use of spyware and phishing scams.

Spyware is a form of software that helps gather information about an individual or organization without their knowledge. It also can be used to take control of someone else's computer and surreptitiously send information stored in that computer, such as the individual's personal information and passwords, to another entity where it can then be redirected for criminal purposes, including fraud, larceny, theft or other cybercrimes.

According to a survey last year by the FBI, computer security practitioners say that spyware is among the most critical threats to the security of our Nation's computer systems.

Phishing is another form of cybercrime. It is a scheme by which a criminal creates a Web site or sends e-mails that copy a well-known, legitimate business in an attempt to deceive Internet users into revealing personal information. Through phishing, for example, a criminal can trick an Internet user into revealing his bank account numbers or passwords.

Pharming is a version of phishing, and that involves the fraudulent use of domain names. In pharming, hijackers hijack a legitimate Web site's domain site and redirect traffic intended for the Web site to their own Web site where users may unknowingly provide personal information to the hacker.

This measure before us, H.R. 1525, aims to put a stop to these kinds of crimes that invade our privacy. It amends title 18 of the United States Code to impose criminal penalties, including up to 5 years in prison, on those who intentionally engage in spyware-related behavior in furtherance of other Federal criminal offenses.

Another thing the bill does is impose fines and imprisonment up to 2 years for anyone who engages in such practices with the intent to defraud or injure a person.

Finally, this measure authorizes $10 million per each fiscal year, 2008 through 2011, to help the Department of Justice combat these crimes.

I want to lift up the names of two of our Judiciary Committee members, Congresswoman ZOE LOFGREN of California, and of course, BOB GOODLATTE of Virginia, both of whom have put this legislation together and shepherded it through the hearing and the processes of the Judiciary Committee. I'd like to commend them for hard, effective work in developing and moving this bill on a bipartisan basis.

This is a targeted measure, ladies and gentlemen, that protects consumers by providing appropriately strong penalties for egregious behavior. I urge my colleagues to join us in support of it.

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

Mr. KELLER of Florida. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, spyware is a serious and growing problem. This software allows criminals to hack into a computer to alter the user's security setting, collect personal information to steal a user's identity or commit other crimes.

H.R. 1525, the Internet Spyware Prevention Act of 2007, is bipartisan legislation that imposes criminal penalties on computer hacking intrusions and the use of spyware. A maximum term of 5 years imprisonment can be imposed for a hacking violation in which an unauthorized user accesses a computer.

In addition, a maximum of 2 years imprisonment can be imposed for anyone who uses spyware to break into a computer and alter the security settings or obtain the user's personal information.

This bill also authorizes $10 million for fiscal years 2008 through 2011 for the Department of Justice to increase Federal prosecutions of these new offenses.

I congratulate Congresswoman LOFGREN and Congressman GOODLATTE for their leadership and dedication on this issue. I also thank Chairman CONYERS and Crime Subcommittee Chairman SCOTT for their support of this legislation.

I urge my colleagues to vote ''yes'' on this bill, and I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, the gentlelady from California, ZOE LOFGREN, is the principal mover of this bill, and I'm pleased now to yield her as much time as she may consume.

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise in support of H.R. 1525, the Internet Spyware Prevention Act of 2007. I'm very pleased that my first stand-alone bill that will be passed in this House under the new Democratic majority is one that both protects Americans on the Internet and fosters continued technological innovation. I thank my friend, Congressman BOB GOODLATTE, for working with me once again on this legislation to combat spyware.

Spyware is becoming one of the biggest threats to consumers on the Internet. Thieves are using spyware and key loggers are harvesting personal information from unsuspecting Americans. It also affects the business community that is forced to spend money to block and remove it from their systems.

Experts estimate that as many as 80 to 90 percent of all personal computers are infected with spyware. In short, it's a very real problem that's endangering consumers, damaging businesses and creating millions of dollars of additional costs.

This is a bipartisan measure that identifies the truly unscrupulous acts associated with spyware and subjects them to criminal punishment. This bill is the right approach because it focuses on behavior, not technology. It targets the worst forms of spyware without unduly burdening technological innovation.

The bill imposes tough criminal penalties on those who use spyware in furtherance of another Federal crime or to defraud or injure consumers. It also funds the Attorney General to find and prosecute spyware offenders and phishing scam artists.

Focusing on bad actors and criminal conduct is preferable to an approach that criminalizes technology or imposes notice-and-consent-type requirements. You know, bad actors don't comply with requirements. The more notices Internet users receive, in fact, the less likely they are to pay attention to any of them. Seventy-three percent of users don't read agreements, privacy statements or disclaimers on the Internet.

In 2005, the Pew Internet and American Life Project proved this point. A diagnostic site included a clause in one of its user agreements that promised $1,000 to the first person to write in and request the money. The agreement was downloaded more than 3,000 times before someone finally claimed the reward.

We don't want to overregulate user experience. We must avoid interfering with increasingly seamless, intuitive and interactive online environments. Regulation of technology is almost always a bad idea because technology changes faster than Congress can legislate; and what we attempt to regulate will morph into something else and render useless the regulatory scheme we adopt.

Legislation that attempts to control technology can also have the pernicious effect of chilling innovation by chilling investment into prohibited technological arenas. H.R. 1525 avoids these pitfalls by focusing on bad conduct, and that's why it has the broad support in my district in Silicon Valley, California.

What we're doing here today is important for consumers, for businesses. It's also important for the future of our high-tech economy.

I urge my colleagues on both sides of the aisle to vote in favor of this crucial legislation.

Mr. KELLER of Florida. Mr. Speaker, I yield as much time as he may consume to the gentleman from Virginia (Mr. GOODLATTE), who is the lead Republican cosponsor of this important legislation.

Mr. GOODLATTE. Mr. Speaker, I rise in strong support of H.R. 1525, the Internet Spyware or I–SPY Prevention Act.

I was pleased to join with my colleague from California, Representative ZOE LOFGREN, to reintroduce this legislation. This bipartisan bill will impose tough criminal penalties on those that use software for nefarious purposes without imposing a broad regulatory regime on legitimate online businesses. I believe that this targeted approach is the best way to combat spyware.

Spyware is software that provides a tool for criminals to secretly crack into computers to conduct nefarious activities such as altering a user's security settings, collecting personal information to steal a user's identity or to commit other crimes. A recent study done by the National Cybersecurity Alliance revealed that over 90 percent of consumers had some form of spyware on their computers, and most consumers were not aware of it.

The I–SPY Prevention Act would impose criminal penalties on the most egregious behavior associated with spyware. Specifically, this legislation would impose up to a 5-year prison sentence on anyone who uses software to intentionally break into a computer and uses that spyware in furtherance of another Federal crime.

In addition, it would impose up to a 2-year prison sentence on anyone who uses spyware to intentionally break into a computer and either alter the computer's security settings or obtain personal information with the intent to defraud or injure a person, or with the intent to damage a computer. By imposing stiff penalties on these bad actors, this legislation will help deter the use of spyware and will thus help protect consumers from these aggressive attacks.

Enforcement is also crucial in combating spyware. The I–SPY Prevention Act authorizes $10 million for fiscal years 2008 through 2011 to be devoted to prosecutions involving spyware, phishing and pharming scams, and expresses the sense of Congress that the Department of Justice should vigorously enforce the laws against these crimes.

Phishing scams occur when criminals send fake e-mail messages to consumers on behalf of famous companies and request account information that is later used to conduct criminal activities.

Pharming scams occur when hackers redirect Internet traffic to fake sites in

order to steal personal information such as credit card numbers, passwords and account information.

This form of online fraud is particularly egregious because it is not as easily discernible by consumers. With pharming scams, innocent Internet users simply type the domain name into their Web browsers and the signal is rerouted to the devious Web site.

The I–SPY Prevention Act is a targeted approach that protects consumers by imposing stiff penalties on the truly bad actors, while protecting the ability of legitimate companies to develop new and exciting products and services online for consumers.

The I–SPY Prevention Act also avoids excessive regulation and its repercussions, including the increased likelihood that an overly regulatory approach focusing on technology would have unintended consequences that could discourage consumer use of the Internet, as well as the creation of new technologies and services on the Internet. By encouraging innovation, the I–SPY Prevention Act will help ensure that consumers have access to cutting-edge products and services at lower prices.

In addition, the approach of the I–SPY Prevention Act does not interfere with the free market principle that a business should be free to react to consumer demand by providing consumers with easy access to the Internet's wealth of information and convenience. Increasingly, consumers want a seamless interaction with the Internet, and we must be careful to not interfere with businesses' ability to respond to this consumer demand with innovative services. The I–SPY Prevention Act will help ensure that consumers, not the Federal Government, define what their interaction with the Internet looks like.

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Finally, by going after the criminal behavior associated with the use of spyware, the I–SPY Prevention Act recognizes that not all software is spyware and that the crime does not lie in the technology itself but rather in actually using the technology for criminal purposes. People commit crimes; software doesn't.

H.R. 1525 is an effective, targeted approach to combating spyware, and I urge my colleagues to support this important legislation.

Mr. CONYERS. Mr. Speaker, I am now pleased to yield such time as he may consume to the chairman of the Subcommittee on Crime of the Judiciary Committee, the gentleman from Virginia, Mr. BOBBY SCOTT.

Mr. SCOTT of Virginia. I thank the chairman for yielding.

Mr. Speaker, I rise in support of H.R. 1525, the Internet Spyware (I–SPY) Prevention Act of 2007. I would like to commend Congresswoman LOFGREN and Congressman GOODLATTE for developing the legislation and moving the bill on a bipartisan basis. Earlier this month the Subcommittee on Crime, Terrorism, and Homeland Security held a hearing and markup on the bill and reported it favorably to the full committee.

The bill amends title 18, U.S. Code, to impose criminal penalties on those who use spyware to perpetrate identity theft and numerous other privacy intrusions on innocent Internet users. The bill also provides resources and guidance to the Department of Justice for the prosecution of these offenses.

The bill is narrowly aimed at the practices of using ''spyware'' and ''phishing'' to harm consumers. Recent studies estimate that 80 percent of computers are infected with some form of spyware and that 89 percent of consumers are unaware of the fact that they have spyware. The greatest security and privacy challenges posed by spyware relate to technologies such as keystroke logging programs that capture a user's passwords, Social Security, or account numbers. This information can then be redirected for criminal purposes including fraud, larceny, identity theft, or other cyber crimes.

This bill combats spyware by clarifying that it is a crime, punishable for up to 5 years in prison, to intentionally access a computer without authorization by causing a computer program or code to be copied onto a computer and then using that program or code in furtherance of another Federal criminal offense. The bill also provides fines or imprisonment up to 2 years for anyone who, through means of that program or code, intentionally obtains, or transmits to another, personal information with the intent to defraud or injure a person.

The bill also authorizes funds to combat ''phishing.'' Phishing is a general term for using what appears to others to be either the Web site of, or e-mails from, well-known, legitimate businesses in an attempt to deceive Internet users into revealing their personal information. Phishing is adequately covered by the criminal code under existing Federal wire fraud or identity theft statutes, but additional funds are needed to prosecute the crime. This bill would authorize $10 million for each of the fiscal years 2008–2011 to combat phishing and spyware.

I would also like to note that the Energy and Commerce Committee is considering a bill on this subject as well. But that bill lacks the criminal penalty enforcement mechanism in this bill and in its place imposes a regulatory scheme which focuses on the uses of technology rather than the perpetrators of crimes. My concern is such a regulatory regime may unavoidably sweep in legitimate uses of the technology.

The I–SPY Prevention Act is a strong bill that protects consumers by providing criminal penalties for egregious behavior. Accordingly, I urge my colleagues to support this legislation.

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

Mr. CONYERS. Mr. Speaker, this is a very important measure. We are finally dealing with those spyware crimes that invade our financial privacy, and I commend all of the actors on the Judiciary Committee that played a role in bringing this to our attention. Mr. RIC KELLER has done an excellent job as well.

Ms. JACKSON-LEE of Texas. Mr. Speaker, as a proud original co-sponsor of the legislation before us, I speak in strong support of H.R. 1525, the ''Internet Spyware (I–SPY) Prevention Act of 2007.''

H.R. 1525 amends the federal computer fraud and abuse statute to make it unlawful to access a computer without authorization or to intentionally exceed authorized access by causing a computer program or code to be copied onto the computer and using that program or code to transmit or obtain personal information (for example, first and last names, addresses, e-mail addresses, telephone numbers, Social Security numbers, drivers license numbers, or bank or credit account numbers).

Further, H.R. 1525 discourages the practice of phishing, another scourge of the Internet. ''Phishing'' is a general term for using what appears to be either the Web sites of, or e-mails that appear to be sent from, readily identifiable and legitimate businesses. These fraudulent Web sites and e-mails are designed to deceive Internet users into revealing personal information that can then be used to defraud those same users. The 'phishers' take that information and use it for criminal purposes, like identity theft and fraud. Phishing is adequately covered by the criminal code, but additional funds are needed to prosecute the crime. This bill would authorize 10 million dollars for each of the fiscal years 2008 to 2011 to combat phishing and spyware.

Mr. Speaker, as we all know too well, spyware is quickly becoming one of the biggest threats to consumers on the information superhighway. Spyware encompasses several potential risks, including the promotion of identity theft by harvesting personal information from consumer's computers. Additionally, it can adversely affect businesses, as they are forced to sustain costs to block and remove spyware from employees' computers, in addition to the potential impact on productivity.

Spyware has been defined as ''software that aids in gathering information about a person or organization without their knowledge and which may send such information to another entity with the consumer's consent, or asserts control over a computer with the consumer's knowledge.'' Among other things, criminals can use spyware to track every keystroke an individual makes, including credit card and social security numbers.

Some estimates suggest 25 percent of all personal computers contain some kind of spyware while other estimates show that spyware afflicts as many as 80–90 percent of all personal computers. Businesses are reporting several negative effects of spyware. Microsoft says evidence shows that spyware is ''at least partially responsible for approximately one-half of all application crashes'' reported to them, resulting in millions of dollars of unnecessary support calls.

The last point I wish to make, Mr. Speaker, is that H.R. 1525 is substantially similar to the bipartisan H.R. 744, introduced in the 109th Congress, which passed the House by a vote

of 395–1 and H.R. 4661, which passed the House during the 108th Congress by a vote of 415–0. H.R. 1525 is supported by numerous industry groups and privacy coalitions, including the Business Software Alliance, the Software & Information Industry Association, the U.S. Chamber of Commerce, and the Center for Democracy and Technology.

Mr. Speaker, I strongly support H.R. 1525 and urge all my colleagues to do likewise.

GENERAL LEAVE

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

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

There was no objection.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 1525, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## SECURING AIRCRAFT COCKPITS AGAINST LASERS ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1615) to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1615

*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 ''Securing Aircraft Cockpits Against Lasers Act of 2007''.*

***SEC. 2. PROHIBITION AGAINST AIMING A LASER POINTER AT AN AIRCRAFT.***

*(a) OFFENSE.—Chapter 2 of title 18, United States Code, is amended by adding at the end the following:*

***''§ 39A. Aiming a laser pointer at an aircraft***

*''(a) Whoever knowingly aims the beam of a laser pointer at an aircraft in the special aircraft jurisdiction of the United States, or at the flight path of such an aircraft, shall be fined under this title or imprisoned not more than 5 years, or both.*

*''(b) As used in this section, the term 'laser pointer' means any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object.*

*''(c) This section does not prohibit aiming a beam of a laser pointer at an aircraft, or the flight path of such an aircraft, by—*

*''(1) an authorized individual in the conduct of research and development or flight test operations conducted by an aircraft manufacturer, the Federal Aviation Administration, or any other person authorized by the Federal Aviation Administration to conduct such research and development or flight test operations;*

*''(2) members or elements of the Department of Defense or Department of Homeland Security acting in an official capacity for the purpose of research, development, operations, testing or training; or*

*''(3) by an individual using a laser emergency signaling device to send an emergency distress signal.*

*''(d) The Attorney General, in consultation with the Secretary of Transportation, may provide by regulation, after public notice and comment, such additional exceptions to this section, as may be necessary and appropriate. The Attorney General shall provide written notification of any proposed regulations under this section to the Committees on the Judiciary of the House and Senate, the Committee on Transportation and Infrastructure in the House, and the Committee on Commerce, Science and Transportation in the Senate not less than 90 days before such regulations become final.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title 18, United States Code, is amended by adding at the end the following new item:*

*''39A. Aiming a laser pointer at an aircraft.''.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Florida (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

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

Members of the House, when a laser is aimed at an aircraft cockpit, particularly at the critical stage of take-off or landing, it presents an imminent threat to aviation security and passenger safety. This has now been increasingly recognized, and we propose to do something about it today.

According to the Federal Aviation Administration, laser illuminations can temporarily disorient or even disable a pilot during critical stages of flight. And in some cases, a laser might also cause permanent physical injury to the pilot.

Since 1990 the FAA has reported more than 400 of these kinds of incidents. The rash of incidents involving laser beams is compounded by the concern that the low cost of hand-held laser devices could lead to even more incidents of these kinds happening in the future.

So the measure before us today responds to the problem by amending title 18 of our United States Code to impose criminal penalties on someone who knowingly aims a laser pointer at an aircraft or in its flight path within the special aircraft jurisdiction of the United States. The criminal penalties include imprisonment of up to 5 years and fines.

So I again extend a hand of thanks to Chairman BOBBY SCOTT of the Crime Subcommittee for expeditiously moving this bill forward. And I also commend the sponsor of this legislation, Ric Keller, who is floor manager today, the gentleman from Florida, for his leadership on addressing the danger that lasers can pose to aircraft.

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

Mr. KELLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Aiming a laser beam into the cockpit of an airplane is a clear and present danger to the safety of all those on board the aircraft.

This legislation is simple and straightforward. It makes it illegal to knowingly aim a laser pointer at an aircraft. Those who intentionally engage in such misconduct shall be fined or imprisoned not more than 5 years, or both, in the discretion of the judge.

This legislation was unanimously approved by all Republicans and Democrats on the House Judiciary Committee in this Congress and in the last Congress. It was also approved by the full House by a voice vote, and the Senate also approved this legislation by unanimous consent after slightly amending the legislation to provide for limited exceptions for testing and training by the Department of Defense and FAA, as well as using the laser to send an emergency distress signal. This bill represents the negotiated compromise between the House and Senate on these limited exceptions.

The problems caused by laser beam pranksters are more widespread than one might think. According to the FAA and the Congressional Research Service, there have been over 500 incidents reported since 1990 where pilots have been disoriented or temporarily blinded by laser exposure. The problem is on the rise, and there were over 90 incidents in 2005 alone.

These easily available laser pin pointers, like the one I purchased here at the Staples Office Supply Store for $12, have enough power to cause vision problems in pilots from a distance of 2 miles. It is only a matter of time before one of these laser beam pranksters ends up killing over 200 people in a commercial airline crash.

Surprisingly, there is currently no Federal statute on the books making it illegal to shine a laser beam into an aircraft cockpit, unless one attempts to use the PATRIOT Act to claim that the action was a ''terrorist attack or other attack of violence against a mass transportation system.''

So far none of the more than 500 incidents involving flight crew exposure to lasers have been linked to terrorism. Rather, it is often a case of pranksters making stupid choices to put pilots and their passengers at risk of dying. It is imperative that we send a message to the public that flight security is a serious issue. These acts of mischief will not be tolerated.

I wanted to learn what it was like to be in an aircraft cockpit hit by a laser beam; so I spoke with Lieutenant Barry Smith from my hometown of Orlando, Florida, who was actually in the cockpit of a helicopter that was hit by a laser beam.

Lieutenant Smith is with the Seminole County Sheriff's Office. He and his partner were in a police helicopter searching for burglary suspects at

night in a suburb of Orlando when a red laser beam hit the aircraft twice. Lieutenant Smith said the Plexiglas windshield of the helicopter spread out the light to the size of a basketball. It shocked them. They were flying near a large tower with a red light, and they mistakenly thought they may have flown too close to the tower. They were disoriented, and they immediately jerked the helicopter back. When they realized that they weren't near the tower after all, Lieutenant Smith began to worry that the light could have come from a laser sight on a rifle. He wondered if they were about to be shot out of the sky. He told me, ''It scared the heck out of us.''

In reality, it was just a 31-year-old man with a small, pen-sized laser light, standing in his yard.

In conclusion, I authored this bipartisan legislation because it is needed to ensure the safety of pilots and passengers. I urge my colleagues to vote ''yes'' on H.R. 1615.

I want to especially thank Chairman CONYERS and Chairman SCOTT for their bipartisanship in moving this bill forward after having hearings and markups.

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

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the chairman of the Subcommittee on Crime, BOBBY SCOTT.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 1615, the Securing Aircraft Cockpits Against Lasers Act of 2007. And I want to thank Chairman CONYERS for holding a markup and moving the bill through the full committee. I would also like to thank our colleague, the gentleman from Florida (Mr. KELLER), who has been instrumental in bringing attention to this issue. Congressman KELLER introduced this bill in the 109th Congress. I joined him in cosponsoring the bill then, and I continue to support the legislation now.

The purpose of the bill is to address the problem of individuals aiming lasers at cockpits of aircraft, and this is particularly troublesome since it will usually occur at the critical stages of take-off and landing. This practice obviously constitutes a threat to aviation security and passenger safety. The bill adds a section following title 18, U.S. Code, section 38, to impose criminal penalties upon any individual who knowingly aims a laser pointer at an aircraft within the special aircraft jurisdiction of the United States.

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The penalties impose imprisonment up to 5 years in prison.

Research from the FAA has shown that laser illuminations can temporarily disorient or disable a pilot during critical stages of flight, such as taking off and landing, and in some cases may cause permanent injury to the pilot. For example, in 2004, a laser aimed at an airplane flying over Salt Lake City injured the eye of one of the plane's pilots. In January, 2005, responding to concerns regarding this escalating problem, the FAA issued an advisory to pilots instructing them to immediately report laser beams directed at their aircraft.

The House passed similar legislation in the 109th Congress. The Senate did, also. The legislation placed a provision in title 49, the Transportation title, and included a different level of intent. The House and Senate were unable to agree on a compromise version before the end of the 109th Congress. This version represents a compromise between the House and the Senate from the last Congress.

Although I have some concern that when the bill is applied it might involve some misguided young person fooling around with a laser beam, I realize that the conduct the bill prohibits can be dangerous, so it must be strongly discouraged. Since the bill does not have mandatory minimum sentencing, the Sentencing Commission and the courts can apply appropriate punishment for violators based on the facts and circumstances of the individual case.

After the bill is passed, as a further precautionary step, the appropriate committee of jurisdiction should consider requiring manufacturers of laser products to issue strong notices and warnings on the items and packaging regarding the provision of this law to put users on notice.

Mr. Speaker, I think passing this bill is an appropriate step for Congress to address this potentially dangerous problem. Accordingly, I urge my colleagues to support the legislation.

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

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume merely to thank the leaders of this measure, Messrs. SCOTT and KELLER, for moving. For once we've got in front of a problem before something has gone wrong and have a tragedy in the air that would send us rushing back to the floor to pass this very measure that we are passing today, I hope.

Mr. Speaker, it is out of that pride that I thank everyone on the Judiciary Committee that played a role in this matter. And as has been pointed out, it doesn't matter whether it is a prank or whether it is sabotage, this prospective law gets the word out to everybody that these laser beams are dangerous when being flashed on planes or pilots in the air. The catastrophe is unthinkable.

I congratulate my colleagues, and I ask the Members to join all of us in support of this legislation.

Mrs. CAPITO. Mr. Speaker, I rise in support of H.R. 1615, Securing Aircraft Cockpits Against Lasers Act of 2007.

The bill amends the Federal criminal code to prohibit aiming a laser pointer at an aircraft or at the flight of an aircraft in the special aircraft jurisdiction of the United States.

In the last 15 years, the FAA reports over 500 incidents where people have aimed lasers into airplane cockpits. FAA research has shown that laser illuminations can temporarily disorient or disable a pilot during critical stages of a flight such as landing or take-off, and in some cases, may cause permanent damage.

This type of interference cannot be tolerated. This is a good, commonsense measure aimed at deterring and prosecuting those who commit a senseless act of potential sabotage.

I congratulate Congressman KELLER, the sponsor of this legislation, for his leadership and dedication to this issue. I urge my colleagues to support the bill.

Mr. WELDON of Florida. Mr. Speaker, I rise in support of H.R. 1615, Securing Aircraft Cockpits Against Lasers Act of 2007. I commend my colleague from Florida who serves on the Judiciary Committee for bringing this bill forward from that committee.

This is an important step in furthering aviation security. We have already taken a number of steps since 9/11 to make our skies safer for the flying public and this is one more important step in that direction.

This bill establishes a new Federal crime for anyone who aims a laser pointer at an aircraft or the flight path of an aircraft. This new statute will enable Federal law enforcement officials to pursue cases that it would not otherwise be able to pursue. Those prosecuted under this new law would face fines and time in prison.

Establishing these penalties will help address an issue that threatens public safety, pilots, and aviation security. When aimed at aircraft, lasers can cause not only discomfort, but they can also cause temporary or permanent visual impairment at critical stages of take-off and landing. The National Transportation Safety Board has already documented instances in which pilots sustained eye injuries and were incapacitated during critical times of flight. Furthermore, the Judiciary Committee report on H.R. 1615 highlights the findings of a report from the U.S. Department of Transportation that since 1990 there have been over 400 reports of lasers being pointed at aircraft.

In the aftermath of 9/11, the FAA took steps to require that air traffic controllers immediately notify pilots about laser events. The FAA is also to immediately notify local law enforcement and security agencies. This will enable police to act in a more timely manner to identify and prosecute those shining lasers at aircraft.

Mr. Speaker, I believe that this bill is a good step in helping protect the flying public and pilots.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support H.R. 1615, the ''Securing Aircraft Cockpits Against Lasers Act of 2007.'' While the goal of this legislation—to keep our air passengers safe and to effect better ''homeland security''—I must point out that initially I was very concerned that this penal legislation was not tailored narrowly enough to exclude only the evil sought to be prohibited.

That is why I offered an amendment during markup of this bill. My amendment was designed to limit the scope of the bill so that it fulfills its intended purposes, which is to protect aircraft crew, and through them passengers, by prohibiting the aiming of the beam of a laser pointer at an aircraft, or the flight

path of such an aircraft. My amendment clarified that the significant penal provisions in the bill are directed at conduct that is harmful to the aircraft or crew. Specifically, my amendment adds an important and useful qualification to the bill's definition of a "laser pointer" to mean:

1. Any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object; and

2. Is capable of inflicting serious bodily injury if aimed at an airplane cockpit from a minimum distance of 500 yards.

But after consulting with the bill's managers, I am satisfied that it is not necessary to require that the offending laser pointer be capable of inflicting "serious bodily harm" from a minimum distance of 500 yards. I am persuaded that the language used in the bill implies a standard of at least "significant risk" to airplane pilots, crew, and passengers.

I agree, for example, that using a laser pointing device capable of temporarily blinding or causing a pilot to become disoriented is clearly a "significant risk." My major concern with the definition of laser pointers was that it did not distinguish between the kind you can buy at a dollar store that runs on a couple of AAA batteries and has a range of about 25 feet and a high powered laser scope that has a range 100 times as far. But based on my discussions with the bill's managers, Mr. SCOTT and Mr. KELLER, I am satisfied that the legislation anticipates that investigative and prosecutorial resources will not be used to prosecute and punish the use of laser pointers that do not pose any safety risk to airplane pilots, their crew, or airline passengers.

Mr. Speaker, for these reasons, I have determined that I can and will support the bill and I urge my colleagues to do likewise.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 1615, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## PRESERVING UNITED STATES ATTORNEY INDEPENDENCE ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 214) to amend chapter 35 of title 28, United States Code, to preserve the independence of United States attorneys.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 214

*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 ''Preserving United States Attorney Independence Act of 2007''.

**SEC. 2. VACANCIES.**

Section 546 of title 28, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) A person appointed as United States attorney under this section may serve until the earlier of—

''(1) the qualification of a United States attorney for such district appointed by the President under section 541 of this title; or

''(2) the expiration of 120 days after appointment by the Attorney General under this section.

''(d) If an appointment expires under subsection (c)(2), the district court for such district may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.''.

**SEC. 3. APPLICABILITY.**

(a) IN GENERAL.—The amendments made by this Act shall take effect on the date of enactment of this Act.

(b) APPLICATION.—

(1) IN GENERAL.—Any person serving as a United States attorney on the day before the date of enactment of this Act who was appointed under section 546 of title 28, United States Code, may serve until the earlier of—

(A) the qualification of a United States attorney for such district appointed by the President under section 541 of that title; or

(B) 120 days after the date of enactment of this Act.

(2) EXPIRED APPOINTMENTS.—If an appointment expires under paragraph (1), the district court for that district may appoint a United States attorney for that district under section 546(d) of title 28, United States Code, as added by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Florida (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to give all Members 5 legislative days to include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I would like to describe this measure, Senate bill 214, as an important one that will restore historical checks and balances to the process by which interim U.S. attorneys are appointed. It will repair a breach in the law that has been a major contributing factor to the recent termination of at least nine talented and experienced United States attorneys and their replacement with interim appointments.

The full circumstances surrounding these terminations are still coming to light. It is a process being given much attention by the Committee on the Judiciary. But much of the information is well known, and is also considerably troubling. One U.S. attorney was fired to make way for a political operative who endeared himself to Mr. Karl Rove doing opposition research in the Republican National Committee. Others were apparently fired because they were not sufficiently partisan in the way they used these powers to investigate and prosecute alleged voting fraud. Now, I don't need to tell anybody in this body how important voting is to the democratic process.

These reports are particularly troubling because of the awesome power the United States attorneys, 93 of them in total, are entrusted with. They seek convictions. They negotiate plea agreements. They can send citizens to prison for years. They can tarnish reputations. They can destroy careers with the mere disclosure that a person is under criminal investigation. We, in this country, must have full confidence that these powers are exercised with complete integrity and free from improper political influence. Unfortunately, sometimes this is not the case.

These troubling circumstances that have been revealed were made possible by an obscure provision, quietly and secretly slipped into the PATRIOT reauthorization conference report in March of last year at the behest of the Justice Department's top political appointments, to enable them to appoint interim temporary U.S. attorneys without the customary safeguard of Senate confirmation.

Mr. Speaker, what this measure does is restore the checks and balances that have historically provided a critical safeguard against politicization of the Department of Justice and the United States attorneys, limiting the Attorney General's interim appointments to 120 days only, then allowing the district court for that district to appoint a U.S. attorney until the vacancy is filled, with Senate confirmation required, as historically has been the case.

Now, Members of the House, we have already passed similar legislation. While I would prefer to see our version enacted into law, we are taking up the Senate-passed version in order to expedite the enactment of this important step in restoring legal safeguards against the abuse of executive power to politicize the Federal prosecutorial function in the Department of Justice.

I wanted to single out my colleague from California, HOWARD BERMAN, a senior member of the committee, for his role in fashioning not only the original version, but the one that we have before you to agree upon.

Mr. Speaker, at this point, I would reserve the balance of my time.

Mr. KELLER of Florida. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, prior to 1986, the district court appointed interim U.S. attorneys to fill vacancies until a replacement could be nominated by the President and confirmed by the Senate. In 1986, the process was changed to authorize the Attorney General to appoint an interim U.S. attorney for 120

days. After 120 days, the district court would appoint an interim to serve until the Senate confirmed a permanent replacement.

Last year, Congress addressed concerns that allowing the judiciary to appoint the prosecutors before their court created a conflict of interest. The PATRIOT Act reauthorization eliminated the 120-day time limit for an executive-appointed interim to serve, and eliminated the authority for the district court to appoint an interim. S. 214 returns the authority of the judiciary to appoint interim U.S. attorneys if a permanent replacement is not confirmed within 120 days.

Mr. Speaker, it is fairly obvious that the motivation behind this legislation was the dismissal of several U.S. attorneys earlier this year. Congress has been investigating the circumstances surrounding those dismissals for several months now. Notwithstanding the heated political rhetoric from some of my colleagues, this investigation has turned up no evidence of criminal wrongdoing or obstruction of justice.

Let me just try to lay this issue out as fairly as I can. Some of my colleagues still have concerns about allowing a judge to appoint the prosecutors before their court because they feel that is a conflict of interest. On the other hand, some of my equally smart colleagues have suggested that we should return to the way interim U.S. attorneys were appointed for 20 years, from 1986 to 2006, before the recent PATRIOT Act changes, to ensure that the process is not used to circumvent the Senate confirmation process.

The House Judiciary Committee has held hearings on this matter. We held a markup on the companion legislation, H.R. 580. The Justice Department does not object to this legislation, and I will be supporting it myself personally.

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

Mr. CONYERS. Mr. Speaker, I am proud to introduce and give as much time as he may consume to the chairman of the Intellectual Property Subcommittee on the Judiciary Committee, Mr. HOWARD BERMAN.

Mr. BERMAN. I thank my chairman for helping to bring this bill and this issue to the floor twice now, and for yielding me this time.

Mr. Speaker, last month, the House passed H.R. 580 to restore the checks and balances to the U.S. attorney appointment process. The bill we are considering today takes a slightly different path to nearly the same end.

Last year, during the conference process on reauthorization of the PATRIOT Act, a provision was added to the report authorizing the Attorney General to unilaterally appoint interim U.S. attorneys for indefinite periods of time, making it possible for the administration to circumvent the Senate confirmation process.

The only disagreement I would have with my friend from Florida's comments was the notion that the Congress considered that change. This was put in in a conference committee, unbeknownst to, I think, just about every Senator on that conference committee, certainly all House Members, other than perhaps the chairman of the committee; and the Congress didn't consider that change.

When the Judiciary Committee began its investigation into the U.S. attorney firings early this year, DOJ representatives were quick to assure members of the committee that getting around the confirmation process was never their intent in pushing for this proposal.

As the Department began producing e-mails and other materials in response to the Judiciary Committee's inquiry, it became clear that whether or not it was the original intent of the administration, DOJ and White House employees quickly figured out that the provision created the possibility of circumventing the Senate and decided to exploit that authority.

As I said when we passed H.R. 580 last month, the ongoing investigation may uncover many issues within the Department that we want to examine. In the meantime, we should quickly address the problem we know about.

□ 1215

The bill we are considering today would reinstate a system that encourages politics to be left at the door during the appointment process and creates a check on the system if the executive branch cannot bring itself to do that.

The reason we are considering a second bill on this topic is that Republicans in the other body have blocked the House-passed bill from progressing. The only difference between these two bills is that the House bill specifically precluded the administration from using the Vacancy Reform Act to extend interim appointments for another 210 days. This is a provision that the Bush administration used nearly 30 times in its first 5 years to replace U.S. attorneys. If this avenue remains open, we are permitting the practice of circumventing Senate confirmation to continue. A temporary appointee could serve for nearly a year without a Presidential nomination or going through the confirmation process.

It's ironic, isn't it? We hear the arguments all the time about the Senate not acting fast enough to confirm judicial appointments. There is rarely an emergency to get a district judge confirmed. U.S. attorneys are different. In any given district, there is only one U.S. attorney. If the administration can simply use extended temporary appointments, the problem will continue.

This bill shouldn't be our last word on the matter. In the progress of the investigation in the Judiciary Committee, we have learned that a second provision removing residency requirements for U.S. attorneys was likely put into the PATRIOT Act reauthorization to make way for certain particular interim appointees. We should repeal that provision, and I intend to introduce legislation to do so.

Communities in this country should feel assured that their U.S. attorney wasn't put in for purely political purposes. These positions shouldn't be used to ''develop the bench'' or to send in someone who had no connection to the community whatsoever just because he needed a job.

We should fix the system completely, and we will, but because of threatened holds in the other body, we are only doing a partial fix today.

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

Mr. CONYERS. Mr. Speaker, I am proud to yield such time as she may consume to the gentlewoman from California (Ms. ZOE LOFGREN) a subcommittee chair of the Judiciary Committee.

Ms. ZOE LOFGREN of California. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, last year, during the conference process on reauthorization of the PATRIOT Act, a check on executive power simply disappeared. In its place, the Republican majority overseeing the conference put in a provision removing the court from the process of appointment and authorizing the Attorney General to appoint interim U.S. attorneys indefinitely.

The Senator who was chairman of the Judiciary Committee at the time said recently that he did not realize the provision was in the bill passed last year until a colleague alerted him to it last month. I don't think anyone was surprised to learn that after the investigation, the former chairman learned that the language had been requested by the Department of Justice. The language was apparently presented by a DOJ employee who is now the U.S. attorney in Utah. Before Senator SPECTER made these comments, the only legislative history of this amendment was one sentence in the conference report that said the new section ''addresses an inconsistency in the appointment process of U.S. attorneys.''

As we receive more information about the Department of Justice and White House interaction leading up to the dismissal of eight, now nine, U.S. attorneys, the appearance of a political basis for the removals becomes more clear. U.S. attorneys are the chief Federal law enforcement officers in their districts. We rely on them to enforce the law without political prejudice.

One of the former U.S. attorneys who testified before our Judiciary subcommittee recently said that former Attorney General Ashcroft made a point in their first conversation to say that U.S. attorneys have to leave politics at the door. This bill that is before the House today would reinstate a system that encourages politics to be left at the door during the appointment process and creates a check on the system if the executive branch cannot bring itself to do that.

Finally, Mr. Speaker, I have to add that I have been dismayed in reviewing some of the terms provided to the Judiciary Committee relative to communications between the DOJ. Historically the American people have been able to rely on the Department of Justice to stay above the political fray, especially when it comes to prosecutors. Watergate should have indelibly impressed this lesson upon future administrations, but clearly in this case it did not.

I ask my colleagues to support this legislation and to refute Kyle Sampson's statement when he said, ''The only thing at risk here is a repeal of the AG's appointment authority. House Members won't care about this at all. All we need is for one Senator to object to the language.''

The House of Representatives does care about political independence. We do believe that the executive branch should not ignore legislative branch authority. We should refute the Department's slow march to cooperating with our oversight efforts, and we need to reinstate this important check on the executive branch authority to appoint U.S. attorneys.

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

Mr. CONYERS. Mr. Speaker, I was hoping that our colleague from the Judiciary Committee, the gentleman from Alabama, Mr. ARTUR DAVIS, would be able to join us in this debate because he worked very diligently with Mr. BERMAN and Ms. LOFGREN.

Mr. Speaker, while United States attorneys owe their appointments to the President, once they are appointed, their enforcement decisions must be unquestionably above politics. This is an irony that exists, but it is something that must be zealously complied with if we are to have a law enforcement system that can be regarded as faithful to the Constitution and to the laws of the land and to protect the American people.

The Senate confirmation in an open and public process is one way we safeguard against politicizing the prosecutors in the Department of Justice. That safeguard was severely compromised by the secret change in section 546. What we will do now is restore that safeguard and honor the system of checks and balances.

Mr. Speaker, I am confident that my colleagues on both sides of the aisle will support this important consideration.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise in support of S. 214, a bill that will revoke the Attorney General's unfettered authority to appoint U.S. Attorneys indefinitely.

During the USA PATRIOT Act Reauthorization conference, Republicans slipped a small provision into the conference report with enormous repercussions. That provision removed the 120-day limit for interim appointments of U.S. Attorneys, thereby allowing interim appointees to serve indefinitely and without confirmation.

After months of investigation by the House Judiciary Committee, we have learned that the Bush administration exploited this newly created loophole to purge high-performing Federal prosecutors while they were in the midst of high-profile public corruption investigations involving Republican officials. And while the administration has insisted it never intended to use this loophole to bypass Senate confirmation for appointing U.S. Attorneys, our investigation has uncovered communications and testimony that suggest otherwise.

We also learned, for example, that in an e-mail to former White House Counsel, Harriet Miers, former Attorney General Chief of Staff, Kyle Sampson wrote: ''I strongly recommend that, as a matter of administration policy, we utilize the new statutory provisions that authorize the Attorney General to make U.S. Attorney appointments.'' Mr. Sampson further said that by using the new provision, the Justice Department could ''give far less deference to home-State Senators and thereby get (1) our preferred person appointed and (2) do it far faster and more efficiently, at less political cost to the White House.''

Referring to the new authority to appoint interim U.S. Attorneys indefinitely, Mr. Sampson also said, ''If we don't ever exercise it then what's the point of having it?''

The Preserving United States Attorney Independence Act of 2007 provides the necessary legislative response to restore checks and balances in the U.S. Attorney appointment process by reinstating the 120-day limit on the interim appointment. Additionally, the bill would apply retroactively to all U.S. Attorneys currently serving in an interim capacity. This would ensure that interim U.S. Attorneys appointed since the purge scheme was hatched are not permitted to serve indefinitely and without Senate confirmation.

This is a common sense solution that has received strong support from the President of the National Association of Former U.S. Attorneys as well as from a former Republican-appointed U.S. Attorney who testified before the Subcommittee on Commercial and Administrative Law. It is also important to note that the Attorney General himself has expressed that he is not opposed to rolling back this provision of the USA PATRIOT Act.

I want to be clear that the consideration of S. 214 will not stop the Judiciary Committee's ongoing investigation of the U.S. Attorney purge scheme and the politicization of the Justice Department. After months of investigations, it is clear that the answers can only be found in the White House. We have spoken to every senior Justice Department official involved in the firing process and we still have not gotten the answers to two critical questions: Who made the decision to mass fire U.S. Attorneys, and why were these particular U.S. Attorneys targeted?

Mr. Speaker, the American people need to be assured that political calculations do not determine whether an individual is arrested or prosecuted. We must ensure that the integrity and honor of the Justice Department will be reinstated. I hope my colleagues will join me in the first critical step in this process by closing the loophole in the USA PATRIOT Act that this administration has improperly exploited for political purposes and supporting S. 214.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I strongly support S. 214, which is the Senate version of H.R. 580, which the Judiciary Committee favorably reported on March 15, 2007. This much needed and timely legislation amends chapter 35 of title 28 of the United States Code to restore the 120-day limit on the term of a United States Attorney appointed on an interim basis by the Attorney General. The shocking revelations regarding the unprecedented firings of several United States Attorneys provide all the justification needed to adopt this salutary measure promptly and by an overwhelming margin.

United States Attorneys are appointed by the President with the advice and consent of the Senate. Each United States Attorney so appointed is authorized to serve a 4-year term but is subject to removal by the President without cause. The Senate's advise and consent process formally checks the power of the President by requiring the United States Attorney nominee to go through a confirmation process.

In addition, Senators also play a particularly influential informal role in the nomination of United States Attorneys. Typically, a President, prior to appointing a new United States Attorney, consults with the Senators from the State where the vacancy exists if they are members of the President's political party. The President usually accepts the nominee recommended by the Senator or other official. This tradition, called ''Senatorial courtesy,'' serves as an informal check on the President's appointment power.

Since the Civil War, the judiciary has been empowered to fill vacancies in the office of the United States Attorney. In 1966, that authority was codified at 28 U.S.C. §546. When a United States Attorney position became vacant, the district court in the district where the vacancy occurred named a temporary replacement to serve until the vacancy was filled. In 1986, in response to a request by the Attorney General that its office be vested with authority to appoint interim United States Attorneys, Congress amended the statute to add former section 546(d).

Pursuant to this authority, the Attorney General was authorized to appoint an interim United States Attorney for 120 days and, if the Senate did not confirm a new United States Attorney within such period, the district court was then authorized to appoint an interim United States Attorney to serve until a permanent replacement was confirmed. By having the district court play a role in the selection of an interim United States Attorney, former section 546(d) allowed the judicial branch to act as a check on executive power. In practice, if a vacancy was expected, the Attorney General would solicit the opinion of the chief judge of the relevant district regarding possible temporary appointments.

Twenty years later, section 546 was amended again in the USA PATRIOT Improvement and Reauthorization Act of 2005. This legislation amended section 546(c) to provide that ''[a] person appointed as United States attorney under this section may serve until the qualification of a United States Attorney for such district appointed by the President'' under 28 U.S.C. §541. The extent of the legislative history of this provision is one sentence appearing in the conference report accompanying the Act: ''Section 502 [effecting the amendments to section 546] is a new section and addresses an inconsistency in the appointment process of United States Attorneys.''

Although the legislative purpose is unclear, the practical effect is not. The Act amended

section 546 in two critical respects. First, it effectively removed district court judges from the interim appointment process and vested the Attorney General with the sole power to appoint interim United States Attorneys. Second, the Act eliminated the 120-day limit on the term of an interim United States Attorney appointed by the Attorney General. As a result, judicial input in the interim appointment process was eliminated. Even more problematic, it created a possible loophole that permit United States Attorneys appointed on an interim basis to serve indefinitely without ever being subjected to Senate confirmation process, which is plainly a result not contemplated by the Framers.

Mr. Speaker, excluding changes in administration, it is rare for a United States Attorney to not complete his or her 4-year term of appointment. According to the Congressional Research Service, only 54 United States Attorneys between 1981 and 2006 did not complete their 4-year terms. Of these, 30 obtained other public sector positions or sought elective office, 15 entered or returned to private practice, and one died. Of the remaining eight United States Attorneys, two were apparently dismissed by the President, and three apparently resigned after news reports indicated they had engaged in questionable personal actions.

Mr. Speaker, in the past few months disturbing stories appeared in the news media reporting that several United States Attorneys had been asked to resign by the Justice Department. It has now been confirmed that at least seven United States Attorneys were asked to resign on December 7, 2006. An eighth United States Attorney was subsequently asked to resign. And we learned on May 10, the day the Attorney General testified before the House Judiciary Committee, we learned that a ninth United States Attorney had been asked to resign as part of the purge. The names of the fired United States Attorneys are as follows:

H.E. (''Bud'') Cummins, III, U.S. Attorney (E.D. Ark.); John McKay, U.S. Attorney (W.D. Wash.); David Iglesias, U.S. Attorney (D. N.M.); Paul K. Charlton, U.S. Attorney (D. Ariz.); Carol Lam, U.S. Attorney (S.D. Calif.); Daniel Bogden, U.S. Attorney (D. Nev.); Kevin Ryan, U.S. Attorney (N.D. Calif.); Margaret Chiara, U.S. Attorney (W.D. Mich.); and Todd P. Graves, U.S. Attorney (W.D. Mo.).

Mr. Speaker, on March 6, 2007, the Judiciary Committee's Subcommittee on Commercial and Administrative Law held a hearing entitled, ''Restoring Checks and Balances in the Confirmation Process of United States Attorneys.'' Witnesses at the hearing included six of the eight former United States Attorneys and William Moschella, Principal Associate Deputy Attorney General, among other witnesses.

Six of the eight former United States Attorneys testified at the hearing and each testified that he or she was not told in advance why he or she was being asked to resign. Upon further inquiry, however, Messrs. Charlton and Bogden were advised by the then Acting Assistant Attorney General William Mercer that they were terminated essentially to make way for other Republicans to enhance their credential and pad their resumes. In addition, Messrs. Iglesias and McKay testified about inappropriate inquiries they received from Members of Congress concerning pending investigation, which they surmised may have led to their forced resignations.

Mr. Speaker, the USA PATRIOT Act Reauthorization provision on interim United States Attorneys should be repealed for two reasons. First, Members of Congress did not get an opportunity to vet or debate the provision that is current law. Rather, the Republican leadership of the 109th Congress slipped the provision into the Conference Report at the request of the Department of Justice. Not even Senate Judiciary Chairman ARLEN SPECTER, whose chief of staff was responsible for inserting the provision, knew about its existence.

Second, it is now clear that the manifest intention of the provision was to allow interim appointees to serve indefinitely and to circumvent Senate confirmation. We know now, for example, that in a September 13, 2006 e-mail to former White House Counsel, Harriet Miers, Attorney General Chief of Staff, Kyle Sampson wrote:

I strongly recommend that, as a matter of Administration policy, we utilize the new statutory provisions that authorize the Attorney General to make U.S. Attorney appointments.

Mr. Sampson further said that by using the new provision, DOJ could ''give far less deference to home-State Senators and thereby get (1) our preferred person appointed and (2) do it far faster and more efficiently, at less political cost to the White House.''

Regarding the interim appointment of Tim Griffin at the request of Karl Rove and Harriet Miers, Mr. Sampson wrote to Monica Goodling, Senior Counsel to the White House and Liaison to the White House on December 19, 2006 the following:

I think we should gum this to death: ask the Senators to give Tim a chance, meet with him, give him some time in office to see how he performs, etc. If they ultimately say, 'no never' (and the longer we can forestall that, the better), then we can tell them we'll look for other candidates, and otherwise run out the clock. All of this should be done in 'good faith,' of course.

Finally, we now know that after gaining this increased authority to appoint interim United States Attorneys indefinitely, the administration has exploited the provision to fire United States Attorneys for political reasons. A mass purge of this sort is unprecedented in recent history. The Department of Justice and the White House coordinated this purge. According to an administration ''hit list'' released in March of this year, United States Attorneys were targets for the purge based on their rankings. The ranking relied in large part on whether the United States Attorneys ''exhibit[ed] loyalty to the President and Attorney General.''

Mr. Speaker, until exposed by this unfortunate episode, United States Attorneys were expected to, and in fact did exercise, wide discretion in the use of resources to further the priorities of their districts. Largely a result of its origins as a distinct prosecutorial branch of the Federal Government, the office of the United States Attorney traditionally operated with an unusual level of independence from the Justice Department in a broad range of daily activities. That practice served the Nation well for more than 200 years. The practice that has been in place for less than 2 years has served the Nation poorly. It needs to end. That is why I vote to report H.R. 580 favorably to the House. That is why I will vote for S. 214. I urge all Members to do likewise.

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

The SPEAKER pro tempore (Mr. PASTOR). The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the Senate bill, S. 214.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

## NO OIL PRODUCING AND EXPORTING CARTELS ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2264) to amend the Sherman Act to make oil-producing and exporting cartels illegal, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2264

*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 ''No Oil Producing and Exporting Cartels Act of 2007'' or ''NOPEC''.*

***SEC. 2. SHERMAN ACT.***

*The Sherman Act (15 U.S.C. 1 et seq.) is amended by adding after section 7 the following:*

*''SEC. 7A. (a) It shall be illegal and a violation of this Act for any foreign state, or any instrumentality or agent of any foreign state, to act collectively or in combination with any other foreign state, any instrumentality or agent of any other foreign state, or any other person, whether by cartel or any other association or form of cooperation or joint action—*

*''(1) to limit the production or distribution of oil, natural gas, or any other petroleum product;*

*''(2) to set or maintain the price of oil, natural gas, or any petroleum product; or*

*''(3) to otherwise take any action in restraint of trade for oil, natural gas, or any petroleum product;*

*when such action, combination, or collective action has a direct, substantial, and reasonably foreseeable effect on the market, supply, price, or distribution of oil, natural gas, or other petroleum product in the United States.*

*''(b) A foreign state engaged in conduct in violation of subsection (a) shall not be immune under the doctrine of sovereign immunity from the jurisdiction or judgments of the courts of the United States in any action brought to enforce this section.*

*''(c) No court of the United States shall decline, based on the act of state doctrine, to make a determination on the merits in an action brought under this section.*

*''(d) The Attorney General of the United States may bring an action to enforce this section in any district court of the United States as provided under the antitrust laws.''.*

***SEC. 3. SOVEREIGN IMMUNITY.***

*Section 1605(a) of title 28, United States Code, is amended—*

*(1) in paragraph (6), by striking ''or'' after the semicolon;*

*(2) in paragraph (7), by striking the period and inserting ''; or''; and*

*(3) by adding at the end the following:*

*''(8) in which the action is brought under section 7A of the Sherman Act.''.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Florida (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, gas prices have now reached an all-time record high, topping even the 1981 spike in price that had stood as the record high for 26 years. According to the Energy Information Administration, the nationwide price of unleaded regular gas hit $3.22 a gallon, 11.5 cents higher than last week's price. In Michigan, it is even higher than that.

Today's record-breaking price, one in an unending series of continuous price hikes over the past month, is hurting Americans in their pocketbooks, and we have got to do something about it. Retailers across the Nation are saying that soaring gas prices are prompting consumers to cut back on their shopping trips and their purchases.

We are told this won't be the end of these skyrocketing price hikes either. The AAA forecasts that more record prices are probably on the way, especially as the summer begins, which is usually the busiest driving season of the year.

In Michigan, gas prices have reached their highest levels ever at $3.27 a gallon. Michigan is now the third most expensive State for gasoline in the country, behind California and the State of Illinois.

Last week, in an effort to help address this crisis, the House Judiciary Committee's Antitrust Task Force examined the OPEC cartel and its impact on the price of gas. OPEC accounts for two-thirds of the world's oil reserves and more than 40 percent of the world's oil production, but, even more significantly, OPEC oil exports represent 70 percent of all the oil traded internationally.

You know what that means. This affords OPEC, obviously, considerable control over the global market. Its net oil export revenues should reach nearly $395 billion in this year alone, and its influence on the oil market is dominant, especially when it decides to increase or reduce the levels of production.

For years now, OPEC's price-fixing conspiracy, and that is what I call it, a conspiracy, has unfairly driven up the price and cost of imported crude oil to satisfy the greed of oil exporters. We have long decried OPEC, but, sadly, the administration has done little or nothing to stop this.

So now the time has come. It is time for us to do something to point them in the right direction. We have got to get ahold of this economic crisis. The cries are rising up in every congressional district in the Nation, so your Committee on the Judiciary has produced H.R. 2264, with the help of Mr. CHABOT and Mr. KELLER and other Members, to make clear that the oil cartel nations that are colluding to limit crude oil production as a means of fixing its price is illegal under United States law, just as it would be for any company engaging in the same conduct.

□ 1230

It clarifies and reaffirms the law in several critical respects:

First, it exempts OPEC and other nations from the provisions of the Foreign Sovereign Immunities Act to the extent those governments are engaged in price fixing and other anticompetitive activities.

Second, H.R. 2264 makes clear that the so-called ''act of state'' doctrine does not in any way prevent courts from ruling on antitrust charges brought against foreign governments, and that foreign governments are ''persons'' subject to suit under the antitrust laws.

Third, it explicitly authorizes the Department of Justice to bring lawsuits in Federal court against oil cartel members.

Ladies and gentlemen, we, on behalf of the American people, have had enough. These price rises are not something that we have to merely humbly drive into the gas station and look at the new, increased cost. We don't have to stand by and watch OPEC dictate the price of our gas without any recourse whatsoever. We can do something about it to combat this blatantly anticompetitive, anticonsumer behavior, and we are.

I urge Members to carefully consider the legislation that is now being debated on the House floor.

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

Mr. KELLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is painfully obvious to the American people that the price of gasoline is going up. The nationwide average for regular, unleaded gas is at a record $3.20 a gallon, according to AAA, up almost 34 cents from a month ago, and the peak summer driving season hasn't even started yet. The American people are mad as heck, and they don't want to take it anymore.

To heck with OPEC. How about NOPEC? That's what this legislation is all about.

Last week, the Antitrust Task Force of the House Judiciary Committee, on which I serve, held a hearing on prices at the pump, market failure, and the oil industry. The experts at this hearing, including the Connecticut attorney general, Mr. Blumenthal, insisted we do something about the OPEC cartel.

The price of gasoline at the pump closely tracks the price of a barrel of oil on the world oil market. That is because the price of crude oil comprises 56 percent of the cost of a gallon of gasoline. American refineries, which import over 60 percent of their oil from foreign countries, compete for those oil resources with China and India. Demand for oil in those two countries has dramatically increased in recent years. As the demand has increased at home and abroad, supplies have not kept up and the price of oil has gone up.

Complicating this problem is the fact that we haven't built a refinery in this country in 30 years. And recent, unexpected refinery shutdowns have constricted supply. Of course, there are also anticompetitive forces in play that manipulate the law of supply and demand to their selfish benefit and our detriment.

For example, the world oil price is dictated mainly by the quantity of oil that the Organization of Petroleum Exporting Countries, or OPEC, is willing to supply. The 11 current OPEC members account for 40 percent of the world oil production and about two-thirds of the world's proven oil reserves. Most would argue that the presence of this cartel, controlled in large part by totalitarian or hostile regimes like Iran and Venezuela, is not helpful.

The question is: What can Congress do about it? NOPEC is one possible solution to this problem. Because of the ''act of state'' doctrine and the concept of sovereign immunity, Americans are precluded from suing the cartel that controls a good portion of the world's oil supply. This bill would change that.

Under this NOPEC legislation, the U.S. Attorney General would be allowed to bring an antitrust lawsuit against the oil cartel members for collusion, price fixing, and other anticompetitive activities designed to gouge American consumers.

I want to thank the gentleman from Ohio (Mr. CHABOT), the gentleman from Michigan (Mr. CONYERS) and the gentlewoman from California (Ms. ZOE LOFGREN) for their leadership on this NOPEC legislation.

I would point out, in the interest of straight talk, that the White House this morning issued a statement saying that the President will veto the NOPEC legislation. I would point out that they misspelled the word ''President'' in this release; President is spelled P-R-E-S-E-N-T. Apparently, the White House cares even less about spell-check than they do about OPEC with regard to this matter.

I would urge my colleagues on both sides of the aisle to do something about OPEC's price fixing misbehavior and vote ''yes'' on H.R. 2264.

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

Mr. CONYERS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. ZOE LOFGREN) whose State has been most affected by the subject matter we are here on the floor considering.

Ms. ZOE LOFGREN of California. Mr. Speaker, I am pleased to be a cosponsor of this important bill and believe it is sound legislation that the House should adopt today.

If private actors collusively controlled supply and prices in the manner that OPEC member nations do, there is no question that their conduct would be illegal as a per se violation of the Sherman Act, and they would be subject to criminal and civil liability. Typically, however, foreign states are immune from suit in Federal court. Section 1604 of title 28 of the United States Code provides that a foreign state shall be immune from the jurisdiction of the courts of the United States and of the States, with some specific exceptions. One exception is where the suit is based upon a commercial activity carried on in the United States by the foreign state, or upon an act performed in the United States in connection with a commercial activity of the foreign state elsewhere, or upon an act outside of the territory of the United States in connection with a commercial activity of the foreign state elsewhere and that causes a direct effect in the United States.

I think it is quite clear that the OPEC collusion falls within the current exception.

So why is this bill, this law, necessary? A district court has held otherwise, and it is important that the Congress reaffirm that the antitrust laws do indeed apply to OPEC nations in their role as commercial actors engaging in such collusion where such conduct impacts the United States.

Another obstacle to antitrust lawsuits against OPEC is the so-called ''act of state'' doctrine which has been used by the Ninth Circuit in affirming the dismissal of the case that was wrongly decided.

H.R. 2264 minimizes any ''act of state'' doctrine concerns by making sure and entrusting to the executive branch the discretion whether to bring charges under this provision. A court's concern about any insinuation of itself into matters properly within the bailiwick of the political branches is mitigated when Congress, by this legislation, and the executive branch, by bringing the action, explicitly authorize judicial involvement.

Much has been said about the price of gas today. It is high, and I think we all hear from our constituents about it. But there is another reason why manipulation of the market is bad for America. We know that for our long-term future we have to develop energy alternatives. We cannot continue to drill and continue to be dependent upon the Middle East for oil.

So long as it is possible for OPEC to manipulate rapidly the price of crude, they have it within their power to really destroy markets for alternative energy, and therefore, make it even harder for us to escape from the oily grasp of OPEC.

We need to make sure that these misdeeds are prevented by adopting this legislation. This is a good bill for consumers, for people in California that are complaining about the cost of gas. It is a good bill for those who want to move away from oil to alternative energies and who need to avoid the manipulation of the market by OPEC that for many years has kept us from that goal.

I hope that this bill, which is an important first step, will not be vetoed by the President. I think it would be a shame if he were to prevent this relief for the traveling public, and also this hope for those of us who want to fight global climate change through the use and development of alternative energy sources.

I thank the gentleman for recognizing me.

Mr. KELLER of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. CHABOT) who is the lead Republican cosponsor of NOPEC and has worked hard on this legislation for 3 years.

Mr. CHABOT. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of H.R. 2264, the No Oil Producing and Exporting Cartels Act of 2007.

First, I would like to thank the distinguished gentleman from Michigan, Chairman CONYERS, for his hard work and his leadership on this bill. We have worked together in previous Congresses to move this bill, and I am very pleased to see it moving on the floor here today.

I also want to thank the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Florida (Mr. KELLER) for their leadership in supporting the passage of this legislation as well.

Since last week when we first considered this bill, gas prices have increased another 10 cents to a record level in this country of over $3.27 a gallon. Before heading to the airport to come back here from my district in Cincinnati, just yesterday, I filled up in my 1993 Buick and it was $3.19 in Cincinnati by the University of Cincinnati, $32. And my constituents back home in Cincinnati are very concerned, and rightly so, particularly as we enter the peak summer driving season, which begins this weekend.

I happen to have a tele-town hall meeting where hundreds and hundreds, probably thousands of people in my district were on the line and we were talking about a range of issues, this issue, high gas prices in my district. And as Chairman CONYERS mentioned, the State of Michigan has the highest in the whole country. People are really concerned about this; this is really hitting hard and it is something that we need to deal with in this Congress.

I am very disappointed in the President that this message indicates, whether or not they know how to spell the word ''President,'' that they are going to veto this bill if it is passed. I think we ought to send it to the President and let the chips fall where they may. This is long overdue legislation. I urge its passage.

The other issue, by the way, which was of great interest to my constituents last night in the tele-town hall meeting was, not surprisingly, the immigration issue. We heard the Senate reached an agreement just recently on, in my view, an extremely flawed agreement which is going to be debated over there and then debated over here. Those are the two principal issues my people back in Cincinnati are concerned about.

These continued price hikes take their toll on consumers directly at the gas pump, as well as impacting their everyday lives and raising the cost of things like going to the grocery store or going to work or even planning a vacation. I mean, this is the time when people are deciding whether they are going to take the kids to King's Island up the road from my district in Cincinnati, or if they are going to go to Disney World down in Florida in Mr. KELLER's area. But when you have gas prices at $3.20-plus per gallon, this is not only going to put a damper on vacation and disappointing our kids, but it is significantly going to weigh down this economy.

I think there is no question that if gas prices remain this high, it is going to have a significant impact on the economy. Jobs and other things are at risk.

Passing H.R. 2264 would be a positive first step to allaying concerns that the American public has expressed about these uncontrollable price surges. Over the last decade, it has become alarmingly clear that America is far too dependent on foreign oil to meet our energy needs. Disturbingly, we import, as some of my colleagues have mentioned, more than two-thirds of the oil we consume, much of it from OPEC, and much of it from some of the more unstable areas of the world—Iran, Iraq, Saudi Arabia, Kuwait, the United Arab Emirates, and of course we get some from Nigeria and Venezuela. As Mr. KELLER mentioned, we have down there Mr. Chavez who seems to be following in the footsteps of Fidel Castro. Those are the types of countries that we are depending on for our oil, and that has to change.

At the same time the number of refineries operating in the United States has decreased from over 300, 324 to be exact back in 1981, to fewer than 150, 148 to be exact. So we have cut the number of refineries available in half over that period of time, and we haven't built another oil refinery since 1976, over 30 years ago now.

There is no doubt that we need to focus on both short-term and long-term

strategies to address these issues. We need increased domestic production and refining capabilities, and we need to put a stronger emphasis on alternative energy and conservation efforts.

□ 1245

But this strategy to make us less oil-dependent and to put us on more sound footing also has to include breaking up the cartels that play a primary role in manipulating, and I emphasize manipulating, the market. We talk about supply and demand and all that, but OPEC countries are manipulating the supply of oil in the world.

For decades, OPEC nations have conspired, and again I emphasize that, conspired to limit supplies and to drive up prices of imported crude oil, gouging American consumers, in violation of our Nation's antitrust laws. OPEC accounts for more than two-thirds of the global oil production and exports more than 65 percent of the oil traded internationally. Thus, it's abundantly clear that OPEC's influence in the market dominates.

H.R. 2264, as some of my colleagues have already mentioned, attempts to break up this cartel and subject these colluders and their anticompetitive practices to the antitrust scrutiny that they so richly deserve. Specifically, this bill would amend the Sherman Act to make it illegal for foreign countries to collude, to restrain output or fix prices of oil, gas or any petroleum product. In addition, this bill gives the Attorney General the authority to enforce the antitrust provisions against these nations.

Importantly, the bill also anticipates any protected nation defense or immunity that OPEC nations may proffer, specifically exempting them from the Foreign Sovereignty Immunities Act if they are engaged in price fixing, which they clearly are, or other anticompetitive activities with regard to pricing or production or distribution.

This bill is a necessary and appropriate response to deal with those who are not willing to deal fairly with the American consumer. I urge my colleagues to support competition and consumers by supporting H.R. 2264.

And I want to again thank Mr. CONYERS for his leadership in this area. It's far overdue that we pass this act.

Mr. CONYERS. Mr. Speaker, I yield such time as she may consume to the distinguished Judiciary member from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, first of all, I want to thank Chairman CONYERS for doing something and looking at this from a perspective that is thoughtful, that is embracing and that recognizes the largeness of this issue.

Might I just recount for my colleagues that this is a bipartisan bill. Many people have come to the floor of the House or in the Judiciary Committee, some are on Science, some are on Energy and Commerce, but all of them have faced what I face, being stopped in the airport by airport workers, individuals who are hourly wages, and they simply say, we can't take it anymore. As I got on the plane, their last word was, can you do something about the gasoline prices? Today in America, gasoline prices are over $3.20 a gallon—enough is enough!

As we enter into the summer, we are being told that it's going to get worse, higher and higher and higher. The distinguished Speaker said the gentlewoman from Texas. I represent what is known as the energy capital of the world, and what I would encourage the particular companies that I have the privilege of representing, and I have in essence probably voted differently from many in this House in supporting the Energy Policy Act and a number of initiatives that were supposed to help us diversify or help enhance the capacity of our particular companies. They were supposed to help build refinery capacity, which I will tell you is an issue. I was supposed to applaud offshore development in certain areas if it was environmentally safe. We've tried to do everything in order to ensure that we have a strong industry, but that we provide for those who are in need.

This legislation simply gives the Attorney General the authority to find out about an organization. Many of us have friends that happen to be from these particular nations. We are supportive of the engagement of these particular nations in the Mideast. We work with them. We've traveled there. We encourage engagement on the State Department level. We want to be friends, but there has to be a question of whether or not OPEC provides itself insulated against antitrust violations such that they can gouge or raise prices without any recrimination.

This is a thoughtful legislative initiative that gives the Attorney General of the United States the ability to review whether or not this entity violates the antitrust laws.

You must understand that when the oil comes to the United States, even though we may be operators in those foreign countries, some of the named companies that you know, some of the ones that you pull up to the station, the OPEC sets the prices, and therefore, they look at the marketplace to determine how much money they can get out of a suffering Nation or suffering world.

As you well know, one of our trade deficit partners, China, is consuming more oil than one might imagine. That bumps the price up. And who is the victim? The hardworking citizens in this country, whether they live in Houston, Detroit or New York, or whether they are simply trying to get little ones to soccer teams, to after-school programs or to their religious institution. Nobody can get anywhere because of the price.

So I simply, as I draw to a close, want to be able to cite from the report language of this bill: ''With control of 40 percent of the world's production, OPEC has substantial influences over the price of oil. OPEC member nations have extensive oil reserves and therefore can readily increase supply and lower prices.'' That means the OPEC can act for the greater good if they desire to do so.

I think that's simple enough to understand. They can increase supply, they can lower prices, but they're not doing it.

So I would ask my colleagues from all parts of the country to be sympathetic to vacationers, people trying to get to hospitals, mothers and fathers taking children to various places, elderly trying to get to the places of worship, where they go. Just the sheer operation of America is dependent on what we do here today. I can't go home, and I imagine none of you can, without saying we tried to do something.

I close simply by an oral letter to my constituents. You might think that you can ride this out, those of you who are the named and successful operators of our energy industry in the United States. We encourage you, you are American, you have jobs, you are the engine of the economy. We're not your enemy. We are your supporters, but we have to work for the consumers. Come out in the open. Encourage a roundtable of discussion. Let the CEOs of the major companies sit in a roundtable discussion and discuss with the American people why we have this increasing and burdensome cost of gasoline.

Look closely at the legislation that is before us and recognize that it is a valuable piece of legislation that gives authority just for the thoughtful review of how we can do better.

I ask my colleagues to support this particular legislation, H.R. 2264, that, in fact, is an answer to this constant question, what are we going to do about gasoline prices? As Members of the United States Congress, it is imperative that we act. We have to do more. This is a thoughtful piece of legislation that frames the question whether or not a sovereign nation is protected against antitrust violations that impact negatively on the consumer in the United States of America. We have to do this, and we have to do more.

I thank the gentleman from Detroit, from Michigan, the distinguished chairman of the Judiciary Committee, for yielding to this grounded representative of the energy industry in Houston, Texas, who wants to work collectively to get something done for the people of the United States.

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

Mr. CONYERS. How much time remains, Mr. Speaker?

The SPEAKER pro tempore (Mr. BERMAN). The gentleman from Michigan has 3½ minutes remaining.

Mr. CONYERS. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I thank the chairman for yielding.

I rise in support of H.R. 2264. As I drive around eastern Long Island, an area that is heavily dependent on its economic stability on travel and tourism, it is all too common to see gas prices as high as $3.30 a gallon. I'm reminded of how few influences beyond our shores affect our economic prosperity as much as the supply of oil.

The disappointment we share after 6½ years of failed foreign and energy policies is matched by our frustration that price gouging by oil and gas companies, as well as collusion among foreign governments to restrict the flow of oil to the United States, continue unchecked.

As Thomas Friedman has written in the New York Times, we can't have an effective, forward-looking foreign policy toward the Middle East without a serious energy policy to reduce our dependence on foreign oil. This bill, which empowers the U.S. to legally challenge foreign collusion resulting in price spikes, is a good first step towards that goal.

One of the first resolutions I introduced called on the President to demand OPEC boost oil production, which was also included in the Democratic substitute I was proud to offer to the Energy Policy Act of 2005. Despite a wave of record gas prices that summer, President Bush and the then-majority ignored that call.

Consequently, the surging price of gas continues to hit middle-class families hard while we wait for the administration to produce a foreign and energy policy that finally shrinks our reliance on foreign oil and vulnerability to the whims of oil cartels.

Mr. KELLER of Florida. Mr. Speaker, I'm prepared to close.

Let me just say this. Gas prices are at a record high, and Hugo Chavez is laughing all the way to the bank. Coddling and jawboning leaders like Mr. Chavez of Venezuela has not worked. If you are serious about doing something about OPEC's price-fixing misbehavior, then please vote ''yes'' on NOPEC and allow us to bring antitrust lawsuits against these oil cartel members for collusion, price fixing and other anticompetitive activities that continue to gouge American consumers.

Mr. Speaker, I urge my colleagues to vote ''yes'' on NOPEC.

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

Mr. CONYERS. Mr. Speaker, may I close with this observation. It was in 1978 that the International Association of Machinists and Aerospace Workers sued OPEC under the Sherman Antitrust Act, but the case was rejected because the Court said that OPEC could not be prosecuted under the Sherman Act due to the foreign sovereign immunity protection clause it claimed for its member states.

I'm here to announce on the floor, as modestly as I can, that that decision was in error. Government-owned companies that engage in purely business activities do not warrant sovereign immunity protection according to prevailing legal doctrines, and so what we do in this measure is that we don't start a lawsuit against OPEC. We merely authorize for the first time by law the Department of Justice to, when in their good judgment they choose to be able to do that.

These high prices facilitated by OPEC serve to transfer wealth from Western consumers to petroleum producers, and I have this on the very conservative words of the Heritage Foundation itself. I will insert this in the RECORD at this point.

[From The Heritage Foundation, May 21, 2007]

TIME FOR CONGRESS TO LIFT OPEC'S IMMUNITY

(By Ariel Cohen)

This week, the House is likely to pass the No Oil Producing and Exporting Cartels Act of 2007 (NOPEC, H.R. 2264). This bill, sponsored by Representatives John Conyers (D–MI) and Steve Chabot (R–OH), would allow the federal government to sue the Organization for Petroleum Exporting States (OPEC) for antitrust violations. Similar legislation (S. 879) is pending in the Senate, sponsored by Senators Herb Kohl (D–WI) and Arlen Spector (R–PA). At a time when oil prices are climbing to ever-higher levels, fighting OPEC's anticompetitive practices would be a welcome first step towards reestablishing the free market in this strategically important sector. This is long overdue and points the way toward a second step: allowing private antitrust suits against OPEC.

The Intolerable Status Quo. Since its inception in 1960, OPEC, which is dominated by Persian Gulf producers, has successfully restricted its member states' petroleum production, artificially distorting the world's oil supply to line its members' pockets. Member states' production quotas are determined at semi-annual meetings of members' petroleum ministers and are at times changed through telephone consultations. Several times, this supply-fixing strategy has brought devastation to the U.S. and global economies:

In 1973, OPEC's actions in response to U.S. support for Israel, which was attacked in the Yom Kippur War, resulted in a worldwide economic recession that lasted from 1974 to 1980.

In 1980, OPEC's failure to increase production in the face of the Iranian revolution resulted in historically high oil prices of $81 per barrel (in 2005 dollars).

In 1990, OPEC refused to increase production sufficiently to keep prices stable as Saddam Hussein occupied Kuwait.

Lately, OPEC's resistance to add productive capacity has sent oil prices to $70 a barrel, once again endangering economic growth worldwide.

The cartel's operations ensure that its members' oil and gas economies remain insulated from foreign investment flows. Members of OPEC have not worked to enhance the rule of law and property rights and have imposed severe restrictions to prevent foreign investors from owning upstream production assets (oil fields and pipelines). This is a testament to the cartel's de facto monopoly over the petroleum market. Indeed, the only serious challenge to the organization came in 1978 when a U.S. non-profit labor association, the International Association of Machinists and Aerospace Workers (IAM), sued OPEC under the Sherman Antitrust Act, in IAM v. OPEC. But the case was rejected in 1981 by the U.S. Court of Appeals for the Ninth Circuit. OPEC, the court affirmed, could not be prosecuted under the Sherman Act due to the foreign sovereign immunity protection it claimed for its member states.

That decision was wrong. Government-owned companies that engage in purely business activities do not warrant sovereign immunity protection according to prevailing legal doctrines.

High oil prices, which OPEC facilitates, serve to transfer wealth from Western consumers to petroleum producers. This wealth transfer funds terrorism through individual oil wealth and government-controlled ''nonprofit'' foundations. It also permits hundreds of millions of dollars to be spent on radical Islamist education in madrassahs (Islamic religious academies).

Furthermore, the oil-cash glut in the Gulf states and elsewhere empowers resistance to much-needed economic reform in oil-producing countries. State subsidies for everything from health care to industry to bloated bureaucracy continue unabated, funded by Western consumers.

Congress Gets Into Action. Growing concerns over energy prices have prompted Congress to examine the legal hurdles that prevent the United States from defending its economic and national security interests.

In the early part of 2005, a group of senators led by Senator Mike DeWine (R–OH) introduced the ''No Oil Producing and Exporting Cartels Act'' (S. 555), known as NOPEC, to amend the Sherman Act to make oil-producing and exporting cartels illegal.

The bill has now returned the Senate calendar. The House and Senate now have a unique opportunity to:

Join forces in defending American businesses and consumers. NOPEC would send a strong and long-overdue signal to OPEC oil barons that they must stop limiting production and investment access.

Allow private suits against OPEC. If OPEC is to be reined in, individuals and companies that it has damaged must also be allowed to bring suits against the cartel. As the International Association of Machinists (IAM) v. OPEC made clear, Congress must amend the Sherman Act to allow these suits. Reform should not begin and with the DeWine-Kohl legislation.

Conclusion. The No Oil Producing and Exporting Cartels Act of 2007 would place much needed pressure on OPEC. It is time for the cartel to cease its monopolistic practices. Otherwise the American People can expect more of the same from OPEC—insufficient production and higher energy bills.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 2264, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

## FEDERAL HOUSING FINANCE REFORM ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 404 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1427.

□ 1300

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1427) to reform the regulation of certain housing-related Government-sponsored enterprises, and for other purposes, with Mr. PASTOR (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on the legislative day of Thursday, May 17, 2007, a request for a recorded vote on amendment No. 1 printed in the CONGRESSIONAL RECORD by the gentleman from Texas (Mr. NEUGEBAUER) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 16 by Mr. FEENEY of Florida.

Amendment No. 8 by Mr. PRICE of Georgia.

Amendment No. 10 by Mr. SESSIONS of Texas.

Amendment No. 34 by Mr. BRADY of Texas.

Amendment No. 9 by Mr. PRICE of Georgia.

Amendment No. 19 by Mr. DOOLITTLE of California.

Amendment No. 30 by Mr. HENSARLING of Texas.

Amendment No. 1 by Mr. NEUGEBAUER of Texas.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 16 OFFERED BY MR. FEENEY

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

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. FEENEY of Florida:

Line 16 on page 127, strike the dash and all that follows through line 10 on page 128 and insert the following: ''to provide housing assistance, in 2007, for areas affected by Hurricane Katrina or Rita of 2005 and, after 2007, to provide housing assistance for supported rental housing for disabled homeless veterans.''.

Page 130, lines 23 and 24, strike ''establish a formula to allocate'' and insert the following: ''provide for the allocation''.

Page 131, line, 1 insert ''of'' before ''the''.

Strike line 4 on page 131 and all that follows through line 2 on page 132 and insert the following: ''The funding shall be distributed to public entities and allocated based on the formula used for the Continuum of Care competition of the Department of Housing and Urban Development.''

Page 136, lines 7 through 9, strike ''For each year that a grantee receives affordable housing fund grant amounts, the grantee'' and insert ''Each grantee for 2007 that receives affordable housing fund grant amounts''.

Page 138, line 1, strike ''the'' and insert ''any''.

Page 138, line 5, before the period insert '', if applicable''.

Page 138, line 7, after ''grantee'' insert ''for 2007''.

Page 140, after line 6 insert the following:

''Affordable housing fund grant amounts of a grantee for any year after 2007 shall be eligible for use, or for commitment for use, only for rental housing voucher assistance in accordance with paragraph (19) of section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19).''.

Page 140, line 22, strike ''or''.

Page 140, line 25, after the semicolon insert ''or''.

Page 140, after line 25, insert the following:

''(E) administer voucher assistance described in the matter in subsection (g) after and below paragraph (3);''.

Page 142, line 3, strike ''each year'' and insert ''2007''.

Page 142, line 10, strike ''each year'' and insert ''2007''.

Page 147, line 20, before ''the manner'' insert ''for each grantee in 2007,''.

Page 151, line 15, before ''requirements'' insert ''with respect to affordable housing fund grant amounts for 2007,''.

Page 153, strike lines 1 through 3 and insert the following:

''(F) for the grantees for 2007, requirements and standards for establishment, by the grantees, of per-''.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 174, noes 246, not voting 17, as follows:

[Roll No. 386]

AYES—174

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Deal (GA)
Dent
Diaz-Balart, L.
Doolittle
Drake
Dreier
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
LaHood
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Wamp
Weldon (FL)
Weller
Westmoreland
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—246

Abercrombie
Ackerman
Allen
Altmire
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastert
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Renzi
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
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner

Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wicker
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—17

Andrews
Baird
Bishop (UT)
Bordallo
Brown, Corrine
DeGette
Diaz-Balart, M.
Faleomavaega
Hunter
Johnson (IL)
Jones (OH)
Kirk
McMorris Rodgers
Putnam
Shays
Souder
Walsh (NY)

□ 1325

Ms. WATSON and Messrs. CASTLE, PICKERING, BUTTERFIELD, and WICKER changed their vote from ''aye'' to ''no.''

Mrs. WILSON of New Mexico and Mrs. MYRICK changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. JOHNSON of Illinois. Mr. Chairman, on rollcall No. 386 I was inadvertently detained. Had I been present, I would have voted ''yea.''

(By unanimous consent, Mr. BOREN was allowed to speak out of order.)

CONGRESSIONAL SPORTSMEN'S CAUCUS SHOOTOUT

Mr. BOREN. Mr. Chairman, yesterday an historic event occurred. Yesterday, in Prince George's County, the Congressional Sportsmen's Caucus held its annual shootout, and the Democrats were victorious. I want to congratulate my fellow caucus members: MIKE THOMPSON, who is our Top Gun. Overall, COLLIN PETERSON was the top Democrat.

I want to congratulate some Members on the other side of the aisle: Mr. JOHN KLINE, the top Republican.

I want to mention, Mr. Chairman, there was a little bit of confusion yesterday. At the trophy presentation, it was noted that the Republicans had beaten the Democrats by seven shots. It was later found out that there was a mysterious Member who did not actually shoot in the competition on the Republican side; so the trophy was then taken from Congressman RYAN's office to my office, and the Republicans can come visit it and see it often.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Without objection, 2-minute voting will continue.

There was no objection.

AMENDMENT NO. 8 OFFERED BY MR. PRICE OF GEORGIA

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

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. PRICE of Georgia:

Page 144, after line 19, insert the following:

''(8) ACCEPTABLE IDENTIFICATION REQUIREMENT FOR OCCUPANCY OR ASSISTANCE.—

''(A) IN GENERAL.—Any assistance provided with any affordable housing grant amounts may not be made available to, or on behalf of, any individual or household unless the individual provides, or, in the case of a household, all adult members of the household provide, personal identification in one of the following forms:

''(i) SOCIAL SECURITY CARD WITH PHOTO IDENTIFICATION CARD OR REAL ID ACT IDENTIFICATION.—

''(I) A social security card accompanied by a photo identification card issued by the Federal Government or a State Government; or

''(II) A driver's license or identification card issued by a State in the case of a State that is in compliance with title II of the REAL ID Act of 2005 (title II of division B of Public Law 109-13; 49 U.S.C. 30301 note).

''(ii) PASSPORT.—A passport issued by the United States or a foreign government.

''(iii) USCIS PHOTO IDENTIFICATION CARD.—A photo identification card issued by the Secretary of Homeland Security (acting through the Director of the United States Citizenship and Immigration Services).

''(B) REGULATIONS.—The Director shall, by regulation, require that each grantee and recipient take such actions as the Director considers necessary to ensure compliance with the requirements of subparagraph (A).''.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 188, not voting 14, as follows:

[Roll No. 387]

AYES—235

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Berry
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Chandler
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (NY)
Hall (TX)
Harman
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hobson
Hoekstra
Holden
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kagen
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.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Pryce (OH)
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross
Royce
Ryan (OH)
Ryan (WI)
Salazar
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Stupak
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Walberg
Walden (OR)
Walz (MN)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—188

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baldwin
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Brady (PA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fortuño
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hare
Hastings (FL)
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Pickering
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner

| | | |
|---|---|---|
| Welch (VT) | Woolsey | Wynn |
| Wexler | Wu | Yarmuth |

NOT VOTING—14

| | | |
|---|---|---|
| Baird | Hunter | Putnam |
| Bordallo | Jones (OH) | Shays |
| Brown, Corrine | Kirk | Walsh (NY) |
| DeGette | McMorris Rodgers | |
| Emanuel | Olver | |
| Faleomavaega | | |

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that 1 minute remains in this vote.

□ 1333

Mr. RUSH changed his vote from ''aye'' to ''no.''

Mr. MURPHY of Connecticut changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. SESSIONS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. SESSIONS:

Page 100, after line 17, insert the following new section:

**SEC. 136. COST INCREASE DISCLOSURE REQUIREMENTS FOR MORTGAGES OF REGULATED ENTITIES.**

(a) IN GENERAL.—Subpart A of part 2 of subtitle A of title XIII of the Housing and Community Development Act of 1992 (12 U.S.C. 4541 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new section:

**''SEC. 1330. COST INCREASE DISCLOSURE REQUIREMENTS FOR MORTGAGES OF REGULATED ENTITIES.**

''(a) LIMITATION.—The Director shall by regulation establish standards, and shall enforce compliance with such standards, that—

''(1) prohibit the enterprises from the purchase, service, holding, selling, lending on the security of, or otherwise dealing with any mortgage on a one- to four-family residence that does not meet the requirements under subsection (b); and

''(2) prohibit the Federal home loan banks from providing any advances to a member for use in financing, and from accepting as collateral for any advance to a member, any mortgage on a one- to four-family residence that does not meet the requirements under subsection (b).

''(b) DISCLOSURE REQUIREMENTS.—The requirements under this subsection with respect to a mortgage are that, before or at settlement on the mortgage, the mortgagor is provided a written disclosure in such form as the Director shall require, clearly stating the dollar amount by which the requirements on the enterprises to make allocations under section 1337(b) to the affordable housing fund established under section 1337(a), if borne by mortgagors on a pro rata basis, could have increased the amount to be paid under the mortgage by the mortgagor over the entire term of the mortgage (in comparison with such amount paid absent such requirements), as determined in accordance with the determination of the Director pursuant to section 1337(o) for the applicable year.''.

(b) FANNIE MAE.—Section 304 of the Federal National Mortgage Association Charter Act (12 U.S.C. 1719) is amended by adding at the end the following new subsection:

''(g) PROHIBITION REGARDING DISCLOSURE REQUIREMENT.—Nothing in this Act may be construed to authorize the corporation to purchase, service, hold, sell, lend on the security of, or otherwise deal with any mortgage that the corporation is prohibited from so dealing with under the standards issued under section 1330 of the Housing and Community Development Act of 1992 by the Director of the Federal Housing Finance Agency.''.

(c) FREDDIE MAC.—Section 305 of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454) is amended by adding at the end the following new subsection:

''(d) PROHIBITION REGARDING DISCLOSURE REQUIREMENTS.—Nothing in this Act may be construed to authorize the Corporation to purchase, service, hold, sell, lend on the security of, or otherwise deal with any mortgage that the Corporation is prohibited from so dealing with under the standards issued under section 1330 of the Housing and Community Development Act of 1992 by the Director of the Federal Housing Finance Agency.''.

(d) FEDERAL HOME LOAN BANKS.—Section 10(a) of the Federal Home Loan Bank Act (12 U.S.C. 1430(a)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph:

''(6) PROHIBITION REGARDING DISCLOSURE REQUIREMENTS.—Nothing in this Act may be construed to authorize a Federal Home Loan Bank to provide any advance to a member for use in financing, or accept as collateral for an advance under this section, any mortgage that a Bank is prohibited from so accepting under the standards issued under section 1330 of the Housing and Community Development Act of 1992 by the Director of the Federal Housing Finance Agency.''.

Page 144, after line 19, insert the following:

''(8) USE OF AMOUNTS FOR COSTS OF REQUIRED MORTGAGE DISCLOSURES.—Of the amount allocated pursuant to subsection (b) in each year to the affordable housing fund, the Director shall set aside the amount necessary to cover any costs to lenders, mortgagees, and other entities of making disclosures required under section 1330, and shall use such amounts to reimburse lenders, mortgagees, and other entities for such costs. The Director shall by regulation provide for lenders, mortgagees, and other entities to apply for such reimbursements and to identify such costs.''.

Page 153, after line 14, insert the following:

''(o) DETERMINATION OF COST INCREASES.—For each year referred to in section 1337(b)(1), the Director shall make a determination, taking into account the results of the study conducted pursuant to section 139(d) of the Federal Housing Finance Reform Act of 2007, if available, and the amount of allocations made under section subsection (b) of this section to the affordable housing fund established under subsection (a), of the amount by which the requirements on the enterprises to make such allocations have increased the amount to be paid by mortgagors under mortgages for one- to four-family residences over the entire terms of such mortgages in comparison with such amount to be paid absent such requirements, expressed as an increased cost per $1,000 financed under a mortgage. The Director shall make such determination for each such year publicly available and shall provide for dissemination of such determination to lenders, mortgagees, and other entities incurring costs of making disclosures required under section 1330.''.

Page 153, line 15, strike ''(o)'' and insert ''(p)''.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 240, not voting 14, as follows:

[Roll No. 388]

AYES—183

| | | |
|---|---|---|
| Aderholt | Ferguson | Murphy, Tim |
| Akin | Flake | Musgrave |
| Alexander | Forbes | Myrick |
| Bachmann | Fortenberry | Neugebauer |
| Bachus | Fortuño | Nunes |
| Baker | Fossella | Paul |
| Barrett (SC) | Foxx | Pearce |
| Bartlett (MD) | Franks (AZ) | Pence |
| Barton (TX) | Frelinghuysen | Peterson (PA) |
| Berkley | Gallegly | Petri |
| Biggert | Garrett (NJ) | Pickering |
| Bilbray | Gerlach | Pitts |
| Bilirakis | Gillmor | Poe |
| Bishop (UT) | Gingrey | Porter |
| Blackburn | Gohmert | Price (GA) |
| Blunt | Goode | Pryce (OH) |
| Boehner | Goodlatte | Ramstad |
| Bonner | Granger | Regula |
| Bono | Graves | Rehberg |
| Boozman | Hall (TX) | Reichert |
| Boustany | Hastert | Reynolds |
| Brady (TX) | Hastings (WA) | Rogers (AL) |
| Brown (SC) | Hayes | Rogers (KY) |
| Brown-Waite, Ginny | Heller | Rogers (MI) |
| Buchanan | Hensarling | Rohrabacher |
| Burgess | Herger | Ros-Lehtinen |
| Burton (IN) | Hobson | Royce |
| Buyer | Hoekstra | Ryan (WI) |
| Calvert | Hulshof | Sali |
| Camp (MI) | Inglis (SC) | Saxton |
| Campbell (CA) | Issa | Schmidt |
| Cannon | Jindal | Sensenbrenner |
| Cantor | Johnson, Sam | Sessions |
| Capito | Jones (NC) | Shadegg |
| Carter | Jordan | Shimkus |
| Castle | Keller | Shuster |
| Chabot | King (IA) | Simpson |
| Coble | King (NY) | Smith (NE) |
| Cole (OK) | Kingston | Smith (TX) |
| Conaway | Kline (MN) | Souder |
| Crenshaw | Knollenberg | Stearns |
| Cubin | Lamborn | Sullivan |
| Culberson | Latham | Tancredo |
| Davis (KY) | Lewis (CA) | Terry |
| Davis, David | Lewis (KY) | Thornberry |
| Davis, Jo Ann | Linder | Tiberi |
| Davis, Tom | LoBiondo | Turner |
| Deal (GA) | Lucas | Upton |
| Dent | Lungren, Daniel E. | Walberg |
| Diaz-Balart, L. | Mack | Walden (OR) |
| Diaz-Balart, M. | Manzullo | Wamp |
| Doolittle | Marchant | Weldon (FL) |
| Drake | McCaul (TX) | Weller |
| Dreier | McCotter | Westmoreland |
| Duncan | McCrery | Whitfield |
| Ehlers | McHenry | Wicker |
| Emerson | McKeon | Wilson (NM) |
| English (PA) | Mica | Wilson (SC) |
| Everett | Miller (FL) | Wolf |
| Fallin | Miller (MI) | Young (AK) |
| Feeney | Miller, Gary | Young (FL) |

NOES—240

| | | |
|---|---|---|
| Abercrombie | Bishop (NY) | Carney |
| Ackerman | Blumenauer | Carson |
| Allen | Boren | Castor |
| Altmire | Boswell | Chandler |
| Andrews | Boucher | Christensen |
| Arcuri | Boyd (FL) | Clarke |
| Baca | Boyda (KS) | Clay |
| Baldwin | Brady (PA) | Cleaver |
| Barrow | Braley (IA) | Clyburn |
| Bean | Butterfield | Cohen |
| Becerra | Capps | Conyers |
| Berman | Capuano | Cooper |
| Berry | Cardoza | Costa |
| Bishop (GA) | Carnahan | Costello |

Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Renzi
Reyes
Rodriguez
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—14

Baird
Bordallo
Brown, Corrine
DeGette
Emanuel
Faleomavaega
Hunter
Jones (OH)
Kirk
McMorris Rodgers
Putnam
Radanovich
Shays
Walsh (NY)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that 1 minute remains in this vote.

□ 1338

So the amendment was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Ms. BERKLEY. Mr. Chairman, during rollcall vote amendment No. 388 on the Sessions Amendment on H.R. 1427, I mistakenly recorded my vote as ''aye'' when I should have voted ''no.''

AMENDMENT NO. 34 OFFERED BY MR. BRADY OF TEXAS

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

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 34 offered by Mr. BRADY of Texas:

Page 130, line 8, strike ''75 percent'' and insert ''70 percent''.

Page 130, line 11, strike ''25 percent'' and insert ''20 percent''.

Page 130, after line 11, insert the following: ''(iii) The allocation percentage for the Texas Department of Housing and Community Affairs shall be 10 percent.''.

Page 130, line 19, after ''in connection with'' insert the following: ''(i) in the case of the grantees specified in clauses (i) and (ii) of subparagraph (A),''.

Page 130, line 20, before the period insert '', and (ii) in the case of the grantee specified in clause (iii) of subparagraph (A), Hurricane Rita of 2005''.

Page 149, line 16, strike ''and'' and insert a comma.

Page 149, line 17, before the semicolon insert the following: '', and the Texas Department of Housing and Community Affairs''.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 260, not voting 14, as follows:

[Roll No. 389]

AYES—163

Aderholt
Akin
Altmire
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Cuellar
Culberson
Davis, David
Davis, Jo Ann
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
English (PA)
Everett
Feeney
Ferguson
Flake
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Hall (TX)
Hastert
Hastings (WA)
Hayes
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Hulshof
Issa
Jackson-Lee (TX)
Johnson, E. B.
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kuhl (NY)
LaHood
Lamborn
Lampson
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Ortiz
Paul
Pearce
Pence
Peterson (PA)
Pitts
Platts
Poe
Porter
Price (GA)
Regula
Rehberg
Reichert
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—260

Abercrombie
Ackerman
Alexander
Allen
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Donnelly
Doyle
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Forbes
Frank (MA)
Frelinghuysen
Giffords
Gilchrest
Gillibrand
Gordon
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Pickering
Pomeroy
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Renzi
Rogers (AL)
Rogers (MI)
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz

Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wicker
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—14

Baird
Bilbray
Bordallo
Brown, Corrine
DeGette
Emanuel
Faleomavaega
Hunter
Jones (OH)
Kirk
McMorris Rodgers
Putnam
Shays
Walsh (NY)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that 1 minute remains in this vote.

□ 1342

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. PRICE OF GEORGIA

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

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. PRICE of Georgia:

Strike line 21 on page 128 and all that follows through line 7 on page 129, and insert the following:

''(2) REQUIREMENTS FOR CONTRIBUTIONS.—

''(A) TIMING.—An enterprise shall not be required to make an allocation for a year pursuant to paragraph (1) unless the Director, pursuant to the study under paragraph (2) for such year, makes a determination that such allocation by the enterprise for the year—

''(i) will not contribute to the financial instability of the enterprise or impair the safe and sound operation of the enterprise;

''(ii) will not cause the enterprise to be classified as undercapitalized;

''(iii) will not prevent the enterprise from successfully completing a capital restoration plan under section 1369C; and

''(iv) will not result in increased costs to borrowers under residential mortgages.

''(B) STUDY.—The Director shall, for each year referred to in paragraph (1)—

''(i) conduct a study to determine the effects on each enterprise of making allocations in such year under such paragraph; and

''(ii) submit to the Congress a report containing the findings of such study and the determinations of the Secretary regarding the issues set forth in clauses (i) through (iv) of subparagraph (A).''.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 243, not voting 14, as follows:

[Roll No. 390]

AYES—180

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
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.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Poe
Porter
Price (GA)
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—243

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastert
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Platts
Pomeroy
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Renzi
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
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
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
Whitfield
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—14

Baird
Bordallo
Brown, Corrine
DeGette
Emanuel
Faleomavaega
Honda
Hunter
Jones (OH)
Kirk
McMorris Rodgers
Putnam
Shays
Walsh (NY)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that 1 minute remains in this vote.

□ 1347

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 19 OFFERED BY MR. DOOLITTLE

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

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Mr. DOOLITTLE:

Page 100, after line 17, insert the following new section:

**SEC. 136. MORTGAGOR IDENTIFICATION REQUIREMENTS FOR MORTGAGES OF REGULATED ENTITIES.**

(a) IN GENERAL.—Subpart A of part 2 of subtitle A of title XIII of the Housing and Community Development Act of 1992 (12 U.S.C. 4541 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new section:

**''SEC. 1330. MORTGAGOR IDENTIFICATION REQUIREMENTS FOR MORTGAGES OF REGULATED ENTITIES.**

''(a) LIMITATION.—The Director shall by regulation establish standards, and shall enforce compliance with such standards, that—

''(1) prohibit the enterprises from the purchase, service, holding, selling, lending on

the security of, or otherwise dealing with any mortgage on a one- to four-family residence that will be used as the principal residence of the mortgagor that does not meet the requirements under subsection (b); and

''(2) prohibit the Federal home loan banks from providing any advances to a member for use in financing, and from accepting as collateral for any advance to a member, any mortgage on a one- to four-family residence that will be used as the principal residence of the mortgagor that does not meet the requirements under subsection (b).

''(b) IDENTIFICATION REQUIREMENTS.—The requirements under this subsection with respect to a mortgage are that the mortgagor have, at the time of settlement on the mortgage, a Social Security account number.''.

(b) FANNIE MAE.—Section 304 of the Federal National Mortgage Association Charter Act (12 U.S.C. 1719) is amended by adding at the end the following new subsection:

''(g) PROHIBITION REGARDING MORTGAGOR IDENTIFICATION REQUIREMENT.—Nothing in this Act may be construed to authorize the corporation to purchase, service, hold, sell, lend on the security of, or otherwise deal with any mortgage that the corporation is prohibited from so dealing with under the standards issued under section 1330 of the Housing and Community Development Act of 1992 by the Director of the Federal Housing Finance Agency.''.

(c) FREDDIE MAC.—Section 305 of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454) is amended by adding at the end the following new subsection:

''(d) PROHIBITION REGARDING MORTGAGOR IDENTIFICATION REQUIREMENTS.—Nothing in this Act may be construed to authorize the Corporation to purchase, service, hold, sell, lend on the security of, or otherwise deal with any mortgage that the Corporation is prohibited from so dealing with under the standards issued under section 1330 of the Housing and Community Development Act of 1992 by the Director of the Federal Housing Finance Agency.''.

(d) FEDERAL HOME LOAN BANKS.—Section 10(a) of the Federal Home Loan Bank Act (12 U.S.C. 1430(a)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph:

''(6) PROHIBITION REGARDING MORTGAGOR IDENTIFICATION REQUIREMENTS.—Nothing in this Act may be construed to authorize a Federal Home Loan Bank to provide any advance to a member for use in financing, or accept as collateral for an advance under this section, any mortgage that a Bank is prohibited from so accepting under the standards issued under section 1330 of the Housing and Community Development Act of 1992 by the Director of the Federal Housing Finance Agency.''.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 217, noes 205, not voting 15, as follows:

[Roll No. 391]

AYES—217

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyda (KS)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carney
Carter
Castle
Chabot
Chandler
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Donnelly
Doolittle
Drake
Dreier
Duncan
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Hall (NY)
Hall (TX)
Harman
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Holden
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McNulty
Melancon
Mica
Miller (FL)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Radanovich
Ramstad
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross
Royce
Ryan (OH)
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walz (MN)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—205

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boyd (FL)
Brady (PA)
Braley (IA)
Butterfield
Cannon
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Fortuño
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hare
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Renzi
Reyes
Rodriguez
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Stark
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—15

Baird
Bordallo
Brown, Corrine
DeGette
Emanuel
Faleomavaega
Honda
Hunter
Jones (OH)
Kirk
McMorris Rodgers
Peterson (PA)
Putnam
Shays
Walsh (NY)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1352

Mr. CONYERS changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 30 OFFERED BY MR. HENSARLING

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

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 30 offered by Mr. HENSARLING:

Page 153, line 14, after the period insert close quotation marks and a period.

Strike line 15 on page 153 and all that follows through line 6 on page 154.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 155, noes 263, not voting 19, as follows:

[Roll No. 392]

AYES—155

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Poe
Price (GA)
Pryce (OH)
Radanovich
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiberi
Walberg
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)
Wolf

NOES—263

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortuño
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—19

Baird
Bordallo
Brown, Corrine
Davis (KY)
DeGette
Emanuel
Faleomavaega
Honda
Hunter
Jones (OH)
Kirk
Larson (CT)
Lewis (CA)
McMorris Rodgers
Meeks (NY)
Putnam
Shays
Walsh (NY)
Watson

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1356

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 1 OFFERED BY MR. NEUGEBAUER

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

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. NEUGEBAUER:

Page 128, strike lines 18 through 20 and insert the following: ''amount equal to the lesser of (A) 1.2 basis points for each dollar of the average total mortgage portfolio of the enterprise during the preceding year, (B) the number of basis points for each dollar of the average total mortgage portfolio of the enterprise during the preceding year, which when applied to such average portfolios of both enterprises, results in an aggregate allocation under this paragraph by the enterprises for the year of $520,000,000, or (C) a lesser amount, as determined by the Director, if the Director determines for such year that allocation of the lesser of the amounts under subparagraphs (A) and (B) poses a safety or soundness concern to the enterprise.''.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 164, noes 256, not voting 17, as follows:

[Roll No. 393]

AYES—164

Aderholt
Akin
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Coble
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Inglis (SC)
Issa
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
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Tancredo
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Walden (OR)
Wamp
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—256

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)

Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fortuño
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—17

Baird
Bordallo
Brown, Corrine
Cole (OK)
DeGette
Emanuel
Faleomavaega
Honda
Hunter
Jones (OH)
Kirk
McMorris Rodgers
Peterson (PA)
Putnam
Shays
Walsh (NY)
Weldon (FL)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1400

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. CONYERS. Mr. Chairman, I rise in support of passage of H.R. 1427, ''The Federal Housing Finance Reform Act.''

I believe this legislation is one of the most cost-effective ways to provide cities across the country with desperately needed federal funding so they can construct or renovate housing stock for working families on public housing waiting lists, homeless veterans, homeless Katrina victims, and homeless working families.

I believe that passage of this legislation is a ''historic'' moment in this Congress, and makes me proud to be a member of this body.

In Detroit, there are thousands of working individuals and families living in homeless shelters or staying with friends and extended family members because they cannot afford the skyrocketing costs of private market housing.

We have a homeless shelter in Detroit where hundreds of veterans live each year, and most are working minimum wage jobs, or work in low to moderate wage employment.

It is a moral outrage that soldiers who have fought in wars and served their country honorably come home to cities like Detroit, only to find out that they cannot afford an apartment or a home.

This bill will help reduce these problems, and provide decent affordable housing to more veterans and working families without raising taxes.

It will also help victims of Katrina who are currently living in hotels or homeless shelters in other cities to return to the Gulf Coast, or remain where they are, because there will be expanded housing opportunities due to passage of H.R. 1427.

Passage of ''The Federal Housing Finance Reform Act'' will provide billions of dollars to cash-starved cities across the Nation to successfully build new affordable housing units for working families by utilizing existing non-profit housing developers, public housing agencies, and for-profit housing developers.

Passage of H.R. 1427 will help hundreds of thousands of Americans across this Nation who are currently on waiting lists for public housing to be able to get out of homeless shelters and into homes or apartments, since there will now be more federal funding for affordable housing production.

If America is ever to be a great Nation, we must ensure that all Americans, as a basic human right, have decent and affordable housing. Passage of H.R. 1427 will get our Nation on the road to having a real national affordable housing policy, which we currently do not have.

The United States, the wealthiest country in the world, shamefully has one million homeless children, and over 40 percent of those living in homeless shelters are working in jobs. Our current affordable housing problem is building more homeless shelters where there is a lack of affordable housing.

I ask this question Mr. Chairman. How many Members of Congress would want to come home after a hard day's work, and sleep in a homeless shelter? Probably nobody! We need affordable housing for all now.

I urge this body to pass H.R. 1427 with all deliberate speed.

Mr. WELDON of Florida. Mr. Chairman, while I believe that Government Sponsored Enterprise, GSE, reform is absolutely necessary, I cannot support H.R. 1427, the Federal Housing Finance Reform Act, in its current form.

It is important for Congress to promote home-ownership for all Americans by giving citizens access to affordable housing. However, this bill, under the Affordable Housing Fund, AHF, section, requires that GSEs set aside nearly $3 billion over the next 4 years into a special fund. H.R. 1427 essentially represents a $3 billion tax on those seeking to purchase homes. These new fees will simply be passed along to those purchasing homes. I'm not sure how a $3 billion tax increase is going to make homes more affordable. When given the opportunity to ensure that these costs would not be passed along to homeowners, supporters of the AHF voted against the amendment that would have protected homeowners. Clearly, this is designed to be a hidden tax on homebuyers.

This newly created AHF would make grants to states and Indian tribes, which would then make grants to third-party housing-related entities. H.R. 1427 fails to provide adequate oversight of these third-party grantees and the funds could easily fall into the hands of politically motivated groups. Also, while using grant money for lobbying or other political activities is not permitted under the bill, there is nothing preventing groups from displacing their other funds for these activities while still receiving grant money. One such third party group that stands to benefit financially from this new grant program is ACORN. ACORN is notorious for partisan voter registration drives. Allegations of voter fraud have plagued ACORN political activities in Florida, Virginia, Ohio, Minnesota, New Mexico, Missouri, Michigan, Colorado, Arkansas, Wisconsin, and North Carolina. Yet, the Democrats' plan is to create a slush fund to funnel millions of dollars in grants to ACORN and similar partisan groups, freeing up money for partisan political activities.

Adding more layers of bureaucratic waste and pandering to left-leaning groups will not help low-income buyers purchase the homes of their dreams. While we need GSE reform, we should not be forced to sign onto a $3 billion tax on homeowners. There are better, more financially responsible ways to address affordable housing.

The Acting CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDEN) having assumed the chair, Mr. PASTOR, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1427) to reform the regulation of certain housing-related Government-sponsored enterprises, and for other purposes, pursuant to House Resolution 404, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

Mr. WESTMORELAND. Mr. Speaker, I demand a separate vote on the Neugebauer No. 4 amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other

amendment to the amendment reported from the Committee of the Whole?

The Clerk will redesignate the amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. NEUGEBAUER:

Page 60, line 2, after ''posed'' insert ''to the enterpises''.

PARLIAMENTARY INQUIRY

Ms. BEAN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her inquiry.

Ms. BEAN. Mr. Speaker, is the gentleman from Georgia requesting a recorded revote on the bipartisan Bean-Neugebauer amendment which passed by voice vote last week?

The SPEAKER pro tempore. Does the gentlewoman have a proper parliamentary inquiry?

Ms. BEAN. Thank you, Mr. Speaker. I just wanted to make sure this was the bipartisan Bean-Neugebauer amendment.

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

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

RECORDED VOTE

Mr. WESTMORELAND. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 383, noes 36, not voting 13, as follows:

[Roll No. 394]

AYES—383

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
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-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carney
Carson
Carter
Castle
Castor
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
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fossella
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Hooley
Hoyer
Hulshof
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
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
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
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)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—36

Baker
Barrett (SC)
Bilbray
Chabot
Deal (GA)
Flake
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Garrett (NJ)
Gillmor
Gingrey
Goode
Hensarling
Herger
Hoekstra
Inglis (SC)
Jones (NC)
Jordan
King (IA)
Kingston
Kucinich
Lamborn
Lungren, Daniel E.
McCrery
McHenry
Nunes
Paul
Payne
Pence
Radanovich
Rohrabacher
Royce
Ryan (WI)
Shadegg

NOT VOTING—13

Baird
Brown, Corrine
Carnahan
DeGette
Emanuel
Honda
Hunter
Jones (OH)
Kirk
McMorris Rodgers
Putnam
Shays
Walsh (NY)

□ 1421

Mr. GINGREY and Mr. KING of Iowa changed their vote from ''aye'' to ''no.''

Messrs. CONYERS, ROTHMAN and BLUMENAUER changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. CANTOR

Mr. CANTOR. Mr. Speaker, I offer a motion to recommit.

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

Mr. CANTOR. Yes, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Cantor moves to recommit the bill H.R. 1427 to the Committee on Financial Services with instructions that the Committee report the same back to the House promptly with the following amendments:

Strike line 16 on page 127 and all that follows through line 10 on page 128 and insert the following: ''shall be to offset the costs of providing assistance to individuals and families to increase home ownership for all Americans, especially extremely low- and very low-income families.''

Strike line 23 on page 129 and all that follows through line 7 on page 156, and insert the following:

''(c) USE OF FUND AMOUNTS.—The Federal receipts deposited into the affordable housing fund established under subsection (a) shall be available only to offset the cost, for budgetary purposes, of provisions of law enacted after the date of the enactment of the Federal Housing Finance Reform Act of 2007 that—

''(1) provide for the enhancement and continuation of affordable home ownership opportunities related to items such as—

''(A) the construction and rehabilitation of housing in Louisiana, Mississippi, Texas, or Alabama destroyed or damaged in connection with Hurricane Katrina or Rita of 2005;

''(B) reducing the cost of mortgage insurance for residential mortgages; or

''(C) reducing the cost of financing residences for veterans;

''(2) provide affordable home ownership opportunities through provisions such as provisions that expand existing law to reduce the cost of mortgage interest for borrowers under residential mortgages;

''(3) provide affordable home ownership opportunities through provisions such as provisions that expand existing law related to the construction and rehabilitation of housing in

Louisiana, Mississippi, Texas, or Alabama destroyed or damaged in connection with Hurricane Katrina or Rita of 2005 to also include construction and rehabilitation of housing destroyed or damaged in connection with other domestic natural disasters, including tornadoes occurring in Alabama, Colorado, Florida, Georgia, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, South Carolina, and Texas and wildfires occurring in California, Florida, Georgia, New Jersey, and New Mexico in 2007; and

''(4) provide affordable home ownership opportunities through provisions such as provisions that expand existing law to reduce the cost of homeowners insurance.''.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. CANTOR. Mr. Speaker, for many hard-working families, the American Dream and homeownership are one and the same, but lately that dream appears increasingly elusive in the face of ballooning costs of homeowners' insurance and rising interest rates on home mortgages. Nowhere is this discomforting trend more profound than in States ravaged by natural disasters.

Today we have the ability to help. Congress can enhance the way the law treats mortgage interest, giving American families more buying power when shopping for their dream home. We can also improve how it treats mortgage insurance, assisting those low-income families generally required to pay this insurance to afford better housing.

The bill, Mr. Speaker, in its current form, however, has a glaring weakness. When it comes to disaster relief, it only names the victims of Hurricanes Katrina and Rita, which would help families stricken by hurricanes in Louisiana, Mississippi and Texas. There are countless Americans beset by the recent tornadoes and wildfires in other parts of the country. Their plight is indistinguishable from those families of hurricane-plagued regions. A disaster befalls an area, home insurance rates skyrocket, and, together with the rise in mortgage interest rates, the American dream of owning a home is dashed.

This motion to recommit sets aside funds for families in districts in Kansas, California, Colorado, Florida, Alabama, Georgia, Louisiana, New Mexico, Oklahoma, South Carolina and Texas.

Mr. Speaker, in the past, the majority has described motions to recommit promptly rather than forthwith as an attempt to kill the underlying bill. In this case, this is categorically incorrect. The minority has in effect been prevented by the Democrat rule from offering this language as a forthwith amendment.

As the majority knows, the housing fund in this bill, section 139 on page 127, is a violation of rule XXI, clause 4, because it is appropriating on an authorizing bill. The Democrat rule waives this rule for the underlying bill, but does not provide a waiver for the motion to recommit or any amendments. Therefore, the minority was given no other option than to offer a motion to recommit promptly and comply with House rules.

Mr. Speaker, this motion is a genuine effort to improve this bill with the language we can all agree on ought to be included. In its current form, the bill is far too vague.

Starting brand new government grant programs to help fund more bureaucracies is not the way to go. Instead, policies that have already worked to create record levels of homeownership is preferable. This recommit inserts new language to offset the cost of subsequent legislation that would enhance, continue and expand policies promoting homeownership, such as the construction and rehabilitation of housing destroyed by natural disasters and wildfires. The motion would provide for programs to enhance, continue, expand policies promoting home ownership by reducing the cost of mortgage insurance, reducing the cost of financing residences for veterans, reducing the cost of mortgage interest and reducing the costs of homeowner insurance.

Mr. Speaker, while the underlying bill does provide that Affordable Housing Fund money can be used to help victims of Hurricanes Katrina and Rita, it is incumbent upon us to recognize the plight of families suffering from natural disasters recently affecting other areas of the country. Families in Kansas, California, Colorado, Florida, Alabama, Georgia, New Mexico, Oklahoma, South Carolina, Texas and Louisiana deserve no less.

I urge my colleagues to support this motion to recommit.

Mr. FRANK of Massachusetts. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, I congratulate the minority for its persistence and tenacity, if nothing else. This will be the 11th time the House has been asked to vote to kill the Affordable Housing Fund since last Thursday. They have, as I have said, taken as their model apparently the TV pitchmen of yore. They have got a machine that slices and dices and cuts and shreds and chops and whatever. They have offered 10 amendments to kill the Affordable Housing Fund. This is number 11.

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

Mr. FRANK of Massachusetts. No, I will not yield, and I will explain why.

□ 1430

We had an open rule. Any amendment that they wanted to offer could have been offered as long as it met the deadline, which was a very long deadline. Now we have ambush legislation again. There have been 10 tries at this.

Mr. Speaker, if they really wanted this to be debated thoughtfully, it would have been an amendment. It wouldn't have been held back for 5 and 5 with us having only a chance to read it now. It is just one more attempt to kill the bill.

Mr. CANTOR. Will the gentleman yield?

Mr. FRANK of Massachusetts. No, I will not yield, Mr. Speaker. I will not be part of self-ambush. I will say to the gentleman from Virginia, offer an amendment when you have the right to offer an amendment, and we will debate the amendment at length as we debated many of these amendments.

But to play this kind of ambush game, do not expect cooperation.

The gentleman may say, well, it is unfair. We got the last word. That was his choice. The gentleman could have offered the amendment in a fashion that would have allowed a broad debate on it. But they chose to have the benefit of the ambush, but not pay the price of it.

This kills the affordable housing fund. What it says is none of this money goes for rental housing.

By the way, they list a lot of the States. They say ''including.'' It can go to any State; so does the bill as it now stands. The bill as it now stands allows the money to be spent in any State. And the key is this: This amendment, if you take it at face value, I would advise that, but if you do, it kills rental housing.

Now, homeownership is a good thing, but as we have seen from the subprime problem, if you ignore people who should be renting, if you try to shoehorn everybody into homeownership and don't build a single unit of affordable rental housing, and that is what this amendment says, this amendment says none of the funds go to build rental housing, it is all homeownership. Homeownership is useful, but it is not the exclusive answer and we have a problem of people being pushed into it.

Then this says ''promptly.'' Promptly means maybe not, as we know in parliamentary language. We got some explanation why it couldn't be ''forthwith.''

There are some people who don't like this bill. They don't have the votes to kill it. They have tried every which way to do that.

Mr. CANTOR. Will the gentleman yield on that point?

Mr. FRANK of Massachusetts. Mr. Speaker, will you instruct the gentleman? When it becomes clear that I am not going to yield, this becomes, it seems to me, somewhat unparliamentary.

The SPEAKER pro tempore. The gentleman from Massachusetts controls the time.

Mr. FRANK of Massachusetts. Thank you, Mr. Speaker.

Mr. Speaker, we debated a long time on Thursday. I had to have my cast rewrapped because I was waving my arm so much. I did become unwrapped, I will tell the House.

But the point is this: We had ample opportunity to debate this with give-and-take. But you cannot, Mr. Speaker, it seems to me, expect to come in at the last minute with a very tough amendment that kills the housing fund

that we have already voted on 10 times because it says no rental housing can be built at all under this, says ''promptly'' rather than ''forthwith'' for no good reason except they don't like the bill and don't have the votes to kill it, and then says you wouldn't give me a chance to go back and forth.

Yes, the rule did. The rule said that this amendment, if it was a thoughtful attempt to amend the bill, could have been offered as an amendment. Instead, it is held back. No one gets to see it until literally a minute before the debate starts. It is a 3-page amendment. It kills the affordable housing in a very limited debate.

To put this forward under a procedure which Members know limits debate to 5 minutes and 5 minutes, and then to complain that there isn't enough back and forth, Mr. Speaker, that is the equivalent of accusing the Three Stooges of being silly, and I hope the recommital is defeated.

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.

RECORDED VOTE

Mr. CANTOR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 182, noes 232, not voting 18, as follows:

[Roll No. 395]

AYES—182

Aderholt
Akin
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—232

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCrery
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Perlmutter
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—18

Baird
Brown, Corrine
Davis, Lincoln
DeGette
Emanuel
Fossella
Honda
Hunter
Jones (OH)
Kirk
McMorris Rodgers
Mollohan
Payne
Putnam
Sanchez, Loretta
Shays
Walsh (NY)
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1452

Mr. GERLACH and Mr. DENT changed their vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. 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. FRANK of Massachusetts. 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 313, noes 104, not voting 15, as follows:

[Roll No. 396]

AYES—313

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baker
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)

Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—104

Aderholt
Akin
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Campbell (CA)
Cantor
Carter
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis, David
Davis, Jo Ann
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastert
Hastings (WA)
Hensarling
Herger
Hoekstra
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Lewis (CA)
Lucas
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McHenry
McKeon
Mica
Miller (FL)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Pitts
Poe
Price (GA)
Radanovich
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Sensenbrenner
Shadegg
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Thornberry
Tiberi
Walberg
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)

NOT VOTING—15

Baird
Bishop (UT)
Brown, Corrine
DeGette
Emanuel
Hunter
Jones (OH)
Kirk
McMorris Rodgers
Putnam
Ruppersberger
Shays
Walsh (NY)
Waters
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1459

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 for:

Ms. WATERS. Mr. Speaker, on rollcall No. 396, had I been present I would have voted "aye." I returned to the Subcommittee on Crime, Terrorism and Homeland Security to present my bill on "Stop AIDS in Prison."

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 396, I missed the vote on passage. I was chairing a briefing in the Intelligence Committee with NSA. I missed the vote by 30 seconds. Had I been present, I would have voted "yes."

## SPECIAL IMMIGRANT STATUS FOR CERTAIN ALIENS SERVING AS TRANSLATORS OR INTERPRETERS WITH FEDERAL AGENCIES

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1104) to increase the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants, as amended.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 1104

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

**SECTION 1. SPECIAL IMMIGRANT STATUS FOR CERTAIN ALIENS SERVING AS TRANSLATORS OR INTERPRETERS WITH FEDERAL AGENCIES.**

(a) INCREASE IN NUMBERS ADMITTED.—Section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B), by striking ''as a translator'' and inserting '', or under Chief of Mission authority, as a translator or interpreter'';

(B) in subparagraph (C), by inserting ''the Chief of Mission or'' after ''recommendation from''; and

(C) in subparagraph (D), by inserting ''the Chief of Mission or'' after ''as determined by''; and

(2) in subsection (c)(1), by striking ''section during any fiscal year shall not exceed 50.'' and inserting the following: ''section—

''(A) during each of the fiscal years 2007 and 2008, shall not exceed 500; and

''(B) during any other fiscal year shall not exceed 50.''.

(b) ALIENS EXEMPT FROM EMPLOYMENT-BASED NUMERICAL LIMITATIONS.—Section 1059(c)(2) of such Act is amended—

(1) by amending the paragraph designation and heading to read as follows:

''(2) ALIENS EXEMPT FROM EMPLOYMENT-BASED NUMERICAL LIMITATIONS.—''; and

(2) by inserting ''and shall not be counted against the numerical limitations under sections 201(d), 202(a), and 203(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1151(d), 1152(a), and 1153(b)(4))'' before the period at the end.

(c) ADJUSTMENT OF STATUS; NATURALIZATION.—Section 1059 of such Act is further amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following:

''(d) ADJUSTMENT OF STATUS.—Notwithstanding paragraphs (2), (7) and (8) of section 245(c) of the Immigration and Nationality Act (8 U.S.C. 1255(c)), the Secretary of Homeland Security may adjust the status of an alien to that of a lawful permanent resident under section 245(a) of such Act if the alien—

''(1) was paroled or admitted as a nonimmigrant into the United States; and

''(2) is otherwise eligible for special immigrant status under this section and under the Immigration and Nationality Act.

''(e) NATURALIZATION.—

''(1) IN GENERAL.—An absence from the United States described in paragraph (2) shall not be considered to break any period for which continuous residence in the United States is required for naturalization under title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.).

''(2) ABSENCE DESCRIBED.—An absence described in this paragraph is an absence from the United States due to a person's employment by the Chief of Mission or United States Armed Forces, under contract with the Chief of Mission or United States Armed Forces, or by a firm or corporation under contract with the Chief of Mission or United States Armed Forces, if—

''(A) such employment involved working with the Chief of Mission or United States Armed Forces as a translator or interpreter; and

''(B) the person spent at least a portion of the time outside of the United States working directly with the Chief of Mission or United States Armed Forces as a translator or interpreter in Iraq or Afghanistan.''.

The SPEAKER pro tempore (Mr. SIRES). Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from Florida (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Translators and interpreters have been crucial to our efforts in Iraq, serving as a critical link between our troops and the Iraqi population. Because of their work for U.S. forces, many of these people have risked their lives and the lives of their families to assist our efforts in Iraq and Afghanistan.

Now they are under serious threat. These translators and interpreters who

serve bravely alongside our troops need our immediate assistance. Singled out as collaborators, many are now targets by death squads, militias and al Qaeda.

In Mosul, insurgents recorded and circulated the brutal execution of two interpreters, a stark warning to others who have assisted U.S. forces in the country. U.S. soldiers and embassy employees who have attempted to help their interpreters flee from violence have had to stand by hopelessly as their Iraqi colleagues went into hiding. Often leaving their families behind simply in order to survive.

Congressman JEFF FORTENBERRY came to me with the idea, and I agreed, and we introduced broad, far-reaching legislation on this issue. We are taking up the bill before us today because the Senate already passed this by unanimous consent, and the urgency of the situation requires us to act now.

This legislation will help quickly address this crisis by authorizing up to 500 special visas for Iraqis and Afghanis who put their lives at risk by working with the U.S. military and the U.S. embassy in Iraq and Afghanistan.

We all realize this is not a partisan issue, and I am pleased to have worked with the ranking member of the Judiciary Committee on helping to get this bill before us today. The original special visa legislation included in the 2006 Defense Authorization Act has proved wholly inadequate, authorizing only 50 visas a year, creating a backlog estimated to take 9 years to clear at the current rate.

As of last week, nearly 500 Iraqis and Afghanis have gone through the requisite background checks and have been approved for the visa. Because of the backlog, they are stuck in limbo waiting for a visa that may never come. These people need us to act. The Senate passed this legislation over a month ago, and the administration is supportive of taking this action.

Paula Dobriansky, Under Secretary of State for Democracy and Global Affairs recently said, ''We are committed to honoring our moral debt to those Iraqis who have provided assistance to the U.S. military and embassy.'' Clearly, we owe these people a debt of gratitude. They have risked everything to help us out in Iraq and Afghanistan and the least we can do is help deliver them out of harm's way.

But I tell my colleagues, the magnitude of the broader refugee crisis in Iraq far exceeds anything this bill attempts to resolve. We need to address the wider refugee issue, which has forced over 4 million Iraqis from their homes.

The gentleman from Oregon (Mr. BLUMENAUER) has legislation on this subject, and I think will be speaking to that broader issue. No one should take our efforts to do this now as a notion that that satisfies our obligation on something that we played a part in, creating the situation that led to this.

Let me just add, I see this as an emergency effort. It can't be the last word on this matter. We must do something to deal with the larger refugee issue in Iraq, as I said, and it's very possible that the visas we are discussing in this bill will prove inadequate for this need. Still, I think we need to act now so that the visas are available.

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

Mr. KELLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1104 expands an existing program that provides 50 special immigrant visas per year to Iraqi and Afghani nationals who have served as translators for our Armed Forces.

Translators and interpreters would be eligible to petition if they are an Iraqi or an Afghani national, have served with our military for at least 12 months, and receive a favorable recommendation from the unit in which he or she served. Many of us have heard stories about Iraqis who have faithfully served alongside our troops bridging the language divide. They have been a valuable resource for the United States and its allies.

Yet many Iraqi and Afghani translators have faced intense persecution from their communities as a result of serving the U.S. military. It is because of this persecution that the translator visa program was first established. This program allows us to reward those who worked directly for the United States Government in supporting our troops in Iraq and Afghanistan.

S. 1104, as amended in committee, increases the number of special immigrant visas available to translators to 500 per year for the next 2 years. The increase to 500 visas is a direct response to the number of petitions that have been received and approved by the U.S. Citizenship and Immigration Services. Without this increase, many translators will continue to face persecution while they wait in their home country for a visa to become available.

This bill has already been approved unanimously in the Senate, and I urge its passage here today.

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

Mr. BERMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate your courtesy in permitting me time to speak on this bill.

Mr. Speaker, I rise in strong support of S. 1104 for all the reasons that have been articulated by my friend from California and my friend from Florida.

Iraq today is the scene of the fastest-growing humanitarian crisis in the world. It rivals only the problems that are being faced in Darfur.

As has been pointed out for one group in Iraq, our moral responsibility is unquestionable to Iraqis whose lives are at risk because they helped the United States. Having cooperated with the United States military, the United Nations, or even a nongovernmental organization, can literally mean a death sentence at the hands of any of the many sides of this civil war. This bill is an important first step, expanding the current limit of the 50 special translator visas to 500.

I became acutely aware of the magnitude of this problem working with a local high school in Portland, Oregon, who were partnering with the members of the Oregon National Guard who had served in Iraq and recently returned, who were trying to bring their former translator to the United States, literally to save this young woman's life. But they kept running into bureaucratic hurdles. It took us months to, thankfully, secure her entry into the United States, where she is safely a college student today in Portland, Oregon.

I have heard the same story over and over again. We should keep faith with those who have served our brave men and women in uniform. This is a basic moral responsibility and a simple issue of fairness.

What we have before us in this bill is a critical first step. But as my friend from California pointed out, it's only the first step. We have 4 million Iraqis who have been driven from their homes and tens of thousands who are at risk because they helped the United States, not just as translators but as drivers and construction workers, NGO support staff.

We are, sadly, failing Iraqi refugees. We have allowed into the United States fewer than 800 since 2003, 69 since this fall, only 1 last month. The Swedish prime minister told me last week that Sweden is going to admit 25,000 Iraqi refugees this year.

I introduced, last week, bipartisan legislation H.R. 2265, the Responsibility to Iraqi Refugees Act to address this ongoing humanitarian crisis by using all of the tools at our disposal, admitting refugees, providing assistance to the region and using diplomacy to ensure their well-being.

It would allow not 50 or 500, but 15,000 Iraqis who are at risk because they helped the United States to come to this country, along with their families. It would establish a special coordinator for Iraqi refugees and internally displaced people, and requires the United States to develop, finally, plans to ensure the well-being and safety of these Iraqi refugees.

It increases the number of persecuted Iraqis who can be admitted as refugees. This legislation has been endorsed by Amnesty International, Church World Service, the International Rescue Committee, Refugees International, the Jubilee Campaign, the Truman National Security Project, and many others.

I strongly urge that we adopt this bill today. But I would implore the Members of this House, regardless of how they feel about the war in Iraq or its future, to join and cosponsor my legislation—broad, ambitious, a comprehensive response to the Iraqi refugee crisis—before it's too late, too

late for people whose only crime was working with Americans.

It is also clear that it is not just these Iraqis that we ought to be concerned about. If we cannot keep faith with refugees that the United States has a responsibility for, it sends a very unpleasant message about the reliability of working with us, and, sadly, it sows the seeds for additional instability in the region. With 1 million Iraqis in Jordan, it creates an untenable situation for the long-term stability of that country.

I strongly urge passage of this bill, but I do hope that each of my colleagues will look at the comprehensive legislation that I introduced and determine what they are going to do to stop the fastest-growing humanitarian crisis in the world today.

Mr. KELLER of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. FORTENBERRY), who is the sponsor of the companion House version of this legislation and has been a leader in the House on this important issue.

Mr. FORTENBERRY. I thank the gentleman from Florida. First, I should also thank my distinguished colleague, Mr. BERMAN of California, for his leadership on this important issue, his support and his partnership. I appreciate your efforts.

Mr. Speaker, I rise today to speak about the plight of courageous Iraqi and Afghani translators and interpreters who are assisting our military and our government. Given the vigorous and necessary debate about America's involvement in Iraq, this important humanitarian issue should not be overlooked. It warrants immediate attention as we move toward the stabilization of Iraq.

Every day in Iraq, and Afghanistan, American forces receive critical help, the kind of help essential for progress. An acute sense of duty has led thousands of Iraqis and Afghanis to aid American forces since late 2001.

□ 1515

Some of these brave men and women have worked alongside our troops providing invaluable assistance serving as translators and interpreters. Although they do not receive much attention, often by design, the translators and interpreters have been instrumental in supporting U.S. military operations. Mr. Speaker, they face mortal danger. They are considered traitors by the terrorist insurgents, and are targets often with bounties on their heads. Many find themselves without secure homes due to their dangerous work. They must conceal and vary their daily routines to preserve their safety. Most do not tell their immediate family about their work.

In 2006, the Defense Department authorization bill established a program that allows translators and interpreters who have worked for the U.S. military for at least 12 months to come to the U.S. on special visas. The program, as we have heard, allows up to 50 visas for Iraqi and Afghani translators each year. But since mid-April of this year, 510 applications have been received, 440 have been approved, 16 denied, and 54 are pending. Under the current cap of 50 allowable applicants per year, it will take until approximately the year 2016 to admit those currently in the queue for entry into the U.S.

To correct this problem, I, in partnership again with my distinguished colleague Mr. BERMAN of California, recently introduced legislation that would increase the annual limit for these visas from 50 to 500. The Senate bill before us today does exactly that for the next 2 years.

I believe it is right and just to offer refuge to those who have risked their own lives to help our troops and our Nation. These translators and interpreters are performing crucial work to assist the United States Government in both Iraq and Afghanistan. They have been invaluable to our efforts in the Middle East. It is my hope that our Nation will provide them the protection and asylum they need in honor of their service to our country and in honor to the commitment that they have made.

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

Mr. KELLER of Florida. Mr. Speaker, I yield as much time as he may consume to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Florida for yielding to me in a gracious fashion, and I think there is another viewpoint that this Congress should be considering before we bring this to a vote on this suspension bill.

I start out with I believe there are two things wrong with this legislation that is before us here on the floor. The first one is current law limits the numbers to 50 interpreters who could be brought in legally, and we have a great big problem understanding the rule of law here in America.

Now, I haven't received satisfactory answers from the U.S. Citizenship and Immigration Services or the State Department on how it is that, with a statutory limit of 50, and it says no more than 50, how was it that USCIS processed nearly 500 applications on an annual basis; and how was it that the State Department was poised to grant, but prohibited by law from granting, these visas for the interpreters from Iraq?

Now, I join my colleagues in praising and celebrating the brave service to our coalition personnel by the interpreters that have done such a good job in saving probably dozens or hundreds of American lives over there. In fact, I have a personal friend who served as an interpreter, and he carries a scar on his wrist from one of Saddam's henchmen who attacked him for being lined up with our side of this argument. I understand from a very personal basis what kind of risk is there and how their lives are at risk, but I would point out that we have such a thing as the rule of law.

Mr. Speaker, current law said 50. I offered an amendment, and that amendment would have limited the amount of applications that could be processed by USCIS to the statutory limit. It wasn't because I think 50 is the right number, and I don't take a position on whether I think 500 is the right number, but it was because I believe the rule of law is sacrosanct. And if we are going to allow USCIS process up to 500 applications, and then come here to this Congress and say, well, gee, we must have been wrong because we have 500 applicants, not 50; or, we have no choice because it is implicit that we have promised these people that we are going to grant them the visas, how did we make a promise that exceeded Federal law? And what do we do if there are 2,500 the next time the USCIS processes? How do we adhere to the rule of law if we react to people who stretch the limits? The people within USCIS, who I actually don't blame at this point, but we are here trying to keep our word. At the same time, we are ignoring the rule of law.

Those two things don't sit very well with me. That is the number one issue.

And the next issue is something I do think we need to think about, and that is the tactical side of this. This results in not 1,000 new interpreters, but 900, because 500 was the annual limit. So it is 900 over a 2-year period of time. So that is 900 fewer interpreters to save more lives of American and coalition forces. Tactically we need to consider that. We need to understand that someone needs to be there to rebuild Iraq, someone needs to be there to defend Iraq. If 25,000 go to Sweden, that is another 25,000 of some of the finest citizens that will not be there to put Iraq back together.

Our job isn't to bring everybody here to save their livelihood here in the United States. We need to export our way of life; we need to encourage the Iraqis to rebuild their country. This depletes the resources.

But that is only, Mr. Speaker, my secondary argument. My primary argument is the rule of law. The rule of law should be sacrosanct and shouldn't be violated. And if we are going to pass this legislation, we should have adopted my amendment that limited the applications that USCIS can process to the statutory limit. If we did that, then I would have some confidence that we are going to adhere to the rule of law. As it is, I do not believe we will do that, and I think this turns out to be not probably the last, but the first amnesty bill that might pass off the floor of the 110th Congress. And if we don't have any more respect for the rule of law than we are showing here, then we are reacting to our own bureaucrats that, I will submit, that it is going to be difficult for us to adhere to the rule of law when it is 12 million or 20 million as opposed to 400 or 500 or 900 people.

I think that makes my point, Mr. Speaker. I thank the gentleman from

Florida for his consideration and the time to make my case.

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

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

My friend from Iowa makes interesting arguments, but to some extent undermines those arguments. He says rule of law is important, and, therefore, the committee should have accepted an amendment in the committee to make illegal what folks in our embassies and in our missions did, thereby undermining the argument that in any way there was any law violated.

There was no law against expending funds to process these visas. There were no promises made to Iraqi interpreters and translators they would be guaranteed a visa. But when our folks in the field see a situation developing where the people who have allowed them to do their job, at great risk for their life and limb, are in desperate need for them and their families to essentially be appreciated and rewarded for that life-threatening effort, and they tell their folks that they work for in the Defense Department and in the State Department and the folks in Congress who are dealing with these issues that we need to do something about them, and we respond, that doesn't constitute a promise that no one had authority to make, a violation of the rule or law.

And, by definition, I understand, and we have had many discussions on our immigration issues; in fact, the gentleman and I are both here now rather than at a hearing on the immigration issue. I understand the gentleman has a definition of amnesty which is wider than mine, but I never realized how much wider it was, that a bill that adds to the number of visas that can be given, after background checks and going through the regular process to ensure the security interests that we have before we issue a visa, that a bill that would increase the number of visas for these people who have put themselves in harm's way on behalf of the United States is an amnesty law. This takes that very expansive definition the gentleman has and I think expands it even further.

I yield to the gentleman.

Mr. KING of Iowa. I thank the gentleman, and I ask him for that privilege because I know he is a reasonable individual and very thoughtful on the immigration policy. But I am under the understanding that we are here changing the law almost after the fact to comply with the limitation that has been exceeded in its anticipation by the people who were promised that they would have an opportunity to get a visa if they served the United States in that capacity as interpreters.

Isn't that true?

Mr. BERMAN. Reclaiming my time. I certainly don't know that that is true, and I would be stunned if it were. I would be stunned if our dedicated employees in a very difficult foreign mission or in the military were out promising things they couldn't deliver. I don't think our folks operate like that. I think they were processing applications in case and in the event that we increased the number of visas because the demand was so urgent. The gentleman from Oregon talked about 4 million refugees. We are talking about an infinitesimal subset that worked for us in our campaign efforts in Iraq.

Mr. KING of Iowa. And I thank the gentleman. But for a point of clarity, we are here. We are amending current law because we essentially have a promise we can't keep without amending current law. And that fits within a definition of amnesty, to amend current law, because if we enforce current law, there will be some people that will be penalized by that. And I don't take so much issue on this as I do the law.

Mr. BERMAN. Let me reclaim my time just to respond to that. We have a law that gives 50 visas a year, but the next year it gives 50 more and then 50 more. Is the gentleman suggesting that we should not process any more than the first 50?

There are people who would be allowed the next year and the year after. Why wouldn't you give these visas to the people who were first in line? I know the gentleman loves the sanctity of the line. Give these to the people who are first in line. Why wouldn't we process applications of people who weren't going to get visas that year but the next year? Why 5 years later would you take somebody who hasn't been waiting in line for 5 years and approve their visas?

Mr. KING of Iowa. If the gentleman would yield, I would submit that Congress needs to set the number. And for USCIS to process the applications beyond the statutory number is a waste of resources. But if we believe that we should raise that number, then we should come back and grant that authority to do so.

I see us as reacting to promises that were made that went beyond the limitations of the statute. That is why we have to change the statute today. That could preserve the rule of law and still preserve the numbers that the gentleman is proposing.

Mr. BERMAN. Reclaiming my time. And at this point I think maybe we should end the debate. But no part of Mr. FORTENBERRY's or my motivations for introducing the bill, and I wouldn't speculate on the Senate's motivations, but no part of our motivation was to take the administration out of an embarrassing place where they have been making promises that couldn't be kept.

We thought that justice, fairness, American tradition, and the risks that these people have taken to help our Armed Forces and our diplomats in one of the most difficult, hazardous situations in the world gave them a claim that we should respond to, not a promise made by somebody that we are forced to keep. We wanted them to have these visas. We weren't responding to pressure to take the administration and their people in Baghdad out of an embarrassing situation.

Ms. BORDALLO. Mr. Speaker, I rise today in support of S. 1104, a bill to increase the number of Iraqi and Afghan translators and interpreters who may be admitted to the United States as special immigrants. The bill improves upon an earlier effort made by Congress to address this matter. The intent that underwrites this bill is a noble one, and the improvements it makes to current law are needed. I am concerned, however, by the limited scope of the authorities provided by the bill before us and that is under consideration.

Section 1059 of P.L. 109–163 allows for 50 Iraqi and Afghan translators or interpreters who work in support of United States Armed Forces in those countries to petition the United States Government and be approved for entry into the United States under special immigrant status. The opportunity to immigrate to the United States has proved to be very popular among translators who work with the United States Armed Forces in Iraq and Afghanistan. These individuals are generally the targets of incidences of violence or threats of violence from certain individuals or groups due to their close association with the United States Armed Forces. Reportedly, there is a six year waiting list for the 50 slots authorized by Section 1059 of P.L. 109–163. Unfortunately, Section 1059 of P.L. 109–163 did not provide similar opportunities for translators and interpreters who work with civilian departments and agencies in Iraq and Afghanistan who, like their colleagues who serve alongside the United States Armed Forces, are subject to incidences of violence or threats of violence from insurgents, militias, criminals, and terrorists operating in those countries. S. 1104, the legislation before us today, would expand existing law to authorize 500 special immigrant visas annually for the next two years, and expand eligibility for the visas to include both translators and interpreters working for the Chief of Mission or the United States Armed Forces in Iraq or Afghanistan.

This bill would make useful and important changes to current law. The House Committee on the Judiciary notes in House Report 110–158 that accompanies S. 1104, ''that there are potentially dire consequences in delay'' of this legislation and that ''the Committee chose to consider the Senate-passed legislation in the interest of expediting its enactment.'' I commend my colleague from Michigan and the Chairman of the House of Representatives' Committee on the Judiciary (Mr. CONYERS), my colleague from Texas and the Committee's Ranking Member (Mr. SMITH), and the members of the Committee for their prompt work toward reporting this legislation for consideration by the full House. Simply put, their efforts on this bill in Committee, and our favorable consideration of this bill on the floor, will directly result in the saving of the lives of some incredibly brave individuals.

But the United States Government can and must do more. We have a moral obligation to do all that we can to protect all of those individuals and their family members who are targeted for death or are subject of acts of intimidation or violence as a result of their employment by, or close association with, United States and Coalition military and civilian personnel operating in Iraq and Afghanistan.

While this bill represents progress in this regard, it alone will not completely fulfill this moral obligation.

The Committee notes in House Report 110–158 that, ''[i]n approving this bill for expedited consideration, the Committee acknowledges the issues that are left unaddressed.'' The Committee, in its report accompanying this legislation, comments that, ''[t]here appears to be little reason to limit this relief to those serving with our Missions in Iraq and Afghanistan as a translator or interpreter. Iraqis and Afghans are serving in many different functions in aid of our Missions there, and as their lives come under threat as a result, they would seem similarly deserving of our help in delivering them from harm's way.'' House Report 110–158, furthermore, notes that, ''[t]here is also the question of whether these would-be refugees should be granted access to refugee assistance programs promptly once they arrive in the United States.'' I fully understand and recognize that this is a complicated issue. But it is my hope that comprehensive Iraqi and Afghan refugee legislation can be considered and agreed to by this body in the near future.

I would hope that such comprehensive Iraq and Afghan refugee legislation, at a minimum, would provide the authority for at-risk Iraqi and Afghan individuals and their family members—who serve in any capacity—alongside, in support of, or in close coordination with United States or Coalition military and civilian personnel—to be eligible to petition the United States Government and be approved for entry into the United States under special immigrant status. Specifically, I would hope that such comprehensive refugee legislation would, at a minimum, provide petition authority and approval eligibility for at-risk Iraqis and Afghans who are direct hires of United States Government or Coalition country departments, agencies, and military services; Iraqis and Afghans who work as contractors for, or in support of, United States Government or Coalition country departments, agencies, and military services; Iraqi and Afghan public sector employees or elected members of government who work alongside, or who are closely or commonly associated with, United States and Coalition country military and civilian personnel; and Iraqi and Afghan business owners and operators and laborers who have performed work on construction, service, or other contacts financed by United States Government or Coalition government funds.

Success achieved by United States and Coalition military and civilian personnel in Iraq and Afghanistan to date can be, in part, attributed to the efforts of the local nationals in those countries. Those Iraqis and Afghans, for the most part, believe in democratic, peaceful and prosperous futures for their countries and their families. That is why they choose to stand for election to public office, why they serve alongside United States and Coalition personnel, whether as translators, cultural advisors, or the myriad other roles that these brave individuals perform in support of our missions in those countries, and why they perform work on reconstruction projects financed by the United States Government and the governments of Coalition countries. By doing so, however, they and their family members are exposed to extreme risks.

Here in Washington, DC it is all too easy for us to distinguish between the roles and responsibilities of Iraqis or Afghans who are direct hires of the United States Government and the governments of Coalition countries, Iraqis and Afghans who work on contract in support of United States and Coalition personnel, and Iraqis and Afghans who are employees of their governments. Each has a distinct role and relationship with the United States and Coalition governments and the missions pursued by their personnel. But these distinctions are not similarly considered by insurgents, militias, criminals, and terrorists who wish to do these individuals harm. That is, the enemy does not first review their employment situations and statuses of Iraqis and Afghans, draw distinctions, and then issue threats or conduct acts of intimidation or violence accordingly. The enemy kills, kidnaps, and intimidates ''enablers'' without discrimination. The Iraqis and Afghans who work alongside our personnel know this reality all too well. Comprehensive legislation to address this issue should, to the best of our ability, not draw distinctions or discriminate either.

S. 1104, as noted by the Committee in its report to accompany this bill, is not a comprehensive response to the problem before our country with respect to Iraqis and Afghans who are at-risk of violence and intimidation as a result of their association with United States and Coalition country departments, agencies, and military services' operating in Iraq and Afghanistan. Nevertheless, I recognize the urgency of enacting the limited reforms to current law contained in the language of this bill; and, therefore, I support its passage. I urge my colleagues to vote ''yes'' on this bill and to continue to work in support of comprehensive refugee legislation with respect to the service of Iraqi and Afghan nationals.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the Senate bill, S. 1104, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

## GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 1615.

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

There was no objection.

## ALIEN SMUGGLING AND TERRORISM PREVENTION ACT OF 2007

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2399) to amend the Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and related activities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2399

*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 ''Alien Smuggling and Terrorism Prevention Act of 2007''.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) Alien smuggling by land, air and sea is a transnational crime that violates the integrity of United States borders, compromises our Nation's sovereignty, places the country at risk of terrorist activity, and contravenes the rule of law.

(2) Aggressive enforcement activity against alien smuggling is needed to protect our borders and ensure the security of our Nation. The border security and anti-smuggling efforts of the men and women on the Nation's front line of defense are to be commended. Special recognition is due the Department of Homeland Security through the United States Border Patrol, United States Coast Guard, Customs and Border Protection, and Immigration and Customs Enforcement, and the Department of Justice through the Federal Bureau of Investigation.

(3) The law enforcement community must be given the statutory tools necessary to address this security threat. Only through effective alien smuggling statutes can the Justice Department, through the United States Attorneys' Offices and the Domestic Security Section of the Criminal Division, prosecute these cases successfully.

(4) Alien smuggling has a destabilizing effect on border communities. State and local law enforcement, medical personnel, social service providers, and the faith community play important roles in combating smuggling and responding to its effects.

(5) Existing penalties for alien smuggling are insufficient to provide appropriate punishment for alien smugglers.

(6) Existing alien smuggling laws often fail to reach the conduct of alien smugglers, transporters, recruiters, guides, and boat captains.

(7) Existing laws concerning failure to heave to are insufficient to appropriately punish boat operators and crew who engage in the reckless transportation of aliens on the high seas and seek to evade capture.

(8) Much of the conduct in alien smuggling rings occurs outside of the United States. Extraterritorial jurisdiction is needed to ensure that smuggling rings can be brought to justice for recruiting, sending, and facilitating the movement of those who seek to enter the United States without lawful authority.

(9) Alien smuggling can include unsafe or recklessly dangerous conditions that expose individuals to particularly high risk of injury or death.

**SEC. 3. CHECKS AGAINST TERRORIST WATCHLIST.**

The Department of Homeland Security shall, to the extent practicable, check against all available terrorist watchlists those alien smugglers and smuggled individuals who are interdicted at the land, air, and sea borders of the United States.

**SEC. 4. STRENGTHENING PROSECUTION AND PUNISHMENT OF ALIEN SMUGGLERS.**

Section 274(a) of the Immigration and Nationality Act (8 U.S.C. 1324(a)) is amended—

(1) by amending the subsection heading to read as follows: ''SMUGGLING OF UNLAWFUL AND TERRORIST ALIENS.—''

(2) by redesignating clause (iv) of paragraph (1)(B) as clause (vii);

(3) in paragraph (1), by striking ''(1)(A)'' and all that follows through clause (iii) of subparagraph (B) and inserting the following:

''(1)(A) Whoever, knowing or in reckless disregard of the fact that an individual is an alien who lacks lawful authority to come to, enter, or reside in the United States, knowingly—

''(i) brings that individual to the United States in any manner whatsover regardless of any future official action which may be taken with respect to such alien;

''(ii) recruits, encourages, or induces that individual to come to, enter, or reside in the United States;

''(iii) transports or moves that individual in the United States, in furtherance of their unlawful presence; or

''(iv) harbors, conceals, or shields from detection the individual in any place in the United States, including any building or any means of transportation;

or attempts or conspires to do so, shall be punished as provided in subparagraph (C).

''(B) Whoever, knowing that an individual is an alien, brings that individual to the United States in any manner whatsoever at a place other than a designated port of entry or place other than as designated by the Secretary of Homeland Security, regardless of whether such alien has received prior official authorization to come to, enter, or reside in the United States and regardless of any future official action which may be taken with respect to such alien, or attempts or conspires to do so, shall be punished as provided in subparagraph (C).

''(C) A violator of this paragraph shall, for each alien in respect to whom such a violation occurs—

''(i) unless the offense is otherwise described in another clause of this subparagraph, be fined under title 18, United States Code or imprisoned not more than 5 years, or both;

''(ii) if the offense involved the transit of the defendant's spouse, child, sibling, parent, grandparent, or niece or nephew, and the offense is not described in any of clauses (iii) through (vii), be fined under title 18, United States Code or imprisoned not more than 1 year, or both;

''(iii) if the offense is a violation of paragraphs (1)(A)(ii), (iii), or (iv), or paragraph (1)(B), and was committed for the purpose of profit, commercial advantage, or private financial gain, be fined under title 18, United States Code or imprisoned not more than 10 years, or both;

''(iv) if the offense is a violation of paragraph (1)(A)(i) and was committed for the purpose of profit, commercial advantage, or private financial gain, or if the offense was committed with the intent or reason to believe that the individual unlawfully brought into the United States will commit an offense against the United States or any State that is punishable by imprisonment for more than 1 year, be fined under title 18, United States Code, and imprisoned, in the case of a first or second violation, not less than 3 nor more than 10 years, and for any other violation, not less than 5 nor more than 15 years; and

''(v) if the offense results in serious bodily injury (as defined in section 1365 of title 18, United States Code) or places in jeopardy the life of any person, be fined under title 18, United States Code or imprisoned not more than 20 years, or both;

''(vi) if the offense involved an individual who the defendant knew was engaged in or intended to engage in terrorist activity (as defined in section 212(a)(3)(B)), be fined under title 18, United States Code or imprisoned not more than 30 years, or both; and'';

(4) in the clause (vii) so redesignated by paragraph (2) of this subsection (which now becomes clause (vii) of the new subparagraph (C))—

(A) by striking ''in the case'' and all that follows through ''(v) resulting'' and inserting ''if the offense results''; and

(B) by inserting ''and if the offense involves kidnaping, an attempt to kidnap, the conduct required for aggravated sexual abuse (as defined in section 2241 without regard to where it takes place), or an attempt to commit such abuse, or an attempt to kill, be fined under such title or imprisoned for any term of years or life, or both'' after ''or both'' ; and

(5) by striking existing subparagraph (C) of paragraph (1) (without affecting the new subparagraph (C) added by the amendments made by this Act) and all that follows through paragraph (2) and inserting the following:

''(2)(A) There is extraterritorial jurisdiction over the offenses described in paragraph (1).

''(B) In a prosecution for a violation of, or an attempt or conspiracy to violate subsection (a)(1)(A)(i), (a)(1(A)(ii), or (a)(1)(B), that occurs on the high seas, no defense based on necessity can be raised unless the defendant—

''(i) as soon as practicable, reported to the Coast Guard the circumstances of the necessity, and if a rescue is claimed, the name, description, registry number, and location of the vessel engaging in the rescue; and

''(ii) did not bring, attempt to bring, or in any manner intentionally facilitate the entry of any alien into the land territory of the United States without lawful authority, unless exigent circumstances existed that placed the life of that alien in danger, in which case the reporting requirement set forth in clause (i) of this subparagraph is satisfied by notifying the Coast Guard as soon as practicable after delivering the alien to emergency medical or law enforcement personnel ashore.

''(C) It is a defense to a violation of, or an attempt or conspiracy to violate, clause (iii) or (iv) of subsection (a)(1)(A) for a religious denomination having a bona fide nonprofit, religious organization in the United States, or the agents or officer of such denomination or organization, to encourage, invite, call, allow, or enable an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated as an employee, notwithstanding the provision of room, board, travel, medical assistance, and other basic living expenses, provided the minister or missionary has been a member of the denomination for at least one year.

''(D) For purposes of this paragraph and paragraph (1)—

''(i) the term 'United States' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States; and

''(ii) the term 'lawful authority' means permission, authorization, or waiver that is expressly provided for in the immigration laws of the United States or the regulations prescribed under those laws and does not include any such authority secured by fraud or otherwise obtained in violation of law or authority that has been sought but not approved.''.

**SEC. 5. MARITIME LAW ENFORCEMENT.**

(a) PENALTIES.—Subsection (b) of section 2237 of title 18, United States Code, is amended to read as follows:

''(b)(1) Whoever intentionally violates this section shall, unless the offense is described in paragraph (2), be fined under this title or imprisoned for not more than 5 years, or both.

''(2) If the offense—

''(A) is committed in the course of a violation of section 274 of the Immigration and Nationality Act (alien smuggling); chapter 77 (peonage, slavery, and trafficking in persons), section 111 (shipping), 111A (interference with vessels), 113 (stolen property), or 117 (transportation for illegal sexual activity) of this title; chapter 705 (maritime drug law enforcement) of title 46, or title II of the Act of June 15, 1917 (Chapter 30; 40 Stat. 220), the offender shall be fined under this title or imprisoned for not more than 10 years, or both;

''(B) results in serious bodily injury (as defined in section 1365 of this title) or transportation under inhumane conditions, the offender shall be fined under this title, imprisoned not more than 15 years, or both; or

''(C) results in death or involves kidnaping, an attempt to kidnap, the conduct required for aggravated sexual abuse (as defined in section 2241 without regard to where it takes place), or an attempt to commit such abuse, or an attempt to kill, be fined under such title or imprisoned for any term of years or life, or both .''.

(b) LIMITATION ON NECESSITY DEFENSE.—Section 2237(c) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(c)'';

(2) by adding at the end the following:

''(2) In a prosecution for a violation of this section, no defense based on necessity can be raised unless the defendant—

''(A) as soon as practicable upon reaching shore, delivered the person with respect to which the necessity arose to emergency medical or law enforcement personnel,

''(B) as soon as practicable, reported to the Coast Guard the circumstances of the necessity resulting giving rise to the defense; and

''(C) did not bring, attempt to bring, or in any manner intentionally facilitate the entry of any alien, as that term is defined in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(3)), into the land territory of the United States without lawful authority, unless exigent circumstances existed that placed the life of that alien in danger, in which case the reporting requirement of subparagraph (B) is satisfied by notifying the Coast Guard as soon as practicable after delivering that person to emergency medical or law enforcement personnel ashore.''.

(c) DEFINITION.—Section 2237(e) of title 18, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) the term 'transportation under inhumane conditions' means the transportation of persons in an engine compartment, storage compartment, or other confined space, transportation at an excessive speed, transportation of a number of persons in excess of the rated capacity of the means of transportation, or intentionally grounding a vessel in which persons are being transported.''.

**SEC. 6. AMENDMENT TO THE SENTENCING GUIDELINES.**

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and, if appropriate, amend the

sentencing guidelines and policy statements applicable to persons convicted of alien smuggling offenses and criminal failure to heave to or obstruction of boarding.

(b) CONSIDERATIONS.—In carrying out this subsection, the Sentencing Commission, shall—

(1) consider providing sentencing enhancements or stiffening existing enhancements for those convicted of offenses described in paragraph (1) of this subsection that—

(A) involve a pattern of continued and flagrant violations;

(B) are part of an ongoing commercial organization or enterprise;

(C) involve aliens who were transported in groups of 10 or more;

(D) involve the transportation or abandonment of aliens in a manner that endangered their lives; or

(E) involve the facilitation of terrorist activity; and

(2) consider cross-references to the guidelines for Criminal Sexual Abuse and Attempted Murder.

(c) EXPEDITED PROCEDURES.—The Commission may promulgate the guidelines or amendments under this subsection in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987, as though the authority under that Act had not expired.

□ 1530

The SPEAKER pro tempore (Mr. SIRES). Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from Florida (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, this legislation gives Federal prosecutors and agents stronger enforcement weapons against the most pernicious forms of human smuggling, terrorism-related smuggling and smuggling that results in kidnapping, rape or an attempt to kill.

This bill is based on a provision that has been added into H.R. 1684, the Homeland Security Department Reauthorization Act, in its committee markup. The supporters of that provision agreed to withdraw it from that bill so the Judiciary Committee, the committee of primary jurisdiction, could take a closer look.

The resulting bill amends both 8 U.S.C. 1324, the alien smuggling prohibition, and 18 U.S.C. 2237, the prohibition against failure to heave to, to provide for extraterritorial jurisdiction, increase maximum penalties for serious offenses and clarify the necessity defense that applies to legitimate maritime rescues.

This bill applies not just to human smuggling in the maritime context, but to all cross-border human smuggling. It provides appropriately tough penalties for the kind of serious smuggling offenses I've just described, while distinguishing those from other types of transport such as noncommercial efforts to reunify families. While these practices also violate our immigration laws, they do not fall into the same category of offense, and should not be treated as harshly.

Although the bill streamlines and strengthens the current offense language, it does not abandon existing case law that applies to alien smuggling offenses. For instance, it will remain a violation of Federal law both to bring illegal aliens to the United States and to bring other aliens across the border through places other than those designated as official entry ports. This is especially critical as Congress mandates that the Department of Homeland Security institute biometric entry and exit systems. For an orderly and fair immigration system to work, people must come in through these sites.

The bill also prevents the current list of illegal activities, smuggling, recruiting, transporting and harboring, without adding new activities, such as assisting aliens in their efforts to enter our country. Again, this preserves the distinction between true smuggling and the work of groups such as faith-based organizations, who seek to serve the alien community on humanitarian grounds.

Because this important distinction is preserved, the Judiciary Committee believes the religious activities exception in current law is sufficient, and the bill doesn't expand it. The bill also preserves current law in treating the offense of helping to bring in one's close family members as a misdemeanor.

The bill also establishes for the first time in Federal law that it is illegal to transport persons under inhumane conditions, such as in an engine compartment, a storage compartment or other confined space; or overloaded or intentionally run ashore and grounded at high speed and left to scatter. Those kinds of inhumane practices have resulted in death or serious injury to numerous alien passengers.

Finally, the bill directs the Sentencing Commission to consider providing further sentencing enhancements for particularly egregious offenses. Such enhancements should reach the smuggling of aliens in a life-threatening manner, the abandonment of aliens in the desert or discharging them onto spits of land that will be submerged in a high tide, or those cases that involve the facilitation of terrorism.

I strongly urge my colleagues to support this bill.

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

Mr. KELLER of Florida. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise to discuss H.R. 2399, Alien Smuggling and Terrorism Prevention Act of 2007.

Let me address a few basic issues about this legislation. First of all, what is alien smuggling? What is the existing law? What are the changes that we're proposing? And what, if any, are the problems that we need to fix with regard to this issue of alien smuggling?

Well, let's begin with what is alien smuggling. Alien smuggling is the process whereby people often known as ''coyotes'' take someone from a country like Mexico and sneak them in, often under the cover of darkness, into the United States for an average fee currently of approximately $1,500 per person. It requires specialized skills; and folks often feel that they can't come over, say, from Mexico to California and bypass all the border security agents without having a coyote or alien smuggler to help them. So they often have their family members pay the $1,500 fee.

I wanted to know more about this, so I personally went to the San Diego-Mexico border and spent a week traveling around at 2, 3 in the morning with Border Patrol agents as they arrested illegals and alien smugglers as they came across the border. And I learned from the Border Patrol agents that their biggest frustration is that they have arrested the same alien smugglers more than 20 times. In fact, the agents I met with were so demoralized they had what's called a wall of shame.

And it's hard to see from where you sit, Mr. Speaker, but this is a wall showing over 200 photographs of alien smugglers who they have repeatedly arrested, some of them more than 20 times, such as Antonio Amparo Lopez. And it is currently the law that if you smuggle someone into the United States for financial gain you will be sent to Federal prison for a minimum of 3 years. And yet, agent after agent told me they arrest the same people and they weren't prosecuted by the local San Diego prosecutor.

Well, the existing law, 3 years mandatory minimum if you smuggle someone into the United States. What does this bill do? It keeps the existing law at 3 years for smuggling someone in for financial gain, but adds some newer, stiffer penalties for certain people that you bring in. For example, if a smuggler brings someone in who is a known terrorist, then instead of being a mandatory 3 years in prison, you could be subjected to up to 30 years in prison.

And here is the challenge that I want to talk a little bit about this issue and why it's so important: When Attorney General Gonzales came before the Judiciary Committee on April 6, 2006, I relayed to him the story that I just relayed to you, Mr. Speaker, about the problems with these alien smugglers not being prosecuted. I happen to have a transcript, and I said on April 6 to the Attorney General, ''The pathetic

failure of your U.S. attorney in San Diego to prosecute alien smugglers who have been arrested 20 times is a demoralizing slap in the face to Border Patrol agents who risk their lives every day. It also undermines the credibility that you and President Bush have when you talk tough about enforcing laws. And it renders meaningless the laws this Congress passes to crack down on alien smugglers.''

Then I asked him, ''What, if anything, will you do to see that the U.S. attorney in San Diego prosecutes these alien smugglers, at least those that have been repeatedly arrested by Border Patrol agents?''

This is what the Attorney General said: ''I'm aware of what you're talking about with respect to the San Diego situation and we are looking into it. We're asking all U.S. attorneys, particularly those on the southern border to do more, quite frankly. We need to be doing more.

''But the U.S. attorneys along the southern border tell me that the existing law regarding alien smugglers could be tighter. There is a discussion and debate now about what the language should be. No one wants to prosecute those who are engaged in Good Samaritan activities. We are looking into the situation in San Diego, and we are directing that our U.S. attorneys do more because you're right; if people are coming across the border repeatedly, particularly those who are coyotes and they're smugglers or they're criminals or felons, they ought to be prosecuted.''

Now, I bring this up because there happen to be a few of us in Congress, and I happen to be one, who are pretty familiar with this issue of alien smuggling, familiar enough, having been there and talked with the Attorney General, talked with the Border Patrol agents. But we didn't have any input to this legislation.

I have the bill before us that we are debating. This is the last version, the one we're debating on. And the date on it is May 22, at 1:35 p.m. It is now 3:40 p.m. It's as thick as a small town phone book, and yet we've only had it for a couple of hours. There have been no hearings. No subcommittee markup. No full committee markup.

Now, I'm not someone who usually gets up and complains about process, but this is an example where someone like me and others of the committee could have been quite helpful if we had had hearings, could have had a markup. There are a couple of major flaws in this bill that I'll talk about. And I say this in good spirit. I'm going to actually vote for this bill because I think your intentions are correct. But let me just give you two examples.

First, if you help smuggle in a terrorist, you can go to jail for up to 30 years. Under the language of this bill, you have to show that the smuggler knew that the person was a terrorist and knew that he intended to engage in terrorist activities.

Now, you don't have to be Johnny Cochran to successfully defend a defendant in that particular case. The standard is just almost impossible for a prosecutor to prove. For example, let's say that you have Mohammad Atta on the stand, and he's just been detained by a Border Patrol agent and we want to apply this new provision.

If I was the defense attorney, my first question to the Border Patrol agent would be, Mr. Border Patrol Agent, you've arrested my client. You want to send him to prison for 30 years. Did Mr. Atta show you his al Qaeda ID card? No? Did Mr. Atta show you the picture that he has with Bin Laden and his family? No? Did he show you some videotape showing him on the monkey bars in the Afghanistan training camps? No? Well, if not, how do you know with mathematical certainty that this guy is a terrorist?

It's almost impossible to prove.

That's an example of something we could have fixed during the markup, saying, if you brought this person into the country for financial gain and he's a member of the terrorist watch list, we're going to give you an enhanced sentence up to 30 years. But we didn't have that chance because there was no markup.

Another thing that's flawed is, it doesn't fix the Good Samaritan exception. There's language in this bill that talks about Good Samaritans. Specifically, it says it is a defense, if you are arrested for a religious organization or one of its members to provide room, board, travel, medical assistance or other basic living expenses. That's the situation of a nun, for example, helping someone who's going to die out there in the 110-degree heat. We all believe that that should be provided.

But I read you the transcript of the Attorney General; he said, because this Good Samaritan exception needs to be tightened, and it does. For example, under this law, because you didn't talk with us about fixing it, if you are a member of the Red Cross or you're a member of the United Way, which is not religious affiliated, you could still be prosecuted.

Now, none of us wants that to happen.

My point is, as this bill moves forward, I'm willing to support it because I support the intent behind it. I support getting tough with alien smugglers. But the bottom line is, we need to fix this in conference. We need to work with Republicans and Democrats to include our input to make sure that at the end the day we have a much better bill that we can be proud of.

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

Mr. BERMAN. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana, the sponsor of the legislation, Mr. HILL.

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

Mr. HILL. Mr. Speaker, I want to thank Chairman CONYERS and Chairman THOMPSON and Chairman OBERSTAR for working with me to draft this legislation. The staff has been extremely helpful, and I'm very pleased with the outcome of this bill.

The Alien Smuggling and Terrorism Prevention Act would provide all levels of law enforcement with the tools they need to detain those who knowingly bring illegal aliens into our country.

Additionally, it would provide prosecutors and judges with clear proof and sentencing guidelines. The bill also significantly enhances penalties for illegal alien smuggling. The crime is raised from a misdemeanor to a felony under this bill.

It is estimated that there are currently more than 20 million illegal immigrants in this country. The cost of illegal immigration to our health care system, public education system, prison system and social services continues to rise without any sign of stopping or slowing.

We must reform our immigration system to make it more efficient and effective. This bill is the first step towards doing so.

□ 1545

It concentrates on easing the job of law enforcement, and it is my hope that this bill will act as a deterrent for illegal-alien smugglers.

In addition to this bill, Congress must enact tough, comprehensive immigration reform that does not award illegal aliens with amnesty. We need to make sure that employers who hire illegal aliens are punished, and we need to strengthen our border security.

At the same time, however, we must remember that legal immigration has served America well. America was built by hardworking people from all over the world. Many of them played by the rules and prospered while helping to build a stronger America, and our national immigration policies must reflect this reality. As long as immigrants enter our country legally, abide by our laws, and work hard to strengthen our communities, I believe they have a right to live in this Nation.

But the personal safety and well-being of all citizens, as well as the security of U.S. jobs, are my chief concern. Therefore, I strongly urge passage of H.R. 2399, the Alien Smuggling and Terrorism Prevention Act.

Mr. KELLER of Florida. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield 2 minutes to the chairman of the Homeland Security Committee, the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. I appreciate the yielding of the time.

Mr. Speaker, I rise in strong support of the Alien Smuggling and Terrorism Prevention Act of 2007.

During consideration of the Homeland Security authorization bill earlier this month, I made a commitment to my colleagues that the House would

have the opportunity to vote on maritime smuggling legislation. I am pleased to have been able to work with the Judiciary and Transportation Committees to craft this critical homeland security legislation. It addresses not only alien smuggling at sea, but also alien smuggling by land and air.

Specifically, the Alien Smuggling and Terrorism Prevention Act includes tough new penalties for those who recruit, encourage, transport, or shield from detection aliens who cross our land, maritime, or air borders illegally. These enhanced penalties are essential to discouraging criminals from building tunnels in remote parts of the desert to smuggle aliens across our borders.

We know that the same people that smuggle drugs into our country are ready and willing to smuggle individuals who would do us harm. In fact, in January we learned of a plot to smuggle about 20 would-be terrorists into the United States from Mexico for $8,000 a head. The drug dealers called them ''Osama's guys.''

The bill requires that interdicted smugglers and aliens be run against all available terrorist watch lists. This is an important step in protecting America from terrorists.

I would especially like to commend the gentleman from Indiana (Mr. HILL) for authoring this commonsense enforcement legislation. He is to be commended for his commitment to border security.

Again, Mr. Speaker, I thank my colleagues for working together on this important legislation and urge all Members to give it their support.

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

Mr. BERMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. DONNELLY).

Mr. DONNELLY. Mr. Speaker, I rise today in strong support of my friend Mr. HILL's bill to get tough on criminals who undermine our Nation's safety.

Mr. Speaker, the Alien Smuggling and Terrorism Prevention Act is a commonsense bill whose time is overdue. This legislation clarifies current law and would more severely punish those criminals who smuggle illegal aliens into our country, lengthening the amount of time they would have to be imprisoned and providing strong new sentences for those who assist terrorists.

Mr. Speaker, Mr. HILL's bill recognizes that there must be real penalties for people who break our laws. When it comes to our immigration policies, we first need to prove to Americans that we can secure our borders against intruders and provide strong enforcement of existing laws. We need to get law enforcement and Federal agents all the tools they need to do their jobs effectively.

We should provide the resources and technology our businesses need to better verify the citizenship of potential employees and crack down on employers who knowingly flout workplace laws. We must not provide amnesty for those who have broken our laws. And, Mr. Speaker, I regret that the recent proposal on comprehensive immigration reform in the Senate does not appear to have passed these tests.

I strongly urge my colleagues today to vote for H.R. 2399.

Mr. KELLER of Florida. Mr. Speaker, I ask my colleagues to vote ''yes'' on this legislation.

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

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

Mr. Speaker, I only want to make two points. The gentleman from Florida gave a discussion about the legislation and put it into the context of the Southern District of San Diego, and I just did want to note for the record that the Department of Justice that decided to recommend the U.S. attorney's termination had commended her specifically for her handling of immigration cases.

And the second point I guess I wanted to make on this issue was would it be that the people in charge had ensured that the offices most impacted by illegal immigration and by illegal alien smuggling and those districts on the border of this country had been given the resources to the Justice Department disbursed to the U.S. Attorney's Office so they weren't held under hiring freezes and constrained to try to deal with an enormous issue with a very limited number of prosecutors.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the bill, H.R. 2399, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

S. 214, by the yeas and nays;

H.R. 2264, by the yeas and nays;

S. 1104, by the yeas and nays;

H.R. 2399, by the yeas and nays;

H.R. 1722, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

## PRESERVING UNITED STATES ATTORNEY INDEPENDENCE ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the Senate bill, S. 214, on which the yeas and nays were ordered.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the Senate bill, S. 214.

The vote was taken by electronic device, and there were—yeas 306, nays 114, not voting 12, as follows:

[Roll No. 397]

YEAS—306

| | | |
|---|---|---|
| Abercrombie | Dicks | Jindal |
| Ackerman | Dingell | Johnson (GA) |
| Allen | Doggett | Johnson (IL) |
| Altmire | Donnelly | Johnson, E. B. |
| Andrews | Doyle | Jones (NC) |
| Arcuri | Dreier | Kagen |
| Baca | Edwards | Kanjorski |
| Baldwin | Ehlers | Kaptur |
| Barrow | Ellison | Keller |
| Bean | Ellsworth | Kennedy |
| Becerra | Emanuel | Kildee |
| Berman | Emerson | Kilpatrick |
| Berry | Engel | Kind |
| Biggert | English (PA) | Klein (FL) |
| Bilirakis | Eshoo | Knollenberg |
| Bishop (GA) | Etheridge | Kucinich |
| Bishop (NY) | Fallin | Kuhl (NY) |
| Blumenauer | Farr | LaHood |
| Boren | Fattah | Lampson |
| Boswell | Ferguson | Langevin |
| Boucher | Filner | Lantos |
| Boustany | Flake | Larsen (WA) |
| Boyd (FL) | Fortenberry | Larson (CT) |
| Boyda (KS) | Frank (MA) | LaTourette |
| Brady (PA) | Garrett (NJ) | Lee |
| Braley (IA) | Gerlach | Levin |
| Brown-Waite, Ginny | Giffords | Lewis (GA) |
| Buchanan | Gilchrest | Lipinski |
| Butterfield | Gillibrand | LoBiondo |
| Camp (MI) | Gillmor | Loebsack |
| Capito | Gonzalez | Lofgren, Zoe |
| Capps | Goode | Lowey |
| Capuano | Goodlatte | Lucas |
| Cardoza | Gordon | Lynch |
| Carnahan | Green, Al | Mack |
| Carney | Green, Gene | Mahoney (FL) |
| Carson | Grijalva | Maloney (NY) |
| Castle | Gutierrez | Manzullo |
| Castor | Hall (NY) | Markey |
| Chandler | Hare | Marshall |
| Clarke | Harman | Matheson |
| Clay | Hastings (FL) | Matsui |
| Cleaver | Hastings (WA) | McCarthy (NY) |
| Clyburn | Hayes | McCaul (TX) |
| Cohen | Heller | McCollum (MN) |
| Cole (OK) | Hensarling | McCotter |
| Conyers | Herseth Sandlin | McCrery |
| Cooper | Higgins | McDermott |
| Costa | Hill | McGovern |
| Costello | Hinchey | McHenry |
| Courtney | Hinojosa | McHugh |
| Cramer | Hirono | McIntyre |
| Crowley | Hobson | McNerney |
| Cuellar | Hodes | McNulty |
| Cummings | Holden | Meehan |
| Davis (AL) | Holt | Meek (FL) |
| Davis (CA) | Honda | Meeks (NY) |
| Davis (IL) | Hooley | Melancon |
| Davis, Jo Ann | Hoyer | Michaud |
| Davis, Lincoln | Hulshof | Miller (MI) |
| DeFazio | Inglis (SC) | Miller (NC) |
| Delahunt | Inslee | Miller, George |
| DeLauro | Israel | Mitchell |
| Dent | Jackson (IL) | Mollohan |
| Diaz-Balart, L. | Jackson-Lee (TX) | Moore (KS) |
| Diaz-Balart, M. | Jefferson | Moore (WI) |
| | | Moran (KS) |

Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Perlmutter
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Rodriguez
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NAYS—114

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Doolittle
Drake
Duncan
Everett
Feeney
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gingrey
Gohmert
Granger
Graves
Hall (TX)
Hastert
Herger
Hoekstra
Issa
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lungren, Daniel E.
Marchant
McCarthy (CA)
McKeon
Mica
Miller (FL)
Miller, Gary
Myrick
Neugebauer
Nunes
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Poe
Price (GA)
Radanovich
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (SC)

NOT VOTING—12

Baird
Berkley
Brown, Corrine
DeGette
Hunter
Jones (OH)
Kirk
McMorris Rodgers
Putnam
Shays
Walsh (NY)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1623

Mrs. SCHMIDT, Mrs. BLACKBURN, Mrs. CUBIN, Mrs. BONO and Mrs. MYRICK and Messrs. BURGESS, NEUGEBAUER, BARRETT of South Carolina, REHBERG, CALVERT, ALEXANDER, ROGERS of Kentucky, LATHAM, BACHUS, ISSA, LEWIS of Kentucky, FOSSELLA, PITTS, BARTON of Texas, CRENSHAW, BROWN of South Carolina, EVERETT, BONNER, PICKERING, ROGERS of Alabama, BOOZMAN, PEARCE, TURNER, ADERHOLT, WAMP, WHITFIELD and FRELINGHUYSEN changed their vote from ''yea'' to ''nay.''

Mr. WALBERG and Mr. STEARNS changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## NO OIL PRODUCING AND EXPORTING CARTELS ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2264, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 2264, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 345, nays 72, not voting 15, as follows:

[Roll No. 398]

YEAS—345

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bean
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bonner
Bono
Boozman
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Cramer
Crenshaw
Crowley
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
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 (FL)

NAYS—72

Bartlett (MD)
Barton (TX)
Bilbray
Bishop (UT)
Blunt
Boehner
Boren
Boustany
Brady (TX)
Burton (IN)
Calvert
Cannon
Coble
Cole (OK)
Conaway
Costa
Cubin
Cuellar
Deal (GA)
Doolittle
Dreier
Fallin
Feeney
Flake
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Granger
Hastert
Hastings (WA)
Hensarling
Hoekstra
Hulshof
Issa
King (IA)
Kingston
Kline (MN)
Lamborn
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
Matheson
McCarthy (CA)
McKeon
Miller, Gary
Neugebauer
Nunes
Paul
Pence
Pitts
Poe
Price (GA)
Radanovich
Renzi
Rohrabacher
Sali
Sessions
Shadegg
Simpson
Smith (NE)
Snyder
Tancredo
Terry
Tiahrt
Walberg
Westmoreland
Young (AK)

NOT VOTING—15

| | | |
|---|---|---|
| Baird | Johnson (GA) | Putnam |
| Berkley | Jones (OH) | Shays |
| Brown, Corrine | Kirk | Tiberi |
| DeGette | McMorris Rodgers | Walsh (NY) |
| Hobson | Pryce (OH) | |
| Hunter | | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1630

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## SPECIAL IMMIGRANT STATUS FOR CERTAIN ALIENS SERVING AS TRANSLATORS OR INTERPRETERS WITH FEDERAL AGENCIES

The SPEAKER pro tempore (Mr. SNYDER). The unfinished business is the vote on the motion to suspend the rules and pass the Senate bill, S. 1104, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the Senate bill, S. 1104, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 8, not voting 12, as follows:

[Roll No. 399]

YEAS—412

| | | |
|---|---|---|
| Abercrombie | Boyd (FL) | Cooper |
| Ackerman | Boyda (KS) | Costa |
| Aderholt | Brady (PA) | Costello |
| Akin | Brady (TX) | Courtney |
| Alexander | Braley (IA) | Cramer |
| Allen | Brown (SC) | Crenshaw |
| Altmire | Brown-Waite, Ginny | Crowley |
| Andrews | Buchanan | Cubin |
| Arcuri | Burgess | Cuellar |
| Baca | Burton (IN) | Culberson |
| Bachmann | Butterfield | Cummings |
| Bachus | Buyer | Davis (AL) |
| Baker | Calvert | Davis (CA) |
| Baldwin | Camp (MI) | Davis (IL) |
| Barrett (SC) | Campbell (CA) | Davis (KY) |
| Barrow | Cannon | Davis, David |
| Bartlett (MD) | Cantor | Davis, Jo Ann |
| Barton (TX) | Capito | Davis, Lincoln |
| Bean | Capps | Davis, Tom |
| Becerra | Capuano | DeFazio |
| Berman | Cardoza | Delahunt |
| Berry | Carnahan | DeLauro |
| Biggert | Carney | Dent |
| Bilbray | Carson | Diaz-Balart, L. |
| Bilirakis | Carter | Diaz-Balart, M. |
| Bishop (GA) | Castle | Dicks |
| Bishop (NY) | Castor | Dingell |
| Bishop (UT) | Chabot | Doggett |
| Blackburn | Chandler | Donnelly |
| Blumenauer | Clarke | Doolittle |
| Blunt | Clay | Doyle |
| Boehner | Cleaver | Drake |
| Bonner | Clyburn | Dreier |
| Bono | Coble | Duncan |
| Boozman | Cohen | Edwards |
| Boren | Cole (OK) | Ehlers |
| Boswell | Conaway | Ellison |
| Boucher | Conyers | Ellsworth |
| Boustany | | Emanuel |
| Emerson | Latham | Reyes |
| Engel | LaTourette | Reynolds |
| English (PA) | Lee | Rodriguez |
| Eshoo | Levin | Rogers (AL) |
| Etheridge | Lewis (CA) | Rogers (KY) |
| Everett | Lewis (GA) | Rogers (MI) |
| Fallin | Lewis (KY) | Rohrabacher |
| Farr | Linder | Ros-Lehtinen |
| Fattah | Lipinski | Roskam |
| Feeney | LoBiondo | Ross |
| Ferguson | Loebsack | Rothman |
| Filner | Lofgren, Zoe | Roybal-Allard |
| Flake | Lowey | Royce |
| Forbes | Lucas | Ruppersberger |
| Fortenberry | Lungren, Daniel E. | Rush |
| Fossella | Lynch | Ryan (OH) |
| Foxx | Mack | Ryan (WI) |
| Frank (MA) | Mahoney (FL) | Salazar |
| Franks (AZ) | Maloney (NY) | Sali |
| Frelinghuysen | Manzullo | Sánchez, Linda T. |
| Gallegly | Marchant | Sanchez, Loretta |
| Garrett (NJ) | Markey | Sarbanes |
| Gerlach | Marshall | Saxton |
| Giffords | Matheson | Schakowsky |
| Gilchrest | Matsui | Schiff |
| Gillibrand | McCarthy (CA) | Schmidt |
| Gillmor | McCarthy (NY) | Schwartz |
| Gohmert | McCaul (TX) | Scott (GA) |
| Gonzalez | McCollum (MN) | Scott (VA) |
| Goodlatte | McCotter | Sensenbrenner |
| Gordon | McCrery | Serrano |
| Granger | McDermott | Sessions |
| Graves | McGovern | Sestak |
| Green, Al | McHenry | Shadegg |
| Green, Gene | McHugh | Shea-Porter |
| Grijalva | McIntyre | Sherman |
| Gutierrez | McKeon | Shimkus |
| Hall (NY) | McNerney | Shuler |
| Hall (TX) | McNulty | Shuster |
| Hare | Meehan | Simpson |
| Harman | Meek (FL) | Sires |
| Hastert | Meeks (NY) | Skelton |
| Hastings (FL) | Melancon | Slaughter |
| Hastings (WA) | Mica | Smith (NE) |
| Hayes | Michaud | Smith (NJ) |
| Heller | Miller (FL) | Smith (TX) |
| Hensarling | Miller (MI) | Smith (WA) |
| Herger | Miller (NC) | Snyder |
| Herseth Sandlin | Miller, Gary | Solis |
| Higgins | Miller, George | Souder |
| Hill | Mitchell | Space |
| Hinchey | Mollohan | Spratt |
| Hinojosa | Moore (KS) | Stark |
| Hirono | Moore (WI) | Stearns |
| Hobson | Moran (KS) | Stupak |
| Hodes | Moran (VA) | Sutton |
| Hoekstra | Murphy (CT) | Tanner |
| Holden | Murphy, Patrick | Tauscher |
| Holt | Murphy, Tim | Taylor |
| Honda | Murtha | Terry |
| Hooley | Musgrave | Thompson (CA) |
| Hoyer | Myrick | Thompson (MS) |
| Hulshof | Nadler | Thornberry |
| Inglis (SC) | Napolitano | Tiahrt |
| Inslee | Neal (MA) | Tiberi |
| Israel | Neugebauer | Tierney |
| Issa | Nunes | Towns |
| Jackson (IL) | Oberstar | Turner |
| Jackson-Lee (TX) | Obey | Udall (CO) |
| Jefferson | Olver | Udall (NM) |
| Jindal | Ortiz | Upton |
| Johnson (GA) | Pallone | Van Hollen |
| Johnson (IL) | Pascrell | Velázquez |
| Johnson, E. B. | Pastor | Visclosky |
| Johnson, Sam | Payne | Walberg |
| Jones (NC) | Pearce | Walden (OR) |
| Jordan | Pence | Walz (MN) |
| Kagen | Perlmutter | Wamp |
| Kanjorski | Peterson (MN) | Wasserman Schultz |
| Kaptur | Peterson (PA) | Waters |
| Keller | Petri | Watson |
| Kennedy | Pickering | Watt |
| Kildee | Pitts | Waxman |
| Kilpatrick | Platts | Weiner |
| Kind | Poe | Welch (VT) |
| King (NY) | Pomeroy | Weldon (FL) |
| Klein (FL) | Porter | Weller |
| Kline (MN) | Price (GA) | Westmoreland |
| Knollenberg | Price (NC) | Wexler |
| Kucinich | Pryce (OH) | Wicker |
| Kuhl (NY) | Radanovich | Wilson (NM) |
| LaHood | Rahall | Wilson (OH) |
| Lamborn | Ramstad | Wilson (SC) |
| Lampson | Rangel | Wolf |
| Langevin | Regula | Woolsey |
| Lantos | Rehberg | Wu |
| Larsen (WA) | Reichert | Wynn |
| Larson (CT) | Renzi | Yarmuth |
| | | Young (AK) |
| | | Young (FL) |

NAYS—8

| | | |
|---|---|---|
| Deal (GA) | King (IA) | Tancredo |
| Gingrey | Kingston | Whitfield |
| Goode | Paul | |

NOT VOTING—12

| | | |
|---|---|---|
| Baird | Jones (OH) | Shays |
| Berkley | Kirk | Sullivan |
| Brown, Corrine | McMorris Rodgers | Walsh (NY) |
| DeGette | Putnam | |
| Hunter | | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1637

So (two-thirds being in the affirmative) the rules were suspended and the Senate bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to increase the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants, and for other purposes.''.

A motion to reconsider was laid on the table.

## ALIEN SMUGGLING AND TERRORISM PREVENTION ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2399, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the bill, H.R. 2399, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 0, answered ''present'' 6, not voting 14, as follows:

[Roll No. 400]

YEAS—412

| | | |
|---|---|---|
| Abercrombie | Blumenauer | Capito |
| Ackerman | Blunt | Capps |
| Aderholt | Boehner | Capuano |
| Akin | Bonner | Cardoza |
| Alexander | Bono | Carnahan |
| Allen | Boozman | Carney |
| Altmire | Boren | Carson |
| Andrews | Boswell | Carter |
| Arcuri | Boucher | Castle |
| Baca | Boustany | Castor |
| Bachmann | Boyd (FL) | Chabot |
| Bachus | Boyda (KS) | Chandler |
| Baker | Brady (PA) | Clarke |
| Baldwin | Brady (TX) | Cleaver |
| Barrett (SC) | Braley (IA) | Clyburn |
| Barrow | Brown (SC) | Coble |
| Bartlett (MD) | Brown-Waite, Ginny | Cohen |
| Barton (TX) | Buchanan | Cole (OK) |
| Bean | Burgess | Conaway |
| Berman | Burton (IN) | Conyers |
| Berry | Butterfield | Cooper |
| Biggert | Buyer | Costa |
| Bilbray | Calvert | Costello |
| Bilirakis | Camp (MI) | Courtney |
| Bishop (GA) | Campbell (CA) | Cramer |
| Bishop (NY) | Cannon | Crenshaw |
| Bishop (UT) | Cantor | Crowley |
| Blackburn | | Cubin |

Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
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
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
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
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Radanovich
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
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
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)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—6

Becerra
Clay
Ellison
Grijalva
Kucinich
Schakowsky

NOT VOTING—14

Baird
Berkley
Brown, Corrine
DeGette
Hodes
Hunter
Jones (OH)
Kirk
Larson (CT)
McMorris Rodgers
Putnam
Shays
Sherman
Walsh (NY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1643

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## LEONARD W. HERMAN POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1722, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 1722.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 15, as follows:

[Roll No. 401]

YEAS—417

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
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-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
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
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
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
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
McCrery
McDermott
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
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
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)
Thornberry
Tiahrt
Tiberi
Tierney
Towns

Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—15

Baird
Berkley
Brown, Corrine
DeGette
Gohmert
Hunter
Jones (OH)
Kirk
McGovern
McMorris Rodgers
Peterson (PA)
Putnam
Radanovich
Shays
Walsh (NY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1649

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. ROGERS of Michigan. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution I noticed on May 21, 2007.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 428

Whereas the Code of Official Conduct provides that a Member ''may not condition the inclusion of language to provide funding for a Congressional earmark . . . on any vote cast by another member'';

Whereas Chairman Reyes filed the Report to accompany the bill H.R. 2082, the Intelligence Authorization Act for Fiscal Year 2008;

Whereas the report states that, with respect to the requirements of clause 9 of House Rule XXI, ''The following table provides the list of such provisions included in the bill or report,'' and includes a table of 26 items identifying ''Requesting Member,'' ''Subject,'' and ''Dollar Amount (in Thousands)'';

Whereas the referenced table includes an item denoted as: Requesting Member, Mr. Murtha; Subject, NATIONAL INTELLIGENCE PROGRAM COMMUNITY MANAGEMENT ACCOUNT—National Drug Intelligence Center; Dollar Amount, $23 million;

Whereas the Gentleman from Michigan, Mr. Rogers, offered and voted for a motion to recommit the bill to change the provisions of the aforementioned Murtha earmark during its consideration in the House;

Whereas as a result of Mr. Rogers' motion and vote on the Murtha earmark, the Gentleman from Pennsylvania, Mr. Murtha subsequently threatened to withdraw support for earmarks providing funding for projects located in the Gentleman from Michigan's district;

Whereas on May 17, 2007, in the House Chamber, the Gentleman from Pennsylvania stated, in a loud voice words to the effect, to the Gentleman from Michigan as a result of offering and voting for the motion to recommit, ''I hope you don't have any earmarks in the defense appropriation bill because they are gone and you will not get any earmarks now and forever.'';

Whereas the Gentleman from Michigan responded, in words to the effect, ''this is not the way we do things here and is that supposed to make me afraid of you?'';

Whereas the Gentleman from Pennsylvania raised his voice, pointed his finger and stated, in words to the effect, ''that's the way I do it.'';

Whereas the gentleman from Pennsylvania (Mr. Murtha) is the ninth most senior member of Congress, whose seniority ranks him over 426 of his 433 colleagues in the House;

Whereas the gentleman from Pennsylvania chairs the Appropriations Subcommittee on Defense;

Whereas the gentleman from Pennsylvania (Mr. Murtha), the second-ranking and second longest serving Democrat on the Appropriations Committee, has been described in numerous media accounts as a master of the legislative process and an expert on earmarks; and

Whereas the gentleman from Pennsylvania (Mr. Murtha) has stated that he is a former member of the House Committee on Standards of Official Conduct, whose members are among the most knowledgeable in the House concerning the ethical obligations of Members of Congress: Now, therefore, be it

*Resolved*, That the Member from Pennsylvania, Mr. Murtha has been guilty of a violation of the Code of Official Conduct and merits the reprimand of the House for the same.

The SPEAKER pro tempore. The resolution presents a question of privilege.

MOTION TO TABLE OFFERED BY MR. HOYER

Mr. HOYER. Mr. Speaker, I move to lay the resolution on the table.

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

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

RECORDED VOTE

Mr. ROGERS of Michigan. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 219, noes 189, answered ''present'' 13, not voting 11, as follows:

[Roll No. 402]

AYES—219

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—189

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt

| | | |
|---|---|---|
| Sensenbrenner | Sullivan | Weldon (FL) |
| Sessions | Tancredo | Weller |
| Shadegg | Terry | Westmoreland |
| Shimkus | Thornberry | Whitfield |
| Shuster | Tiahrt | Wicker |
| Simpson | Tiberi | Wilson (NM) |
| Smith (NE) | Turner | Wilson (SC) |
| Smith (NJ) | Upton | Wolf |
| Smith (TX) | Walberg | Young (AK) |
| Souder | Walden (OR) | Young (FL) |
| Stearns | Wamp | |

ANSWERED ''PRESENT''—13

| | | |
|---|---|---|
| Barrett (SC) | Hastings (WA) | Roybal-Allard |
| Bonner | Jones (NC) | Shuler |
| Delahunt | Kline (MN) | Snyder |
| Gilchrest | Matheson | |
| Green, Gene | McCaul (TX) | |

NOT VOTING—11

| | | |
|---|---|---|
| Baird | Jones (OH) | Shays |
| Berkley | Kirk | Walsh (NY) |
| Brown, Corrine | McMorris Rodgers | |
| DeGette | Putnam | |
| Hunter | | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1710

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1100, CARL SANDBURG HOME NATIONAL HISTORIC SITE BOUNDARY REVISION ACT OF 2007

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110–165) on the resolution (H. Res. 429) providing for consideration of the bill (H.R. 1100) to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## SENATE AMNESTY BILL IS DOA IN FLORIDA'S FIFTH DISTRICT

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, when I was a child and I misbehaved, my mother would give me a stare that could curdle milk. Believe me, when I saw that stare, I knew how angry she was.

Well, after reading the Senate amnesty giveaway plan, I now know how to give that same look, and so do my constituents. Rather than doing what the American people want, securing our borders, the Senate has thrown open the barn doors and given away the farm.

Our Nation already faces huge deficits in Medicare, Medicaid and Social Security. Now the Senate and President Bush want to give away to anywhere from 12 to 20 million illegal immigrants the possibility to get welfare benefits, Social Security and Medicare.

My constituents back home in Florida work hard each and every day to pay their taxes and to keep America strong. In contrast, the Senate amnesty plan rewards illegal behavior and gives away our constituents' hard-earned Social Security and Medicare dollars.

Listen up, America. The Senate amnesty plan is a tax amnesty bill. This is bad legislation.

## THIS HOUSE IS FALLING DOWN AROUND THE MAJORITY'S PROMISES

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

Mr. GOHMERT. Mr. Speaker, I didn't have planned remarks, but then again, I didn't think what we just witnessed would take place today.

We had heard for 1½ years, 2 years, that if the Democratic Party got the majority in this House, we would have the most bipartisan Congress ever. We were told there would be no earmarks if the Democratic majority took control of this House. There would be all love and affection.

Well, of course, we saw how procedural rules went early this year, had things crammed down our throats, no chance for amendments, no participation, no committee involvement. Then we have a threat, an unrefuted allegation of a threat over earmarks. Unbelievable.

This party that was going to be so bipartisan will not even let discussion take place over whether or not a threat occurred. This House is falling down around the majority's promises.

□ 1715

## IMMIGRATION REFORM

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

Mr. CROWLEY. Mr. Speaker, let me just for a moment talk about where we are at this point with immigration reform, as from my observation I see the Senate has done some of the work. It negotiated the bill that they will then bring before their house, and further negotiations will take place, and bill amendments will be made to that legislation. Ultimately they will pass a bill on immigration reform in their house.

We will then have an opportunity on our side to do a similar measure. It will be different from the Senate when they go to conference. In that conference, hopefully we will be able to get to a bill we can all agree upon, we can send to the President, and the President can sign into law.

Let's not rush to judgment on what that legislation will be. This bill is not going to be amnesty. This bill is going to be one that will secure our borders, that will create a virtual fence, one that will address the issues of illegal immigration, but also address the issue of the 12 million undocumented, those who find themselves in illegal status here in the United States today. The human element is as much an important part of how we move forward to deal with this issue, and I hope that all my colleagues keep an open mind as the debate moves forward.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. COURTNEY). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## SUPPORTING THE PRESUMPTION OF INNOCENCE FOR ACCUSED MARINES

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. Mr. Speaker, only those who have been to war can truly understand the hell of war. I have not been to war, but I know enough to understand that when our men and women are in harm's way, we should be respectful of the extreme dangers they encounter. Most of us cannot imagine the stress that those in uniform undergo when they have to make a split-second decision as to whether to fire or be fired upon, to kill or be killed.

Recently in Afghanistan, the vehicle convoy of U.S. Special Operations marines stationed at Camp Lejeune was struck by a suicide bomber during an ambush. After the incident, why I do not know, an Army official felt compelled to speak out in the press. Whether intentionally or not, this Army officer implicated the marines in the killing of Afghanistan civilians by stating, ''Americans have killed and wounded innocent Afghan people.''

His comments were irresponsible and without respect for his fellow comrades. The four branches of the military are a family. No one in the military family should be in the newspapers criticizing a fellow member of that family who has been faced with death. And, because of his comments to the press, these marines have been publicly indicted as indiscriminate killers.

Mr. Speaker, President Theodore Roosevelt once said, ''A man who is good enough to shed his blood for his country is good enough to be given a square deal afterwards. More than that no man is entitled, and less than that no man shall have.''

To ensure due process for these marines, all military officials should refrain from making public comments or expressing their opinions about the incident until the investigation is complete and all the facts are verified. Mr. Speaker, our military servicemembers, the military family, and certainly these marines deserve no less.

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

(Mr. CUMMINGS 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 gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

## MEMORIAL DAY: ROLL CALL OF THE FALLEN

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, Memorial Day will soon be upon us. Eighteen soldiers from southeast Texas and troops have given their lives in Iraq. These are their photographs over here to my left, all 18 of them. These are the names of those warriors, the roll call of the fallen:

Staff Sergeant Russell Slay, United States Marine Corps, age 34. He was killed on November 9, 2004. He is from Humble, Texas. When Russell told his mother he was joining the Marine Corps after high school, he told her that he knew she would not like it, but he joined anyway to serve his country.

Lance Corporal Wesley Canning, United States Marine Corps, age 21, killed November 10, 2004. He is from Friendswood, Texas. He always wanted to be a marine and had the ambition to serve for 20 years. He was a proud Texan, and when he was home on leave, he bought a new pickup truck so he could show his marine buddies his ''Don't Mess with Texas'' bumper sticker.

Lance Corporal Fred Lee Maciel, United States Marine Corps, age 20, killed January 26, 2005. He was from Spring, Texas. He was killed in a helicopter crash in al-Anbar province on his way to begin security preparations for the historic Iraqi elections. Four days later I was in Iraq to witness those successful elections. Lance Corporal Maciel made them possible.

Private First Class Wesley Riggs, United States Army, age 19, killed May 17, 2005, from Baytown/Beach City, Texas. He graduated in just 3 years from high school, and he loved agriculture.

Sergeant Bill Meeuwsen, United States Army, age 24, killed November 23, 2005, from Kingwood, Texas. He went to Texas A&M, but he dropped out of school and enlisted in the Army as a result of 9/11.

Lance Corporal Robert Martinez, United States Marine Corps, age 20, killed December 1, 2005, from Cleveland, Texas. He dreamed of getting a degree in education and becoming a baseball coach after his career in the Marines was over. Today, there is a post office in Cleveland, Texas, named in his honor.

Staff Sergeant Michael Durbin, United States Army, age 27, killed January 25, 2006, from Houston, Texas. He was a gifted artist. The day he was killed, he called his wife to tell her that he loved her.

Tech Sergeant Walter Moss, Jr., United States Air Force, age 37, killed on March 30, 2006, from Houston, Texas. He joined the Air Force after high school, and he served in Operation Desert Storm. He specialized in detecting and defusing makeshift bombs. He was killed while defusing an IED.

Private First Class Kristian Menchaca, United States Army, age 23, killed June 16, 2006, from Houston, Texas. When he joined the Army, Kristian wanted to become an infantryman. Kristian's wife stated that being in the military was what he always wanted to do. He was kidnapped and murdered by enemy forces.

Staff Sergeant Ben Williams, United States Marine Corps, age 30, killed June 20, 2006, from Orange, Texas. He joined right after high school, and he served his country for 12 years and was on his third duty in Iraq when he was killed.

Lance Corporal Ryan Miller, United States Marine Corps, age 19, killed September 14, 2006, from Pearland, Texas. He was a third-generation marine, and he graduated early so he could enlist and follow his father's and grandfather's footsteps. After his tour of duty was over, he wanted to become a Houston police officer, just like his mom and dad.

Staff Sergeant Edward Reynolds, Jr., United States Army, age 27, killed September 26, 2006, from Port Arthur, Texas. He was looking forward to his New Year's Eve wedding date with his new fiancee, and he was the man that pushed his friends to succeed.

Captain David Fraser, United States Army, age 25, killed November 26, 2006, from Spring, Texas. He attended West Point Military Academy, where he graduated as the top student in civil engineering.

Lieutenant Corporal Luke Yepsen, United States Marine Corps, age 20, killed September 14, 2006, from Kingwood, Texas. He attended Texas A&M after high school, but he dropped out to enlist in the United States Marine Corps.

Specialist Dustin Donica, United States Army, age 22, December 28, 2006, from Spring, Texas. When he was asked why he joined the United States Army, he said, ''Most people my generation want something for them, but I want to give something back.''

Specialist Ryan Berg, United States Army, age 19, killed January 9, 2007, from Sabine Pass, Texas. He joined the Army on his 18th birthday, and he was the first soldier from Sabine Pass killed in Operation Iraqi Freedom.

Staff Sergeant Terrance Dunn, United States Army, age 38, killed February 2, 2007, from Atascocita, Texas. He enlisted in the Army several years after high school, and to his fellow soldiers he was known as ''Dunnaman,'' because he could get anything done.

And lastly, Mr. Speaker, Lance Corporal Anthony Aguirre, United States Marine Corps, age 20, killed February 22, 2007, from Channelview, Texas. He entered the Marines because it was the toughest branch in the military.

Mr. Speaker, these are the few, the bold, the brave, the courageous, the Americans. These are the sons of southeast Texas who have fallen in battle for their country.

And that's just the way it is.

## AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1427, FEDERAL HOUSING FINANCE REFORM ACT OF 2007

Mr. VAN HOLLEN. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1427, the Clerk be authorized to correct section numbers, punctuation, cross-references, and the table of contents, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

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

There was no objection.

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

(Mr. WYNN 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 Michigan (Mr. ROGERS) is recognized for 5 minutes.

(Mr. ROGERS of Michigan 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 Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

(Mr. MCDERMOTT 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 Arizona (Mr. FRANKS) is recognized for 5 minutes.

(Mr. FRANKS of Arizona 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 (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR 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 Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

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

## THE REVEREND JERRY FALWELL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Virginia (Mr. GOODLATTE) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOODLATTE. Mr. Speaker, I rise tonight to honor the memory of my constituent and my friend, the late Rev. Jerry Falwell.

Last week, the city of Lynchburg, the Commonwealth of Virginia, and the entire country lost one of our dearest sons in the passing of Rev. Falwell. Today Dr. Falwell was laid to rest. I am sad that business here in Washington kept many of us from being able to attend today's services, but since we were unable to attend, we have joined here tonight to pay homage to this great leader.

Dr. Falwell's legacy is one that will not soon be forgotten. He was a man whose strong faith and vision were unshakable. He lived his life trying to strengthen the moral fabric of our great Nation.

In his crusade to strengthen family values, he was a frequent visitor to Washington, DC, he led many people to the Nation's Capital to demand that leaders here strengthen our country's moral foundation.

Jerry lived his life guided by a strong set of values and an unshakable moral compass. He lived by example, embodying the Bible's greatest commandments. He followed the words of Matthew 22 in his daily life: Love the Lord your God with all your heart and with all your soul and with all your mind. This is the first and greatest commandment. And the second is like it: Love your neighbors as yourself.

Anyone who ever met Jerry Falwell knew that he took this commandment seriously and chartered his life by it.

One thing is for sure. Whether one was viewed as a friend or foe of Jerry Falwell, he loved them all. This love for the neighbor extended to everyone, even those who wouldn't expect it. I had many times heard Rev. Falwell say, ''Love the sinner, hate the sin.'' This was more than just a catch phrase. It was a way of life.

Many people have heard of the infamous Supreme Court battle between Jerry Falwell and Larry Flynt. But what few people didn't realize is that Falwell and Flynt actually became friends. I know Jerry did not approve of Mr. Flynt's business, but he separated his thoughts about the man from Flynt's activities.

□ 1730

To most people, Jerry Falwell is a national figure. But I also know him as a local guy who was always giving back to his community. He was a local preacher who worked to serve his congregation and the community. He started his church over 50 years ago in an old bottling factory. That small congregation has grown from 35 to the over-22,000 current members of Thomas Road Baptist Church.

Dr. Falwell, through his church, set in place many ministries to aid the community. In 1959, he established the Elim Home to help men dealing with chemical addictions. This home has transformed the lives of hundreds of men and remains a place to free men of their addictions.

Additionally, Dr. Falwell helped found the Liberty Godparent Foundation. The foundation's mission is to improve the quality of life for unwed mothers and provide a hopeful future for unborn children. The foundation maintains Liberty Godparent Maternity Home, which offers a safe haven for unwed mothers, and Family Services Adoption Agency, which helps place unwanted children in safe and stable homes. The reach of the church has touched many thousands and extends past central Virginia and across the United States.

The list of Jerry Falwell's many ministries and accomplishments is nearly endless. However, many people asked him of what accomplishment he was most proud. Without hesitation he would say, Liberty University. This university, located in my congressional district in Lynchburg, started as a small Baptist college. Today it has grown exponentially and serves over 10,000 students. Washington, DC is filled with Liberty University alumni. I have been pleased to have many Liberty University alumni serve in my office as staff and interns. In fact, L.U. alumni are all over Capitol Hill. I have heard them talk fondly of the education they received at Liberty, and they refer to themselves warmly as ''Jerry's kids.''

I have frequently been on the campus of Liberty, and they are, in fact, Jerry's kids. He loved those kids as his own. Rev. Falwell was very involved and engaged in university life. He always had time for the students. He was also a fixture at school events. Jerry was especially proud of L.U. athletics and he would, with the students, cheer the Flames on to victory. I have even heard stories of Jerry crowd surfing at basketball games. Students would transport him from the bottom of the stands to the top.

There is no doubt that Liberty and the alumni that it produces will live on as Jerry Falwell's lasting legacy. These alumni carry with them the strong values and morals that were reinforced through their education at Liberty. The university and its alumni will remain a living testimony of the work and vision of Jerry Falwell.

You cannot talk about Rev. Falwell without also talking about the town that he loved, the city of Lynchburg. Jerry, though a national figure, never left his home in central Virginia. He led his spiritual network out of his offices in Lynchburg. The city of Lynchburg greatly benefited from Rev. Falwell's work. As Falwell's ministries, and especially Liberty University flourished, so did the city. The impact that Jerry had on Lynchburg's economy and culture is undeniable.

When word of Jerry's death came, the city of Lynchburg seemed to take a collective gasp and was filled with shock and sorrow. The loss of Rev. Falwell was a huge loss for Lynchburg. And today I tell the citizens of Lynchburg that the Nation mourns with you.

When I heard of the passing of my good friend, Jerry Falwell, I was deeply saddened. My wife, Mary Ellen, and I had the pleasure of knowing Dr. Falwell for many years. He was a good man and made an undeniable impression on many lives. Two hours after his death was confirmed, an impromptu memorial service brought a standing room only crowd to Thomas Road Baptist Church, a church that holds 6,000 people. Since then, thousands have shown up to pay their respects, and thousands showed up today for his funeral.

While many people mourn the death of Rev. Falwell, no one experiences this loss harder than Jerry's family. Jerry was a devoted family man. He was dedicated to his bride and partner of 49 years, Macel. Together they raised three children. Jerry, Jr., Jonathan and Jeannie, who I have no doubt will build on the great legacy that their father leaves behind. Nothing can compare to the deep personal loss that they are experiencing, and our thoughts and prayers and hearts are with them.

After hearing the sad news of Jerry's death, I was able to call and offer my condolences to Macel. She shared with me how Jerry spent his last day. I don't think she would mind me sharing with you what happened, as I feel it fully embodies the man that Jerry was.

The night before he passed away, Macel and Jerry went out to dinner. As they talked to their waitress, Jerry found out that she attended the local community college. When he asked the young lady why she didn't go to Liberty University, she told him that she had applied and been accepted, but as a private school, it was too expensive. Jerry told her that he would find a way

for her to attend Liberty. The next morning, the morning he passed away, Rev. Falwell lived up to his word and found scholarship money for the young waitress. It was perhaps one of the last things he did before collapsing in his office.

This last act of charity and giving is a perfect example of the man that Jerry Falwell was. Right up till the end of his life, he was working to change lives.

There are many other stories like this one out there of how this extraordinary man touched and changed ordinary lives. Rev. Jerry Falwell was a loving and caring man. He led his life guided by strong convictions. He left an unquestionable impression on our country.

I will greatly miss my friend. I pray for his family and his congregation, and I join the Nation in mourning this great spiritual leader.

Mr. Speaker, at this time it is my pleasure to yield 3 minutes to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Speaker, sometimes when a man affects the world as much as Jerry Falwell does, there are all kinds of things that are said, both by those who remember him in different ways, and I, today, would like to just point out some basics about Jerry Falwell. I had the privilege of knowing him many years ago, and sometimes I wonder how many of us are in this place because Jerry Falwell lived and did what he did.

But just to recap some of the basics, Mr. Speaker, Jerry Falwell was born in Lynchburg, Virginia, to Helen and Carey Hezekiah Falwell. He married the former Macel Pate on April 12, 1958. He had two sons, Jerry, Jr., Jonathan, and one daughter, Jeannie.

The church that Jerry Falwell first started was in an abandoned bottling plant in 1956, and it grew into a ministry giant that includes the 22,000-member Thomas Road Baptist Church, the Old Time Gospel Hour carried on television stations across the Nation, and the nearly 8,000-student Liberty University founded in Lynchburg in 1971.

He built Christian elementary schools. He built homes for unwed mothers and a home for alcoholics. Through these venues, Jerry's legacy lives on in the lives of thousands of young adults whom he called champions for Christ. And they were American patriots in his heart as well.

Jerry Falwell launched the Moral Majority in 1979, and its purpose was to transform a politically sleeping Christian evangelical universe into a force to transform and preserve the very soul of America. It grew into a 6.5-million-member organization and raised nearly $70 million, as it supported conservative candidates and campaigned to protect innocent human life, to work against the debasing of life and pornography and to fight for the religious freedom of students to pray in schools.

After a decade of catalyzing a wave of conservatism that culminated in the election and the reelection of one Ronald Reagan, Jerry disbanded the Moral Majority, saying, ''Our mission is accomplished.''

Today, Mr. Speaker, approximately one of every four American voters is a Christian evangelical; and one in four American citizens, those that were the ones that Jerry helped awaken.

Not so long ago he said, what we've worked on for nearly 30 years ago, to mobilize people of faith and value in this country, and what we've done in those years is coming to a culmination.

The Pew Research Institute, a senior fellow there, John Green, to paraphrase him, he said, Falwell changed the way that evangelicals think about their political responsibility.

But it was one of Jerry's friends and colleagues, I think, Mr. Speaker, that put it the very best. His name was Chuck Baldwin. He spoke the following words in tribute, which I think sum up the legacy of Jerry Falwell. He said, ''America has lost a seasoned patriot. Thomas Road Baptist Church has lost a faithful and dedicated pastor. Liberty University has lost a visionary chancellor. The Church of Christ, collectively, has lost a dynamic preacher of the gospel. The Falwell family has lost a loving husband and father. And thousands of people, such as me, have lost a hero, mentor and friend. No matter what his enemies say, America is a better place because of Jerry Falwell. And those of us who were privileged to personally know him will never forget him.''

Mr. Speaker, it is hard to add to those words. But just in the way that I could, I would simply say this, that Jerry Falwell was a man who loved God, who loved his country, who loved his family and who loved humanity. And more than we all realize, we are very blessed that he came our way. And now that he has stepped over the threshold of eternity, he has found a welcome place. He has looked into the eyes of his Saviour and heard those eternal words of victory, ''Well done, thou good and faithful servant.''

Mr. GOODLATTE. I thank the gentleman for his very kind and thoughtful words.

And now I'd like to turn to the gentleman from Virginia, Congressman GOODE. VIRGIL GOODE and I have the honor of representing central Virginia and share many of the members of Thomas Road Baptist Church. I have the City of Lynchburg and part of Bedford County and Amherst County in my district, and VIRGIL has Appomattox County and Campbell County and the remainder of Bedford. And we've both had the opportunity to work with Reverend Falwell on many, many occasions. And it's my pleasure to yield now to the gentleman for his words.

Mr. GOODE. Mr. Speaker, I want to thank the gentleman from Roanoke for arranging this special order. I rise tonight to pay homage to Dr. Jerry Falwell, whose funeral and visitation drew tens of thousands to Lynchburg, Virginia, this past weekend and today.

Jerry Falwell was a native of Lynchburg, which is next to the Fifth District, which I have the honor of representing. A devout Christian, Dr. Falwell began his first church 51 years ago, with 35 parishioners. In 3 years the congregation had grown to 800. During part of this period, Dr. Falwell ran buses throughout this region and south to the North Carolina line to bring persons to services.

Today, Thomas Road Baptist Church welcomes thousands to its sanctuary and all related services. The services and activities offered by Thomas Road are important to citizens of Lynchburg and to many nearby counties, including Campbell and Bedford and Appomattox, which are in the Fifth District. His broadcast ministry has touched millions all around the globe.

Dr. Falwell remarked in an interview 2 years ago that his mission remained the same, to train young champions for Christ. That training has extended well beyond the church.

Having an equally important impact on this area of Central Virginia is Liberty University. It is the product of Dr. Falwell's decision to launch Liberty Baptist College in 1971. This school has grown into a major university with an enrollment in excess of 10,000.

□ 1745

And projections are its distance-learning programs may reach 25,000 students in a few years. It offers 71 majors and specializations and boasts a growing law school. Liberty University is a significant contributor to the economy of Lynchburg and the surrounding area.

And while Thomas Road Baptist Church and Liberty University may be considered the pillars of a legacy that will endure for generations, an equally important contribution was Dr. Falwell's determined spirit and unrelenting belief that Christians should stand forth proudly and be integral parts of all of American life.

To that end he urged all to be involved politically and to press those who would seek elective office to subscribe to strong moral principles as the guiding light of this Nation. Today we hear the candidates for national office professing their faith and its importance in their lives. This is due, in no small measure, to the trail blazed by Dr. Jerry Falwell.

To thousands in central Virginia, he was simply known as Jerry, and those individuals will sadly miss their friend, pastor, and mentor.

To his wife, Macel; and his children, Jerry Jr., Jonathan, and Jeanie; and to all in the Falwell family, my heartfelt sympathies are extended, and may God bless them during this time of sorrow.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for his comments.

And it is now my pleasure to yield to another representative from Virginia, Congressman ERIC CANTOR, the chief deputy whip from the Richmond area, who I knew not too long ago stopped

off in Lynchburg and had the opportunity to spend some time with Reverend Falwell.

I yield to the gentleman.

Mr. CANTOR. Mr. Speaker, I thank the gentleman, my friend from Virginia, for yielding.

I, too, rise this evening to pay tribute to a fellow Virginian and a great leader in America's conservative movement.

Dr. Jerry Falwell made his mark as an outspoken, passionate advocate for conservative causes. More than any other 20th century Virginian, Jerry Falwell's passion and convictions sparked a new generation of grassroots activism.

Recently, as my friend from the Sixth District noted, I visited with Dr. Falwell in his office on the campus of his beloved Liberty University. During that visit, I gleaned a little more and had gained a little more insight into this impressive public figure.

Jerry Falwell, a man of faith, was a pastor who loved his congregation. He was chancellor of a growing university, a place that began just as a vision, but one that he built into a thriving reality that has become a major educational and economic force in Virginia.

Jerry Falwell was a husband, father, and grandfather who actively engaged in the affairs of this Nation because he, like all of us, wanted to leave behind a country better, more hopeful, and filled with greater opportunity than even the one he inherited from his parents.

The people of the Commonwealth of Virginia have lost a son and the American people a true patriot.

To his family, I extend my deepest sympathy during this time of sorrow.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for his words.

We will be joined shortly by another speaker, but before we are, let me tell a little bit more about Dr. Falwell.

At the age of 22, having just graduated from college in June of 1956, Jerry Falwell returned to his hometown of Lynchburg, Virginia, and started Thomas Road Baptist Church with just 35 members. The offering that first Sunday totaled $135. Falwell often said about that first collection, ''We thought we had conquered the world.'' Today Thomas Road has over 22,000 members, and the total annual revenues of all of the Jerry Falwell ministries total over $200 million.

Within weeks of founding his new church in 1956, Falwell began the Old-Time Gospel Hour, a daily local radio ministry and a weekly local television ministry. Nearly five decades later, this Old-Time Gospel Hour is now seen and heard in every American home and on every continent except Antarctica. Through the years, over 3 million persons have communicated to the Falwell ministries that they have received Christ as Lord and Savior as a result of this radio and television ministry.

In 1967, Falwell implemented his vision to build a Christian educational system for evangelical youth. He began with the creation of Lynchburg Christian Academy, a Christ-centered, academically excellent, fully accredited Christian day school providing kindergarten, elementary, and high school. In 1971, Liberty University was founded. Today, over 21,500 students from 50 States and 80 nations attend this accredited liberal arts Christian university. Falwell's dream has become a reality. A preschool child can now enter the school system at age 3 and, 20 or more years later, leave the same campus with a Ph.D., without ever sitting in a classroom where the teacher was not a Christian.

Falwell is also publisher of the National Liberty Journal, a monthly newspaper which is read by over 200,000 pastors and Christian workers; and the Falwell Confidential, a weekly e-mail newsletter to over 500,000 pastors and Christian activists.

In June of 1979, Falwell organized the Moral Majority, a conservative political lobbying movement, which the press soon dubbed the ''Religious Right.'' During the first 2 years of its existence, the Moral Majority attracted over 100,000 pastors, priests, and rabbis and nearly 7 million religious conservatives who mobilized as a pro-life, pro-family, pro-Israel, and pro-strong-national-defense organization. The Moral Majority supported California Governor Ronald Reagan as their candidate for President in 1980, registered millions of new voters, and set about to inform and activate a sleeping giant: 80 million Americans committed to faith, family, and moral values.

With the impetus of the newly organized Moral Majority, millions of people of faith voted for the first time in 1980 and helped Ronald Reagan be elected President, and many conservative Congressmen and Senators.

Since 1979, about 30 percent of the American electorate has been identified by media polls as the ''Religious Right.'' Most recent major media surveys have acknowledged that these ''faith and values'' voters reelected George W. Bush in November 2004.

Though perhaps better known outside Lynchburg for political activism, Jerry Falwell's personal schedule confirms his passion for being a pastor and a Christian educator. He often states that his heartbeat is for training young people for every walk of life.

Falwell and his wife of 49 years Macel have three grown children and eight grandchildren.

While we continue to await for our next speaker, let me read from a report in the Lynchburg News & Advance from last Tuesday:

''Jerry Falwell was born in 1933 in Lynchburg and lived here all his life. He married Macel Pate of Lynchburg in 1958. They had three children: Jerry Falwell, Jr., an attorney who represents the Falwell ministries and is vice chancellor of Liberty University; Jeannie Falwell Savas, a Richmond surgeon; and Jonathan Falwell, the executive pastor at Thomas Road Baptist Church.

''Falwell founded Thomas Road in 1956 in an old soft drink bottling plant after graduating from Baptist Bible College in Springfield, Missouri. That same year he started his weekly television broadcast, the Old-Time Gospel Hour.

''The church moved into a 3,200-seat sanctuary on Thomas Road in the Fort Hill area in 1970, with services broadcast around the world. Falwell founded Liberty University, then known as Lynchburg Baptist College, in 1971. He always hoped the school would be one of his lasting legacies.

''He started the Moral Majority, Incorporated, in 1979, conducting 'I love America' rallies at 44 State capitals.

''The rise of the Moral Majority coincided with the Reagan Presidency, and Falwell rose to national prominence as well.''

Falwell and his ministries faced many challenges through the years.

''In the late 1990s, Falwell reemerged on the national stage in a flurry of television appearances,'' a series of changes to his ministries, ''but Falwell gave up campaigning for politicians as he did for President Ronald Reagan in the 1980s. 'I don't plan ever to get back into the Moral Majority-type work,' he said in a 1998 interview. 'What I did I did because I felt led to do it then, and I'm glad I did it . . . My thing now is a nonpartisan Biblical approach to moral and social issues.' ''

Mr. Speaker, it is now my pleasure to yield to the Republican whip, the gentleman from Missouri (Mr. BLUNT). I am very pleased to have his presence as we commemorate the life of Reverend Jerry Falwell.

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

I thank the gentleman also for putting this time together today so that we could talk about the incredible, remarkable life of Rev. Jerry Falwell, a man who never apologized for his spiritual beliefs, who never wavered in his commitment to furthering the dialogue of faith and family in America.

Jerry Falwell was a native son of Virginia, the senior pastor of one of its most prominent and well-attended churches, and the founder of a Christian college in Lynchburg that started its enrollment with 154 students in 1971 and today has over 20,000 students.

Along the way, Rev. Falwell honed his leadership skills and pursued his academic study. In Springfield, Missouri, the town I live in now and I am pleased to represent it in Congress, he transferred there as a sophomore to Baptist Bible College. He later graduated from that school in 1956 with a degree in theology.

And the first time I met Rev. Falwell was when he returned to Springfield. I was a county official at the time, and I had begun to watch him on television. And unlike so many other

television pastors, watching Rev. Falwell was like you were right there in the church service because it was a church service. And I remember the growth of the church as you could watch it on that late Sunday night broadcast that I happened to watch on Sunday evening. I remember when they started moving the church, they had a song that was something like ''I Want That Mountain,'' the site on which Rev. Falwell and the church had decided they wanted to grow the church and eventually the school. And watching his incredible faith and what he was doing, his unflagging determination to spread the Gospel, his ability to use the communication tools available to him in ways that others hadn't, but in ways that his growing congregation were totally comfortable with, in ways, in fact, that didn't compete with what he was doing every Sunday morning and every Sunday night at the Thomas Road Baptist Church.

□ 1800

He left Missouri in the mid-1950s with a renewed commitment to the power of ideas, ideas about the importance of spirituality and public life, ideas that promoted the family, ideas about the protection of human life at all stages of development. And for 50 years, for half a century, his mission was a mission of defending those ideas.

It would give rise to a movement of citizen activists in evangelical Christianity that, frankly, for the previous 50 years in many ways had been intentionally removing itself from the civic and political process, with a focus on what was going to happen after we were here, rather than also being focused on the world we live in. He never lost sight of his mission.

He was a man of purpose, not a man of things, it appeared to me. Whenever he applied that purpose to improve the conditions of the world around him, it made a difference. The time and energy he devoted to his once small college, in fact, once just his idea of a college, became one of our larger universities. It's a great example.

The church he started, the Thomas Road Baptist Church, which he started in 1956 in a bottling plant with a congregation of 35 people, now is a church of nearly 25,000 members. But his achievements weren't only building a church and building a school, he was deeply concerned about the moral direction of this country, and worked hard to ensure that people of faith were part of the national dialogue, part of a way of changing who we were for the better.

His lifelong pursuit of truth was not a casual affair nor was his commitment to a way of life and learning that acknowledged the lessons of the past and applied those experiences to building a better future.

Earlier this afternoon, parishioners of the Thomas Road Baptist Church and people from all over the country and all over the world gathered in Lynchburg to pay a final tribute to their pastor, their friend, a leader that they respected.

Tonight, I would like to join my good friend, Mr. GOODLATTE, and others and use this opportunity to pay my final respects to a person who clearly was a leader. He was a teacher, he was a father and a husband, and above all other things, he was an untiring messenger of the good news and the eternal hope of our Lord.

I want to thank my friend for organizing this time tonight and for giving me the time to join you.

Mr. GOODLATTE. Well, I thank the whip for joining us in this special tribute to Reverend Jerry Falwell.

I must tell you that the mountain you refer to, which is Chandler Mountain in Lynchburg, was acquired by Liberty University. You can see the university growing up the sides of that mountain now. In fact, they now have a big ''LU'' planted in trees near the top of the mountain.

Jerry Falwell climbed many mountains, and he leaves behind a legacy not only of building an outstanding educational organization and an outstanding church, but more importantly, he leaves behind the people who make that church and that university strong and growing, led by his children, who will carry on his legacy and reach out to many, many more throughout our country and throughout the world.

I close this special order with a moment of silence, acknowledging the life and work of my constituent and my friend, the late Rev. Jerry Falwell.

Thank you, Mr. Speaker.

## DEMOCRATIC BLUE DOG COALITION

The SPEAKER pro tempore (Mr. COURTNEY). Under the Speaker's announced policy of January 18, 2007, the gentleman from Arkansas (Mr. ROSS) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROSS. Mr. Speaker, I rise this evening on behalf of the 43 Members that make up the fiscally conservative Democratic Blue Dog Coalition. We are conservative Democrats, we are commonsense Democrats that want to restore fiscal discipline to our Nation's government.

Mr. Speaker, as you walk the halls of Congress, as you walk the halls of this Capitol and the Cannon House Office Building and the Longworth House Office Building and the Rayburn House Office Building, it's not difficult to know when you're walking by the door of a fellow Blue Dog member because you will see this poster that reads, ''The Blue Dog Coalition''. And it will tell you, it serves as a reminder to Members of Congress and to the general public that walk the halls of Congress that today the U.S. national debt is $8,807,559,710,099. And I ran out of room, but if I had a poster that was just a little bit more wide, Mr. Speaker, I would have added 85 cents.

Your share, every man, woman and child, including the children born today in America, if you take that number, the U.S. national debt, and divide it by the number of people living in America today, our share, everyone's share of the national debt is $29,174.38. It is what those of us in the Blue Dog Coalition refer to as ''the debt tax,'' d-e-b-t tax, which is one tax that can't go away, that can't be cut until we get our Nation's fiscal house in order.

Mr. Speaker, one of the first bills I filed as a Member of Congress back in 2001 was a bill to tell the politicians in Washington to keep their hands off the Social Security trust fund. The Republican leadership at the time refused to give me a hearing or a vote on that bill, and now we know why; because the projected deficit for 2007, based on the budget bill written when the Republicans controlled Congress, they will tell you is only $172 billion.

Not so. It's $357 billion. The difference is the money they are borrowing from the Social Security trust fund, with absolutely no provision on how that money will be paid back or when it will be paid back or where it's coming from to pay it back.

You know, Mr. Speaker, when I go down to the local bank in Prescott, Arkansas, and sit across from a loan officer and get a loan, they want to know how I am going to pay it back, when I am going to pay it back and where the money is going to come from to pay it back. It is time the politicians in Washington keep their hands off the Social Security trust fund.

The national debt, the total national debt from 1789 to 2000 was $5.67 trillion. But by 2010, the total national debt will have increased to $10.88 trillion. That is a doubling of the 211-year debt in just a decade, in just 10 years. Interest payments on the debt are one of the fastest growing parts of the Federal budget. And the debt tax is one that cannot be repealed.

People ask me, why should I care about the fact that our Nation is in debt? Why should I care that we continue to borrow billions of dollars? After all, it's future generations that are going to be stuck with the bill.

I submit to you, Mr. Speaker, that it should matter for a lot of reasons. But here is a good one right here: interest payments. Our Nation is borrowing about a billion dollars a day. We are spending about a half a billion a day paying interest on a debt we've already got before we borrow another billion dollars today.

I–49 is important to the people in Arkansas in my congressional district. I need nearly $2 billion to finish I–49, an interstate that was started when I was in kindergarten. That's a lot of money, at least for a country boy from Prescott and Hope, Arkansas. But I submit to you, Mr. Speaker, that we will spend more money paying interest on the national debt in the next 4 days than

what it would cost to complete Interstate 49 in Arkansas, creating with it all kinds of economic opportunities and jobs.

That's on the western side of my district. I represent about half the State.

On the eastern side of my district, I–69 is very important. I need about $2 billion to finish I–69. I–69 was announced in the State of Indiana, in Indianapolis, 5 years before I was born. That was 50 years ago. And with the exception of about 40 miles in Kentucky in a section they are now building from Memphis to the casinos, none of it has ever been built south of Indianapolis. $2 billion is a lot of money, but we will spend more than that in the next 4 days paying interest on the national debt.

As you can see from the chart here, in red, that is the amount of money, of your tax money, Mr. Speaker, that we will spend paying interest on the national debt this year. Compare that to how much we are spending on our children and their education.

You know, folks in this country come up to me all the time saying that English should be the official language. And I personally don't necessarily disagree with that. But let me tell you what people should be equally concerned about; they should be equally concerned about the fact that we have got more young people today in India learning English than in America. We've got more young people today in China learning English than in America. And it is not because they love America, it is because they want our jobs.

Mr. Speaker, it is absolutely critical that we provide our young people with a world-class education, and yet you can see we are spending a fraction on educating our children of what we will spend this year paying interest on the national debt.

You hear a lot of talk about homeland security. We all take off our shoes when we go through the airports. And I guess we feel a little bit safer, but look at what our real commitment as a Nation is to homeland security compared to what we are spending paying interest on the national debt. Homeland security is in the green, the red is the interest we are paying on the national debt.

And finally, veterans. We can talk about patriotism all we want, but I will tell you what, the rest of the world can look at America and determine how much we value our soldiers by how we treat our veterans.

And a whole new generation of veterans are coming home from Iraq and Afghanistan. How do we value them? The dark blue shows how much we are spending of your tax money, Mr. Speaker, on our veterans compared to the red, which is the amount we've been simply paying interest on on the national debt.

Where is this money coming from that we are borrowing a billion dollars a day? I have already told you, Mr. Speaker, a lot of it is coming from raiding the Social Security trust fund. Where is the rest of it coming from? Foreign central banks and foreign lenders.

That's right, Mr. Speaker. In fact, to put it another way, this administration has borrowed more money from foreigners in the past 6 years than the previous 42 Presidents combined. Let me repeat that. This administration has borrowed more money from foreign central banks and foreign investors in the past 6 years than the previous 42 Presidents combined.

Foreign lenders currently hold a total of about $2.199 trillion of our public debt. Compare that to only $623.3 billion in foreign holdings in 1993. Who are they? The top 10 list.

Japan. The United States of America has borrowed $637.4 billion from Japan to fund tax cuts in this country for people earning over $400,000 a year, leaving our children with the bill.

China, $346.5 billion.

The United States of America has borrowed $223.5 billion from the United Kingdom.

$97.1 billion from OPEC. And we wonder why gasoline is $3.25 a gallon today in south Arkansas.

Korea, $67.7 billion; Taiwan, $63.2 billion; the Caribbean banking centers, $63.6 billion; Hong Kong, $51 billion; Germany, $52.1 billion.

And get a load of this. Rounding out the top 10 countries that the United States of America has borrowed money from to fund tax cuts in this country for folks earning over 400,000 a year and to fund the war in Iraq: Mexico.

□ 1815

Our country has borrowed $38.2 billion from Mexico to fund our government.

So debts do matter. Deficits do matter. And in this case, I submit to you, it is a national security issue.

So what do we do about it? As members of the fiscally conservative Democratic Blue Dog Coalition, we have got a plan. We have got a plan for budget reform. We have a plan to demand accountability in Iraq. We support our soldiers, and as long as we have soldiers in harm's way, we are going to make sure they are funded.

But this administration has acted like if you challenge them on how they are spending your tax money in Iraq, then you are unpatriotic. We are not going to stand for that anymore, because, Mr. Speaker, we believe that this administration and the Iraqi Government should be accountable for how $12 million of taxpayer money is being spent every hour in Iraq.

That is right, our Nation is spending $12 million of your tax money, Mr. Speaker, every hour in Iraq, and it is time that the Iraqis be held accountable for how that money is being spent. It is time we demand that they step up and accept more responsibility for training the Iraqis to be able to take control of their police and military force. And, yes, it is time that we demand more accountability from this administration on how this money is being spent on Iraq and ensure that it is being spent on our brave men and women in uniform.

John Grant of Pearcy, Arkansas, brought to my attention the fact that our soldiers may very well not be equipped with the most advanced and the best body armor that is made. I submit to you, Mr. Speaker, that we must ensure that the very best in body armor is being provided to our men and women in uniform. We have learned a lot about that in the last few days through an NBC investigative report. I am proud to tell you that over 40 Members of Congress, including a lot of my Blue Dog friends, have signed on to a letter to the administration, to the Pentagon, demanding that further tests be done, and that our men and women in uniform be provided with the very best in body armor.

I am joined by a number of fellow Blue Dogs this evening, and it is with great honor that I introduce at this time my friend, an active member of the Blue Dog Coalition from the State of Colorado, Mr. JOHN SALAZAR.

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

Mr. Speaker, I am very proud of the gentleman from Arkansas and his work with my Blue Dog colleagues in demanding more fiscal responsibility in Iraq. I believe that Congress has now approved nearly $510 billion for military operations since 2001, with nearly no oversight on spending. Operation Iraqi Freedom alone has cost American taxpayers $51 billion in 2003, $77.3 billion in 2004, $87.3 billion in 2005, $104 billion in 2006, and in 2007 we are in the process of funding Operation Iraqi Freedom once again with a supplemental. Now we are spending over $10 billion a month in Iraq and Afghanistan just on government contractors working on reconstruction. All of this is unchecked, and that is why I am so proud to join my Blue Dog colleagues as a supporter of H. Res. 97.

H. Res. 97 was introduced by the Blue Dog Coalition to call for transparency on how Iraq funds are spent. We have a plan for accountability in Iraq. Our plan calls for, first, transparency on how war funds are spent. Second of all, it creates a commission to investigate awarded contracts. Third of all, it stops the use of emergency supplementals to fund the war.

Everything that I have read over the past several years indicates that this is the first administration that has used supplementals to fund a war after the first year, after initiation. In January we passed what was called the PAYGO rule. It is my understanding that with supplementals, you don't have to follow PAYGO rules. I think it is critical that we as Blue Dogs continue to move forward and push for an honest budget.

Number four, it uses American resources to improve Iraq's ability to police itself. I believe that this is of critical importance.

Mr. Speaker, you cannot push democracy on someone who does not want it. Over 65 percent of the Iraqi population now says it is okay to shoot at American soldiers. The Iraqi Parliament a couple of weeks ago voted 144 out of 275 members to tell Americans that it is time for us to come home. We cannot force democracy on someone who does not want it.

I believe, Mr. Speaker, that today what is important is that we turn this over to the Iraqi Government. Our soldiers can become the advisors. They should not be on the front lines.

The gentleman talks about the Social Security Trust Fund. Two years ago I introduced the Social Security Protection Act, which would not allow any politician in Washington to touch that trust fund. I think the gentleman raises a critical point there.

He also talks about the veterans. I am the only veteran in the Colorado delegation. I am proud to be a Blue Dog, and I am proud that this legislation addresses the lack of oversight and accountability in Iraq. But I am also very proud that this resolution stands for veterans' issues.

Government reports have documented waste, fraud and abuse in Iraq. Contractors are being paid billions of dollars by the United States for their services in Iraq. Most of these, Mr. Speaker, are no-bid contracts. Where is the accountability in that? I believe that if their work is resulting in unsanitary conditions, potential health hazards, poor construction methods or significant cost overruns, then Congress has the right to know about it. I believe, Mr. Speaker, that it is time to stop this waste.

Congressional oversight is desperately needed. This administration should be held accountable for how reconstruction funds are being used. This Blue Dog bill is a commonsense proposal that ensures transparency and accountability. We bring oversight back to Congress. We start showing improvement in Iraq, and accountability leads directly to success. Iraqis must begin progress towards full responsibility for policing their own country. Without progress, it is a waste to continue U.S. investment in troops and financial services.

Mr. Speaker, I visited Iraq twice. While I have seen some improvements in some areas, I have also seen the increase in insurgent attacks not only on American troops, but on other Iraqis.

We all support our troops, and we will do everything within our power to make sure that they have the equipment and the funding that they need. However, Mr. Speaker, we cannot continue to write blank checks to the administration. I firmly believe that until our last troop is returned home, the American people deserve to know how their money is being spent.

Accountability is not only patriotic, it often determines success from failure. The Blue Dog bill gives an opportunity to regain oversight responsibility. This is the responsibility that we have to all of our men and women in uniform, to their parents and to the American taxpayer who is footing the bill.

The gentleman brings up another valid point. He talks about how the budget is a moral document. I, frankly, sir, could not run my household and put my farm into debt and pass the debt on to my children. That is exactly what has happened over the last 5 years. We had a surplus in the budget. The economy was doing great.

Democrats have a plan that by 2011 we will balance this budget. It is with the help of the Blue Dog Coalition, with the help of gentlemen like the gentleman from Arkansas, who is so committed to make sure there is accountability, that we will figure out a way to truly be honest with the American people in our budgets.

We want to put the Iraqi war supplemental back into the regular budget process so that we have a true, accurate picture of what our national debt is, what our deficit is. The gentleman was showing that we have $8.8 trillion in debt right now. Well, I can assure the gentleman from Arkansas when I came into Congress in the last Congress, our national debt was $78.045 trillion. Your share of that debt, your children's share of that debt, was back then $26,000. I believe the figure you show now, Mr. ROSS, is some $29,000, I believe $29,174 and some cents.

I believe, Mr. ROSS, that this is morally wrong, and I believe that it is time for Congress to start being honest and report to the American people what troubles the last 5 years Congress has moved the American people toward. I have heard that by the year 2040, every single penny that comes in in Federal revenues will go to pay just the interest on the national debt. That is without running government. I believe that is morally wrong.

With that, Mr. Speaker, I would ask this Congress, I would ask this Democratic Congress and the Blue Dog Coalition, to continue fighting for balanced budgets, to continue fighting for accountability, because that is what the American people want.

Mr. ROSS. Mr. Speaker, I thank the gentleman from Colorado for his active involvement in the Blue Dog Coalition and for his words this evening.

Some people may be saying, what is the Blue Dog Coalition? The Blue Dog Coalition was founded back in 1994 shortly after the Republicans took control of Congress by a group of conservative Democrats, Democrats that used to be Yellow Dog Democrats. The saying in the South is that a Democrat is so Democratic that they would vote for a yellow dog if a yellow dog was running for office. That is where the saying comes from.

There was a group of conservative Democrats back in 1994 that felt like they were being choked blue by the extremes of both parties. That is what the Blue Dog Coalition is all about. We are a group of fiscally conservative Democrats that want to restore common sense and fiscal discipline to our Nation's government. We don't care if it is a Democrat or Republican idea. We ask ourselves, is it a commonsense idea, and does it make sense for the people who send us here to be their voice in our Nation's Capital?

An active and leading member of the Blue Dog Coalition, an independent voice within the Congress from the State of Georgia, is Mr. David Scott. At this time I yield to him.

Mr. SCOTT of Georgia. Thank you, Mr. ROSS. It is a pleasure, as always, to be on the floor with you and my fellow Blue Dogs.

I want to talk about two issues here that relate. One, of course, is the debt, the deficit that we have; the lack of accountability, financial accountability. But I would like to talk about it from the standpoint of what is really on the minds of the American people today, and that is the situation that faces us in Iraq and what we desperately need to do.

We need to do two things: One is be honest with the American people; and, two, be honest with the money that the American people send up here for us to apportion. Nowhere is that more significant than with military affairs.

As I stand here, Mr. ROSS, I am trying to think of the best illustration I can come up with that would kind of paint a picture for where we are. I think if we look back in history, a certain event took place around 1952 when we were in a similar position of debating this issue of who has control of military affairs or how do we deal with the issues in time of war. Is it the executive branch, or is it the Congress, and what is the role therein?

This debate is heated on those two things today. The President says Congress has no role in this. Congress says we definitely do. And we are right that we do.

□ 1830

It was borne out in a case in 1952 when there was a decision made by the Supreme Court when this issue came up on who had the right to determine whether the steel mills would be seized during a time of war, during the Korean War.

And it got so hot and heavy in that debate it went to the courts. Is it the Congress or is it the President? Well, the Supreme Court ruled on that which brings us to a point here today. But in the concurrence that was written by Supreme Court Justice Robert Jackson, he said some very important, significant and prophetic words.

He said that this is a case that clearly fits within the realm of Congress's responsibility in a time of war. And in his concurrence he said that when the executive branch operates in tandem with the congressional branch, with congressional authority, he said that is a time of maximum power for the President. He said, but when the President acts counter to the express constitutional authority of the Congress,

he said, we enter into what he referred to then as a zone of twilight, or in essence a twilight zone which, quite ironically, is where Rod Sterling got the name for his television program ''The Twilight Zone.''

That is where we find ourselves here, in the twilight zone.

He went on to say, when we enter this twilight zone, the Presidency in at its lowest ebb when it does not recognize the authority of the Congress.

Our authority rests with the purse. Our authority rests with making sure that we raise and support the military. Our authority rests with legislation. And when you wrap those two things together, that is what is the embodiment of what we have captured in our resolution for financial responsibility and accountability in a time of war to make sure that the money is accounted for; to make sure when our troops are going into war, that they have the money for the armor.

That is exactly why when they were sent into war by this President and this administration without the body armor, we had to amend the appropriations bill with over $200 million to get it in there, led by Democrats, led by Blue Dog Democrats, if you recall, to get the money in the budget for that.

The reason that happened is, up until January, this President has had the luxury of a rollover Congress that did exactly what he wanted them to do without even a whimper or a bang. They just rolled over, gave the President everything that he wanted, and we did not do the constitutional function of oversight, of making sure that there is financial accountability and responsibility in the actions that we are giving.

That is why it is important what we do today. Now this is incorporated into our presentation, into each of the bills that we have put forward. The status is now that these efforts are being worked between the House and the Senate. But I think it is very important for the public to also know that in this bill we have the accountability features in. But we also have the responsibility where we are not going to cut off any funds as long as our troops are in danger on the battlefield.

It is our hope, however, that we will be responsive to the American people and bring this matter to a close in terms of the loss of life of our soldiers that are caught in the cross hairs of a civil war.

Now, the Middle East is a region of vital interest, and there is absolutely no way we will ever be able to completely disappear from the Middle East, nor is that our intent. Nor is it the intent of the American people.

The point is our nose has been poked into a civil war, a civil war that has been festering for thousands of years between the Sunnis and the Shiites. That is their civil war. It is not right to have our soldiers in the middle of that. That needs to be brought back and we need to enter into a more reasonable support of containment and redeployment of our troops, and in a manner that pays attention to the wear and tear on our military.

Mr. ROSS, it is shameful when we have to say that so many of our troops are over there for the third or fourth time. That is not right. The American people are against that. It is my hope that we will bring financial accountability and responsibility to this matter. The American people, who are very much engaged with us on this Iraq situation, are looking to Democrats; and quite honestly, they are looking to Blue Dog Democrats. They are looking to people who have fiscal responsibility and also understand that we know we are in a dangerous world.

The most important thing we need for our advancement right now is to make sure we have a strong defense and we have got that, but we also want our policies to be responsive to the American people. That is what the Democrats are putting forward as we move forward on our way out of this terrible civil war that our Nation finds itself in. We are going to do exactly that.

Mr. ROSS, it is a pleasure to be here, and I am sure the American people fully support our efforts and understand exactly what we are talking about when we say it is time to bring financial accountability and transparency to our efforts here on Capitol Hill, and nowhere is that more important than dealing with our military affairs and the men and women serving in harm's way overseas.

Mr. ROSS. I thank the gentleman from Georgia (Mr. SCOTT) for joining us, as he does most Tuesday evenings.

At this time we are honored to be joined by a veteran of the Iraq war, a new Member of Congress, and I yield to Congressman MURPHY of Pennsylvania.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I thank Congressman ROSS for yielding me this time.

Just a few days ago we stood here, the chairman of the Armed Services Committee, my chairman, Congressman IKE SKELTON, who has two sons who are currently serving in the military, who is a great leader in this Congress. In the Defense bill, we did several things. We wanted to make sure that the troops knew that we supported them.

When we stood there, Congressman ROSS, we said thank you, Chairman SKELTON, because you believe what all Blue Dogs believe, accountability and responsibility. It established those benchmarks, that oversight which is so needed right now.

So in the Defense bill that gave the troops a 3.5 percent pay increase, a pay increase because there is such a gap, such a disparity between the private sector and our servicemen and women and their salaries. When they join the military, they are not trying to make a lot of money. But the fact is that those privates who are making $17,000 a year, those privates that are leaving their wives and kids at home, many of whom have to survive on food stamps, those privates who saw what we did in the Defense bill, who said that is great, 3.5 percent pay increase, a couple hundred dollars a year. The President of the United States said, Private, thank you for your service to your country, but that is too much of a pay increase.

Mr. Speaker, I hope the people at home are watching. The President of the United States said a couple hundred dollars more a year to a private making $17,000 a year is too much.

Now the Blue Dog Coalition believes in two things: one, fiscal responsibility; two, strong national defense.

How do the soldiers feel that are running convoys up and down Ambush Alley, scouting on the streets for roadside bombs and looking for snipers on rooftops, when they hear their President back at home, the President of the United States thinks a couple hundred dollars more a year is too much. The President says, hey, it would add up over the next 5 years, $7.3 billion; that is a lot of money.

But the same standard that the President uses where he says it is too much for the troops, it is not too much for the contractors who have proven that they mismanage over $9 billion of our hard-earned money, the contractors who don't want any accountability and don't want to see the light of day.

The President has threatened to veto the pay raise of our soldiers. I believe that is morally wrong during a time of war, especially when you are saying we are not asking for a 10 percent or 20 percent or 30 percent increase in their pay when they make $17,000, just a couple hundred dollars more a year, not even reaching $1,000 more. The President says no.

In the Defense bill that we passed that the President has said he will veto, and this was not some sly comment he said as an aside, the President pointed to a document and said, a 3.5 percent increase is too much.

Mr. Speaker, I ask that everyone in America write the President of the United States and say 3.5 percent increase in pay for our troops is not too much to ask for; a 3.5 percent increase during the Memorial Day weekend when we honor their servicemembers is not too much to ask for.

This is a pattern, Mr. Speaker, that upsets me greatly, a pattern of neglect that this White House has for our troops. See, when I was in Baghdad in 138-degree heat and this White House and the Secretary of Defense Donald Rumsfeld floated out the idea and said, Let's take away their imminent danger pay, their combat pay, a couple hundred dollars a month, because mission is accomplished. Let's take away their combat pay. It's over.

Now, fast forward 4 years later, the President says, hey, 3.5 percent is too much. This is a pattern of neglect of our troops. It is okay when the President wants to use our troops as props

for a fancy speech in the Rose Garden. But when it comes to budget time when budgets are moral documents, the President says, too much. I respectfully beg to differ.

When we look at the debt of our country, just under $9 trillion, with $29,000 that every single man, woman and child in the United States owes towards our national debt. In March, 2007, we paid $21 billion in interest alone. Does it get any better? No. Why? Because there is no accountability. There is no tightening of the belt. It is wrong to pass this debt, this $9 trillion of debt, on to our children. That is wrong.

Mr. Speaker, when I know my wife, Jenny, and daughter, Maggie, are home in Bristol, in Bucks County, Pennsylvania, when I know that they are watching on C–SPAN, I know that they know that their daddy and husband is fighting a good fight. They know that I cannot stand here in good conscience, Mr. Speaker, and allow this President to use our troops as props and yet can't give them a couple hundred dollars of pay increase to try to alleviate some of the pay disparity with the private sector.

I can't stand here in good conscience and pay our good tax dollars, $21 billion a month, just to pay the interest, without cutting off the spending spigot.

We need to rein in the spending of this country. The Blue Dogs are absolutely committed to doing that. We need partners from the other side of the aisle. We might be Democrats, and there might be Republicans on the other side of the aisle, but we are all Americans and we all owe $9 trillion in debt in America to foreign countries like Communist China and Mexico and Japan.

Enough is enough, Mr. Speaker. Enough is enough, and the Blue Dog Coalition, my brothers and sisters in this coalition, are taking the floor of the House of Representatives and all across America. We need the help of the American people to make sure people understand what is at stake. What is at stake is the future of America. What is at stake is the security, the financial security, of our country and the country that our children will inherit.

I thank the gentleman for yielding me this time tonight.

Mr. ROSS. I thank Congressman MURPHY from Pennsylvania for his insight and life experiences as a veteran of the Iraq War, and for sharing his thoughts with us this evening as we demand accountability and common sense on how your tax money, some $12 million an hour of your tax money, is being spent in Iraq. It is important, we believe, that we make sure that it is being spent on our troops, to protect and support them, and that it be accounted for.

□ 1845

That's what H. Res. 97 is all about, and we're very pleased, and we want to thank the chairman of the Armed Services Committee, Mr. SKELTON, for including key provisions of our legislation, written in part by Mr. MURPHY, in the Defense authorization bill this year.

I yield to an active member of the Blue Dog Coalition, gentleman from the State of Tennessee (Mr. LINCOLN DAVIS).

Mr. LINCOLN DAVIS of Tennessee. Mr. Speaker, I thank the gentleman from Arkansas for the recognition. I'll be very brief, which is difficult for me to do, being from the mountains of Tennessee. Sometimes I get a little wordy. I had one of my folks back home tell me that after I'd been here for about a year, he said, LINCOLN, you've gotten so windy as those folks in Washington, I believe you could blow up an onion sack. I'm not sure exactly what he meant by that, but I had to tone down my rhetoric somewhat after that.

But it's good to be here to talk about accountability and, quite frankly, how the lack of accountability has gotten us in the situation we're in in Iraq, as well as in our budget management. When we take a look at how the growth of government grew through the 1980s up to the early 1990s, in 1992, we were spending roughly 22 percent of gross domestic product on national expenditures, on our budgetary process, Mr. Speaker.

And through the 1990s, we saw a downsizing of government through the Clinton-Gore years, where we were spending roughly 18.5 percent of gross domestic product. We now have seen that jump to the point to where it's somewhat over 20 percent in gross domestic product. We've seen government grow the last 6 years. We saw it downsized during the Clinton-Gore administration, and the 12 years prior to that we saw it grow to where it was well over 22 percent.

So, when we talk about accountability, let's be sure that America understands, Mr. Speaker, that it has certainly not been the Democratic Party that has made that happen. Under our management, under our watch, we saw a downsizing of government expenditures.

I want to move now to Iraq. I recently had an opportunity to visit the White House, Mr. Speaker, with our President, along with 12 or 13 other Members. We had a very frank conversation. In one of the conversations, the comment was made that we have a strong commitment in the Middle East, and we do have a strong commitment there.

We denied Hitler during World War II being able to obtain the oil in the Middle East. The tanks of Rommel ran out of fuel, and we were able, quite frankly, through the mass force we had, 16 million Americans, as well as help from Europe during World War II, the Allied Forces were able to eventually conquer Germany.

We then continued to be there and have a presence all through the Cold War, which also denied the Russians from being able to obtain the oil that was there.

There's no doubt in my mind that we're going to be in the Middle East for a long time when we leave the war zone and the hostile war zones of Iraq.

And as we made that conversation, Mr. Speaker, our President certainly agreed with that, that we have a long-term commitment and an interest in the Middle East for many years to come, and we will have. It's kind of like 1953, in South Korea, when Eisenhower decided a cease-fire would be in order, and we signed a cease-fire and have been maintaining troops in South Korea since 1953. We'll be in the Middle East for a long, long time. After the first Persian Gulf War, we maintained a presence there in the Middle East, and we'll still do that. It's how we stay that determines whether or not we'll win.

What my real concern is about this situation in Iraq is I don't think, Mr. Speaker, this administration, I don't think, Mr. Speaker, this President understands the gravity of what's going on in the Middle East.

Every country in the Middle East, some our friends supposedly and some might continue to be our friends, during the 1950s, 1960s, and 1970s, the Shah of Iran was also our friend. When the ayatollahs took over, we lost that friendship, and Iran no longer maintained our friendship. But in places like Saudi Arabia, in Kuwait, in the Emirates, when you look at Jordan, King Abdullah, a decree made him King, not an election. He is our friend, and I personally like King Abdullah, but he had an uncle named Prince Hassan that most folks thought would eventually go on to be King of Jordan. That didn't happen.

So, when we talk about having a freestanding democracy in the Middle East, in Iraq, I'm puzzled somewhat that that becomes one of the major objectives to determine whether or not we win. We need to have stability in Iraq, stability, Mr. Speaker. My hope is that eventually a democracy will occur.

For us to assume that the Shias, the Sunnis and the Kurds, in one of the most volatile mixed populations in any country in the Middle East, that we, you notice I say we, we're going to use that country as a model of how we democratize the Middle East, I think, is a flawed failure, will continue to be, and will be something that will be unsuccessful.

If, in fact, this administration, led by our President, had decided that we ought to have democracy in the Middle East, maybe he should have started with this gentleman he's holding hands with, the monarchy, the royal family of Saudi Arabia. I wonder how many times this administration, Mr. Speaker, how many times this President, Mr. Speaker, has talked to the royal family of Saudi Arabia and say, wouldn't it be nice to have in Saudi Arabia a thriving democracy, a freestanding democracy.

I wonder how many times, Mr. Speaker, this President, Mr. Rumsfeld and others, Mr. Speaker, asked the people of Kuwait after being liberated in 1991 that you should establish a democracy and not revert back to the royal families, to be dictatorial in the decisions that you made.

Every nation in the Middle East has a strongman-type government, except for Israel and except for Lebanon. Whether it's Syria, whether it's Iran, Iraq had theirs, the Emirates, Qatar, every country over there has a strongman-type government, and we believe that for us to consider having one, that we've got to democratize Iraq. I think that's a flawed policy, and, Mr. Speaker, I hope our President engages with this Congress to try to find some solutions to how we establish stability in the Middle East and certainly in Iraq.

I thank the gentleman from Arkansas for yielding.

Mr. ROSS. Mr. Speaker, I thank the gentleman from Tennessee for his insight, and, Mr. Speaker, if you've got any comments, questions or concerns of us, you can e-mail us at bluedog@mail.house.gov. Again, Mr. Speaker, if you've got any comments, questions or concerns for us, you can e-mail us at bluedog@mail.house.gov.

This is the Special Order with members of the 43–Member-strong, fiscally conservative, Democratic Blue Dog Coalition. We are committed to trying to restore common sense and fiscal discipline to our Nation's government, and a former cochair of the group and active member of the group from the State of California (Mr. CARDOZA), I yield to him.

Mr. CARDOZA. Mr. Speaker, I thank the gentleman from Arkansas, and I appreciate him yielding.

Today I rise because on Monday I reintroduced a bill the Blue Dogs had endorsed last year, H.R. 2402, the Public Official Accountability Act.

The Blue Dogs just aren't fiscally responsible, Mr. Speaker, but we're responsible in a number of other ways, and one is accountability of the Members of this institution to make sure that we uphold the public trust.

H.R. 2402 gives judges the discretion to increase the sentence for public officials convicted of certain enumerated crimes that violate the public trust. If a public official has been convicted of bribery, fraud, extortion or theft of public funds greater than $10,000, a sentencing judge should have the discretion to double the length of a sentence up to 2 years for those public officials convicted of such ethical violations.

Unfortunately, recent scandals have somewhat tarnished the reputation of this great institution and have stretched the bonds of trust between the public and their government. This bill signals that breaches of the public trust will not be condoned and, therefore, will help to restore the bonds of trust that have been frayed.

The 110th Congress has already taken steps to ensure that public officials adhere to the highest ethical standards and are more accountable for their actions. Banning meals, constricting congressional travel, and tightening the lobbying rules are all important first steps that have already been taken; however, much more needs to be done. It will take a concerted effort and some time to overcome the spate of negative examples of public officials abusing the trust conferred upon them.

For government to function effectively, the public must be able to trust the people making decisions in this institution. My bill will help restore that bond of trust between public officials and the people they represent. By holding ourselves to the highest ethical standards, we are making clear that we have heard the message of the people who are demanding honesty and accountability of their leaders.

I urge my colleagues to support me in this effort and to become cosponsors of my bill. A number of Members have already signed on, and I hope the rest of my colleagues will join them. Let's pass this bill and restore the faith that our constituents have in their public institutions.

As we're talking about accountability, you've raised the Blue Dog Coalition debt poster that we have in front of our offices. I'm disturbed, as we always are, that every single day that poster goes up. We've done a lot of work as Blue Dogs to restore accountability in the fiscal side. We have put into the House rules PAYGO rules that say you have to pay as you go. We need to work on statutory PAYGO yet some more. There's some more things that we need to do. We're not finished with this, but clearly we have been heard in this House, and we are changing the culture.

This bill that I've brought forward today during our Blue Dog hour will also change the culture. It will send an important message that don't commit the crime if you can't do the time. We say that to common burglars and drug offenders all throughout our society. We also should say it to those same common criminals that perpetrate their crimes in the halls of Congress.

So, today, I stand with my Blue Dog colleagues, as we always do during this Blue Dog hour, to ask for accountability in this Congress, accountability in our country, accountability with our finances. I'm just so proud to be a member of this organization.

Thank you for yielding to me, and I look forward to working with my colleagues to get this bill inserted into the ethics bill that's going through the House this week or as a stand-alone measure later in the Congress.

Mr. ROSS. Mr. Speaker, I thank the gentleman from California and could not agree with him more. There's a lot of folks that believe Members of Congress are held to a different standard, and they should be. They should be held to a much greater standard, a much harsher sentence than the average citizen on the street, because if Members of Congress can come here and make laws, they ought to abide by those laws they make. And if they can't, they should have additional time put onto their sentence.

And I want to thank the gentleman from California for trying to work with those of us in the Blue Dog Coalition to clean up the mess here in Washington.

I'm very pleased at this time to yield the time that is left if he would like it to the cochair for administration for the fiscally conservative Blue Dog Coalition, the gentleman from Florida (Mr. BOYD).

Mr. BOYD of Florida. Mr. Speaker, I thank my friend Mr. ROSS for yielding, and I'm very proud of him. He's obviously one of our elected leaders of the fiscally conservative Blue Dog Coalition and does a great job. I'm very proud of him, and I'm very proud of the other 42 members of the Blue Dogs who deliver this message to the American public that accountability and good stewardship of our tax dollars does matter.

Mr. Speaker, I'm very pleased that the gentleman from Tennessee (Mr. LINCOLN DAVIS) was here earlier talking about the 1990s and how we extracted ourselves from a fiscal mess where we were experiencing huge and systemic annual deficits, and how this government worked hard during the 1990s under a Democratic President and Republican-led Congress in a bipartisan way, worked real hard to pare down what government was doing and make the revenues come into balance with the expenditures.

We did that during the course of the 1990s under a divided government, but, Mr. Speaker, none of us like taxes. We live in America, the greatest country on the face of the Earth. I talk about this regularly with my constituents back home in north Florida, that America is the greatest country on the face of the Earth. We're the most successful democracy. We're the most successful, greatest economy in the history of mankind. We have the greatest military machine in the history of mankind.

I tell my constituents that 25 percent of the world's wealth is controlled by 5 percent of the world's population. That's what America is. One out of every 20 people live in America, and we control 25 percent of the world's wealth. We have a gross domestic product that exceeds, I don't know, $13-, $14 trillion a year.

And we have the greatest military machine on the face of the Earth ever assembled. You can amass the military of all the other 193 countries. It will not equal, Mr. Speaker, the firepower that the United States of America can bring to bear.

I tell my constituents that that great wealth and that great military power, with it comes a great responsibility in this world to use that wealth and that power in a responsible and careful manner.

□ 1900

Now, none of us like to pay taxes. None of us like to pay taxes. Our job, as Members of the United States Congress, House of Representatives, is to make sure that we are good stewards of the taxpayers' money that our good citizens send up here for us to run the country.

Now, a great deal of that money is spent on our national defense, the number one priority of this Nation. None of us on this House floor ever like to vote against defense dollars that are being spent around the world where we ask our men and women to go put on the uniform and defend our values and our freedom and our causes around the world.

Mr. Speaker, over the last 6 years, I think the greatest act of omission that has been perpetrated by this Congress is the lack of oversight that has been exercised by this Congress over the executive branch when it comes to how we spend those tax dollars.

Six years ago, our national defense budget was in the neighborhood of $400 billion; today it is in excess of $650 billion. That's about 5 percent of our gross domestic product. There are not many countries, if any, around the world, that spend that much on their military.

Our American citizens, our people back home, don't mind us doing that. They like for us to do it. But they want to know that when they send that money to Washington, somebody is making sure that it's spent wisely, and we are good stewards of that.

What has happened over the last 6 years, when we had one party come in control of the White House, and the House and the Senate, the oversight role by Congress has been abdicated. It's not the first time it happened. It happened before when the Democrats controlled everything.

But in this case it was the Republican Party that was in the majority. As a result, we have seen systemic deficits built in. We have seen a situation where there has been no oversight exercised by the House of Representatives and the Senate over the administration, and the Congress just got in the mode of rubber-stamping everything that the administration wanted, and ultimately, we had some problems. Some arrogance developed, some corruption developed.

That's basically when the American people stood up in November and said, no more, we don't want that any more. We think a divided government works best.

As Blue Dogs, we want to work with the Members on the other side of the aisle in making sure that the American people's money, when it comes to Washington, is spent wisely and is accounted for.

I wanted to remind our citizens back home that this chart in front of us that shows the $8.8 trillion national debt is for real, and that money has got to be paid back by somebody, or at least interest on it has to be paid back; and we ought to stop increasing that number on a daily basis. That's what the Blue Dogs are all about. Let's make sure that the tax money that we collect from American citizens is spent wisely, and that we exercise good stewardship as we see about the people's business of the United States of America.

I am proud to be a Member of the U.S. House with my good friends on both sides of the aisle. I'm proud to be an American. I want to thank my friend from Arkansas for the time.

Mr. ROSS. I thank the gentleman from Tennessee.

In the hour we have been on the floor this evening talking about the need to restore common sense and fiscal accountability to our Nation's government, we have seen the national debt increase by at least $40 million.

Today, the U.S. national debt is $8,807,559,710,099. And for every man, woman and child in America, their share of the national debt is $29,174. Every Tuesday night, those of us in the fiscally conservative Democratic Blue Dog Coalition take to the floor of the House to demand that we pass commonsense solutions to this problem, because it affects all of us. It's time that we restore common sense and fiscal discipline to our Nation's government.

## PERSONAL EXPLANATION

Mr. STUPAK. Mr. Speaker, yesterday, May 21, 2007, I was not present for two votes in order to attend a ceremony awarding the BJ Stupak Memorial Fund scholarships.

Had I been present, I would have voted ''yes'' on H.R. 698, the Industrial Bank Holding Company Act (House rollcall vote 384).

Had I been present, I would have voted ''yes'' on H.R. 1425, the Staff Sergeant Marvin ''Rex'' Young Post Office Building (House rollcall vote 385).

## HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes.

Mr. BURGESS. Mr. Speaker, I am coming to the floor tonight, like I have so often in recent weeks, to talk a little bit about health care in our country. The delivery of health care services is one of the things that may not be the first thing that registers in any poll that's taken in this country, but it's sure third or fourth, and it appears in every poll that is taken in this country.

We are, indeed, on the threshold of what might be called a transformational time as far as how health care services are delivered in this country. Certainly, over the remaining 18 months of the 110th Congress, we are going to have several different issues before us, several different times, where we will be able to talk about and debate various aspects of our health care system.

Of course, just of necessity, as a big part of the Presidential election that will occur in the 18 months time, we will deal with the issues surrounding health care and the delivery of health care services in this country. We will be deciding, what road do we want to go if we have a system in our country now where about half is delivered, half of every health care dollar that is spent originates here in the U.S. Congress, and the other half comes from the private sector, uncompensated care and so-called charity care.

What do we want to see grow? What do we want to see encouraged? What do we want to see improved? Do we want to grow the public sector or do we want to grow the private sector?

Certainly expanding the government sector and its involvement in delivery of services, terms you will hear talked about on the floor of this House, things like universal health care, health care for all—in the early 1990s, we called it ''Hillary care''—or do we want to encourage the private sector?

Do we want to encourage the private sector to stay involved in the delivery of health care services in this country, to be sure, to be certain, whether it's public or private, that the dollars that are spent are spent wisely to expand the coverage that's generally available for our citizens of this country. But these two options, and all of the questions and concerns that surround them, this is what we are going to have to decide in this House, certainly within the 18 months that remain in the 110th Congress, or very quickly after we enter into the 111th Congress.

I am hopeful that by visiting with you on some of these things tonight, providing some explanations and some insights into the directions that we might go, or we could consider going, and at its heart, at its core, I think we need to bear in mind that for all of the criticisms that are out there, and we have heard several of them here in the last hour, but for all the criticisms out there about this country and, in particular, its health care system, we do have a health care system that is indeed the envy of the world.

We have people from all over the world who come to the various medical centers over the United States to receive their care there. I believe, my position is, that we want to be certain that we maintain the excellence in the health care system that we have today, improve those parts that need improving, but don't sacrifice the excellence that exists in many areas of our country.

Some people are going to say, well, that's an overstatement that the United States health care system is a good one. They will look at, cite the numbers of the uninsured, they will start to cite the high cost of prescription drugs. There is no question that these are tough issues that this House is going to have to tackle.

Face it, you can pretty much manipulate statistics and numbers any way that you want to. The old adage is that there are lies, there are darn lies, and there are statistics. We have to be careful about how we ask the question and how we frame the question. We have to also be careful that we don't frame the question just so we get the answer that we want, and that we don't effect any improvement for the American people.

But let's talk a little bit about the history, about the background of how we got the system that we have today, how we got where we are today.

So, actually, if we go back and look at our country during the time of World War II, President Roosevelt felt that he had to do something to prevent wartime inflation from simply overtaking the economy. In an effort to do that, he put in place wage and price controls and told employers that, well, employees' wages would be frozen at certain amounts.

Well, employers were having a tough time keeping employees anyway. Many people were off fighting the war or were otherwise involved in the war effort. So employees that were here in this country and available were at a premium. So the employer wanted to do something to ensure that he kept his workforce on the job. And one of the things that they thought about doing was, what if we offer a health care benefit? Is that something that we can do that we will still not violate the spirit of the wage controls that President Roosevelt has imposed?

Indeed, they got a Supreme Court ruling on this subject, and the Supreme Court said that, no, health care benefits would be outside the scope of the wage and price controls. Health care benefits are something that you can make available to your employees, and in fact, you can make those available to employees, and neither the employee nor the employer will be taxed on those dollars that are so spent.

We came out of the Second World War, of course, victorious; at the same time, we had an economy that was just beginning the postwar boom. That economy that was so robust after the war led to the creation of more jobs, more employment. Indeed, the health care benefit was a benefit that was attractive; it was one that people liked. Indeed, it was one that stuck around and persevered and grew over time.

But we were also right at the beginning of a lot of pent-up demand as far as people starting their families, and we saw families start to have children. Boy, did they have children. This was the initiation of the so-called baby-boom generation.

The United States, like many other allies coming out of the Second World War, the United States was really in a unique position, both economically, and from the standpoint that the war was not fought in our backyard, in contrast to Western Europe, we actually were in pretty good shape coming out of the Second World War.

Contrast that to Western Europe, and even Great Britain, ostensibly a victor in the Great War, but at the same time, their economy was in much tougher shape; and when you get onto the continent of Europe, indeed, a good deal more difficulty with the economic recovery in the time immediately following the Second World War.

So a single-payer health care system of necessity was a requirement that the government needed to stand up and stand up in a hurry in order to prevent a significant humanitarian crisis that might otherwise have existed. In order to uphold the health care of their citizens, these governments were required to set up systems in a fairly short period of time.

Fast forward 20 years from 1945 to 1965, and we have the initiation of Medicare, and, shortly thereafter, of the program now known as Medicaid. These programs were signed into law by another Texas President; agreeably, of note, he was from across the aisle, but another Texas President signed these programs into law.

Today, these large government-run programs are focused. Initially they were created to focus on hospital care for the elderly and basic health care services for individuals who are less well off. Now, decades later—1965, when the Medicare program was started—decades later it was evident that the government-run program was slow to change, in need of reform, and it operated at an expense that was just unthought of at the time of the inception of the program. The expense of running Medicare was truly extraordinary.

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By 2003, Congress certainly recognized the outdated model, and was called upon by the President here in this Chamber. President Bush in the first State of the Union Address that I attended as a Member of Congress stood in this House and said: The problem of providing a prescription drug benefit to our seniors is too important to wait for another Congress; it is too important to wait for another President; and it is work we are going to take up this year with this Congress, and we are going to get this done.

Indeed, the President was correct, and that happened. By the end of 2003, the Medicare Modernization Act, that did provide for a prescription drug benefit we now know as the part D section of Medicare, was signed into law, and 2 years later it began to deliver on that promise and deliver prescription benefits to senior citizens who previously had not had access to a prescription drug program.

But it was clear that the government system needed to catch up to what by comparison was a relatively robust private system that was already doing the things required, focusing on things like disease management and disease prevention.

The good work done by the people at the National Institutes of Health over the previous 40 years had certainly set the stage for what we now recognize as a virtual explosion in preventive care. The premature cardiac deaths prevented by research done and delivered by the National Institutes of Health, probably somewhere between 800,000 and 1 million lives from the mid-1960s to the present time, over that 40-year interval, probably 1 million lives that have been saved or 1 million premature deaths that have been prevented by advances in treatment and prevention of heart disease, which in 1965 was certainly a more serious illness or affected a good number of people. And the problem was that oftentimes the first symptom of cardiac disease in 1965 was sudden death.

We no longer think in terms of cardiac disease as extracting that type of toll from our citizens, and that is largely because of the benefits that are there, benefits provided by the medicines like the statins that lower cholesterol, that are able to prevent and postpone the serious aspects of cardiac disease.

So Congress passed the Medicare prescription drug plan that gives seniors coverage for medication. The program has been successful, providing greater benefits for seniors. It did not come without considerable discussion and considerable argument back and forth. But with a massive push by the Department of Health and Human Services, the success of the Medicare prescription drug program now, I think, is clearly evident. But, at the same time, the private sector also continued to improve and expand, and it kind of brings us to the crossroads where we find ourselves today.

Again, at the present time the government pays for about half of all health care administered in this country. The current gross domestic product is roughly $11 trillion, and the Department of Health and Human Services, with its Medicare and Medicaid services alone, costs this country each year upwards of $600 billion. Add to that the expense for the VA, Indian Health Service, Federal Prison Service, and clearly you can see that we are getting quickly to that number which represents 50 percent out of every health care dollar that is spent in this country originating in this Congress.

Again, the other half is broken down, with the primary weight being carried by private industry, commercial insurance. There is also some charitable and some self-pay accounting for the balance of that number.

As the numbers increase for just the overall expense of health care, and the Federal Government continues to have to put more and more of the American taxpayers' dollars into health care, we have got to ask ourselves, are we using the taxpayer dollar wisely? Is the government providing excellence as far as managing money when it spends dollars for health care? Is the government better suited to make decisions about

health care than families? Who is better suited to handle the growing health care requirements in this country?

Now, a government-only universal health care system tends to be more inflexible. In America, my concern is that it will hamper our innovation and delivery of some of the most modern health care services available anywhere in the world.

Two specific examples that a private-based system is more flexible and less expensive. Look at what goes on to our northern neighbor in Canada, a government-run system that took over health care shortly after the Second World War. It is a universal system, and the Canadians are very proud of their system, and rightly so. But there are some trade-offs, and one of the trade-offs is there can be a wait for health care services. In fact, the Canadian Supreme Court ruled in 2005 that access to a waiting list was not the same thing as access to care, and that in some instances the waiting list was, in fact, health care denied to Canadian citizens. And the Supreme Court required that the Canadian system remedy that.

But in Canada, if you find yourself with a diagnosis and a treatment, but a long time between that diagnosis and treatment, people who have the cash can certainly travel across the border to the south into the United States and find that they can have whatever it is they have been placed on a waiting list that seems interminable; whether it be a cardiac catheterization, a CAT scan, an MRI, they find they get it much more quickly than if they simply waited it out in Canada.

So, we have to ask ourselves, is our health or the health of someone in our family something with which we are willing to gamble that that length of time, that that delay won't cause problems, won't increase the morbidity for that particular disease process, won't lead to a lower expectation of a cure or salvage with whatever that particular diagnosis is?

The British Isles, where they have a similar type of system, they have a National Health Service. Again, very famous. Britons love the system. But, in fact, they also have a private system that coexists within their country. And if the National Health Service is not able to get to someone in a timely manner, and if that patient or their family has the funds available to expend, then indeed they can be seen in the private system. And for patients who are concerned that they might not survive their wait, or they are living with significant disability, this is a choice that they are willing to make.

But the reality is, again, our population is getting older and older, and if you ask someone who is in their sixth decade, seventh decade, eighth decade of life to wait for 4 months, 6 months, 8 months, 12 months or longer for a procedure or a diagnostic test, we, in fact, are consuming a significant amount of the available time they have left, and this, in fact, is not a fair allocation of health services.

So my premise would be that the private sector, with all of its difficulties, with all of its faults, is more nimble and is a more suitable and stable arena from which we can build our health care system in the future.

This is a complex relationship; and how Congress instructs the medical care in this country be done is largely going to determine if we have the best health care system possible. Certainly, it is incumbent upon Congress to promote policies that help the public sector maintain efficiency and become efficient in areas where it is not efficient, and, at the same time, allow the private sector to lead the way with innovation and development of new therapies, new techniques, and new ways of tackling old problems.

Now, one of the things that immediately comes to mind any time you have a discussion about health care is the issue with the uninsured. The uninsured population in this country is estimated by the United States Census Bureau to be somewhere around 46 million people. Now, within that group, I would argue that access to health care is not frequently the issue; it is the coverage that is the issue, because there always exists an emergency room someplace where care can be delivered urgently. But we all know the problem there is you don't always get your best result if you put off the treatment or the diagnosis until such time as it just no longer will allow itself to be put off, and we can increase the cost of health care by delivering health care under that model. But I would stress that in this country, it is not lack of access to health care, because those access points do exist, but it is lack of access to coverage that drives a lot of this debate.

Now, some of the things that have happened, and two examples that we should talk about, and, in fact, they are issues that we are going to need to take up within this Congress, because both programs require reauthorization, are the State Children's Health Insurance Program, or the SCHIP program, and Federally Qualified Health Centers.

Now, currently the children's health insurance operates as a joint Federal-State partnership. It certainly provides some flexibility for States to determine the standards of providing health care and funding for those children who are not eligible for Medicaid, but whose parents truly cannot afford health insurance. The program has been successful, and it has been successful across the board.

As we look to reauthorize the program this year, I think one of the things we can do and should do is clarify the fact that it is children's health insurance. While the intent of the legislation is clear, some States have opted to spend their funds on individuals other than children or pregnant adults. In an effort to correct this process, I introduced H.R. 1013, making certain that the SCHIP funds are spent exclusively on children and pregnant women, not on other groups. We don't cover every child who should be covered under the SCHIP program; and, until we do, it only makes sense that we restrict the funding, again, for children and for pregnant women, who are obviously going to be having a child in the near future, so that child can be covered during the prenatal period. But to take those dollars that should be spent covering children when not every child is covered in this country and spend that covering nonpregnant adults seems to undo the intent of the legislation.

Now, if our intent is to provide other coverage for other individuals, let's have that debate, let's have that discussion, let's have that vote. But let's keep those dollars that are designated to provide health care for children providing health care for children.

But SCHIP is an example where children and pregnant women can receive additional medical coverage which otherwise would not be available to them through the Medicaid program. And, certainly, there are some people who are now covered by SCHIP who previously would have fallen into the broad category as the uninsured.

Other ways of coverage for those individuals who are not children, who are not pregnant, there is access to care. If a Federally Qualified Health Center is available in the area, certainly health care can be gained through an FQHC. The patient has access to health care without insurance. In fact, 15 million of that number of the uninsured can access their health care through a Federally Qualified Health Center. A medical home, continuity of care, see the same doctor every time, in some instances have dental and other coverage, have some coverage for prescription drugs. This is real care available to real people, and it is care that should not be discounted, because it is available to all persons in the community regardless of ability to pay, and it is a program that has been up and running for 35 years. It is a program that is providing care today.

Both SCHIP and the Federally Qualified Health Center program were designed to help the poorest, the youngest, and those underserved in our communities. What about individuals that can afford to pay some of their health care services? Two programs that would assist individuals and their companies in receiving health care coverage, health savings accounts and association health plans.

Health savings accounts, previously known as medical savings accounts, are a tax-advantaged savings account that is available to taxpayers who are enrolled in a high-deductible insurance plan, an insurance plan with lower premiums and higher deductibles than a traditional health plan. Sometimes that is referred to as a catastrophic health plan, but it is with a difference, because you can put money away up to an amount that is $5,000 for a married

couple. You can put money away in a tax-deferred or tax-free savings account. That money must be used only to pay for health care services in the future, but that money grows over time and can be a significant source of health care funds for an individual or a couple as they go through life.

For the health savings accounts, the funds are contributed to the account, they are not subject to income tax, and they can only be used to pay for qualified medical expenses. But the best part of having a health savings account is that all deposits to an HSA become the property of the policyholder regardless of the source of the deposit. So that means whether it is the individual themselves or their employer who deposits that money into the health savings account, the actual policyholder is the owner of those dollars designated for health care.

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And patients have a say in how and when they spend their health care dollars; any funds deposited but not withdrawn each year carry over to the next year. And the popularity of HSAs has grown considerably since their inception.

Now remember, medical savings accounts were started a little over 10 years ago in the Kennedy-Kassebaum bill that was passed in 1996. With the Medicare Modernization Act in 2003, the health savings accounts became the follow-on from the medical savings account. These were expanded. The number of companies offering insurance greatly expanded, a lot of the restrictions were removed, and health savings accounts really represent the full measure of what the old medical savings account attempted to achieve, but it just simply had too many regulations in its way to allow itself to come to fruition.

But numbers from 2005, by December of 2005, some 3.2 million individuals had coverage from a HSA. Of that number, 42 percent of those individuals or families had incomes below $50,000 and were purchasing health savings account-type insurance. The HSAs are an affordable option.

In addition, the number of previously uninsured HSA plan purchasers over the age of 60 nearly doubled, proving that plans are accessible to people of all ages. And really, the proof of that, for a young person in the mid-1990s, getting out of college, perhaps going to go into business for themselves, didn't want to go to work for a big company, no longer can be carried on their parents' health insurance, almost impossible to buy health insurance coverage at any price. I know, because I tried in the mid-1990s to do just that for one of my children.

Fast forward to the present time. Go on the Internet, your search engine of choice, type in health savings accounts, and very quickly, with a few clicks, you'll be with a menu that has a number of options available as far as health savings accounts are concerned. And a high deductible, reputable company, PPO plan in the State of Texas for a male, 25 years of age, nonsmoker, these premiums run about $65 a month.

Yes, you do have a high deductible. Yes, until that high deductible is funded with tax-deferred, pretax dollars that are going to go into that health savings account to grow over time and provide the offset for that high deductible, sure, during the first year or early years of having a health savings account, things like preventive care are not necessarily going to be covered. Those are expenses that will have to be paid for out of pocket because most people, fortunately, will not get to the limit of their deductible.

A young person needs a flu shot. They're probably going to have to write a check for that out of personal funds. But over time, that so-called medical IRA will grow and, again, it grows tax deferred and so it can begin to grow quite quickly.

Albert Einstein one time said the most powerful force for good known to man was the miracle of compound interest. That money will grow over time. So for a young person especially, starting that type of account, again, that that can be very powerful.

Now, of the 46 million Americans who are uninsured, nearly 60 percent of them are employed, and they're employed within a small business. Some of these individuals prefer a more traditional health plan than a HSA, but their employer, the small business for whom they work, find offering a health benefit is either nonexistent or just quite simply too expensive for them to provide.

To take some of the burden off of the small employer who wants to provide insurance for their employee, Congress has devised the concept of what is known as association health plans. This allows small businesses a similar business model, or business plan, to band together to get the purchasing power of a much larger corporation in order to provide more cost-effective insurance coverage to their employees.

A group of realtors, for example, or a group of Chambers of Commerce, or medical offices or dental offices or insurance offices, these groups would be able to form a purchasing unit that would be able to purchase health care, again, get the purchasing clout of a much larger group than a small office could ever provide by itself.

This legislation has passed the House of Representatives twice in the 108th Congress, twice in the 109th Congress. It never could get through the Senate, and I believe it is still an important concept and one which we need to come together and work on.

We heard the group before me talking about how important it was to have a bipartisan effort on these issues, and I certainly welcome that spirit, and would suggest we do need to have a bipartisan effort on working out these types of problems for the American people, because association health plans might not bring down the number of uninsured acutely, right away, but it will certainly help stem the number of small employers who are finding it increasingly difficult to provide insurance for their employees.

So it will bend that growth curve of the uninsured that has gone inexorably upward. It will bend that growth curve of the uninsured in a much more favorable direction.

But I think we also heard from the President this year when he talked in the State of the Union address, he talked a little bit about perhaps providing some tax relief to individuals who are self-employed, who would purchase insurance but, gosh, I've got to buy it with after-tax dollars, and that just adds to the expense. So the President was talking about providing some measure of tax relief for individuals who wish to have their own insurance policy.

He also talked about putting a cap on the upper limit of insurance benefits that would be able to be offered by a company to an employee and come to that employee as an untaxed benefit.

One of the things in addition to the issues that the President brought up and one of the things that I think this Congress should look at as perhaps a follow-on or extension to what the President was talking about, would be to provide, whether you call it vouchers, whether you call it tax credits for people who lack insurance, whether you call it premium support, to buy down the cost of the premiums so that a person who is employed, but says those health insurance premiums are just too expensive for me to afford. If we can help that individual pay that premium cost, that keeps the individual off of the Medicaid rolls. So it keeps them from being a governmental expense and allows them to participate in their employer's insurance plan, which has an advantage of keeping the insurance plan that the employer offers a viable one because more employees will be participating; and over time, perhaps that employer will find that they can indeed reach a stage in their employment where they are, in fact, able to carry the cost of the premium expense themselves.

But the concept of premium support not mentioned by the President during his State of the Union address, but one which I feel very strongly is an issue that should be explored by this Congress, it is a concept that we should study, and I think come up with a solution that would be a benefit for the American people.

Well, one of the other things that I do want to talk about in the context of all of these things that I've discussed with health care is, we've got to be careful we're not putting the cart before the horse. A conversation with Alan Greenspan about a year and a half ago, just as he was leaving the Federal Reserve Board, the obvious question came up, how in the world is Congress

ever going to pay for Medicare in the future?

He thought about it. He said, at some point, when the time comes, the Congress will do the right thing and figure out a way to pay for Medicare. He paused and then said, what concerns me more is, will there be anyone left to provide the services that you desire when you get to that point? And that is a very valid observation, and certainly one that drives a lot of my thinking when I study the issues surrounding health care and health care delivery in this country. Because the question legitimately can be asked, is our country heading into what might be described as a crisis in physician staffing, a crisis brought on by a physician shortage in the country?

And I reference back in my home State of Texas. The Texas Medical Association puts out a magazine every month, a periodical every month, called Texas Medicine. I stole the cover of their March issue because it really says what Mr. Greenspan was telling us that day. The title of the lead article in the periodical last March was, Running Out of Doctors. And that is a concept that I think this Congress, we need to pay some attention to that. And if we don't, I think we put the system in this country in greater peril than it needs to be.

And we need to ensure that the doctors who are in practice today stay in practice, that they stay engaged, they stay there providing care to their patients. These are doctors who are at the peak of their clinical abilities, they're at the peak of their diagnostic abilities. We want them to remain active in their practices and providing services and, honestly, services to the patient who have, who provide them with their most complex medical challenges, our senior citizens.

So what steps do we need to take to ensure we have an adequate physician workforce going forward into the future and ensure that the doctors of today stay engaged in the practice of medicine, and that the young people of tomorrow come to realize that a career in health care is one that is not only viable but one that is going to be rewarding for them as well?

Well, tackling a problem that has plagued the medical community for years and years revolves around the issues of medical liability. My belief is that we need a commonsense medical liability reform to protect patients, to stop the escalation of costs associated with lawsuits, and to make health care, to keep health care more affordable and thereby more accessible for more Americans, and to keep the necessary services in the communities that need them the most.

My belief is that we do need a national solution. The State-to-State solutions that have grown out of necessity do leave vast populations in jeopardy, and have the undesirable effect of actually increasing health care expenditures in this country all of the time that we leave that condition unsolved.

I like the system that was developed by my home State of Texas that placed caps on noneconomic damages in medical liability suits. I think it is one that certainly is worthy of study by this body, and perhaps worthy of consideration by this body. Texas brought together all the major stakeholders in the discussion, doctors, hospitals, nursing homes and patients. The State was able to have these discussions and bring the stakeholders to the table and come up and craft legislation that really put the brakes on the escalation that was going on in medical premiums; and just as importantly, to keep medical liability insurers involved in writing policies in the State of Texas.

We'd lost most of our medical liability insurers from the State. They had simply closed up shop and left because they could not see a future in providing medical liability insurance in Texas. We went from 17 insurers in 2000 down to two in 2002. Rates were increasing year over year. In my personal situation, before I left medical practice, my rates were increasing by 30 percent to 50 percent each year.

So, in 2003, the Texas State Legislature passed a medical liability reform based on a much older reform passed in the State of California. California, in 1975, passed the Medical Injury Compensation Reform Act of 1975, which essentially put a cap on noneconomic damages in medical liability suits, and it has worked extraordinarily well in the State of California.

The Texas law was modified a little bit, I'd say made ready for the 21st century. Instead of a single $250,000 cap, there is a $250,000 cap on noneconomic damages as it pertains to a physician, a $250,000 cap on noneconomic damages as it pertains to a hospital, and an additional $250,000 cap as it pertains to a nursing home or a second hospital, if one is involved, for an aggregate cap of $750,000.

So the question is, how has the Texas plan fared? It actually came into law September 12th of 2003, and remember, I said the State had dropped from 17 medical liability carriers down to two because of the medical liability crisis in the State. Now we're back up to 14 or 15 carriers. And most importantly, they came back to write business in the State of Texas without an increase in their premiums. This is, indeed, a significant reversal.

More options mean better prices and a more secure setting for medical professionals to remain in practice and certainly provides physicians the certainty that they need to keep their practices open in Texas. And one of the most astounding and unintended beneficiaries of this was that of the small, community, not-for-profit hospital that was self-insured for medical liability. These small community hospitals have been able to take money out of those escrow accounts that they were having to hold in abeyance in case they found themselves involved in a liability suit, and have been able to put more money back into their community hospitals, been able to spend money on capital expenses, been able to spend money on nurses' salaries, precisely the types of things you want your small, community, not-for-profit hospital to be doing, rather than just holding money against a day where they might be involved in a large damage suit.

So I took the language of the Texas plan and worked so it would fit within our legislative structure here in the House of Representatives, and actually gave this legislation to the ranking member of our Budget Committee, and he had that bill scored by the Congressional Budget Office. So the Texas plan, as applied to the Texas house of representatives, to the entire 50 States, would yield an average savings of $3.8 billion over 5 years.

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Not a mammoth amount of money, but when you are talking about a $2.99999 trillion budget, this savings would amount to moneys that we could use on any of the other number of spending priorities that we hear so much about in this Congress.

And consider this: A study done in 1996 by Stanford University revealed that in the Medicare system alone, the cost of defensive medicine was approximately $28 to $30 billion a year, 10 years ago, Mr. Speaker. I suspect that that number is significantly higher today. Defensive medicine, those additional tests and procedures that are ordered by doctors in order to help them provide a good defense should they have a bad outcome and should the case go to litigation in the courts, again, moneys expended on medical care not for the care of the patient, but to provide the best possible defense for a physician if a case is taken into court.

Another consideration is young people getting out of college who are considering a career in the health professions, whether it be medical school, nursing school, dental school, or one of the allied professionals, the current system keeps young people out of the practice of health care for their livelihood because of the burden that we put on them. One thing we have to consider: They are graduating from school with massive amounts of debt, and then immediately upon getting out and emerging on the world and starting into practice, they have to come up with another $100,000 for their liability insurance. It is an untenable position, and it drives young people away from considering a career in health care.

One of the things that I think we really need to focus on, getting back to the cover of Texas Medical Association and running out of doctors, part of ensuring that the workforce for the future includes helping younger doctors and younger students with residency programs, one of the strange things about doctors is we do tend to have a

lot of inertia. A lot of us tend to practice very close to where we did our training. Studies have shown that many doctors will stay within 100 miles of where they trained. They like to practice in communities similar to the communities in which they did their training. So it would be a great asset to look at areas in this country where there is high need for certain types of physician specialties, areas that are currently medically underserved, and encourage young doctors to get their training in these locations where they are actually needed.

Now, a bill that I am going to introduce, called the Physician Workforce and Graduate Medical Education Enhancement Act, would develop a program that would permit hospitals that do not traditionally operate a residency training program the opportunity to start a residency training program to build a physician workforce of the future. This bill would create a loan fund available to hospitals to create residency training programs where none has operated in the past. The programs would require full accreditation and be generally focused in rural, suburban, inner-urban community hospital locations.

On average it costs a hospital $100,000 a year to train a resident, and the cost for smaller hospitals can be prohibitive. Another concern stems from the 1997 congressionally passed balanced budget amendment that set a residency cap that also limits resources to nontraditional residency hospitals such as smaller community hospitals. In my bill the loan amount to any institution would not exceed $1 million, and the loan itself would constitute start-up funding for a new residency program.

As we all know, the start-up money is essential. Since Medicare graduate medical education funding can be obtained only when a residency program is firmly established, the cost to start a training program for a smaller, more rural, or suburban hospital can be cost-prohibitive because these hospitals operate on much narrower operating margins.

The overall bill would authorize a total of $25 million to be available over 10 years. The fund, of course, would be replenished because these are constructed as loans, and the Health Resources Service Administration may make the loans available to new applicants. These moneys would be repaid, and the residency slots in existing programs would continually work to bring new residents into the program and keep the program self-perpetuating.

To be eligible, a hospital must demonstrate that they currently do not operate a residency program, have not operated a residency training program in the past, and that they have secured preliminary accreditation by the American Council on Graduate Medical Education. Additionally, the petitioning hospital must commit to operating a residency program in one of five medical specialties or a combination of specialties: family medicine, internal medicine, emergency medicine, OB–GYN, or general surgery. Again, the hospital may request up to $1 million to assist the establishment of this new residency program, and funding could be used to offset the cost of residents' salaries and benefits.

The bill would require that the Health Resources Services Administration study the efficacy of the program in increasing the number of residents in family medicine. The loans would be made available beginning January 1, 2008, and the program would be sunsetted in 10 years' time, in January 2018, unless Congress voted to reauthorize the program.

Now, locating young doctors where they are needed is just part of solving the impending physician shortage crisis that will affect the entire health care system. Another aspect that must be considered is training doctors for high-need specialties.

My High-Need Physician Specialty Workforce Incentive Act of 2007 will establish a mix of scholarships, loan repayment funds, tax incentives to entice more students to medical school, and create incentives for those students and those newly minted doctors. This program will have an established repayment program for students who agree to go into, again, family medicine, internal medicine, emergency medicine, general surgery, or OB–GYN, and practice in an underserved area. The Health and Human Services Department will administer and promulgate the requirements. The recipients must practice in the prescribed specialty and the prescribed area, which is designated as a medically underserved area, and the practices may include solo or group practices, clinics, public or private nonprofit hospitals. And it will be a 5-year authorization at $5 million a year.

The bill would provide additional educational scholarships in exchange for a commitment to serve a public or private nonprofit health facility determined to have a critical shortage of primary care physicians. Such scholarships will be treated as equivalent to those under the National Health Service Corps, and penalties apply for those that take advantage but do not go into one of those practice areas.

This will establish the Primary Care Physician Retention and Medical Home Enhancement grants to help ensure that primary care physicians continue to provide coordinated care to patients in underserved areas or high-risk populations. And the reality is we can all think of areas like that back in our home States or, indeed, back in our districts.

In other areas such as the Louisiana gulf coast, where so many doctors left after the devastating hurricanes of Katrina and Rita 1½ years ago, it has been very hard on the doctors in this area, very hard to keep doctors in this area, very hard to encourage and entice new doctors to come to the area; and this would be one more tool, one more way, to keep the rather fraying social safety net from becoming completely undone in that area.

Every year there would be a report back to Congress about the effectiveness of the program. This would allow us to assess if we are spending our dollars wisely and getting what we thought we would get when we initiated the program. Again, oversight is going to be key to this process.

Well, so far in addressing the physician workforce crisis, we have discussed the medical liability, the placement of doctors in locations of greatest need, and the financial concerns of encouraging young people to go into medical school in the first place and to remain in high-need areas in high-need specialties.

The next portion of this has to deal with perhaps the largest group of practitioners affected in this country and certainly the still-growing group of patients, our baby-boom generation, within the Medicare program.

The baby boomers, and we have already talked about it, as they age and retire, the demand for services has nowhere to go but up. And if the physician workforce trends continue as they are today, which is downward, we may not be talking about funding a Medicare program. We may be talking about what are we going to do to take care of our senior citizens when there is no one there to take care of them? I often tell people if you see a train wreck coming, you have two options. One is to stop the wreck and avert the wreck from happening in the first place; and the other is to run home and get your video camera and be the first to get it up on YouTube. I believe the responsible approach is to avert the crisis in the first place.

Year after year there is a reduction in reimbursement payments from the Center for Medicare and Medicaid Services to doctors for the services they provide to their Medicare patients. This is not a question of doctors wanting to make more money; it is about a stabilized payment system for the services that are already rendered. And it isn't just affecting doctors. It affects patients. It becomes a real crisis of access.

Not a week goes by that I don't get a letter or fax from some physician who says, you know what, I have just had enough, and I am going to retire early. I am no longer going to see Medicare patients in my practice, or I am going to restrict the procedures that I offer to my Medicare patients. Unfortunately, I know this is happening because I saw it in the hospital environment before I left the practice of medicine to come to Congress, but I also hear it in virtually every town hall that I do back in my district. Someone will raise their hand or come up to me after the town hall is over and say, how come on Medicare, when you turn 65, you have to change doctors? And the answer is because their doctor found it

no longer economically viable to continue to see Medicare patients because they weren't able to keep up with the cost of delivering the care. They weren't able to cover the cost of providing the care because of the cuts that are happening year over year in the Medicare reimbursement formula.

Now, Medicare payments to physicians are modified annually using a formula called the sustainable growth rate. Because of flaws in the process, the sustainable growth rate formula has mandated physician fee cuts in recent years that have only been moderately averted by last-minute activity by Congress. If no congressional action is implemented, a cut goes through. And if no long-term action is taken, the SGR will continue to mandate fee cuts for physicians. And unlike hospital reimbursement rates, which closely follow the Medicare Economic Index, a cost of living index, if you will, which measures the increasing cost of providing care, physician reimbursements don't do that. In fact, Medicare payments to physicians cover only about 65 percent of the actual cost of providing patient services. Can you imagine any other industry or service or company that would continue in business if they received only 65 percent of what they spent to deliver the service? Not 65 percent of what they needed to make a profit; 65 percent of what they need to simply keep the doors open in the first place. Currently, the sustainable growth rate formula links physician payment updates to the gross domestic product, which has no relationship to the cost of providing patient services.

But the simple repeal of the sustainable growth rate formula can't happen, or we are told it can't happen, because it is too cost-prohibitive. Two hundred and eighty billion dollars is what it would cost this year to repeal the sustainable growth rate formula.

But perhaps if we approached it as something we could do over time, we could bring that cost level down to an area that is manageable. And paying physicians fairly will extend the careers of many physicians who are now in practice who would either opt out of the Medicare program, seek early retirement, or restrict those procedures that they offer to their Medicare patients. It also has an effect on ensuring an adequate network of doctors available to older Americans in this country that make the transition to the physician workforce in the future.

In the physician payment stabilization bill that I will introduce, the SGR formula would be repealed in 2010, 2 years from now, and provide incentive payments based on quality reporting and technology improvements. These incentive payments would be installed to protect practicing physicians against the program cuts that are likely to occur in 2008 and 2009. The incentive payments would be voluntary. No one would be required to participate in a quality program or the technology improvement, but it would be available to those doctors or practices who wanted to offset the proposed cuts that will occur in physician reimbursement in the 2 years until a formal repeal of the SGR happens.

Now, I do know from talking to my friends who are physicians and my friends in organized medicine that it is an alarming thought that we would have to wait for any period of time before repeal of the SGR.

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If we step back and look, in terms of a long-term solution, the only practical approach is, in fact, to deal with it on a long-term basis. The reason we are in the deep depression we find ourselves in is because year over year we've only provided these last-minute fixes, which have only served to exacerbate the problem, not solve the problem.

Well, why not just do away with the SGR once and for all and get it done? Remember, the cost for doing that is going to be about $280 billion. One of the problems that we have in Congress is the Congressional Budget Office is the group to which we must petition and the group to which we must look for advice about how much things are going to cost. If we are going to be spending the taxpayers' money, how much are we going to spend, over what time will we spend it? Because of some of the constraints of the Congressional Budget Office, we are not allowed to say, look, we are doing things so much better now within the system that give us credit for that going forward so we can, in fact, reduce that number from $280 billion down to something that is more reasonable.

We all saw the Medicare Trustees Report from about 2 weeks ago. It said that in the year 2005, there were 600,000 hospital beds that were not filled as a result of improvements that have occurred because of disease management, because of doctors doing things more efficiently. These are dollars that have been saved out of the part A portion of Medicare, but it's because of work done in the part B part of Medicare, and that is, after all, where we are all focused within the part B world.

By postponing the repeal of the SGR by 2 years' time and taking the savings that occur during those next 2 years and applying it back to the SGR formula, we may actually get a number that is doable as far as releasing the SGR and replacing it with the full Medicare economic index so we can pay doctors the same way hospitals, HMOs and drug companies are reimbursed.

One of the main thrusts of this bill is to require the Center for Medicare and Medicaid Services to look to their top 10 conditions that drive the highest percentage of payment. It's the old Willie Sutton argument: He robbed banks because that's where the money is. Let's look at the top 10 drivers of health care expenditures in this country, and look at ways where we can improve the care that is delivered in those 10 areas, and look to those areas to give us the savings that will, in fact, deliver the benefit towards the ultimate repeal or retirement of the SGR.

The same conditions actually apply to the Medicaid program as well. It will be a useful exercise. It helps not only Medicare, but would also help CMS with the Medicaid expenditures as well, and will just help physicians in general provide better care for their patients.

It will include some reporting back to doctors and back to patients as to their utilization amounts; these numbers will not be made public generally, but will allow doctors to individually modify their own practices if they see there are ways where they may improve.

Health information technology, it is something which, I will admit, I have been slow to come to the table with as far as looking for improvements in health information technology to provide substantial savings. And I will tell you what changed my mind on that.

In January of 2006, with our Oversight and Investigations Committee down in New Orleans, Louisiana, to look at the recovery from the hurricane as it impacted the health care system in that part of the world, this is the medical records department at Charity Hospital, one of the venerable teaching institutions in our country. When the city of New Orleans was flooded, these records were completely under water.

Now the basement has been all but completely emptied of water. There is probably about a foot of standing water that doesn't show up in the photographs. But look at the records. This is not smoke or soot damage, this is black mold growing on these records. So how do we know that there is a patient in there that is on dialysis waiting for a kidney transplant? We will never know.

We couldn't ask anyone to go in there and go through those records, it would be hazardous to their own health. How do we know about where a person was in their cancer treatment? We will never know that information; that information has been lost to the ages. This is the kind of problem that you can get into with paper records.

You know, the youngsters of today, the college students of today, indeed, the young physicians of today, they understand this very well. They are connected, they are wired in, they all have flash drives and zip drives. They would no more imagine preparing a term paper for one of their classes and then only keeping one paper copy. No. They've got it on their hard disk. They've got it on a floppy disk. They've got it on a flash drive. They have probably e-mailed it to someone back home. The old adage of ''The dog ate my homework'' just won't wash anymore. We need to evolve into the 21st century when it comes to medical record keeping.

It costs money to do this. It is going to require a big push from both the

public and the private sectors. I prefer to think of the bonus payment as being an inducement and enticement for physicians offices to participate in this program. But on the face of it, it's just good medicine, it's just good patient care.

Now, we all heard about the troubles at Walter Reed Hospital a few months ago. I went out to Walter Reed shortly after the story broke in the Washington Post, and here is Master Sergeant Blades. And he took me around building 18, and yeah, it was a crummy building. We could certainly have done a lot better than we were doing for our soldiers on medical hold in building 18.

But the real thing that bothered Master Sergeant Blades was the fact that they had to wait so long to get in to see someone. And when they did, oftentimes their records that they had worked on and they had prepared and they had organized, sometimes those records, after they delivered them to the appropriate clinic, their records would get lost. His specific complaint to me was, I can spend 20 man-hours putting together my medical record and highlighting the areas that are of significance and importance to me. This goes over to one of the clinics. It sits on someone's desk until it is no longer retrievable, and I have to start all over again.

Now, the VA has been very forward thinking in its embrace of electronic medical records and its investment in medical technology. The problem is the Department of Defense medical records do not interface with the VistA system at the Department of Veterans Affairs. So if delivering value to the patient is of paramount importance, it is critical that we make this type of service generally available to our patients.

Mr. Speaker, I was also going to address some of the issues on health care transparency; I probably don't have time to do that. I will simply mention that I have introduced a bill dealing with health care transparency that provides for keying off what is happening in the States, and making certain that every State would have at least some level of transparency in health care pricing.

In Texas, up on the Web right now, and I realize it is going to go through several different iterations and it will evolve considerably over time, but TXpricepoint.org, available on the Internet, allows patients to compare prices on hospitals in their area.

Again, a lot of things we have to consider when we work on the transformation of the health care system in this country. There are good things as far as the public system, there are good things as far as the private system. We have got to be certain that we build on the good things present in both systems, and that we stop doing the things that no longer deliver value to our patients.

## U.S. TRADE AGREEMENTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New York (Mr. CROWLEY) is recognized for 60 minutes.

Mr. CROWLEY. I thank the Speaker for affording me this opportunity. And to the new Democratic coalition, to have an opportunity to speak a few moments on the new template that has been created as we move forward on trade here in the House of Representatives.

I want to take this opportunity again to applaud the Chair of the Ways and Means Committee, my chairman, Mr. RANGEL, as well as chair of the Subcommittee on Trade, Mr. LEVIN, as well as the Speaker of the House, NANCY PELOSI, and the entire Democratic leadership for what I believe was forcing the Bush administration to agree to a framework that will encompass all future trade agreements, a framework that will ensure that our trade pacts with other nations respect labor, both here in the United States and abroad; that respect the environment both here and abroad; and respect our Nation's future economic success. And specifically, the new Democratic majority achieved a long sought-after goal that our trade agreements will include enforceable labor and environmental standards.

I think it is incredible that our caucus, that charged our leadership and Mr. RANGEL with the authority to negotiate on behalf of our caucus with the administration, with the USTR, the principles that we laid out for him and for our leadership. And what is remarkable is the success that Mr. RANGEL and our other leaders met in those negotiations.

This new framework, this new template, as I said before, illustrates how Democrats, in response to public demands to work in a bipartisan way, how we were able to achieve our goals by working cooperatively with Republicans without compromising what we stand for as Democrats—and that, in large contrast to the stalemates that we saw in recent past Congresses.

I think it is a new day in many respects for the Ways and Means Committee and for the House of Representatives. I hope it goes beyond this new template for fair and free trade agreements: that this can be used as an example in other areas; that we can hopefully work in a more bipartisan spirit, not always agreeing, not always getting along, but working in the spirit of cooperation on behalf of all our constituents, be that Democrat, Republican or Independent.

This new trade policy achieves the core Democratic principles and goes far beyond the provisions in any previous free trade agreement. All pending free trade agreements will be amended to incorporate key Democratic priorities and will be fully enforceable. Key demands that were met are fundamental labor and environmental protections included in trade agreements that are fully enforceable.

I think it is important to note here, after years of opposition, this administration and the former Republican-controlled Congress agreed to include in the text of the agreement the five ILO worker rights: first, the right to association. Secondly, the right to collectively bargain. It also prohibits child labor. It prohibits slave labor. It prohibits discrimination. For the first time, environmental standards cannot be lowered, and will be fully enforceable in free trade agreements going forward.

The agreement upon framework expands access to life-saving medicines in developing countries as well. Trade agreements with South Korea and Colombia present additional and distinct obstacles that need to be addressed. This is a framework; it is not carte blanche for every free trade agreement moving forward.

The framework is about leveling the playing field for America's workers, for our farmers and businesses, and promoting a trade policy that advances U.S. economic interests around the world, but also advances what we stand for as Americans.

Democrats will continue to work across the aisle to make sure our country stays in the forefront of this globalizing economy and this globalizing world. Working across the aisle, Democrats will educate our youth and upgrade worker skills on the job, and stimulate science, education and research as we move forward.

Democrats are committed to moving beyond the current trade adjustment assistance, TAA system, to provide meaningful support, training and revitalization programs for entire communities which have been hurt by the effects of trade and technology. This bipartisan framework will keep America as a global economic leader and a champion for the principles Americans all believe in.

I am so happy to be joined this evening by a fellow member of the New Democratic Coalition, ALLYSON SCHWARTZ from Philadelphia, who would also like to share her thoughts about this new template that we have been able to create here in the House of Representatives.

Ms. SCHWARTZ. I thank Congressman JOE CROWLEY from New York, who has been a leader in the New Democratic Coalition. He has really been, as a member of both the coalition and of the Ways and Means Committee, as I am, really out front and really working to make sure that we are as economically competitive as we need to be in this country. And that means all American workers being given new opportunities. And that really does involve making sure that we get these trade agreements right.

So I want to thank the Congressman, and thank him for asking me to join him this evening.

What I want to do is to add my words, some of them will be similar, I

share some of the same feelings you do, about how important it is for us as new Democrats to participate and to push to make sure that we get trade policies in this country that, in fact, are committed to advancing sustainable and responsible trade between ourselves and the rest of the world.

We recognize that this is a new day in the way we work. It is a global marketplace. We need to recognize that, we need to recognize these new marketplaces.

I, too, want to recognize our leadership on the Democratic side, Speaker PELOSI and Chairman RANGEL and SANDER LEVIN, who really are absolutely committed to doing these trade agreements differently and bringing a Democratic perspective to some of the goals and ambitions that we have for our constituents and for the American people to really try and do things differently.

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But let me also say that I understand very clearly, as I think all of us do here in Congress, that the new global economy has created real challenges for American businesses, for American workers, for American consumers and for American families, and that we need to do things differently in the 21st century. We need to recognize the competition that we are in, and we need to do a number of different things. Trade agreements are one piece of what we have to do, and do them in a way that recognizes how difficult this issue is for so many Americans. But it is not all we are going to do.

So we are going to talk specifically about trade this evening, but I think as you started to speak to towards the ends of our remarks, the fact is as New Democrats, and I hope for all of us in Congress, we need to work together to make sure that Americans are well prepared for the jobs of the 21st century, and that means investing in education, demanding more from our educational systems, demanding access to higher education and job training. It means making sure that people displaced by globalization, by the changing marketplace, have access to continuing education and job training, and that they are trained for jobs that are family-sustaining, that help them be able to do all they want to do for their families, and that we help American businesses be as innovative and as technologically advanced as they possibly can.

Our support as New Democrats for research and development, for ways and means, for tax credits that help advance the use of technology in our businesses and to make sure that we are competitive are all things that we need to do, in addition to making sure that our trade policies are really going to work for American businesses and American workers.

You went into some detail, and I think that was important, but let me certainly say that what we have done and what has been put forward by Chairman RANGEL and by Congressman SANDY LEVIN really is an enormous change over the agreements that we have seen in the last 6 years in particular. I want to say I am very proud of the fact that they held really firmly on putting forward, making sure that we and other nations really meet international labor standards. They were missing in our trade agreements.

If we are going to bring up the standards of workers in other countries, if we are going to be able to compete with workers and businesses in other countries, we need to have them make a commitment to those ILO standards, to the international labor standards.

We also stood firmly on making sure we were going to demand that other nations work on environmental protections. That means when we are dealing with Peru, we are talking about logging and making sure that they meet commitments.

Of course, we will need to make sure on an ongoing basis that language that is written in these trade agreements is enforced. It does not help us to write good language, although that is the first step; we must make sure there is an enforcement. I think many Democrats, and I hope that it is true for all of us, are concerned about the lack of enforcement that has gone on in the last 6 years. I myself have raised some of those questions in the Ways and Means Committee hearings.

So we are not finished by any means, even by speaking tonight. This is a broad template. We are referring to it as a new trade policy for America. But we feel very strongly, I certainly do, that we have made an enormous step forward here in making sure of the trade agreements, and we expect the template to be first used in our pending agreements with Panama and Peru.

There are obstacles and other issues that have to be dealt with in our trade agreements. This is just part of the special ones that often have to be dealt with. They certainly will be with Colombia, with South Korea, that are not spoken to in this template that will be very specific.

But the fact that this framework requires and demands that we will see higher labor standards in other countries, that we will see higher environmental standards, that we will see a commitment to really meeting these international standards, is a commitment that I think we have made to American workers. As I say, it is a piece of helping to make sure that American businesses and American workers can meet the challenges of the 21st century.

We will continue to, I certainly will, make sure that we do everything we can to make sure our workers are well-trained and prepared for the jobs of the next century, that those jobs are here in America, that we can complete in an international global marketplace.

This is really our responsibility in Congress is to be able to say what we expect of these trade agreements, to put language in those trade agreements. But the fact that we can work with this administration; you know, it has been hard to work with this administration on a lot of issues. The fact is this has been a breakthrough on trade.

The administration wants to see these trade agreements, but we weren't willing to relent without these high standards on labor and on the environment, and, again, I am going to add on enforcement.

I will say also that we fully expect that the work that we are going to do on education and on research and development and on innovation really is going to, I hope, put ourselves forward in making sure that we are going to be as competitive; that we add the work we are going to do on energy, bringing down the cost of energy; that we can add what we hope to do on health care and bringing down the cost of health care for our businesses and creating more access to health care.

We are really looking long term, because this is long term, in making sure that America continues to be the leading industrialized Nation in the world, that our people live at the highest standards, and that they can compete in a global marketplace in a way that we have always been proud of American products, and we will always be, and that we will, in fact, be able to make sure that our workers have the access to jobs, and that around the world we see all of the economies grow and expand and create new markets for us as well.

So I yield back. I will be happy to go into, as I know Mr. CROWLEY will be, into some of the specifics about some of these standards. But, really, I think what we want to do tonight is say as Democrats, we believe in the American worker. We believe in American business. We know we can compete. We need fair trade agreements that are enforced by this administration, and I know we will stay right on it to make sure that happens.

Mr. CROWLEY. One of the things that I think is remarkable about the template is that this is the base. This is not the ceiling. This is where we start from. And it is also precedent-setting. We have been asking, I wouldn't say begging, but we have been pleading with the other side to include these ILO declarations for many, many, many years now.

Unless you have served in the House for the past few years, you may not have the same appreciation for the dysfunctionality of the Ways and Means Committee and how it was or was not working in the past. It was either you take the agreement and you vote for it, or you don't. That is not a way, I think, to build bipartisanship. That is not a way to build consensus on any issue, let alone an issue that is as contentious as trade is for both Democrats and Republicans.

I think the American people, Allison, I think you will agree, want to see us

working together. It doesn't mean we always have to agree on everything, but they want to see us working together and crafting a template like this, that there is a give and take on all sides. I think when anyone enters into negotiation on behalf of any party, the understanding is there will be some give and take.

There will be some who are not entirely happy with every aspect of an agreement, but I think on the whole, we have to look at what Mr. RANGEL and Mr. LEVIN have been able to craft here and understand that just about everything we wanted as Democrats is in this template.

It doesn't mean that we will all, either Democrat or Republican, support all of the free trade agreements moving forward, but it is the floor and not the ceiling, and it gives us a great place, I think, to start.

One thing to also recount is that many of the nations that we have talked to, whether it was Peru or Panama or even Colombia, have said they have no problem with us including these provisions. They had no problem if the former Congresses would have included them, but they didn't include them.

Under this new Congress, this new Democratically controlled House and Senate, we said, no more. It will no longer be the way it used to be. It will no longer be a rubber stamp. We are going to impose a new template that incorporates some of the things that we believe are core standards for the American worker, but also for us as Democrats and for the environment.

We have been joined as well by our colleague from Wisconsin Mr. KIND, a cochair of the New Democratic Coalition. I know he would like to participate.

Mr. KIND. If the gentleman will yield, I am very, very glad my colleagues here tonight are taking time to try to explain what all the news has been about the last couple of weeks, and this is a very important template of trade that has been reached with the Democratic leadership here in Congress, with the Bush administration.

Let me congratulate both of you for the leadership you have shown on the Ways and Means Committee on this issue and so many other economic issues that affect all of our constituents across the country.

I also want to commend Chairman RANGEL, the chairman of the Ways and Means Committee; and SANDY LEVIN, who is the chair of the Trade Subcommittee; and Speaker PELOSI for the negotiation and hard work that they put into this template of how we move forward on trade agreements in this country.

For the first time I believe that the values of this Nation are finally starting to be recognized and reflected as a basis of these trade agreements; the attempt to try to elevate standards upwards, rather than having a race to the bottom when it comes to trade relations, because so many of our constituents have felt for some time, and we have heard it in our own congressional district, that the trade agreements really don't speak to their needs, that they are competing on an uneven playing field in relation to the rest of the world.

That is really what this agreement was about, was trying to level the playing field, to try to elevate standards globally, not only influencing and recognizing the needs of our workers here in America, but trying to influence and recognize the needs of workers throughout the rest of the world by having basic principles as part of the trade agreement, core international labor standards as part of these trade agreements as we move forward, environmental protections, all on an even par of enforcement with other important provisions that are part of the trade agreement.

But let me also admit the sheer political fact, and that is there is very little political upside in supporting trade in Congress these days because it is so unpopular back home. I think because of that, because of the growth of globalization and the interrelationship that we have now in the world economy, very few workers feel that there has been a real upside to them.

That is what we are trying to accomplish in this trade agreement is a recognition that they, too, have a place at the table when this comes to trade; that they do have rights that need to be protected and assured; that we should be a Nation that stands up in opposition to the exploitation of child labor or slave labor; that other workers around the world, as they do in the United States, have the right to collectively bargain so they have better leverage in negotiating decent, fair working conditions and compensation for themselves and their families, wherever they may be living in this planet.

But, to me, trade has been more than just goods and products and services crossing borders, although that is what most people think about as trade. Trade is also an important tool in our diplomatic arsenal. It is also about how we, the United States, chooses to engage the rest of the world, whether it is a negative engagement or a positive engagement.

Nothing could be more positive than having a healthy trade relationship with rules in place that everyone has to live by. I happen to believe something that Cordell Hull, who was FDR's Secretary of State, said many, many years ago, and that is when goods and products cross borders, armies don't. There is so much conflict, and there are so many rivalries, and there is so much violence in this world today that trade, if used right, with the right rules of engagement, can be a positive experience not only for our own economic needs here in the United States, but also abroad. To me, that is what this agreement really speaks to is incorporating these types of values now as we move forward.

We have got a few trade agreements that we are trying to work on; Panama and Peru, for instance. Colombia and South Korea may need some more work in talking to a lot of our colleagues, but at least we are establishing what those rules need to look like. Now we can get down and haggle out the details as we do move forward.

Ms. SCHWARTZ. If the gentleman will yield, I think the way you put it, I wanted to just echo that. What trade agreements really are are setting the rules. I think you are right. There has been, I hear it, I think we all hear it. We go in our districts and people say trade is ruining us. Yet many of those same people work in companies that sell products overseas and are proud of the work that they do. They realize how specialized, how important the work is that we do, and how we often are still setting the standards in the world marketplace.

But the reason to set these rules and to set the rules as strongly as we can, and we are setting them now, it doesn't mean they won't be changed at some point. They may need some tweaking, which is why you renegotiate these agreements. They don't go on forever. It is a dynamic marketplace we are in.

But it also means we can then go enforce those rules. And when we see lack of enforcement, I understand that frustration. I have businesses come to me, and I have tried to advocate on their behalf to say, wait a minute, it is in the rules, and we are unfairly disadvantaged. Is there something we can do? Sometimes there is.

We have seen dumping of steel. We are concerned about currency manipulation in China. These are complicated issues. In some ways, I am learning some of them myself.

But the fact is there are such different systems in these different countries, and we need to recognize that. But there are so many nations now that want to have a capitalist system and be able to have private investment and to be able to compete with us. At the same time there are very different rules in some of these countries, so we have to have a mechanism for interpreting what is fair and what is not.

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That is part of the reason we do these trade agreements. So if there is unfair manipulation, if there is dumping and State support for a company that makes it very difficult for us to compete, we have the rights within these agreements to bring forward those complaints and to have a fair hearing.

Mr. KIND. We had a very important caucus meeting earlier today, the Democratic Caucus, talking about the provisions of this trade agreement.

What I heard in that caucus, and I am not going to speak on behalf of those who spoke, but there was a lot of pent-up frustration. For the last 6 years with one-party control, our

ideas, thoughts and values were excluded in terms of the template of trade agreements and what was in these bilateral regional trade agreements coming before Congress.

But also, as you just recognized, there is a big concern about the lack of enforcement of existing trade agreements and the likelihood of enforcement being done by this current administration in future trade agreements when they come before Congress asking for our ratification. That is a legitimate concern, a concern that I hear back home from a lot of my constituents as well.

Unless the administration wants to step up and start enforcing these trade agreement and say we entered into these trade agreements for a reason, and that is to uphold the terms of the agreements and make sure everyone is playing by the same rules, trade confidence in this country is going to continue to ebb, and it is going to get worse. I think that would be disastrous ultimately for our long-term national economic growth and for helping our workers and expanding economic opportunities both at home and abroad.

So there is a big question mark with the majority of the people in this Congress with regard to the administration's willingness to enforce these agreements.

Mr. CROWLEY. I think one of the aspects of the template that we are talking about this evening, dealing primarily with the environment, for instance, is something that has not gotten as much attention as the labor and the ILO declaration has gotten in terms of its incorporation within the template.

But I think it is important to note for the RECORD that the policy, as it moves forward under this template that the Democrats have created, will require our trading partners to enforce environmental laws already on the books, that they have agreed to, and comply with several multilateral environmental agreements, MEAs, which would include: the Convention of International Trade in Endangered Species; the Montreal Protocol on Ozone Depleting Substances; Convention on Marine Pollution, the Inter-American Tropical Tuna Convention; the Ramsar Convention on Wetlands; the International Whaling Convention; and the Convention on Conservation of Antarctic Marine Living Resources.

The U.S. is a signatory to all of these agreements, and I believe that free trade agreements cannot be used to undermine any of these MEAs. I think we all agree, as Democrats, that protecting the environment and protecting our planet is something that is an important element in any free trade agreement.

Mr. KIND. I look forward to working with my colleague here who, I think, appreciates this. As we go forward with this new template, we also need to focus on capacity building in a lot of these nations that we are trying to enter into agreements with, countries like Panama and Peru that aren't exactly wealthy and have a lot of resources, but to enable them to establish the institutions so they can do a better job of policing labor standards or environmental standards within their own countries. I think there is a great need and calling for us to do that.

But, ultimately, there has to be a willingness on our part and the administration's to take these agreements seriously and to enforce them seriously.

We all hear it back home; when you see someone losing their job or a plant closing down, it is usually laid at the doorstep of one of two factors. Either it is bad trade or it is illegal immigration. It is obviously more complex than that, but we need to have a broader discussion within the context of trade, as well, in regard to worker empowerment so that when people do lose a job, they don't have to make a showing of trade relation in order to get any assistance from the government. When a factory closes, it does not matter to the family affected whether it is trade related or some other circumstance, because they feel the pain the same way.

We have to step up our efforts in education and worker training in this country so our workers have the skills to compete in a 21st century economy and so they can be full participants. We should also be talking more about portability of health care and pension and retirement security, so it is not necessarily tied to a single job or occupation; and when they lose it, they lose all of that, the whole fabric of supporting their family is destroyed overnight.

Ms. SCHWARTZ. We spoke before about all of the other things that we need to do to ensure that our businesses and workers are fairly able to compete and excel.

One of the other things that I was going to say is that when we look at these new environmental standards, it also creates opportunities for American businesses. We have been speaking in a different context about the way we are going to create more energy-efficient businesses and products. And I am sure you have been visited, as I have been visited, by entrepreneurs across this country who have great ideas and are trying to move to market with solar and wind and biofuels and are ready to go.

When you think about these other countries that are trying to move very quickly to gear up and create new businesses, they are going to be looking for that technology and they are going to be looking for the scientists and the engineers. Hopefully, we will do a little patent protection and intellectual property protection, but this is where America has been so great, have that innovation and be on the cutting edge to do the very next thing that will then be bought by not only other American companies, but by other nations' companies as well. I think there is a hunger across this globe for that kind of interaction and cooperation. Market working, that is really what this is about, and trade capacity.

So what this does, and it is not the end-all and be-all. I think that is something we want the American people to understand. These are trade agreements, some of the rules and trying to make sure that it is fair for American businesses and American workers, and then are enforced. But we have a lot of other work to do on education and health care and research and development and some of our tax laws to, in fact, make sure that we can compete and it is fair.

But I think we, as new Democrats, in particular, are very excited about this challenge. It is scary. We hear from families who are committed to making some of those other changes, particularly in trade assistance adjustment. I think we will. So we recognize how difficult this is. There have been certainly some serious bumps, and those are very, very hard for families.

But we also have seen businesses grow and thrive and we have seen individual workers go on to do remarkable work as well. That is what we are trying to do with not just the trade agreements, but with all of the work that we are trying to do in here in the Congress.

Mr. CROWLEY. We have been joined by another member of the New Democratic Coalition, the gentleman from Texas (Mr. CUELLAR) who has a keen understanding of a number of the issues we just spoke about, trade being one, and immigration being another. That may be a subject for another evening for us to talk about.

HENRY, I know you want to weigh in a bit as well on the trade template that the new Democratic leadership has been able to forge.

Mr. CUELLAR. Thank you, Mr. CROWLEY. I certainly appreciate the hard work of Speaker PELOSI and Chairman RANGEL and the ranking member, Mr. MCCRERY, as well as SANDY LEVIN, working with the administration to come up with an agreement. This is very important.

Let me give you some of my personal experience. I am from Laredo, Texas, which is the largest inland port in the U.S. If you want to see trade, go to a place like Laredo, Texas. I have seen not only the primary jobs that are created, but also the secondary jobs it creates when we talk about international trade.

When you look at the U.S. economy, the $12 trillion economy is bolstered by trade, which is a pillar of our American economic power. In 2005, U.S. exports to the rest of the world totaled $1.2 trillion and supported one in five of the U.S. manufacturing jobs we have. Jobs directly linked to the export of goods pay 13 percent to 18 percent more than the U.S. jobs that we have.

Agriculture exports hit a record high in 2005 and now account for 926 jobs

that we have. So trade creates jobs, and I think the balanced approach of the new Democrats plays a role in developing this and is something that is so important to us.

I believe in trade for several reasons. It is not only the economics, but the other thing is, we have to stay engaged in the dialogue. If, for whatever reason, the United States would turn against trade, that is not going to stop the world. Other countries are going to continue entering into their own trade agreements. That is why it is important that the United States continues trade negotiations and stays in the dialogue.

If I can say one thing, and then I will leave it open, one of the things that I have seen is ever since President John F. Kennedy talked about the Alliance for Progress, he looked at countries like Peru and Colombia, to make sure that we have that dialogue with them because if we are able to do that, then we can bolster those economies. And again, talking about immigration just briefly, but the more jobs you create in those countries, hopefully the fewer people will come to the United States. Being on the border, we see those people trying to get better jobs in the United States.

Mr. KIND. I think you are exactly right. I would submit that in a short while we will be engaged in a immigration reform debate in this Congress. But as long as we have a huge economic disparity right across our border and throughout the Western Hemisphere, really we will be battling the issue of people wanting to come to the United States to realize the hope and the promise of our country and a better way of life for themselves and their families.

Trade is a way to try to elevate people's standards upwards and create job opportunities across the globe. Or we will always be at the losing end of the immigration proposition because of what the United States has to offer and the temptation to enter this country either legally or illegally for a better way of life.

Mr. CROWLEY. We are talking about uplifting these other countries, as well, by transposing our core values as it pertains to labor standards, as it pertains to the environment. I think that is something that should not be lost on anyone when we look at what we are attempting to do here.

Talking about Kennedy, talking about anyone who has looked to the hemisphere that we are in, as well as the Southern Hemisphere, in many respects you cannot move that hemisphere elsewhere. We are connected by land mass.

I think as we move forward on the immigration debate and we discuss this more and more, many of us believe we should be helping those countries with direct aid and assistance, to help them become better democracies or become democracies.

We see what is happening in some of those countries in South America that are trying to experiment with other forms of government that we don't necessarily agree with. It is not the way that we would prefer to see South America move. I think that is why being able to bolster some of those countries down there and show that there is a positive benefit to be gained by having a positive relationship with the United States in this template in trade and moving forward could very well be an example that could be set for other countries in the region.

We have been joined by our friend and colleague from New York, Congressman MEEKS, who has certainly been engaged on many trade and immigration issues, and has worked with Venezuela and other countries.

And I would love to have your input as well.

Mr. MEEKS of New York. You are exactly right, Mr. CROWLEY. Some people would like to say individuals, particularly in our hemisphere, that globalization and trade is taking advantage of them, that they are poor. Yet these individuals, long before globalization existed, were poor and taken advantage of. Here is an opportunity because of globalization to give them a hand up.

Part of the problem has been that people have turned their backs on them. When we trade and create jobs and opportunities for them in their country, as well as making sure that we are creating jobs and opportunity in our country, we have what is called a win/win situation.

For example, there is something called FedEx. For every 40 packages that FedEx sends someplace else, we create a job in the United States of America.

Mr. CROWLEY. If the gentleman would yield, I prefer to say for every 40 packages UPS delivers, we create one additional union job.

Mr. MEEKS of New York. And I concur. We are creating opportunities for individuals here in the United States of America, as well as giving individuals an opportunity for jobs in these foreign countries.

Many of the people are in the informal sectors in their communities right now. When you go to South America, you can talk about Colombia, Peru, Ecuador, Brazil, they are in the informal sector. What we are doing is creating a formal sector where they can get health benefits and talk about creating a future with pensions for their kids for tomorrow. We are talking about giving them a hand up which they don't have now in the informal sector.

□ 2045

Mr. CROWLEY. We're also talking about trade capacity building.

Mr. MEEKS of New York. Absolutely.

Mr. CROWLEY. They are going to want to afford our products the more they can afford our products.

Mr. MEEKS of New York. As a result of that, and I'm direct evidence of it, what they will do is then they will begin to educate their kids so that they can now send their kids to school. And that becomes their focus—to make sure that the next generation is better than theirs as far as education is concerned and health care. It's exactly what we've done in this country. So why should we just say it's exclusively for us and not want to share the benefits of what we've gained in this country with others? That's what leadership is all about, and that's all that we're doing here.

We're not saying that we're going to turn our backs on other individuals, say we're going to help them, and we're going to help yourselves, because you know what, the number one jobs, when you look about creating jobs in America, it's services. The services are creating jobs over and over and over and time and again. And what we're doing also by, you know, trading with our services in other areas, we're creating jobs and opportunities, and, in fact, our businesses, I often say this, become our best ambassadors because they look at the jobs that Americans have created, and they say, well, thank you for lifting us up, thank you, for showing us that you are not turning your backs on us, thank you, because we're the only superpower in the world. So folks are looking at us to be leaders in that regard, and if we turn our backs on them, leaving these individuals not to have hope and opportunity for tomorrow, then we will become the ones that's isolated them, and we should not.

It's good foreign policy. It's good domestic policy, and it just makes overall, good moral sense.

Mr. KIND. There are a lot of positive features to trade, but the congressional district I represent, western Wisconsin, is still heavily manufacturing, a lot of agriculture, and there's been a lot of displacement and a lot of jobs lost.

And I don't think any of us here on the floor tonight are promising that with this new template of trade that we're going to be able to guarantee everyone's job in this country. You just can't do it. In fact, each generation of Americans have had to wrestle with their own transition and economic displacement that's occurred at that time period. Whether we're moving from the agrarian to the industrial age, from the industrial age to the information age, to the next new thing, there are going to be displacements.

As long as we can remain the most innovative and creative Nation in the world, which we've been able to sustain for some time, we're going to be able to make those adjustments probably a lot easier than other people around the globe.

I don't think anyone's here to offer this hope or promise that everyone's job is going to be guaranteed with this new template right now. We can't do that any more than we can shut down the information age or shut down the World Wide Web and the Internet. Now with the push of a button, we've got services crossing borders and collaborations being created that we've never

imagined before, and that's a large part of globalization today.

Ms. SCHWARTZ. I just want to make a point here that when you talk about lifting up, I want to make sure that people understand what trade agreements really are about. This is not the foreign aid bill, and we will discuss it in another moment, and I think there's important work that we do through some of that.

This is also saying to the countries, if you're going to be our trading partner, you have to allow certain labor standards. Some of them are really very well known. We'll not allow child labor or slave labor. But we're also saying that your workers have a right to organize, have a right to bargain, and to be able to have workers in some countries that have not had this opportunity to be able to band together.

We know how important it is, as part of our own history continues to be in speaking up on behalf of workers and making sure they're paid fairly and treated fairly, that our rules are fair.

Mr. CROWLEY. Free from physical harm.

Ms. SCHWARTZ. Exactly. We know there's a huge struggle.

So part of what we're saying is if you're going to be our trading partner, then there's certain expectations about the way you treat people, and that is true in the workplace. And once we're partners, there are also broader issues, of course, about human rights and about rule of law, and, you know, we have some deep concerns about this as well. And this becomes sometimes complicated, but having that trade agreement often allows the beginning debate and engages us to be able to make, in some ways, some of these other expectations for themselves and for us as well to be part of the world community, to be part of the world economy.

And part of it is we don't want our own people to be disadvantaged, but because we understand they have a right to organize, they have a right to speak up, and if we have some kind of engagement with them, then their standard of living will improve and, of course, hopefully their human rights.

Mr. KIND. I think you're exactly right. One of the forces, quite frankly, that we are contending with in the United States, in this hemisphere, especially in South America, is a gentleman by the name of Chavez, the President of Venezuela, who's been fond of traveling around, spending his petrodollars all around, and delivering a very anti-American message.

I think one of the reasons that message is starting to resonate, much to our concern, is because a lot of the workers in those countries where he's visited have felt excluded and left out of trade agreements. What's in it for them? And finally, for the first time, with this agreement, we're starting to address our concern for their needs as well.

Mr. CROWLEY. If I could interject, no longer will our trade agreements be negotiated by our government on behalf of and solely for the benefit of multinational corporations. This is also under this template an opportunity to negotiate and have the American worker be a part of those negotiations, at least have a sense that someone here on the Democratic Caucus is looking out for their interests and for the interests of the poor people of the countries we're talking about.

Mr. CUELLAR. Let me just follow up on the points that they make.

First of all, for the people, like the gentlewoman from Pennsylvania said, if people are interested in labor standards, the environment, raising up the wages of certain countries, the only way we can do this is by having some sort of dialogue. If we retreat back, then there's no vehicle to use to raise those standards, and this is why those trade agreements are very, very important.

The second point is, and Mr. CROWLEY mentioned this, if you're interested in the rule of law, if you're interested in the principles of democracy, if you're interested in the economics, like the gentleman from New York said, we have to have some sort of vehicle to engage those countries, because if we don't engage them like you said, other countries will do it. So either we get engaged, or somebody else is going to do it.

Let me just give you a brief history about what happened to us in Central America a few years ago. We decided to turn our back to a lot of those countries. What happened? In the 1980s, you'll recall the Communists, Nicaragua, the sandanistas all came in, and all of a sudden the United States said, oh, you know what, we better get engaged. So, instead of having trade agreements, we started sending arms to those countries.

The response to that was the Caribbean-based initiative, and, of course, we saw what happened with the other trade agreement we did. This is why history should teach us that if we don't get engaged with countries, then somebody else is going to fill the vacuum, whether it's Chavez, like you mentioned a while ago, or it's going to be Castro or somebody else. But if we don't stay engaged, we're going to lose this. So this is why it's so important that we stay engaged in these trade agreements.

Mr. MEEKS of New York. You're absolutely right, and here's another reason why trade agreements are important, because if you look at particularly our recent trade agreements, what they do is they level the trade balance. Because a lot of these nations, when you talk about Central America, they were already open to come to our market. They were open to come to the United States. We didn't have access to theirs. So we were able to level the trade imbalances.

And, in fact, when you talk about where we have the biggest imbalance, happens to be with China, but you know what the fact of the matter is? We do not have an FTA agreement with China. We don't even have one with India. We've negotiated them. We were able to negotiate them so that we can balance it so that it's fair to both sides as opposed to it being unfair on one side.

You use the FTAs as an agreement to balance the playing field, to balance the trade imbalances to a large degree as well, as well as create hope and opportunity for people both abroad and at home.

Some folks say they don't like trade at all. Well, I challenge them, especially if you're poor. I come from the southeastern Queens in New York. I was raised in public housing. There's certain things that we can't afford, and I look at poor people, a number of them, some of the trade has helped them because they can now buy some goods that they may not have otherwise been able to afford. So we've got to look at both sides of this. It has created some jobs.

Where we've got to make sure that we're focused in the country is the competitiveness issue. So we've got to make sure that we're educating our young people so that they can take the jobs, the high-paying jobs that, I might add, that globalization and us being a leader in technology and information technology in particular and the services, that we can create opportunities for them.

So, yeah, are there some dangers. If we allow our public educational system to continue to go downhill, and we don't now focus on it, and we don't make sure that our people are educated so that they can take the high-paying jobs that are being created, then, yes, we're in danger of succeeding as a country, period. Education is our greatest resource, and competitiveness is where we've got to go, and that's what our focus should be.

We should be working out together to make sure that we're competitive with the rest of the globe because otherwise we lose out on this. It's not as if to say globalization is a bad thing that's going to go away tomorrow. Obviously it's not, and it's helping millions of people.

There are 6 billion people in the world, 6 billion people in the world. There's only 300 million of us in the United States of America, 300 million. And of the 6 billion people in the world, over 3 billion of them live on less than $2 a day. Why? They're in the informal sector. Why? There's no hope and opportunities for them.

Don't you think that as we being the only world superpower, that we can do something better; being humane, being the country that we are, we could do something better for them?

Mr. KIND. You're exactly right. We're less than 4 percent of the world population, and we can no sooner turn ourselves into a fortress of solitude and hope to maintain economic progress and opportunity in our own country.

But the Democrats in Congress haven't been dealing with trade in a vacuum. We've been promoting this innovation agenda for some time. We have had legislation on the floor to try to enhance further fields of study in those crucial fields of math, science, engineering, technology, those fields that will enable our students and workers to be innovative and creative and develop into high-paying jobs that we hope to see here in the United States.

We've been moving that legislation forward, working with our Senate counterparts. We're trying to increase research investment in the National Institutes of Health, for instance, so we can be at the cutting edge of medical and scientific breakthroughs. All this is interwoven into the economic agenda the Democrats have been standing for that the New Democratic Coalition has been a big part of in helping to formulate that agenda.

That's, I think, the direction we need, and I think the American people want to hear that type of message and see that type of agenda. Our concern is there's a lot of economic anxiety throughout the country, and they want to know what their role is going to be in this global marketplace. Perhaps more importantly, they want to know what kind of future their children have to look forward to.

The Democrats for the first time have been able to get legislation to the floor that speaks to those needs, that starts speaking to those anxieties. Will it solve all those problems? No, but I think it's the best hope that we have to make sure that our country is well positioned to stay competitive globally.

Ms. SCHWARTZ. I know we're concluding our hour, but I just think that's a great note, as New Democrats, for us to end on.

It is important for us to move forward on these trade agreements. I think all of us would say this is a major breakthrough for the Democrats to see this kind of labor and environmental standards and kind of enforcement and commitment to do that.

But the real question is, this is just a piece of the puzzle. This is only one part of it, and we're committed to a much broader agenda of making sure our young people are prepared for the future, that some of our slightly older people also have the enormous opportunities for new directions for them as well, and that our businesses can be competitive.

So we've a lot of work to do to making sure that our tax policy and our trade policy and our education and health care policies and energy policies all contribute to making sure that America has that economic capacity and opportunity for all of our people.

Mr. CUELLAR. Let me just make two points to conclude.

First one, let's talk about the Constitution. Why are these trade agreements different? Why are they going to be different; whether it's Peru, Colombia, Panama or Korea, why are they going to be different? First of all, in the past, the President pretty much negotiated the agreement, and it was an up-or-down deal. This time, the Congress, through our leadership, through the New Democrats, we're asserting ourselves through the commerce clause. That is, we have the right to assert ourselves to make sure that we're part of the process so we can set up the framework. And this is why these trade agreements from now are going to have a different type of framework, because Congress is getting involved in the development of that trade policy, number one.

Number two, I will conclude with this. In 2005, the U.S. exports to the rest of the world totaled $1.2 trillion. Think about that, $1.2 trillion. Jobs have been created all across the country not only by big companies, but also by the medium and small companies.

Second of all, jobs that are directly linked to the export of goods pay 13 to 18 percent more than the other U.S. jobs. I have seen this personally in my hometown where we have this trading community. It works, and we have to stay engaged, and this is why this new framework that the New Democrats have developed along with our leadership will provide the pathway for new agreements in the future.

And thank you again for all the work that y'all have done.

Mr. MEEKS of New York. Let me conclude with this.

Number one, I want to just compliment Chairman RANGEL and Chairman LEVIN. They have done a great job. I mean, it's something the Democrats have been asking for since the 1990s, I've been in Congress, to make sure it's been included in every trade bill. They've done a fantastic job to make sure that we protect environmental rights and labor rights, et cetera.

We care about those individuals that we know are going to be hurt, because in any agreement there are people that get hurt, and when we talk about we've got to do a real comprehensive program so people can be retrained and go back to work.

□ 2100

Now that's even more than just trade agreements, because, you know, if you check it out, really, more people have lost their jobs through efficiency and technology. Think about it.

How many people does it take to produce a car today than it did yesterday. When you need a telephone operator, does anyone pick up? It's technology that picks up the telephone. You know, EZPass, and all the conveniences that we currently have. We better do a better job.

I think that Mr. RANGEL and Mr. LEVIN have put that in that we will do a better job, and retraining Americans who are hurt, not only because of trade, but who are out of the job for any reason, whether it's technology or because of a trade agreement.

As Democrats, we are focused on that. We can do that. We can do good by our folks at home, but we also can do good by the people abroad so that we can be the leaders of the Nation. We are the world's only super power.

Mr. KIND. I also want to commend JIM MCCRERY, who is ranking member of the Ways and Means Committee, and the Republican colleagues on Ways and Means who are also embracing this template to go forward on trade agreements. But as Chairman RANGEL reminded all of us today in caucus, this new template doesn't commit any single member on future trade agreements. We will still have the opportunity to review them when the President formally submits them for our consideration. We will see if they are the best deal struck for our Nation and for our constituents' best interest.

I think now, with this agreement, the template is finally shaping up to where we can get wider bipartisan support. There is still a lot of work that needs to be done. We can't hold this out as the silver bullet to the challenges that our workers are experiencing day in and day out, but trade is going to be an important part of our economic equation, whether we like it or not, because of the effects of global warming and the ease of transporting goods and products, services, across borders, all that is breaking down.

The question is, whether we roll up in a fetal position and pretend it's not happening and try to pursue neo-isolationist policies, or whether we embrace this change and try to make the changes that we have to, to be in the best position to stay competitive.

That's really, I think, what the discussion will be about in the coming weeks when we start analyzing these trade agreements coming forward. I want to thank my colleagues for taking some time this evening to discuss a very important issue on the floor. Hopefully, we will have some more discussions in the future.

Mr. CROWLEY. Let me close by just saying thank you, thank you to the gentlelady of Ohio for chairing this hour of debate, as well as all my colleagues for being here this evening and participating in this free-flowing discussion on this new template.

This new template, as we go forward, it really is a new day in terms of trade negotiations, and the relationship between the minority and the majority here in the House of Representatives, the comity that has now been brought back, I think, to the Ways and Means Committee, to the House in some respects. Hopefully, this can be an example of other things we can work on in the future on behalf of all of our constituents, again, Democrat, Republican, Independent and the like, to move the agenda of America forward.

I want to thank each of my colleagues for participating this evening.

## PATRIOTISM

The SPEAKER pro tempore (Ms. SUTTON). Under the Speaker's announced

policy of January 18, 2007, the gentleman from Texas (Mr. PAUL) is recognized for 60 minutes.

Mr. PAUL. Madam Speaker, for some, patriotism is the last refuge of a scoundrel. For others, it means dissent against a government's abuse of the people's rights.

I have never met a politician in Washington or any American, for that matter, who chose to be called unpatriotic. Nor have I met anyone who did not believe he wholeheartedly supported our troops, wherever they may be.

What I have heard all too frequently from the various individuals are sharp accusations that, because their political opponents disagree with them on the need for foreign military entanglements, they were unpatriotic, un-American evildoers deserving contempt.

The original American patriots were those individuals brave enough to resist with force the oppressive power of King George. I accept the definition of patriotism as that effort to resist oppressive state power.

The true patriot is motivated by a sense of responsibility and out of self-interest for himself, his family, and the future of his country to resist government abuse of power. He rejects the notion that patriotism means obedience to the state. Resistance need not be violent, but the civil disobedience that might be required involves confrontation with the state and invites possible imprisonment.

Peaceful, nonviolent revolutions against tyranny have been every bit as successful as those involving military confrontation. Mahatma Gandhi and Dr. Martin Luther King, Jr., achieved great political successes by practicing nonviolence, and yet they suffered physically at the hands of the state. But whether the resistance against government tyrants is nonviolent or physically violent, the effort to overthrow state oppression qualifies as true patriotism.

True patriotism today has gotten a bad name, at least from the government and the press. Those who now challenge the unconstitutional methods of imposing an income tax on us, or force us to use a monetary system designed to serve the rich at the expense of the poor are routinely condemned. These American patriots are sadly looked down upon by many. They are never praised as champions of liberty as Gandhi and Martin Luther King have been.

Liberals, who withhold their taxes as a protest against war, are vilified as well, especially by conservatives. Unquestioned loyalty to the state is especially demanded in times of war. Lack of support for a war policy is said to be unpatriotic. Arguments against a particular policy that endorses a war, once it is started, are always said to be endangering the troops in the field. This, they blatantly claim, is unpatriotic, and all dissent must stop. Yet, it is dissent from government policies that defines the true patriot and champion of liberty.

It is conveniently ignored that the only authentic way to best support the troops is to keep them out of danger's undeclared no-win wars that are politically inspired. Sending troops off to war for reasons that are not truly related to national security and, for that matter, may even damage our security, is hardly a way to patriotically support the troops.

Who are the true patriots, those who conform or those who protest against wars without purpose? How can it be said that blind support for a war, no matter how misdirected the policy, is the duty of a patriot?

Randolph Bourne said that, ''War is the health of the state.'' With war, he argued, the state thrives. Those who believe in the powerful state see war as an opportunity. Those who mistrust the people and the market for solving problems have no trouble promoting a ''war psychology'' to justify the expansive role of the state. This includes the role the Federal Government plays in our lives, as well as in our economic transactions.

Certainly, the neoconservative belief that we have a moral obligation to spread American values worldwide through force justifies the conditions of war in order to rally support at home for the heavy hand of government. It is through this policy, it should surprise no one, that our liberties are undermined. The economy becomes overextended, and our involvement worldwide becomes prohibited. Out of fear of being labeled unpatriotic, most of the citizens become compliant and accept the argument that some loss of liberty is required to fight the war in order to remain safe.

This is a bad trade-off, in my estimation, especially when done in the name of patriotism. Loyalty to the state and to autocratic leaders is substituted for true patriotism, that is, a willingness to challenge the state and defend the country, the people and the culture. The more difficult the times, the stronger the admonition comes that the leaders be not criticized.

Because the crisis atmosphere of war supports the growth of the state, any problem invites an answer by declaring war, even on social and economic issues. This elicits patriotism in support of various government solutions, while enhancing the power of the state. Faith in government coercion and a lack of understanding of how free societies operate encourages big government liberals and big government conservatives to manufacture a war psychology to demand political loyalty for domestic policy just as is required in foreign affairs.

The long-term cost in dollars spent and liberties lost is neglected as immediate needs are emphasized. It is for this reason that we have multiple perpetual wars going on simultaneously. Thus, the war on drugs, the war against gun ownership, the war against poverty, the war against illiteracy, the war against terrorism, as well as our foreign military entanglements are endless.

All this effort promotes the growth of statism at the expense of liberty. A government designed for a free society should do the opposite, prevent the growth of statism and preserve liberty.

Once a war of any sort is declared, the message is sent out not to object or you will be declared unpatriotic. Yet, we must not forget that the true patriot is the one who protests in spite of the consequences. Condemnation or ostracism or even imprisonment may result.

Nonviolent protesters of the Tax Code are frequently imprisoned, whether they are protesting the code's unconstitutionality or the war that the tax revenues are funding. Resisters to the military draft or even to Selective Service registration are threatened and imprisoned for challenging this threat to liberty.

Statism depends on the idea that the government owns us and citizens must obey. Confiscating the fruits of our labor through the income tax is crucial to the health of the state. The draft, or even the mere existence of the Selective Service, emphasizes that we will march off to war at the state's pleasure.

A free society rejects all notions of involuntary servitude, whether by draft or the confiscation of the fruits of our labor through the personal income tax. A more sophisticated and less well-known technique for enhancing the state is the manipulation and transfer of wealth through the fiat monetary system operated by the secretive Federal Reserve.

Protesters against this unconstitutional system of paper money are considered unpatriotic criminals and at times are imprisoned for their beliefs. The fact that, according to the Constitution, only gold and silver are legal tender and paper money outlawed matters little. The principle of patriotism is turned on its head. Whether it's with regard to the defense of welfare spending at home, confiscatory income tax, or an immoral monetary system or support for a war fought under false pretense without a legal declaration, the defenders of liberty and the Constitution are portrayed as unpatriotic, while those who support these programs are seen as the patriots.

If there is a war going on, supporting the state's effort to win the war is expected at all costs, no dissent. The real problem is that those who love the state too often advocate policies that lead to military action. At home, they are quite willing to produce a crisis atmosphere and claim a war is needed to solve the problem. Under these conditions, the people are more willing to bear the burden of paying for the war and to carelessly sacrifice liberties which they are told is necessary.

The last 6 years have been quite beneficial to the health of the state, which

comes at the expense of personal liberty. Every enhanced unconstitutional power of the state can only be achieved at the expense of individual liberty. Even though in every war in which we have been engaged civil liberties have suffered, some have been restored after the war ended, but never completely. That has resulted in a steady erosion of our liberties over the past 200 years. Our government was originally designed to protect our liberties, but it has now, instead, become the usurper of those liberties.

We currently live in the most difficult of times for guarding against an expanding central government with a steady erosion of our freedoms. We are continually being reminded that 9/11 has changed everything.

Unfortunately, the policy that needed most to be changed, that is our policy of foreign interventionism, has only been expanded. There is no pretense any longer that a policy of humility in foreign affairs, without being the world's policemen and engaging in nation building, is worthy of consideration.

□ 2115

We now live in a post-9/11 America where our government is going to make us safe no matter what it takes. We are expected to grin and bear it and adjust to every loss of our liberties in the name of patriotism and security.

Though the majority of Americans initially welcomed the declared effort to make us safe, and we are willing to sacrifice for the cause, more and more Americans are now becoming concerned about civil liberties being needlessly and dangerously sacrificed.

The problem is that the Iraq war continues to drag on, and a real danger of it spreading exists. There is no evidence that a truce will soon be signed in Iraq or in the war on terror or the war on drugs. Victory is not even definable. If Congress is incapable of declaring an official war, it is impossible to know when it will end. We have been fully forewarned that the world conflict in which we are now engaged will last a long, long time.

The war mentality and the pervasive fear of an unidentified enemy allows for a steady erosion of our liberties, and, with this, our respect for self-reliance and confidence is lost. Just think of the self-sacrifice and the humiliation we go through at the airport screening process on a routine basis. Though there is no scientific evidence of any likelihood of liquids and gels being mixed on an airplane to make a bomb, billions of dollars are wasted throwing away toothpaste and hair spray, and searching old women in wheelchairs.

Our enemies say, boo, and we jump, we panic, and then we punish ourselves. We are worse than a child being afraid of the dark. But in a way, the fear of indefinable terrorism is based on our inability to admit the truth about why there is a desire by a small number of angry radical Islamists to kill Americans. It is certainly not because they are jealous of our wealth and freedoms.

We fail to realize that the extremists, willing to sacrifice their own lives to kill their enemies, do so out of a sense of weakness and desperation over real and perceived attacks on their way of life, their religion, their country, and their natural resources. Without the conventional diplomatic or military means to retaliate against these attacks, and an unwillingness of their own government to address the issue, they resort to the desperation tactic of suicide terrorism. Their anger toward their own governments, which they believe are coconspirators with the American Government, is equal to or greater than that directed toward us.

These errors in judgment in understanding the motive of the enemy and the constant fear that is generated have brought us to this crisis where our civil liberties and privacy are being steadily eroded in the name of preserving national security.

We may be the economic and the military giant of the world, but the effort to stop this war on our liberties here at home in the name of patriotism is being lost.

The erosion of our personal liberties started long before 9/11, but 9/11 accelerated the process. There are many things that motivate those who pursue this course, both well-intentioned and malevolent, but it would not happen if the people remained vigilant, understood the importance of individual rights, and were unpersuaded that a need for security justifies the sacrifice for liberty, even if it is just now and then.

The true patriot challenges the state when the state embarks on enhancing its power at the expense of the individual. Without a better understanding and a greater determination to rein in the state, the rights of Americans that resulted from the revolutionary break from the British and the writing of the Constitution will disappear.

The record since September 11th is dismal. Respect for liberty has rapidly deteriorated. Many of the new laws passed after 9/11 had, in fact, been proposed long before that attack. The political atmosphere after that attack simply made it more possible to pass such legislation. The fear generated by 9/11 became an opportunity for those seeking to promote the power of the state domestically, just as it served to falsely justify the long plan for invasion of Iraq.

The war mentality was generated by the Iraq war in combination with the constant drumbeat of fear at home. Al Qaeda and Osama bin Laden, who is now likely residing in Pakistan, our supposed ally, are ignored, as our troops fight and die in Iraq and are made easier targets for the terrorists in their backyard. While our leaders constantly use the mess we created to further justify the erosion of our constitutional rights here at home, we forget about our own borders and support the inexorable move toward global government, hardly a good plan for America.

The accelerated attacks on liberty started quickly after 9/11. Within weeks, the PATRIOT Act was overwhelmingly passed by Congress. Though the final version was unavailable up to a few hours before the vote, no Member had sufficient time. Political fear of not doing something, even something harmful, drove the Members of Congress to not question the contents, and just voted for it. A little less freedom for a little more perceived safety was considered a fair trade-off, and the majority of Americans applauded.

The PATRIOT Act, though, severely eroded the system of checks and balances by giving the government the power to spy on law-abiding citizens without judicial supervision. The several provisions that undermine the liberties of all Americans include sneak-and-peek searches, a broadened and more vague definition of domestic terrorism, allowing the FBI access to libraries and bookstore records without search warrants or probable cause, easier FBI initiation of wiretaps and searches, as well as roving wiretaps, easier access to information on American citizens' use of the Internet, and easier access to e-mail and financial records of all American citizens.

The attack on privacy has not relented over the past 6 years. The Military Commissions Act is a particularly egregious piece of legislation and, if not repealed, will change America for the worse as the powers unconstitutionally granted to the executive branch are used and abused. This act grants excessive authority to use secretive military commissions outside of places where active hostilities are going on. The Military Commissions Act permits torture, arbitrary detention of American citizens as unlawful enemy combatants at the full discretion of the President and without the right of habeas corpus, and warrantless searches by the NSA. It also gives to the President the power to imprison individuals based on secret testimony.

Since 9/11, Presidential signing statements designating portions of legislation that the President does not intend to follow, though not legal under the Constitution, have enormously multiplied. Unconstitutional Executive Orders are numerous and mischievous and need to be curtailed.

Extraordinary rendition to secret prisons around the world have been widely engaged in, though obviously extralegal.

A growing concern in the post-9/11 environment is the Federal Government's list of potential terrorists based on secret evidence. Mistakes are made, and sometimes it is virtually impossible to get one's name removed even though the accused is totally innocent of any wrongdoing.

A national ID card is now in the process of being implemented. It is called the REAL ID card, and it is tied to our Social Security numbers and our State driver's license. If REAL ID is not stopped, it will become a national driver's license ID for all Americans. We will be required to carry our papers.

Some of the least noticed and least discussed changes in the law were the changes made to the Insurrection Act of 1807 and to posse comitatus by the Defense Authorization Act of 2007. These changes pose a threat to the survival of our Republic by giving the President the power to declare martial law for as little reason as to restore public order. The 1807 act severely restricted the President in his use of the military within the United States borders, and the Posse Comitatus Act of 1878 strengthened these restrictions with strict oversight by Congress. The new law allows the President to circumvent the restrictions of both laws. The Insurrection Act has now become the ''Enforcement of the Laws to Restore Public Order Act.'' This is hardly a title that suggests that the authors cared about or understood the nature of a constitutional Republic.

Now, martial law can be declared not just for insurrection, but also for natural disasters, public health reasons, terrorist attacks or incidents, or for the vague reason called ''other conditions.'' The President can call up the National Guard without congressional approval or the Governors' approval, and even send these State Guard troops into other States.

The American Republic is in remnant status. The stage is set for our country eventually devolving into a military dictatorship, and few seem to care. These precedent-setting changes in the law are extremely dangerous and will change American jurisprudence forever if not revised. The beneficial results of our revolt against the King's abuses are about to be eliminated, and few Members of Congress and few Americans are aware of the seriousness of the situation. Complacency and fear drive our legislation without any serious objection by our elected leaders. Sadly, though, those few who do object to this self-evident trend away from personal liberty and empire building overseas are portrayed as unpatriotic and uncaring.

Though welfare and socialism always fails, opponents of them are said to lack compassion. Though opposition to totally unnecessary war should be the only moral position, the rhetoric is twisted to claim that patriots who oppose the war are not supporting the troops. The cliche ''Support the Troops'' is incessantly used as a substitute for the unacceptable notion of supporting the policy, no matter how flawed it may be.

Unsound policy can never help the troops. Keeping the troops out of harm's way and out of wars unrelated to our national security is the only real way of protecting the troops. With this understanding, just who can claim the title of ''patriot''?

Before the war in the Middle East spreads and becomes a world conflict for which we will be held responsible, or the liberties of all Americans become so suppressed we can no longer resist, much has to be done. Time is short, but our course of action should be clear. Resistance to illegal and unconstitutional usurpation of our rights is required. Each of us must choose which course of action we should take: education, conventional political action, or even peaceful civil disobedience to bring about necessary changes.

But let it not be said that we did nothing. Let not those who love the power of the welfare/warfare state label the dissenters of authoritarianism as unpatriotic or uncaring. Patriotism is more closely linked to dissent than it is to conformity and a blind desire for safety and security. Understanding the magnificent rewards of a free society makes us unbashful in its promotion, fully realizing that maximum wealth is created and the greatest chance for peace comes from a society respectful of individual liberty.

## ILLEGAL IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Madam Speaker, a tsunami of illegal aliens is sweeping into our country, crowding our classrooms, closing our hospital emergency rooms, unleashing violent crime, and driving down wages.

This is not theory. It is a harsh, threatening reality borne out not by numerous academic studies, but by the life experiences of the American families from California to Georgia and from Iowa to New Jersey.

Our middle class is being destroyed. Our communities are not safe. Our social service infrastructure is collapsing. And, yes, it has everything to do with illegal immigration, illegal immigration which is out of control. And year after year, while our schools deteriorate and our jails fill and our hospital emergency rooms shut down, the elite in this country turns a blind eye to the disaster that is befalling the rest of us, their fellow Americans. The elites obscure the issue and maneuver to keep in place policies that reward illegal immigrants with jobs and benefits, and now, of course, being rewarded with citizenship.

This country, the upper class says, can't function without cheap labor.

□ 2130

Well, cheap to the captains of industry and the political elite, but painfully expensive to America's middle class. It's our kids whose education is being diminished, our families who are paying thousands more in health insurance to make up for the hospital costs of giving free service to illegals. It's our neighborhoods who suffer from crime perpetuated by criminals transported here from other countries. And, yes, our livelihoods are being dragged down as wages are depressed and anchored down by a constant influx of immigrants, mostly illegal, some with H1B visas, willing to work at a pittance.

Big business, with its hold on the GOP, in an unholy alliance with the liberal left coalition that controls the Democratic Party, have been responsible for this invasion of our country, this attack on the well-being of our people. This coalition gives the jobs and passes out the benefits that lured tens of millions of illegals to our country. It's no accident. This predicament was predictable. It's been over 20 years of bad policy in the making. If you give jobs and benefits, the masses of people over there will do anything to get over here. And that's what we've been doing. Give it and they will come. Surprise, surprise.

Now the out-of-touch elite has introduced yet another piece of legislation, this so-called comprehensive reform bill that they claim will fix our illegal immigration crisis once and for all. Of course, this is a crisis they created. They are trumpeting the supposedly new enforcement measures and security measures that will be initiated in this bill, the border fence, new agents, new employer sanctions, if only we will swallow hard and give amnesty to those law-breakers who are already here.

Like Lucy holding out the football for Charlie Brown to kick, the bill is yet another effort to trick us. It's an illusion, a scam that will make things worse, not better.

The Senate legislation now being touted by Senator KENNEDY and a few Republican Senators immediately legalizes the status of 15 to 20 million illegals, while offering more border control, yes, fences and Border Patrol agents and such, as sweeteners aimed at getting us to accept this deal.

But we've already passed legislation addressing border security. It's already into law. It's already against the law, for example, to hire illegals. We've already mandated a stronger fence and more Border Patrol agents. So, in reality, this legislation isn't about those other things which they're trying to get us to support the legislation about; this is only about legalizing the status of 15 to 20 million illegals and then finding new ways to get more immigrants into our country. It has nothing to do with controlling the flow of illegals and controlling the flow of immigrants into our country, as much as it is expanding the number of immigrants, legal and illegal, coming into our country.

In such situations as we find ourselves in today with this legislation, it's fashionable on Capitol Hill to say ''the devil is in the details''. And this

bill has enough demons to open up a whole new level of hell.

Let's start, first and foremost, with the most obvious lie, the claim that this bill does not give amnesty to illegal aliens. President Bush has done great damage to his credibility by playing such word games. My friends, the first thing this bill does is legalize 15 to 20 million people who now illegally reside in our country. I don't care what the President calls it, it immediately legalizes the status of millions who are here illegally.

Under the proposed legislation, this amnesty, and that's exactly what it is, is now called a probationary Z visa. Upon passage of this bill, every illegal alien who can claim they were here in the United States by January 1 of 2007 can apply for a probationary Z visa that grants them immediate legal status to be in the United States.

Listen carefully. Immediately upon this bill's passage, there is no waiting for triggers or clarification or bureaucratic benchmarks, their status is immediately legalized. It is very straightforward. These probationary visas are available immediately upon the passage of this bill, 15 or 20 million illegals immediately legalized in their status here.

What message does this send to the 100 million or so people who are waiting overseas? The 15 to 20 million newly legalized immigrants will be quickly followed by 50 to 100 million more illegals flooding our system beyond the point of return. If we let that happen, this will be a catastrophic event of historic proportions. More importantly, for the American people, it will be a calamity for their communities and for their families.

According to this so-called immigration reform bill, how does an illegal become legal? Well, first of all, he temporarily, right off the bat, becomes legal once this bill passes. Very simple, if he wants to make himself legal, then beyond that, he or she walks in and applies. Or he or she just, they don't have to pay back taxes; they don't have to do anything else.

If this bill passes, he or she doesn't have to go through health checks. They don't have to have any other process. They will be granted, immediately after the passage of this bill, legal status to be here, legal status that is supposedly temporary. Supposedly. The illegal pays a fine of $1,000 for this probationary visa, not the $5,000 that we've all heard about. It's $1,000. And for $1,000, one can obtain the legal right to work in this country, to participate in our Social Security system, to be protected by our laws, and given benefits from our government, a plenty good bargain for them.

But for the taxpayers it's worse than a raw deal. Yes, out of the shadows will come 15 to 20 million people who will now be demanding equal rights to live here freely, to get jobs, to consume resources that they are not now entitled to consume because they are now here illegally.

There is another detail that makes this process dangerous and unworkable. The government, according to this legislation, has only 1 business day to act once an application has been submitted, and that is just 1 day to look over that application and to approve it. After 1 business day, that's 24 hours, the government must issue the amnesty to that applicant.

Is there anyone who doesn't understand that this means huge numbers of criminals and, yes, terrorists, who will obtain the legal right to live and work here in the United States under this rule because of this legislation? One day to oversee this applicant?

One needs to ask, who is writing such obvious insanity into Federal legislation? Obviously, whoever is insisting on a 1-day review, that must be followed by an approval if one doesn't object; 1-day review, obviously, the person who's advocating this doesn't care about us at all. He's looking to make sure that we treat those people who are in this country illegally better. This person obviously doesn't care, who's written this into our Federal law, or is trying to, doesn't care if Americans are victimized by criminals who should never have been permitted to come here, but will come here because we're only requiring 1 day to determine if they can be approved or not.

Now, you think that criminals throughout the world and even terrorists don't see this as a vulnerability? Who's trying to foist this off on us? Who's trying to write this into Federal law? They're not watching out for the interests of the American people.

This Z visa gives illegal aliens exactly what they want, the legal right to work in the United States, and the Z visa is renewable every 4 years, without limits. The way this bill is written, you can live in the United States until you die by renewing your Z visa every 4 years.

Fellow Americans, who love this country, word games aside, this is amnesty of the worst possible sort. Millions of illegals who broke the law will be granted legal status and can stay in this country as long as they please. In fact, I predict millions of people who are currently holding valid student and tourist visas will immediately apply for the Z visa. And why not? Student and tourist visas expire. The Z visa won't expire; every 4 years you can just renew it.

Only if the alien wishes to become a citizen do the increased fines, that $5,000 we've heard about, only if they want to become a citizen do these fines and other requirements come into play.

No serious person in the immigration reform movement has ever said that it is citizenship that defines amnesty. Amnesty is not being held to account for breaking the law. This Z visa goes beyond not punishing law breakers. It actually rewards law breakers.

Wake up, America. Someone is giving away our country. Someone is betraying the interests of the American people. The perpetrators of this crime want low wages for the benefit of business and they want political pawns for the benefit of the liberal left.

This legislation will make a bad situation that we all know exists in this country, it'll make it dramatically worse. Is this what the American people are calling for when they want comprehensive immigration reform? They want something that will make it worse than we have it today?

I don't understand how we can stand and let this happen to our country. It is up to us to make sure that it doesn't.

This legislation is a declaration of war on the American middle class. And not only will this legislation increase illegal immigration, a clause in the bill will create a rush to the border. Section 601H5 states that anyone arrested trying to cross into our country, who then claims to have formerly lived in the United States will be allowed to apply for a Z visa; which means they can be approved in 1 day.

This is a mind-boggling incentive for fraud. Who wouldn't want to come across the border on the chance that they could bluff their way into getting amnesty and becoming eligible for all our government programs and eligible for the jobs that should be going to Americans?

Expect to hear ballyhoo about the tough enforcement mechanisms and the ''triggers'' built into this bill. But don't believe it; it's just so much more fraud, more flim-flam. The triggers and other schemes in this bill are a farce.

There is no reason these safeguards against illegal immigration have not already been implemented. They are now simply being used as a ruse to disguise the one goal of the elite, and that is to legalize the status of those millions who are already here illegally and leading tens of millions more to come here.

The bill calls for 18,000 Border Patrol agents. That's one of the claims of why we have to support the bill. We're going to get 18,000 Border Patrol agents. But we already have 15,000 Border Patrol agents. And in the Intelligence Reform and Terrorism Prevention Act of 2004, it's required that there be 2,000 new Border Patrol agents each year through 2010. So this is simply smoke and mirrors.

What this new legislation does is simply reiterate hiring mandates that are already in the system, already mandated by law. This bill simply takes credit for the hard work that's already been done. Of course, they're doing that because, again, it's a cover for their attempt to legalize the status of 15 to 20 million illegals and, yes, to unleash a flood of millions more to come into our country.

On another level, how does anyone expect to actually meet the goal of increasing the ranks of the Border Patrol when this administration throws Border Patrol agents into prison and gives immunity to alien drug smugglers? This administration has lost the confidence of the Border Patrol.

And I submit at this time a statement by the Border Patrol Agents Council opposing this legislation. I would like to put this into the RECORD at this point, Mr. Speaker.

[From the National Border Patrol Council of the American Federation of Government Employees, May 17, 2007]

SENATE IMMIGRATION REFORM COMPROMISE IS A RAW DEAL FOR AMERICA

More than a century ago, the philosopher George Santayana sagely observed that ''those who cannot remember the past are condemned to repeat it.'' The United States Senate would do well to heed that advice as it once again debates immigration reform.

In 1986, Congress passed the Immigration Reform and Control Act. At that time, it was estimated that between three and four million illegal aliens were living in the United States. The bill promised to crack down on the businesses that hired illegal aliens and step up border enforcement efforts. Since those measures would finally solve the problem of illegal immigration, Congress reasoned, there would be no harm in establishing a pathway to citizenship for those who had been working in this country for a minimum period of time. It was assumed that about one-half million people would qualify for that benefit under those terms. In the final analysis, however, nearly three million illegal aliens became citizens, many of them through fraud. A large number of criminals and even a handful of terrorists were among the beneficiaries of that program.

Twenty-one years later, it is estimated that at least 12 million, and perhaps as many as 20 million, illegal aliens reside in the United States. Quite obviously, the promise of enforcement never materialized. Now, some elected officials are desperately trying to convince the American public that they are finally serious about keeping that promise, and to prove it, claim that they will add about 5,000 Border Patrol agents and 370 miles of border fencing, as well as an electronic employment verification system. While this represents a slight improvement over the current untenable situation, it will by no means stop, or even substantially slow, the current rate of illegal immigration.

As long as impoverished people can find work in this country at wages that far exceed those available to them in their native countries, millions of illegal aliens will continue to cross our borders every year. The only way to stop this influx is to eliminate the employment magnet by means of a foolproof employment verification system. While the plan unveiled by the Senate takes a few small steps in that direction, it would do very little to actually hold employers accountable. In order to achieve that goal, every prospective worker must be required to present a single type of secure biometric employment-verification document whenever applying for a job, and every prospective employer must be required to electronically verify its authenticity. The logical choice for this document is the Social Security card, which every legal worker is already required to possess.

Those who claim that it would be impossible to arrest and deport millions of people ignore economic reality. If illegal aliens can no longer find work in this country because employers are afraid of the consequences for hiring them, they will go home of their own accord.

Unless Congress gets serious about worksite enforcement, it will be impossible to secure our borders. The Border Patrol is totally overwhelmed by the high volume of illegal traffic that streams across our borders every day. Front-line agents estimate that for every person they apprehend, two or three slip by them. At the same time, Border Patrol agents need to be provided with the necessary tools and support in order to be able to intercept the criminals and terrorists who will continue to attempt to breach our borders.

T.J. Bonner, the president of the National Border Patrol Council, issued the following statement today:

''Every person who has ever risked their life securing our borders is extremely disheartened to see some of our elected representatives once again waving the white flag on the issues of illegal immigration and border security. Rewarding criminal behavior has never induced anyone to abide by the law, and there is no reason to believe that the outcome will be any different in this case.''

''The passage of time has proven the 1986 amnesty to be a mistake of colossal proportions. Instead of 'wiping the slate clean,' it spurred a dramatic increase in illegal immigration. With the ever-present threat of terrorism, it is critical to take the steps necessary to immediately and completely secure our borders. Piecemeal measures will prolong our vulnerability, and are an open invitation to further terrorist attacks.''

''Rather than the meaningless 'triggers' of additional personnel and barriers outlined in the compromise, Americans must insist that border security be measured in absolute terms. As long as any people or contraband can enter our country illegally, our borders are not secure. Sadly, the plan that the Senate is proposing falls woefully short by that yardstick, and needlessly jeopardizes the security of this Nation.''

□ 2145

As we deliberate on this bill, it behooves us to remember that Border Patrol Agents Ramos and Compean are at this very moment languishing in solitary confinement in a Federal prison. These heroic border guards, one a 10-year veteran who was up to be Border Patrol Agent of the Year, another 5-year veteran, these people who were putting their lives on the line for us on a daily basis for years, interdicted a drug smuggler one day. This drug smuggler was transporting over $1 million worth of narcotics into our country. Yet when all was said and done, and the drug smuggler had escaped, but his drugs were interdicted and seized, this administration turned what may have been just administrative paperwork and literally things not reported right on paper, mistakes that may or may not have been made by the agents, and I think that after looking at this, there weren't mistakes, but if there were, it was procedural mistakes, policy issues there that were being dealt with on paper, they turned that into criminal activity, charging our Border Patrol agents with felonies, putting them away for 10 to 11 years, while siding with the drug smuggler, giving the drug smuggler immunity to testify against the Border Patrol agents as they turned what would be minor mistakes into felonies rather than trying to say, well, you made some mistakes in this, but we will give you immunity, however, so we can get the drug smuggler who is trying to smuggle drugs in to our children and into our communities.

And then there are the cases of Gilmer Hernandez and Gary Brugman, two more law enforcement officers, jailed for stopping human traffickers. Again, the book was thrown at them, the maximum penalties sought, but no prosecution of illegal criminal aliens.

This indefensible inclination of the administration, of President Bush's leadership of the administration, has demoralized our protectors at the border. According to the National Border Patrol Council, the union representing 12,000 frontline Border Patrol agents, we are losing 12 percent of our Border Patrol agents a year right now. That amounts to 1,500 officers quitting their job every year. And we cannot replace the ones that we are losing. Why? Because this administration is not backing them up; because they feel that they are being abused by the people, by the government that they are serving. This is the administration that claims to be doing things in this legislation to help increase border security.

This administration, this President, has a miserable record of providing border security. Our defenders have been undercut and abused by a personal protege of the President of the United States.

This isn't as if President Bush doesn't know this. Attorney General Johnny Sutton, a young man who has tagged his career to the President for the last 20 years, he personally decided to prosecute these people, these law enforcement people, to the fullest extent of the law. And he has demonstrated that he will show no mercy for these Border Patrol agents and law enforcement officers like Ramos and Compean. The White House and Johnny Sutton will not permit these Border Patrol agents to even go out on bond until their appeal is heard. And it was Johnny Sutton, the U.S. attorney, and prosecutors that decided to prosecute them and let the drug smugglers go, decided to throw the book at them, decided to give gun charges against these people even though it is their job to carry a gun in order to protect us.

Well, are we expected to believe that the legislation now pursued by the President, who is behind such nonsensical policies at the border, will help make our borders more secure, help stem the out-of-control flow of illegals into our country? How can we believe that that is what the purpose of this legislation is when at this time the administration is taking steps and has taken steps for the last 6 years to ensure that we would have a massive flow of illegals into our country? These people didn't just materialize into our country. They have come especially from across the southern border, but across our other borders as well, and there has been no attempt by this administration to get control of the people who are entering via airports from other parts of the world, people who then just overstay their visa.

Well, this administration has not done this and has attacked our Border

Patrol agents instead. So much for the idea that this legislation, backed by Senator KENNEDY and the President, will somehow strengthen the Border Patrol.

The next trigger that we are told about is similarly fraudulent. The bill requires U.S. Immigration and Customs Enforcement to have the resources to detain up to 27,000 illegal aliens. How about that? But the Intelligence Reform and Terrorist Prevention Act of 2004 already requires almost double that number, 43,000 beds. Again, the bill is simply taking credit for legislation and for mandates that have already been passed into law. They are doing this to confuse the American people because they are using this as a cover to legalize the status of 15- to 20-million people who are here illegally, which will attract tens of millions more.

And what this bill doesn't do and what it doesn't require may be just as significant as what it does. It does not require worksite enforcement. In an amazing loophole. It only requires the Department of Homeland Security to have the tools to conduct worksite enforcement, but nowhere in the bill does it mandate the Department of Homeland Security to actually conduct worksite enforcement. Since millions of illegal aliens come here looking for work, worksite enforcement is imperative if we are to discourage illegal immigration.

If the Department of Homeland Security has the tools, but this so-called comprehensive package does not require them to use the tools, then we are right back in the situation that we are now. The law isn't being enforced. If it was, then the situation would not have gotten out of hand, as it is today.

One of the triggers in this legislation actually reduces border security. It cuts in half the border fence that Congress required to build on our southern borders. Now, remember we already passed the legislation requiring a fence. Everybody remembers that. Now those who ignored that mandate, the President and others who ignored that mandate, are telling us we must legalize the status of millions of illegals who are in this country in order for us to get what is already required by law. Now, what makes us think they are now going to obey the law, the agreement that they made?

What this bill doesn't do, as I said, speaks as loud as it what it does. It does not require the U.S. to have a verifiable exit system so we know that when visiting foreigners come into the U.S., then we have no idea if they have left. Someone who is coming into the United States on a visa can overstay their visa, and we don't know if they have left. How can we seek out and deport someone who has violated their visa if we don't even know if that person is in the country or not? There has been no effort on the part of this administration to try to fix that problem, and this bill does not mandate that.

Furthermore, it does not mandate checks on legal status in order for people who are here to get benefits. So those who oversee the limited resources that we have for our own people aren't expected to verify the legal status of those seeking to obtain services or benefits that are paid by the taxpayers. Our own people are going to suffer because of this. This is the comprehensive bill that is supposed to help our people; yet it leaves us vulnerable. Illegals are waved right through the system.

Let me give you an example. What I have learned is that there are hundreds of thousands of illegals throughout this country who are in Federal housing. Why? Because one member of their family, perhaps a child that was born here once they came to this country illegally, one child becomes a U.S. citizen, and if they have one child as a U.S. citizen, the whole family then gets to have housing benefits from the Federal Government.

Now, tell me this: The American people who are paying the bills, shouldn't they be getting this benefit rather than a family from overseas who has one child in this country who then supposedly becomes a citizen? What about our people who are barely making it, who can barely afford to pay their rent? They don't get the housing subsidy. What about our seniors who lose their income or they can't make it on what their retirement income is? They don't get the help. But illegals are being herded right through the system and given this help because they have a child that was born here.

We shouldn't even permit an illegal who has a child here to think that that child is going to be a legal citizen. That itself should be taken care of in this legislation, and that isn't being taken care of. And by letting anyone who is born here become a U.S. citizen, we have again opened up all these benefits to illegals, millions of them, and we have also invited millions to come here to make sure their children become citizens by being born here.

And, by the way, the triggers that we have heard about will unleash forces that they claim will make things better, but what about these triggers? How are these triggers going to be met? Well, the Secretary of Homeland Security, all he has to do to say that the triggers have been met is simply submit a written piece of paper that claims the triggers have been met. There is no actual reduction in illegal immigration required before there is a trigger which brings in all of these new immigrants and opens up the rest of the legislation. There is no decrease in, for example, those people who are involved in trying to get jobs through the match file system of Social Security. No, that would be measurable. Perhaps if we had a reduction in the number of illegal aliens in our prisons that could be noted, maybe that would be a good trigger, or anything else that can be objectively measured. No. That might mean that we are actually making progress, and that is the real reason why you have triggers. No, the triggers are there to provide cover.

The Secretary of the Department of Homeland Security, all he has to do is simply sign a letter saying that the trigger elements are funded, in place, and in operation. So these supposed triggers, these supposed safeguards, they just have to be in place. They don't have to have any results, and at that point, that is when the rest of the safeguards don't make any difference at that point. That is when the meat of the bill goes into effect. The immigration spigot will be turned on by a simple piece of paper saying that something is in place, not necessarily working.

And as we have seen, several of these triggers that I have already mentioned have already been put in place by prior legislation. The wall, building the wall, and expanding the Border Patrol agents, they have already been mandated. So one can expect the trigger letters that we are talking about that they are saying we are going to hold off until this situation is under control, they will be issued almost immediately, and that is predictable.

And what happens when a letter certifying that we have gotten tough with border security is issued? Well, once that letter is issued, this legislation provides that a massive, and I mean a massive, guest worker program is then launched. You get that? Expanding the Border Patrol agents and the fence and these things, when they just say they are in place, all of a sudden the new guest worker program is brought out and launched into service.

The deep pool of illegals currently here is going to be boosted by a flood of new illegals who know that if they get here, they will likely be given amnesty just like we did in 1986 and just like people are trying to do right now.

□ 2200

The lies of the past are almost as blatant as the fraud we are now confronting. The unspoken truth is Senator KENNEDY wants extremely high levels of immigration. The truth is, President Bush wants extremely high levels of immigration. It hurts the well-being of the American people, but if it does, so be it. That's what Senator KENNEDY and President Bush want.

It isn't enough that we have a 15 percent unemployment rate among high school dropouts in this country, and millions of lower-income Americans who are seeing their wages buy less and less. It isn't enough that immigration has reduced the wages of low-skilled Americans by about $2,000 a year. Apparently, we need to push them into abject poverty by importing 400,000 guest workers a year to compete directly with Americans. Yes, 400,000, and again, now, details matter.

While Y visas, which are designated for those who are in this new temporary guest workers program, while

they are supposed to be only temporary and only good for 2 years, a Y visa holder can eventually apply and get U.S. citizenship. They can also bring their spouse and children. They can stay for 2 years to work. Then they return home, and then they reapply for another 2-year visa. They can renew the Y visa this way up to three times.

Now, who in their right mind actually believes that these people, once they've uprooted their families and they brought all this and met these other requirements, that once they are here, that they are just going to go back? When we have millions of people swarming into this country because we've already given amnesty to everybody else, why won't these people in the guest worker program just melt right into the crowds, just go right there?

And, of course, they might go in and ask for green cards, which they can do, or they will just melt into the system, melt into our country. Why not?

Well, does this sound like it is a temporary guest worker's program, that 400,000 people are going to be here temporarily? Well, who gets hurt by this nonsense?

This bill allows employers to lay off American workers and replace them with Y visa holders as long as the Americans were fired 90 days before the petition of the foreign worker is filed. This is a huge subsidy to corporate America. It is both corporate welfare and an attack on the paycheck of hard-working Americans who are struggling to keep afloat.

We are told we must have these guest workers because Americans won't take the jobs, like in agriculture. Well, there are Americans who will pick fruit and vegetables. Don't tell me there aren't Americans who will go out and do this kind of labor in the fields. In fact, I've visited compounds where you have thousands of Americans, men, healthy men, between 18 and 40 years old, who would love to get out and earn some money. These are men in prison. These are prisoners who, after serving their time, 5 to 10 years, they get out with no work ethic, no money, $50 in their pocket and a new suit; and people are surprised when they come back to prison after committing more crime.

Well, let's put these people to work, rather than wasting all of their time, not developing any work ethic, let's let them earn $10,000, $20,000, so when they get out, they will have some money in their hand and they will have a work ethic. And half of the money can be used to pay for their own incarceration.

When somebody like me says this in Washington, D.C., they make fun of that. They make fun of me for suggesting that prisoners should pick the fruits and vegetables. The people making fun of me, are they watching out for the American people? These prisoners, they will be given a chance if we let them earn a living, come out of prison with $10,000 or $20,000 that they've earned, and they've paid some restitution in the meantime. So there are people who will do these jobs, even the agricultural jobs.

We are told we must have guest workers because Americans won't take the jobs, like agriculture and other jobs, because the guest worker program isn't just agricultural work. Look real close, Mr. and Mrs. America. This guest worker program includes a lot of other jobs rather than just agricultural work, cleaning hotel rooms and construction workers, for example.

Now, is it really true that Americans won't do that, or Americans won't be nannies for other people's children? No. Americans will do those jobs as long as they get pay commensurate for their work. No, they won't work like slave labor, like illegals who are pouring over the borders into our country to fill these jobs.

There are millions of American women who would love to drop off their children at school at 9 o'clock in the morning and go to work at these various hotels, cleaning the rooms and changing the sheets and then get off by 3 o'clock in order to pick up their kids at school. Yes, millions of American women would like to do that, but they're not going to work for a pittance, they're not going to work as slaves. They want benefits if they're going to work for the job. But with illegals pouring across the border, these millions of American women are left out.

There are millions of American women who would love to be a nanny for some rich people who would like to have a nanny for their children, or even some people who aren't so rich who would like to have some help with their children, but they're not going to work for a pittance. And all these rich people who have nannies from overseas and are paying them half as much as they would have to pay an American woman to help them, who is being helped? The rich lady or the rich woman who has the children are being helped.

Yes, those rich people are being helped. Maybe the immigrant, the illegal immigrant, probably woman, who is helping out as a nanny, she has helped a little bit. Who is the big loser are the American women, who could be earning a decent living to help their families by serving as nannies, because they are women who are mothers and they know about taking care of children. We have frozen them out of the market.

We are hurting the American family. We are making sure that families don't have the extra money, and that these hotel chains can pay people a pittance.

The guest worker program starts at 400,000, but it can be increased. This bill allows for adjustments every 6 months based on market fluctuation. Is there a doubt in anyone's mind that simply allowing the number of guest workers to go up and down will not result in the number of workers going up and up and up? H1B visas and Y visa holders will be taking the jobs that Americans are willing to do, but they will be driving down wages.

In Orange County, I went to a function a few years ago and a fellow grabbed me by the arm and he said, Congressman, I am here to thank you. He had a newspaper clipping when we were debating H1B visas here on the floor of the House. He said Congressman, I read your quote. You said if we bring in these hundreds of thousands of people on H1B visas from India and Pakistan to work at our high-tech jobs, we are going to do nothing but depress the wages of the people in the electronics industry.

He said, I was laid off, and do you know what happened? I went back to get my old job back. They paid me $80,000, and now they were offering the same job to me for $50,000. And they looked at me and said, if you don't take this, we can get somebody with an H1B visa to take it, some Indian or Pakistani, so you'd better take it.

And he said, I did. He said, you know the difference, Congressman, between earning $50,000 and $80,000 is? I said, what is it? He said, you never dream of owning your own home if you make $50,000 a year.

We are destroying the dreams of the American people in order to what? To bring down wages so that our business elite can prosper, and yes, so that we can bring millions of illegals into this country, millions of immigrants into this country, which the liberal left of the political spectrum thinks that they are going to use these people as pawns in their own political game. They are being exploited by the business community and exploited by the liberal left who control the Democratic party. This is obscene.

Who loses? Yeah, the immigrants are kind of losers, even though they're a little bit better off. The American people are the losers.

What happens to particular Americans isn't the worst of it. Not only do we greatly expand our guest worker program, we are actually increasing chain migration, even though they are telling us this bill will take care of that. Chain migration allows an immigrant to bring his spouse and children and the sisters and brothers and in-laws, grandparents, aunts and uncles.

One of the reasons the wait to migrate to America is so long for many people overseas is that the open slots that could become open to immigrate here legally are going to people who are bringing their relatives over, people who may immediately be on the dole, people who can't even support themselves, but they are family members.

The Senate claims this bill will move away from that, that it will point the system to a merit system, to those who have skills that America needs and will be able to come into the country before the relatives of those people are already here. Sounds pretty good in theory, doesn't it? Once again, there are

so many loopholes in this bill that the reality of this legislation is just the opposite for which it portends.

The bill, as written, for most of the next decade will dramatically increase chain migration. Well, how is that? How? Right now, chain migration is limited to 112,000 per year. This bill increases that. Get this: Chain migration is 112,000 a year; this bill would increase that number to 440,000 per year until the current backlog of applications is filled.

That backlog will take 8 years, get that, 8 years to fix, 8 years before the point system we are being told about will come into play, 8 years at a fourfold increase in chain migration during those 8 years.

Does anyone here really think that 8 years from now we will implement a merit system for chain migration? By then we will have 50 to 100 million new illegal immigrants here who have swarmed into our country, and we will be in the midst of chaos and confusion.

One might reasonably hope, after granting amnesty, establishing a new guest worker program, increasing chain migration and requiring trigger mechanisms that already are in place and aren't needed, that this bill might at least crack down on illegal immigrant criminals. Well, don't hold your breath. This bill imposes significant obstacles to removing dangerous alien gang members from our country.

This bill also narrowly defines criminal gangs so that many small gangs will be excluded from the bill. Further, the government must prove bad intent on the part of the alien gang member in order to remove the alien gang member. All a gang member has to do is sign a piece of paper saying he has renounced his gang affiliation and he can then get a Z visa. He is then getting a visa that will permit him legal status here, even though he's illegal and part of a criminal gang. Of course a gang member would never lie to us about that, would he? I guess not. Why are we putting out this welcome mat for criminals? This is madness.

Further, the bill weakens the law involving passport fraud and misuse. It actually reduces the punishment for illegal reentry by criminals into this country. The so-called comprehensive bill weakens restrictions that are already in place.

And shockingly enough, this bill does not make engaging in a terrorist activity proof that an immigrant is not of good moral character, the good moral character, of course, being a requirement to get a visa.

And the final insult, let's look at the highly touted electronic employment eligibility verification, the system allowing employers to make sure that the employees they hire are eligible for employment. It's a fraud. Why? First, because the bill permits the entire system to be changed by the Department of Homeland Security Secretary and the Social Security Administrator.

Second, while an illegal alien is appealing a finding of noneligibility for employment, so if he is found not to be eligible for employment, while he is appealing that, he can appeal it administratively, and then he can appeal it in the courts. The illegal can't be fired while he is appealing that decision. That could go on for years, and so the mechanism is irrelevant.

In real-life scenarios, this bill would make that mechanism to check irrelevant. Forget whatever requirements are in the bill. There are over 40 pages of such requirements, such as, in section 302 of the bill, the Department of Homeland Security Secretary and the Social Security Administrator are given authority to change any requirement. Any of the supposed tough mandates can be administratively done and deleted simply by publishing these changes in the Federal Register.

What is the purpose of defining a system for page after page in this legislation and then saying, by the way, if you don't like it or get too much heat from greedy employers or a confused press, don't worry, you can change it? It can be changed easily without having to go back to the Congress.

□ 2215

This is not laying the foundation for meeting serious challenges. This is creating a phony facade to make people think that something else is happening.

The final slap? This bill legalizes instate tuition for illegal aliens. If your child goes 100 miles to the next State, he or she must pay for out-of-state tuition. But an illegal alien who is smuggled 2,000 miles by their parents into this country can go to school cheaply and on your tax dollar.

This much vaunted compromise that we are talking about, this comprehensive bill, is in reality an amnesty for everyone; a new guest worker program so your employer can throw you out of work. It vastly expands chain migration. It guts enforcement provisions and makes it easier for illegal alien criminals to stay. If this is a compromise, I shudder to think what the other bill will look like. It would be more honest for the Senate to draft up a bill declaring war on the American people.

Robert Rector from the Heritage Foundation estimates the cost for the out-of-control flow of illegal immigration will be over $2.5 trillion. That is trillion dollars with a ''T.'' Babyboomers retiring and the looming crisis in Medicare and Social Security are upon us. What rational person thinks that we can take on another $2.5 trillion in obligations and not see the utter bankruptcy of our country? And what rational person thinks we can absorb tens of millions of new illegals who will be attracted to America once we legalize the status of this bunch who are here now?

This goes deeper than economics. Why are we officially endorsing the existence of a permanent class of illegal residents, because when those 50 to 100 million people get here, it will be over. A group of people who are not citizens, who have neither obligation nor benefits of being citizens, will be in our country forever. It will change the nature of the United States. It is changing the nature of the United States.

I strongly support legal immigration. Legal immigrants are the bulwark of our economy and our society. They are the most patriotic of Americans. But they have come here to be Americans. They have come here, legal immigrants have come here, to make sure they are healthy, yes, and they can work and they can actually take care of themselves, rather than be wards of the state. They have met these obligations. They want to speak English.

But they have come here with the premise, everyone comes here who comes to our country, they know, these legal immigrants, that they have to give up their allegiance to their old country and to truly become Americans, and they want to become Americans. I am proud of those legal immigrants who support me in my district. They deserve the rights and their families deserve the rights of every American, and no one should ever interpret this battle against illegal immigration with any attack on those wonderful American citizens who are here by choice and who have come here legally and come here through the process.

We have a huge group of illegal immigrants here now, and a growing number, who refuse to renounce their allegiance to their old country and to their old ways, but loudly insist on being granted the economic benefits of living in this country. This is a prescription for disaster. For disaster.

Legal immigration is a controlled process. We take in more than all the rest of the world combined. We have more legal immigrants into our country than all the other countries of the world combined, and we can be proud of that.

But it hasn't been enough for those who rake in higher profits when wages go down or for those in the liberal left who want to fundamentally change America and believe a mass of new immigrants will help them do it.

America is a wondrous dream. We are letting an elite clique of capitalists and leftists, as unholy an alliance as that is, to turn this dream into a nightmare. The American people need to step forward with a righteous rage. They are being betrayed. President Bush and Senator KENNEDY have an agenda that will destroy America's middle-class. Those who sign onto this legislation are not, not, representing the interests of the American people.

If we do not speak up, the Americans, the patriots, both legal immigrants and people who are born here, if we do not step up there will be another 50 to 100 million people here from abroad and they will live here a decade from now and it will be a different country. We will have lost our country.

Yet those supporting this invasion of America posture themselves as morally

superior. Cities declare ''sanctuary'' for illegals, these illegals who have broken our laws. These cities who are declaring sanctuary are never asked who is being hurt. They think they are helping people.

It is not just the American people being hurt, it is those people waiting in line overseas. Why should the person who has come here illegally, the people who have come here illegally, get the benefits? Why should the people who run the sanctuaries be on the side of those people who cheated and cut in line in front of all of those hundreds of millions of people waiting overseas?

The sanctuary cities are treating the good people who would immigrate here legally and are waiting to do so as a bunch of saps. Any time that we reward illegal conduct and these people who have come here illegally and we say we are reaching out to them, we are going to try to help them, what you are really doing is hurting the people overseas. You are hurting someone else who is a decent, hard-working person who would come here. So anybody who offers sanctuary and is reaching out to illegals is doing nothing but hurting other people overseas. Of course, they are hurting the American people. It is not enough to tell them that. They are also hurting these poor people overseas. These sanctuary cities are contributing to the breakdown of our society.

This ''holier-than-thou'' attitude is not humanitarian. It is phony. Those posers are rarely willing to sacrifice their own resources. They want to spend taxpayer dollars to take care of their humanitarian instincts. The Catholic Church, for example, demands that illegals be given healthcare and education benefits. Let the Catholic Church, if they are serious, pay the bill for the illegals. They can do it. They can provide schools and healthcare. There are a lot of Catholic properties that could be sold to pay for their healthcare. No, they want the American people, other people, to pay for it. The taxpayers. That is not humanitarianism. That is not Christian charity.

Then what happens when the next wave gets here, 50 to 100 million illegals? First and foremost, the American people should be loyal to each other. We must care for each other. This is not hate mongering. This is not being against people. Americans of every race, every religion, every ethnic background, we need to be compassionate to each other and each other's families. We must not drain the limited resources that we have for the Americans in order to give it to the other people who have come here illegally, because we must first care for our own people.

That is not hate. That is the right kind of love you have in your heart for your family and your neighbors. This is not humanitarianism, when we give this away to others and encourage millions more to come here. It will cause the collapse of our system and all of us will be worse off.

The immigration legislation being foisted upon us will create a different America with a permanent alien underclass, people who may or may not share our Democratic values and may or may not be loyal to America's ideals. It is time for patriots to act, to stand up and be heard. Be angry. Call on elected officials to be held accountable.

This supposed comprehensive immigration bill must be defeated, and I would call on my fellow Members of Congress and the American people to join in this fight. We need every patriot to be activated now to save America.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KIRK (at the request of Mr. BOEHNER) for today on account of a family emergency.

Mrs. MCMORRIS RODGERS (at the request of Mr. BOEHNER) for the week of May 21st on account of the birth of her son.

Ms. CORRINE BROWN of Florida (at the request of Mr. HOYER) for Monday, May 21, and for today, May 22, on account of a family emergency.

Ms. BERKLEY (at the request of Mr. HOYER) for today after 4 p.m.

Ms. BORDALLO (at the request of Mr. HOYER) for today and the balance of the week, on account of a death in the family and official business in the district.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CROWLEY) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. GARRETT of New Jersey) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes each, today, May 23 and 24.

Mr. ROGERS of Michigan, for 5 minutes, today.

Mr. BILIRAKIS, for 5 minutes, May 23.

Mr. FRANKS of Arizona, for 5 minutes, today.

## SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 254. An act to award posthumously a Congressional gold medal to Constantino Brumidi, to the Committee on Financial Services.

## ADJOURNMENT

Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 24 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 23, 2007, at 10 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1907. A letter from the Regulatory Contact, Department of Agriculture, transmitting the Department's final rule — Official Fees and Tolerances for Barley Protein Testing (RIN: 0580-AA95) received May 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1908. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Gypsy Moth Generally Infested Areas; Addition of Areas in Virginia [Docket No. APHIS-2006-0171] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1909. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Glyphosate; Pesticide Tolerance [EPA-HQ-OPP-2006-0323; FRL-8122-8] received April 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1910. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Administrative Revisions to Plant-Incorporated Protectant Tolerance Exemptions [EPA-HQ-OPP-2005-0116; FRL-7742-2] received April 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1911. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Propiconazole; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2007-0224; FRL-8121-2] received April 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1912. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Small Business Programs [DFARS Case 2003-D047] (RIN: 0750-AE93) received April 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1913. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Electronic Submission and Processing of Payment Requests [DFARS Case 2005-D009] (RIN: 0750-AF28) received May 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1914. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's report that no such exemptions to the prohibition against favored treatment of a government securities broker or dealer were granted during the period January 1, 2006 through December 31, 2006, pursuant to Public Law 103-

202, section 202; to the Committee on Financial Services.

1915. A letter from the Senior Attorney Advisor, Federal Housing Finance Board, transmitting the Board's final rule — Federal Home Loan Bank Appointive Directors [No. 2007-01] (RIN: 3069-AB-33) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1916. A letter from the Senior Attorney Advisor, Federal Housing Financing Board, transmitting the Board's final rule — Limitation on Issuance of Excess Stock [No. 2006-23] (RIN: 3069-AB30) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1917. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — TERMINATION OF A FOREIGN PRIVATE ISSUER'S REGISTRATION OF A CLASS OF SECURITIES UNDER SECTION 12(g) AND DUTY TO FILE REPORTS UNDER SECTION 13(a) OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934 [RELEASE NO. 34-55540; INTERNATIONAL SERIES RELEASE NO. 1301; FILE NO. S7-12-05] (RIN: 3235-AJ38) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1918. A letter from the Director, Directorate of Standards and Guidance, Department of Labor, transmitting the Department's final rule — Electrical Standard [Docket No. S-108C] (RIN: 1218-AB95) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

1919. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Laxative Drug Products for Over-the-Counter Human Use; Psyllium Ingredients in Granular Dosage Forms [[Docket No. 1978N-0036] (formerly Docket No. 1978N-0036L)] (RIN: 0910-AF38) received April 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1920. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Advisory Committee: Change of Name and Function — received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1921. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Food Substances Affirmed as Generally Recognized as Safe in Feed and Drinking Water of Animals: 25-Hydroxyvitamin D3 [[Docket No. 1995G-0321] (formerly 95G-0321)] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1922. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Anthropomorphic Test Devices; ES-2re Side Impact Crash Test Dummy 50th Percentile Adult Male [Docket No. NHTSA-2004-25441] (RIN: 2127-AI89) received April 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1923. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Cooperative Agreements and Superfund State Contracts for Superfund Response Actions [FRL-8306-2] (RIN: 2050-AE62) received April 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1924. A letter from the Director, Defense Security Cooperation Agency, transmitting Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 07-30, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Iraq for defense articles and services, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

1925. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's justification for determination under Section 530 of the Foreign Relations Authorization Act for Fiscal Year 1994 and 1995, Pub. L. 103-236, regarding Iraq and Libya; to the Committee on Foreign Affairs.

1926. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-45, ''National Capital Revitalization Corporation and Anacostia Waterfront Corporation Freedom of Information Temporary Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

1927. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-43, ''Closing of a Public Alley in Squares 739, the Closure of Streets, the Opening and Widening of Streets, and the Dedication of Land for Street Purposes (S.O. 06-221) Clarification Temporary Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

1928. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-44, ''School Modernization Funds Submission Requirements Waiver Temporary Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

1929. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-42, ''Solid Waste Disposal Fee Temporary Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

1930. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-46, ''Vacancy Conversion Fee Exemption Reinstatement Temporary Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

1931. A letter from the Senior Attorney Advisor, Federal Housing Finance Board, transmitting the Board's final rule — Privacy Act and Freedom of Information Act; Implementation [No. 2006-25] (RIN: 3069-AB32) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1932. A letter from the OGE Director, Office of Government Ethics, transmitting the Office's final rule — Removal of Obsolete Regulations Concerning the Inoperative Provisions Regarding Charitable Payments In Lieu of Honoraria and Conforming Technical Amendments (RINS: 3209-AA00, 3209-AA04 and 3209-AA13) received April 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1933. A letter from the Chief, Regulatory Management Division, Office of the Executive Secretariat, Department of Homeland Security, transmitting the Department's final rule — Petitioning Requirements for the O and P Nonimmigrant Classifications [CIS No. 2295-03; USCIS-2004-0001] (RIN: 1615-AB17) received April 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1934. A letter from the Rules Administrator, Department of Justice, transmitting the Department's final rule — Suicide Prevention Program [BOP-1107-F] (RIN: 1120-AB06) received April 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1935. A letter from the Chairmen, Naval Sea Cadet Corps, transmitting the 2006 Annual Audit and the 2006 Annual Report of the Naval Sea Cadet Corps (NSCC), pursuant to 36 U.S.C. 1101(39) and 1103; to the Committee on the Judiciary.

1936. A letter from the Secretary, Department of Energy and Department of the Interior, transmitting the Departments' study of issues regarding energy rights-of-way on tribal lands as defined in Section 2601 of the Energy Policy Act of 1992, pursuant to Public Law 109-58, section 1813; jointly to the Committees on Energy and Commerce and Natural Resources.

1937. A letter from the Inspector General, Special Inspector General for Iraq Reconstruction, transmitting the April 2007 Quarterly Report pursuant to Section 3001(i) of Title III of the 2004 Emergency Supplemental Appropriations for Defense and for the Reconstruction of Iraq and Afghanistan (Pub. L. 108-106) as amended by Pub. L. 108-375; jointly to the Committees on Foreign Affairs and Appropriations.

1938. A letter from the Secretary, Department of Labor, transmitting a copy of a draft bill to ''establish a fee for processing applications for permanent employment certification for immigrant aliens in the United States, to enhance program integrity, and for other purposes''; jointly to the Committees on the Judiciary and Education and Labor.

1939. A letter from the Secretary, Department of Agriculture, transmitting a copy of draft legislation to authorize the Secretary of Agriculture to dispose of certain National Forest System land and retain the receipts for certain purposes, including the acquisition of other lands and the temporary extension of payments to State and local jurisdiction impacted by reduced Federal timber revenue; jointly to the Committees on Natural Resources, Agriculture, and Oversight and Government Reform.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANTOS: Committee on Foreign Affairs. H.R. 957. A bill to amend the Iran Sanctions Act of 1996 to expand and clarify the entities against which sanctions may be imposed; with an amendment (Rept. 110–163 Pt. 1). Ordered to be printed.

Mr. RAHALL: Committee on Natural Resources. H.R. 65. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; with an amendment (Rept. 110–164). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCURI: Committee on Rules. House Resolution 429. Resolution providing for consideration of the bill (H.R. 1100) to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes (Rept. 110–165). Referred to the House Calendar.

### DISCHARGE OF COMMITTEE

*[The following action omitted from the Record on May 21, 2007]*

Pursuant to clause 2 of rule XII, the Committees on Rules and House Administration were discharged from further consideration. H.R. 2316 referred to the Committee of the Whole House

on the State of the Union, and ordered to be printed.

*[The following action occurred on May 22, 2007]*

Pursuant to clause 2 of rule XII the Committee on Oversight and Government Reform discharged from further consideration of H.R. 957.

## TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 957. Referral to the Committees on Financial Services and Ways and Means extended for a period ending not later than June 29, 2007.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. PETERSON of Minnesota:

H.R. 2419. A bill to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Foreign Affairs, 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. LANTOS (for himself, Mr. SMITH of New Jersey, Mr. MARKEY, Mr. MEEKS of New York, Mr. SIRES, Ms. WATSON, Mr. DELAHUNT, Mr. BERMAN, Mr. CROWLEY, Mr. WEXLER, Mr. ENGEL, Mr. FALEOMAVAEGA, Mr. ACKERMAN, Mr. SHERMAN, Ms. WOOLSEY, Mr. MILLER of North Carolina, Mr. KLEIN of Florida, Mr. PAYNE, Mr. SMITH of Washington, Mr. CARNAHAN, Ms. LINDA T. SÁNCHEZ of California, Mr. WU, Mr. HINOJOSA, Mr. INSLEE, Ms. JACKSON-LEE of Texas, and Ms. GIFFORDS):

H.R. 2420. A bill to declare United States policy on international climate cooperation, to authorize assistance to promote clean and efficient energy technologies in foreign countries, and to establish the International Clean Energy Foundation; to the Committee on Foreign Affairs.

By Mr. OBERSTAR (for himself, Mr. DINGELL, Mr. EHLERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SAXTON, Mr. TAYLOR, Mr. PLATTS, Mr. HIGGINS, Mr. LOBIONDO, Mr. COHEN, Mr. SHAYS, Mr. DEFAZIO, Mr. KIRK, Mr. NADLER, Mr. WALSH of New York, Ms. MATSUI, Mr. CASTLE, Mrs. TAUSCHER, Mr. SMITH of New Jersey, Mr. FILNER, Ms. CORRINE BROWN of Florida, Mr. CAPUANO, Ms. HIRONO, Mr. KAGEN, Mr. BISHOP of New York, Mr. CUMMINGS, Ms. CARSON, Mr. MCNERNEY, Mr. ARCURI, Mr. CARNAHAN, Ms. NORTON, Mr. HALL of New York, Mr. DOGGETT, Mr. GRIJALVA, Mr. PALLONE, Mr. SCOTT of Virginia, Mr. BRADY of Pennsylvania, Mr. HINCHEY, Ms. SCHWARTZ, Mr. KUCINICH, Mr. THOMPSON of California, Mr. WEXLER, Mr. GEORGE MILLER of California, Ms. MCCOLLUM of Minnesota, Ms. ESHOO, Mr. HASTINGS of Florida, Mr. BLUMENAUER, Mr. BERMAN, Mr. KILDEE, Ms. HOOLEY, Mr. SERRANO, Mr. WAXMAN, Mrs. CAPPS, Mr. MORAN of Virginia, Mr. SARBANES, Mr. PATRICK MURPHY of Pennsylvania, Mr. FRANK of Massachusetts, Mr. DOYLE, Mr. LANTOS, Mr. LEVIN, Mr. OLVER, Mr. PAYNE, Mr. HONDA, Mr. ABERCROMBIE, Mr. CHANDLER, Mr. CROWLEY, Ms. MOORE of Wisconsin, Mr. MCNULTY, Mr. MOORE of Kansas, Ms. CASTOR, Mr. COURTNEY, Mr. JACKSON of Illinois, Mr. SPRATT, Mr. CLAY, Mr. MCDERMOTT, Mr. ACKERMAN, Mr. WYNN, Mr. LANGEVIN, Mr. VISCLOSKY, Ms. WOOLSEY, Mrs. LOWEY, Mr. SIRES, Mr. HODES, Mr. STARK, Ms. KAPTUR, Mr. DELAHUNT, Ms. ZOE LOFGREN of California, Mr. MURPHY of Connecticut, Mr. KANJORSKI, Mr. ROTHMAN, Mr. PASCRELL, Mr. UDALL of New Mexico, Ms. SUTTON, Ms. SCHAKOWSKY, Mr. HOLT, Ms. BALDWIN, Mr. SCHIFF, Mr. GONZALEZ, Mr. SHERMAN, Mr. FARR, Ms. SLAUGHTER, Mr. ALLEN, Mrs. DAVIS of California, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Mr. TOWNS, Mr. ANDREWS, Mr. GORDON, Ms. BEAN, Ms. SOLIS, Mr. KLEIN of Florida, Mr. THOMPSON of Mississippi, Ms. LORETTA SANCHEZ of California, Mr. NEAL of Massachusetts, Ms. ROYBAL-ALLARD, Mr. WU, Mr. TIERNEY, Mr. WEINER, Mr. VAN HOLLEN, Mr. ELLISON, Mr. RUPPERSBERGER, Ms. CLARKE, Ms. WASSERMAN SCHULTZ, Mr. RYAN of Ohio, Mrs. CHRISTENSEN, Mr. MARKEY, Mr. MEEHAN, Mr. CLEAVER, Mr. ENGEL, Mr. DAVIS of Alabama, Ms. KILPATRICK, Mrs. MCCARTHY of New York, Ms. SHEA-PORTER, Mr. DICKS, Mr. KIND, Mr. LARSON of Connecticut, Mr. KENNEDY, Mr. LEWIS of Georgia, Mr. WELCH of Vermont, Mr. GUTIERREZ, Mr. PRICE of North Carolina, Mr. COOPER, Mr. RUSH, Mr. CONYERS, Mr. STUPAK, Ms. LINDA T. SÁNCHEZ of California, Ms. WATERS, Ms. HARMAN, Mr. BUTTERFIELD, Mr. YARMUTH, Mr. DAVIS of Illinois, Ms. DEGETTE, Mr. INSLEE, Ms. LEE, Mr. FATTAH, Mr. RANGEL, Ms. DELAURO, and Mr. LYNCH):

H.R. 2421. A bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States; to the Committee on Transportation and Infrastructure.

By Mr. GONZALEZ:

H.R. 2422. A bill to require railroad carriers to prepare and maintain a plan for notifying local emergency responders before transporting hazardous materials through their jurisdictions; to the Committee on Transportation and Infrastructure.

By Mr. LATOURETTE (for himself, Mr. BAKER, Mr. GILCHREST, Mr. EHLERS, and Mrs. MILLER of Michigan):

H.R. 2423. A bill to provide for the management and treatment of ballast water to prevent the introduction of nonindigenous aquatic species into coastal and inland waters of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PAUL:

H.R. 2424. A bill to repeal the Gun-Free School Zones Act of 1990 and amendments to that Act; to the Committee on the Judiciary.

By Mr. BOOZMAN:

H.R. 2425. A bill to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOSWELL (for himself, Mr. MORAN of Kansas, and Mr. SALAZAR):

H.R. 2426. A bill to require the Secretary of Energy to award funds to study the feasibility of constructing dedicated ethanol pipelines, to address technical factors that prevent transportation of ethanol in existing pipelines, and to increase the energy, economic, and environmental security of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BARROW:

H.R. 2427. A bill to require that an independent review of the efficiency and effectiveness of all headquarters offices of USDA Rural Development and the Natural Resource Conservation Service be carried out before any county Rural Development office may be merged with a county office of the Natural Resource Conservation Service or any county office of the Natural Resource Conservation Service may be merged with a county Rural Development office; to the Committee on Agriculture.

By Mr. EDWARDS (for himself, Mr. LAMPSON, and Mr. COSTA):

H.R. 2428. A bill to enhance the efficiency of bioenergy and biomass research and development programs through improved coordination and collaboration between the Department of Agriculture, the Department of Energy, and land-grant colleges and universities, and for other purposes; to the Committee on Agriculture.

By Mr. THOMPSON of California (for himself and Mr. SAM JOHNSON of Texas):

H.R. 2429. A bill to amend title XVIII of the Social Security Act to provide an exception to the 60-day limit on Medicare reciprocal billing arrangements between two physicians during the period in which one of the physicians is ordered to active duty as a member of a reserve component of the Armed Forces; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTLE (for himself and Mr. MCKEON):

H.R. 2430. A bill to amend the Department of Education Organization Act and the Carl D. Perkins Career and Technical Education Act of 2006 to redesignate the Office of Vocational and Adult Education; to the Committee on Education and Labor.

By Mr. CUELLAR (for himself and Mr. REHBERG):

H.R. 2431. A bill to authorize appropriations for border and transportation security personnel and technology, and for other purposes; to the Committee on Homeland Security.

By Mr. DEAL of Georgia (for himself, Mr. BARTON of Texas, Mr. PITTS, Mr. UPTON, Mr. FERGUSON, Mrs. BLACKBURN, Mr. TERRY, Mr. LAMBORN, and Mr. CONAWAY):

H.R. 2432. A bill to extend for 3 months transitional medical assistance (TMA) and the abstinence education program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEFAZIO:

H.R. 2433. A bill to prohibit the designation of any agency, bureau, or other entity of the Department of Homeland Security as a separate agency or bureau for purposes of post employment restrictions in title 18, United States Code; to the Committee on the Judiciary.

By Mrs. DRAKE:

H.R. 2434. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide regular notice to individuals submitting claims for benefits administered by the Secretary on the status of

such claims; to the Committee on Veterans' Affairs.

By Mr. AL GREEN of Texas (for himself, Ms. LINDA T. SÁNCHEZ of California, Mr. LYNCH, Mr. MICHAUD, Mr. FATTAH, Mr. GENE GREEN of Texas, Mr. HARE, Mr. HOLDEN, Ms. JACKSON-LEE of Texas, Mr. GRIJALVA, Ms. DELAURO, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 2435. A bill to amend the Occupational Safety and Health Act to provide for criminal liability for willful safety standard violations resulting in the death of contract employees; to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HOOLEY (for herself, Mr. WU, Mr. DEFAZIO, Mr. BLUMENAUER, Mr. HONDA, Mr. LIPINSKI, and Mr. KIND):

H.R. 2436. A bill to strengthen the capacity of eligible institutions to provide instruction in nanotechnology; to the Committee on Science and Technology.

By Mr. ISRAEL (for himself, Mr. MATHESON, and Mr. SHIMKUS):

H.R. 2437. A bill to provide for the establishment of an energy efficiency and renewable energy finance and investment advisory committee; to the Committee on Energy and Commerce.

By Mr. JORDAN (for himself and Mr. ELLSWORTH):

H.R. 2438. A bill to amend title 18, United States Code, to deter public corruption; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. GRIJALVA, Ms. WASSERMAN SCHULTZ, and Mr. ETHERIDGE):

H.R. 2439. A bill to amend the Internal Revenue Code of 1986 to reward those Americans who provide volunteer services in times of national need; to the Committee on Ways and Means.

By Mr. LYNCH (for himself, Mr. PLATTS, Mr. KLEIN of Florida, Mr. ROYCE, Mr. CARNEY, and Mrs. MALONEY of New York):

H.R. 2440. A bill to reauthorize the Financial Crimes Enforcement Network; to the Committee on Financial Services.

By Mr. MATHESON (for himself, Ms. BERKLEY, Mr. UDALL of Colorado, Mr. BISHOP of Utah, Mr. SALAZAR, and Mr. CANNON):

H.R. 2441. A bill to amend the Internal Revenue Code of 1986 to allow public school districts to receive no interest loans for the purchase of renewable energy systems, and for other purposes; to the Committee on Ways and Means.

By Mr. MCHUGH:

H.R. 2442. A bill to provide job creation and assistance, and for other purposes; to the Committee on Education and Labor, and in addition to the Committees on Ways and Means, the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE (for himself, Mr. FILNER, Mrs. BONO, Mr. GENE GREEN of Texas, Mr. ENGLISH of Pennsylvania, Mr. ROTHMAN, Mr. DOYLE, Mrs. GILLIBRAND, Mrs. CAPPS, Mr. MELANCON, Mr. HILL, Mr. CROWLEY, Mr. BERRY, Mr. ABERCROMBIE, and Mr. CAPUANO):

H.R. 2443. A bill to amend title 49, United States Code, to suspend the authority of the Administrator of the Federal Aviation Administration to eliminate, consolidate, deconsolidate, colocate, or plan for the consolidation, deconsolidation, inter-facility reorganization, or colocation of, any air traffic control facility and services of the Administration; to the Committee on Transportation and Infrastructure.

By Mr. TIAHRT:

H.R. 2444. A bill to amend title 4, United States Code, to provide that it is especially appropriate to display the flag on Father's Day; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.R. 2445. A bill to amend that Alaska Native Claims Settlement Act to recognize Alexander Creek as Native village, and for other purposes; to the Committee on Natural Resources.

By Mr. LANTOS (for himself and Ms. ROS-LEHTINEN):

H.R. 2446. A bill to reauthorize the Afghanistan Freedom Support Act of 2002, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SMITH of New Jersey (for himself, Mr. PAYNE, Mr. PITTS, Mr. FORTENBERRY, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BURTON of Indiana, Mr. BERMAN, Mr. ROYCE, Mr. ROHRABACHER, Ms. WATSON, Mr. SAM JOHNSON of Texas, Mr. RENZI, Mr. BOOZMAN, Mr. WELDON of Florida, Mr. DANIEL E. LUNGREN of California, Mr. CHABOT, Mr. MCCOTTER, Mr. LOBIONDO, Mrs. JO ANN DAVIS of Virginia, Mrs. MUSGRAVE, Mr. HOEKSTRA, Mr. FRELINGHUYSEN, Mr. FERGUSON, Mr. MANZULLO, Mr. SHUSTER, Mr. POE, Mr. MARIO DIAZ-BALART of Florida, Mr. STEARNS, Mr. SOUDER, Mr. INGLIS of South Carolina, Mr. HERGER, and Mr. GALLEGLY):

H. Con. Res. 151. Concurrent resolution noting the disturbing pattern of killings of dozens of independent journalists in Russia over the last decade, and calling on Russian President Vladimir Putin to authorize cooperation with outside investigators in solving those murders; to the Committee on Foreign Affairs.

By Mr. LANTOS (for himself, Ms. ROS-LEHTINEN, Mr. ACKERMAN, Mr. WEXLER, Mr. SHERMAN, Mr. CROWLEY, Mr. ENGEL, Mr. KLEIN of Florida, Mr. BERMAN, Mr. FALEOMAVAEGA, and Mr. BURTON of Indiana):

H. Con. Res. 152. Concurrent resolution relating to the 40th anniversary of the reunification of the City of Jerusalem; to the Committee on Foreign Affairs.

By Mr. GILCHREST (for himself, Mr. CASTLE, Mr. GILLMOR, Mr. MCHUGH, Mr. MORAN of Virginia, Mr. BARTLETT of Maryland, Mr. SHAYS, and Mr. KIRK):

H. Con. Res. 153. Concurrent resolution expressing the sense of the Congress regarding the need for a nationwide diversified energy portfolio, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ROS-LEHTINEN:

H. Con. Res. 154. Concurrent resolution expressing the sense of Congress that the fatal radiation poisoning of Russian dissident and writer Alexander Litvinenko raises significant concerns about the potential involvement of elements of the Russian Government in Mr. Litvinenko's death and about the security and proliferation of radioactive materials; to the Committee on Foreign Affairs.

By Mr. MCGOVERN (for himself, Mr. PITTS, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. PAYNE, Mr. LANTOS, Ms. MCCOLLUM of Minnesota, Mr. RUSH, Mr. LYNCH, Ms. BALDWIN, Mr. WEXLER, Ms. SUTTON, Mr. FARR, Mr. FATTAH, Ms. DELAURO, Ms. SCHAKOWSKY, Ms. WATSON, Ms. JACKSON-LEE of Texas, Mr. GUTIERREZ, Ms. WOOLSEY, Mr. HINCHEY, Ms. LEE, Mr. MCDERMOTT, and Ms. MOORE of Wisconsin):

H. Res. 426. A resolution recognizing 2007 as the Year of the Rights of Internally Displaced Persons in Colombia, and offering support for efforts to ensure that the internally displaced people of Colombia receive the assistance and protection they need to rebuild their lives successfully; to the Committee on Foreign Affairs.

By Mr. LANTOS (for himself and Mr. SHAYS):

H. Res. 427. A resolution urging the Government of Canada to end the commercial seal hunt; to the Committee on Foreign Affairs.

By Mr. ROGERS of Michigan:

H. Res. 428. A resolution raising a question of the privileges of the House.

By Mr. VAN HOLLEN (for himself, Mr. LANTOS, Mr. CUMMINGS, Mr. GILCHREST, and Mr. ACKERMAN):

H. Res. 430. A resolution calling on the Government of the Islamic Republic of Iran to immediately release Dr. Haleh Esfandiari; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

67. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 64 memorializing the Congress of the United States to take action to investigate and provide remedies for those injured by the recent contamination of pet food and deaths of family pets; to the Committee on Energy and Commerce.

68. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 77 memorializing the Congress of the United States to fund fully the Select Michigan Agricultural Program through the United States Department of Agriculture; to the Committee on Energy and Commerce.

69. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 88 memorializing the Congress of the United States to enact the Passenger Bill of Rights Act; to the Committee on Energy and Commerce.

## ADDITIONAL SPONSORS

Under clause 7 of rule XIII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. MCDERMOTT, Mr. DEFAZIO, Mr. FRANK of Massachusetts, Mr. MCINTYRE, Mr. ALLEN, Mrs. CAPPS, Mr. MARKEY, Ms. BORDALLO, and Mr. COOPER.

H.R. 65: Mr. BARROW.

H.R. 67: Mr. SPACE, Mr. PEARCE, and Mr. BLUMENAUER.

H.R. 87: Mr. SHULER and Mr. KING of New York.

H.R. 98: Mr. NEUGEBAUER.

H.R. 123: Ms. LINDA T. SÁNCHEZ of California.

H.R. 178: Mr. WATT.

H.R. 241: Mr. SMITH of Texas.

H.R. 372: Mr. BERMAN.

H.R. 380: Mr. PAYNE and Mr. PATRICK MURPHY of Pennsylvania.

H.R. 451: Mr. GEORGE MILLER of California.

H.R. 539: Mr. CUMMINGS and Mr. WALBERG.

H.R. 549: Ms. BALDWIN.

H.R. 554: Mr. DEFAZIO.

H.R. 566: Mr. BURGESS.

H.R. 601: Mr. PAYNE.

H.R. 612: Mr. BILIRAKIS, Mr. MCDERMOTT, Mr. ENGEL, Mr. BLUMENAUER, and Mr. WALZ

H.R. 694: Mr. CUMMINGS.

H.R. 695: Mr. FERGUSON.

H.R. 734: Mr. BOYD of Florida and Mr. SARBANES.
H.R. 743: Mr. KELLER and Mr. MCCOTTER.
H.R. 760: Mr. MEEK of Florida, Mr. HASTINGS of Florida, and Mr. GONZALEZ.
H.R. 773: Ms. LEE and Mr. KUCINICH.
H.R. 821: Mr. MILLER of North Carolina and Mr. SAXTON.
H.R. 871: Mr. AL GREEN of Texas and Ms. SCHAKOWSKY.
H.R. 943: Mr. YOUNG of Alaska.
H.R. 964: Mr. CALVERT.
H.R. 969: Mr. LEWIS of Georgia, Mrs. TAUSCHER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of New York, Ms. SCHAKOWSKY, Mr. WAXMAN, and Mr. JACKSON of Illinois.
H.R. 971: Ms. SHEA-PORTER, Mr. HINOJOSA, and Mr. MCCAUL of Texas.
H.R. 980: Mr. PASCRELL, Ms. SLAUGHTER, Mr. BERRY, Ms. CARSON, Mr. BARROW, Ms. PRYCE of Ohio, Mr. SESTAK, Ms. KILPATRICK, Mr. HODES, Mrs. BACHMANN, Mr. PATRICK MURPHY of Pennsylvania, Mr. MURTHA, Mr. SERRANO, Mr. BUTTERFIELD, Mr. KAGEN, Mr. LANTOS, Mr. SCHIFF, Mr. BISHOP of Georgia, Mr. MCNULTY, and Mrs. GILLIBRAND.
H.R. 997: Mrs. MUSGRAVE.
H.R. 1023: Mrs. JONES of Ohio, Mr. LEWIS of Georgia, and Mr. WALBERG.
H.R. 1046: Ms. BALDWIN.
H.R. 1078: Mr. ETHERIDGE and Mr. WALSH of New York.
H.R. 1091: Mr. KLEIN of Florida, Mr. ENGLISH of Pennsylvania, Mr. ROHRABACHER, and Mr. CALVERT.
H.R. 1107: Mr. MEEKS of New York.
H.R. 1108: Mr. SAXTON and Mr. WU.
H.R. 1113: Mr. WYNN, Mr. TOWNS, Mr. BISHOP of Georgia, Mr. WU, Mr. ISRAEL, Mr. JEFFERSON, Mr. RAMSTAD, Mr. SAXTON, Mr. HONDA, Ms. ROS-LEHTINEN, Mr. ROTHMAN, Mr. PATRICK MURPHY of Pennsylvania, Mr. CLAY, Mr. PAYNE, and Mr. ABERCROMBIE.
H.R. 1127: Ms. BEAN, Mr. WALBERG, Mr. AKIN, Mr. CAMP of Michigan, and Mr. PETRI.
H.R. 1134: Mr. GRIJALVA, Mr. ROTHMAN, Mr. BOOZMAN, and Mr. LANGEVIN.
H.R. 1188: Mr. GONZALEZ.
H.R. 1198: Mr. KING of New York.
H.R. 1222: Mr. TURNER, Mr. ROGERS of Alabama, and Mr. LEWIS of Georgia.
H.R. 1223: Mr. TURNER, Mr. ROGERS of Alabama, and Mr. LEWIS of Georgia.
H.R. 1224: Mr. SHAYS and Mr. WALSH of New York.
H.R. 1228: Mr. PORTER.
H.R. 1236: Mr. TIAHRT, Mr. JINDAL, Mr. FILNER, and Mr. INGLIS of South Carolina.
H.R. 1279: Ms. KAPTUR, Mr. JEFFERSON, Mr. MCCOTTER, and Mr. ABERCROMBIE.
H.R. 1280: Mr. PATRICK MURPHY of Pennsylvania.
H.R. 1293: Mr. HONDA, Mr. COHEN, Mr. SCOTT of Georgia, Mr. HINOJOSA, Mr. CRAMER, and Mr. SAXTON.
H.R. 1304: Mr. NEUGEBAUER, Mr. ALTMIRE, Mr. JORDAN, Mr. ETHERIDGE, Mr. MAHONEY of Florida, Mr. ROSS, and Mr. PORTER.
H.R. 1380: Mr. DEFAZIO, Mr. CARNEY, Mr. HONDA, and Mr. WAXMAN.
H.R. 1385: Mr. SAXTON.
H.R. 1386: Mr. RAMSTAD and Mrs. CHRISTENSEN.
H.R. 1418: Mr. MARSHALL, Mr. WILSON of South Carolina, and Mr. WOLF.
H.R. 1426: Mr. BOUCHER.
H.R. 1440: Mr. SAXTON.
H.R. 1456: Mr. FOSSELLA and Mr. FORTUÑO.
H.R. 1461: Ms. CLARKE.
H.R. 1470: Mr. WALZ of Minnesota.
H.R. 1474: Mr. WILSON of Ohio, Mr. BOSWELL, Mr. DOGGETT, Mr. BOYD of Florida, Mr. PRICE of Georgia, Mr. MITCHELL, Mr. MCGOVERN, Mrs. MALONEY of New York, Mr. RODRIGUEZ, Mr. WALBERG, and Ms. FALLIN.
H.R. 1498: Mr. MCNERNEY.
H.R. 1507: Mr. FRANK of Massachusetts, Mr. RUSH, and Ms. WOOLSEY.
H.R. 1544: Mr. TOWNS and Mr. THOMPSON of Mississippi.
H.R. 1560: Mr. MCNULTY and Mr. SAXTON.
H.R. 1564: Ms. LEE.
H.R. 1567: Mr. LARSEN of Washington and Mr. MORAN of Virginia.
H.R. 1576: Mr. GILLMOR and Mr. RAMSTAD.
H.R. 1582: Mr. JOHNSON of Georgia.
H.R. 1623: Mr. PAYNE.
H.R. 1638: Mr. ARCURI.
H.R. 1643: Mr. ROTHMAN.
H.R. 1655: Mr. BRALEY of Iowa.
H.R. 1688: Mr. MORAN of Virginia and Mr. FILNER.
H.R. 1709: Mr. HONDA and Mr. CARNEY.
H.R. 1719: Mr. MCHUGH.
H.R. 1735: Mr. GOHMERT.
H.R. 1748: Mrs. MCMORRIS RODGERS, Mr. YOUNG of Alaska, Mr. SHAYS, Mr. WICKER, Mr. FRANK of Massachusetts, Mr. MCCOTTER, Mr. BOOZMAN, and Mr. PAYNE.
H.R. 1761: Mr. TIAHRT.
H.R. 1783: Mr. SIRES, Mr. SARBANES, and Mr. PATRICK MURPHY of Pennsylvania.
H.R. 1797: Mr. MCCOTTER and Mr. TERRY.
H.R. 1821: Mr. BRALEY of Iowa and Mr. BECERRA.
H.R. 1857: Mr. FEENEY.
H.R. 1876: Mr. THOMPSON of Mississippi, Mr. ABERCROMBIE, Mr. KELLER, Mr. PLATTS, Mr. ENGLISH of Pennsylvania, Mr. PAUL, Mr. JONES of North Carolina, Mr. CUMMINGS, and Mr. CHABOT.
H.R. 1881: Mr. ISRAEL, Mr. TERRY, and Mr. BOSWELL.
H.R. 1889: Mr. DINGELL and Mr. MEEKS of New York.
H.R. 1890: Ms. BERKLEY.
H.R. 1893: Ms. JACKSON-LEE of Texas.
H.R. 1907: Mr. LANTOS.
H.R. 1926: Mr. BOREN, Mr. MITCHELL, Mr. LYNCH, Mr. MCGOVERN, Mr. LEWIS of Georgia, and Mr. FORBES.
H.R. 1971: Mr. ROTHMAN, Mr. MCINTYRE, Mr. KUCINICH, Ms. LEE, Mrs. DAVIS of California, Mr. FILNER, and Mrs. MYRICK.
H.R. 1975: Ms. SCHWARTZ, Mr. ROTHMAN, and Mr. JACKSON of Illinois.
H.R. 1980: Mr. HODES and Mr. DAVIS of Kentucky.
H.R. 1982: Mr. HODES.
H.R. 1984: Mr. JACKSON of Illinois.
H.R. 1992: Mr. MCHUGH, Mr. ALTMIRE, Mr. BRALEY of Iowa, Mr. JEFFERSON, and Mr. ROSS.
H.R. 2032: Mr. WAXMAN and Mr. MCGOVERN.
H.R. 2046: Mrs. MCCARTHY of New York, Mr. RODRIGUEZ, and Mr. CROWLEY.
H.R. 2063: Mr. RANGEL.
H.R. 2066: Mr. BOSWELL and Mr. MICHAUD.
H.R. 2075: Mrs. MYRICK and Mr. MCCAUL of Texas.
H.R. 2086: Mrs. MYRICK.
H.R. 2095: Mr. BOSWELL, Mr. HOLDEN, Mr. MORAN of Virginia, and Mr. ARCURI.
H.R. 2126: Ms. JACKSON-LEE of Texas.
H.R. 2129: Mr. FILNER, Mr. ALLEN, Ms. CARSON, Mr. STARK, Mr. WAXMAN, Ms. WATSON, Mr. GRIJALVA, Mr. KILDEE, Ms. LEE, Mr. GUTIERREZ, Mr. WYNN, Ms. JACKSON-LEE of Texas, Mr. PAYNE, Ms. WOOLSEY, Mr. LEWIS of Georgia, Mr. DOYLE, Mr. BLUMENAUER, Ms. CORRINE BROWN of Florida, and Mr. JACKSON of Illinois.
H.R. 2138: Mr. RANGEL and Mr. WOLF.
H.R. 2144: Mr. CAPUANO.
H.R. 2147: Mr. CUELLAR.
H.R. 2158: Mr. BILBRAY and Mr. SAXTON.
H.R. 2164: Mr. SOUDER and Mr. WALDEN of Oregon.
H.R. 2199: Mrs. BOYDA of Kansas, Mr. OBERSTAR, and Mr. BLUMENAUER.
H.R. 2203: Mr. CANTOR, Mr. SOUDER, and Mr. EHLERS.
H.R. 2214: Ms. SCHAKOWSKY and Mr. MICHAUD.
H.R. 2223: Mr. MCCOTTER.
H.R. 2239: Mr. BLUMENAUER.
H.R. 2266: Mr. GEORGE MILLER of California and Mrs. CAPPS.
H.R. 2292: Mrs. MCCARTHY of New York and Mr. MURPHY of Connecticut.
H.R. 2295: Mr. WALDEN of Oregon, Mr. STEARNS, Mr. PASTOR, Mr. LEWIS of Kentucky, Mr. LEWIS of Georgia, Mr. SENSENBRENNER, Mr. MCCOTTER, Mr. MCHENRY, Mr. ELLISON, Mr. ANDREWS, Mr. KLEIN of Florida, Mr. BRALEY of Iowa, Mr. FILNER, Mr. WILSON of South Carolina, Mr. MURPHY of Connecticut, Mr. SESTAK, Mr. EVERETT, Mr. COSTELLO, Mr. ACKERMAN, Mr. HINOJOSA, Mr. BLUMENAUER, Ms. MATSUI, Ms. PRYCE of Ohio, Mr. BERRY, Mr. DAVIS of Alabama, Mr. STUPAK, Mr. AL GREEN of Texas, Mr. SAXTON, Mr. SPACE, Mr. GRAVES, Mr. WU, Mr. KIRK, Mr. WELDON of Florida, Mr. CONAWAY, Mr. LAMPSON, and Mr. WELCH of Vermont.
H.R. 2298: Mr. SOUDER.
H.R. 2309: Mr. MARSHALL.
H.R. 2310: Mrs. MYRICK.
H.R. 2312: Mrs. BLACKBURN, Mr. CAMP of Michigan, Mr. KNOLLENBERG, Mr. MARIO DIAZ-BALART of Florida, Mr. GERLACH, and Mr. HENSARLING.
H.R. 2329: Mr. UPTON, Mr. HIGGINS, Mr. SHIMKUS, Ms. LINDA T. SÁNCHEZ of California, and Mr. MOORE of Kansas.
H.R. 2332: Mr. KING of New York, Ms. BERKLEY, Mr. CALVERT, Mr. PRICE of Georgia, and Mr. GARRETT of New Jersey.
H.R. 2334: Mr. PERLMUTTER and Mr. SALAZAR.
H.R. 2335: Mr. TERRY and Mr. SHAYS.
H.R. 2367: Mr. BERMAN and Mr. BLUMENAUER.
H.R. 2380: Mr. GORDON, Mr. ROGERS of Alabama, Mr. BOUCHER, Mr. WALBERG, and Mr. FEENEY.
H.R. 2399: Mr. SHULER, Mr. PATRICK MURPHY of Pennsylvania, Mr. ELLSWORTH, and Mr. WILSON of Ohio.
H.R. 2402: Mrs. GILLIBRAND, Mrs. BOYDA of Kansas, Mr. BARROW, Mr. MICHAUD, Mr. HILL, and Mr. TANNER.
H.R. 2417: Mr. TERRY.
H.J. Res. 14: Mr. ANDREWS.
H. Con. Res. 21: Mr. GARRETT of New Jersey, Mrs. MYRICK, and Mr. KNOLLENBERG.
H. Con. Res. 53: Mr. BAIRD.
H. Con. Res. 75: Mr. CONAWAY.
H. Con. Res. 80: Mr. MCDERMOTT and Ms. EDDIE BERNICE JOHNSON of Texas.
H. Con. Res. 85: Mr. GOODE, Mrs. CAPPS, Mr. CONAWAY, Mr. MCNULTY, Mr. MCHUGH, and Mr. WOLF.
H. Con. Res. 102: Mr. GRIJALVA, Mr. GUTIERREZ, Ms. MCCOLLUM of Minnesota, Mr. MARKEY, Mrs. TAUSCHER, Ms. CORRINE BROWN of Florida, Mr. NADLER, Mr. ROTHMAN, Ms. KILPATRICK, Mr. PORTER, and Mr. BURTON of Indiana.
H. Con. Res. 104: Mr. SCHIFF, Mr. MCDERMOTT, Mr. DOGGETT, Mr. CASTLE, and Mr. EHLERS.
H. Con. Res. 115: Mr. SIRES.
H. Con. Res. 120: Mr. LANTOS and Mr. GINGREY.
H. Con. Res. 139: Mrs. JONES of Ohio, Mr. SMITH of New Jersey, Ms. WATSON, Mr. TANCREDO, Mrs. MUSGRAVE, and Ms. WOOLSEY.
H. Con. Res. 142: Mr. BURGESS, Mr. BLUMENAUER, Mr. MORAN of Virginia, and Mr. PLATTS.
H. Con. Res. 148: Ms. CASTOR.
H. Con. Res. 149: Mr. PICKERING and Mr. LEWIS of Georgia.
H. Res. 121: Mr. BRALEY of Iowa and Mr. PORTER.
H. Res. 233: Mr. SOUDER, Mr. ACKERMAN, Mr. PAYNE, Mr. POE, Mr. ROHRABACHER, Mr. BERMAN, Mr. COBLE, and Mr. BOOZMAN.
H. Res. 257: Mr. FARR, Mr. ENGEL, Mr. DAVIS of Illinois, Mr. BISHOP of Georgia, and Mr. HINCHEY.
H. Res. 287: Mr. STEARNS.

H. Res. 295: Mr. WU and Mr. PORTER.

H. Res. 351: Mr. GRAVES and Mr. WILSON of South Carolina.

H. Res. 378: Mrs. TAUSCHER, Mr. WALSH of New York, Mr. SHUSTER, Mr. BILBRAY, and Mr. MCNERNEY.

H. Res. 379: Mr. WILSON of South Carolina, Mr. BURTON of Indiana, Mr. FORTUÑO, Mr. BROWN of South Carolina, Mrs. JO ANN DAVIS of Virginia, Mr. BILIRAKIS, Mr. INGLIS of South Carolina, Mr. BOOZMAN, Mr. CAMPBELL of California, Ms. WATSON, Mr. SKELTON, Mr. TANCREDO, Mr. STEARNS, Mr. JEFFERSON, Mr. SMITH of New Jersey, Mr. CASTLE, Mr. GINGREY, Mrs. EMERSON, Mr. KING of Iowa, Mr. AL GREEN of Texas, Mr. PASCRELL, and Mr. GENE GREEN of Texas.

H. Res. 395: Ms. CARSON, Mr. BURTON of Indiana, Mr. ROYCE, Mr. PENCE, Mr. INGLIS of South Carolina, Mr. BILIRAKIS, Mr. ARCURI, Mr. WILSON of South Carolina, Mr. MCCOTTER, Mr. GALLEGLY, Mr. HENSARLING, Mr. ROSKAM, Mr. HELLER, Mr. WELLER, Mr. SMITH of New Jersey, Mr. KING of Iowa, Mr. MACK, Mr. MCCAUL of Texas, and Mr. WALBERG.

H. Res. 412: Mr. GALLEGLY and Mrs. MCMORRIS RODGERS.

H. Res. 416: Mr. TERRY and Mr. GILLMOR.

H. Res. 417: Mr. WEINER, Mr. SMITH of Washington, Ms. SCHWARTZ, Mr. WEXLER, Mr. WATT, Mrs. CAPPS, Mr. EMANUEL, Mr. KIND, Mr. PRICE of North Carolina, Mr. JOHNSON of Georgia, Ms. SHEA-PORTER, Mr. ALTMIRE, Mr. MORAN of Virginia, Mr. RAHALL, Mr. ABERCROMBIE, Mr. HINCHEY, Ms. WATSON, Mrs. DAVIS of California, Ms. VELÁZQUEZ, Ms. ROYBAL-ALLARD, Ms. MATSUI, Ms. SOLIS, Mr. CARDOZA, Mrs. TAUSCHER, Ms. SUTTON, Mr. ROTHMAN, Mr. DAVIS of Illinois, Ms. SLAUGHTER, Mr. ISRAEL, Mr. KLEIN of Florida, Mr. CROWLEY, Ms. LEE, Mr. LEWIS of Georgia, Mr. WAXMAN, Mr. OBERSTAR, Mr. BERRY, Mr. HOLT, Mrs. LOWEY, Ms. KAPTUR, Mr. OLVER, Mr. BISHOP of New York, Mr. TOWNS, Mr. JACKSON of Illinois, Mr. LARSEN of Washington, Mr. RUSH, Mr. WALZ of Minnesota, Mr. SHERMAN, Mr. KENNEDY, Ms. ESHOO, Mr. FILNER, Mr. PASCRELL, Mr. LYNCH, Mr. MEEHAN, Mr. ENGEL, Mr. VAN HOLLEN, Ms. SCHAKOWSKY, Mr. HONDA, Mr. MEEK of Florida, Ms. Clarke, Ms. MCCOLLUM of Minnesota, Mr. TIERNEY, Mr. GEORGE MILLER of California, Mr. OBEY, Mr. LEVIN, Mr. DEFAZIO, Mr. BOREN, Mr. BOSWELL, Mr. MARKEY, Mr. ALLEN, Ms. HIRONO, Mr. HALL of New York, Mr. BRALEY of Iowa, Mr. FRANK of Massachusetts, Mr. BLUMENAUER, Mr. BECERRA, Mr. KILDEE, Ms. WOOLSEY, Mr. KUCINICH, Mr. WELCH of Vermont, Mr. LARSON of Connecticut, Mr. PATRICK MURPHY of Pennsylvania, Mr. PAYNE, Ms. CASTOR, Mr. RANGEL, Mr. LOEBSACK, Mr. CHANDLER, Mr. MOORE of Kansas, Mrs. MCCARTHY of New York, Mr. COSTA, Mr. SIRES, Mr. ANDREWS, Mr. PALLONE, Mr. HIGGINS, and Mr. DINGELL.

H. Res. 418: Ms. ROS-LEHTINEN, Ms. LINDA T. SÁNCHEZ of California, and Ms. WATERS.

H. Res. 422: Mr. BURTON of Indiana, Mr. OLVER, Mr. CHABOT, Mr. ISRAEL, Mr. SAXTON, Mr. ALLEN, Mr. POE, Mr. DOGGETT, Mr. WILSON of South Carolina, Mr. GRIJALVA, Mr. FORTUÑO, Mr. MCNULTY, Mr. LAHOOD, Mr. JEFFERSON, Mr. PORTER, Mr. SIRES, Mr. ROTHMAN, Ms. WATSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. MORAN of Virginia, Mr. RUSH, and Mr. LEWIS of Georgia.

## CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendments to be offered by Representative BISHOP of Utah or a designee to H.R. 1100 the Carl Sandberg Home National Historic Site Boundary Revision Act of 2007, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

The amendments to be offered by Representative MARTIN MEEHAN or a designee to H.R. 2316 the Honest Leadership and Open Government Act of 2007, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

The amendment to be offered by Representative CONYERS or a designee to H.R. 2316, the ''Honest Leadership and Open Government Act of 2007'', does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

The amendment to be offered by Representative HELLER or a designee to H.R. 1100 the Carl Sandberg Home National Historic Site Boundary Revision Act of 2007, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

United States
*of* America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE *110th* CONGRESS, FIRST SESSION

*Vol. 153* WASHINGTON, TUESDAY, MAY 22, 2007 *No. 84*

# *Senate*

The Senate met at 10 a.m. and was called to order by the Honorable MARY L. LANDRIEU, a Senator from the State of Louisiana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, thank You for the miracle of Your love. We discover Your affection in the beauty of nature and the farflung immensity of space. We feel Your embrace in the orderly movement of the seasons, in the laws of seedtime and harvest, and in the unfolding of Your merciful providence. We receive Your kisses in the cry of a new baby, in the softness of a leaf, and in the lilies of the field.

Today, use the Members of this body as agents of Your love. Remind them that they fulfill Your will by loving You passionately and by earnestly caring for their neighbors. Open their ears to the cries of the less fortunate. We pray in Your loving Name. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable MARY L. LANDRIEU 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, May 22, 2007.*

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARY L. LANDRIEU, a Senator from the State of Louisiana, to perform the duties of the Chair.

ROBERT C. BYRD,
*President pro tempore.*

Ms. LANDRIEU thereupon assumed the chair as Acting President pro tempore.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for up to 60 minutes, with Senators permitted to speak for up to 10 minutes each, with the time equally divided, with the first half of the time under the control of the Republicans and the second half of the time under the control of the majority.

## RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. REID. Madam President, as you just announced, there will be a period for the transaction of morning business for 1 hour. Following morning business, we will resume consideration of the immigration legislation. Senator SESSIONS, under a previous order entered, is to be recognized for 2 hours. He will speak until 12:30 p.m. Today, the regular party conferences will be held beginning at 12:30 p.m., so Senator SESSIONS will complete his remarks after 2:15 p.m.

It is my understanding that the first amendment that has been agreed to be laid down will be by Senator DORGAN. I don't know if there is a consent agreement to that effect. Is there one, Madam President?

The ACTING PRESIDENT pro tempore. There is not.

Mr. REID. I think this has been cleared on both sides. I ask unanimous consent that the first amendment be offered by Senator DORGAN, after the remarks of Senator SESSIONS.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Madam President, if there is any problem with this procedure, the two managers can ask unanimous consent, and we will all agree to change it. But I think that is the agreement which has been made. If it has not, we can start over. That is the general agreement. What we plan to do during consideration of the legislation is to alternate back and forth—Democrat and Republican, Democrat and Republican. That is what we did the last time.

The only thing I will announce—I told both managers and I think Senator MCCONNELL agrees with this, and if not, it is something we need to do for an orderly process here—is that we do an amendment at a time. The last time on this bill, we wound up with 30, 40 amendments pending. I am saying we are not going to do that this time. We are going to do one amendment at a time, unless there is something extraordinary to come along to change that procedure.

We have a long amendment list. The substitute amendment was laid down last night. It is now available to all Members.

Tonight, I should announce, as has been announced in the past, there is going to be a dinner in the Botanic Garden to honor the spouses of the Senate. I hope all Members will attend this event.

The ACTING PRESIDENT pro tempore. Who seeks time? The Senator from New Hampshire.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Mr. GREGG. Madam President, I believe I am to be recognized for 15 minutes; is that correct?

The ACTING PRESIDENT pro tempore. That is correct.

The Senator from New Hampshire is recognized.

Mr. GREGG. I thank the Chair.

(The remarks of Mr. GREGG pertaining to the introduction of S. 15 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. GREGG. Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

## 2003 TAX CUTS

Mr. BENNETT. Madam President, if there is one thing I hear over and over again when I talk to my constituents about where we are in this Congress, it is the request that we get together and work together and that we get something done. There is always some particular issue someone will raise that will have to do with immigration, that will have to do with taxes, that will have to do with Social Security, but underlying all these issues is the refrain: Why can't you people work together? Why can't you get something done? As one constituent put it, almost plaintively: Senator, is there any hope, or are you just going to bicker back and forth between the parties, as you have always done?

Well, this month, there has been a sign of hope that I think we ought to make mention of that demonstrates that, in fact, maybe it is possible for us to work together on some of the more contentious issues. This sign of hope did not necessarily come from the Congress, it was an action that involved Members of Congress and members of the Bush administration, and it has to do with trade.

There are many issues that divide the two parties, but one that has divided us as much as any has been the issue of trade, with the Democrats saying under no circumstances will we approve any more free-trade agreements until we get the kinds of provisions with respect to labor standards that we insist on; and the Republicans have said and Republican administrations have said, those kinds of agreements are deal breakers; if we put those in the trade agreements, we make the trade agreement impossible to enforce. The two sides have yelled at each other over this issue now for years.

Well, this month we have had a breakthrough, and I will quote from the newspaper articles with respect to this, first, from the New York Times and then from the Wall Street Journal. With a May 11 headline ''Bush and Democrats in Accord on Labor Rights in Trade Deals,'' the New York Times said the following:

The Bush administration and House Speaker Pelosi, breaking a partisan impasse that had dragged on for months, reached an agreement this evening on the rights of workers overseas to join labor unions. Both sides predicted the agreement would clear the way for congressional approval of several pending trade agreements.

This came as happy news to me. I was with the majority leader and a group of Senators when we went to South America, and we heard from the President of Peru that the most significant thing we could do in the United States to maintain good relations with Peru was to approve the Peru Free Trade Agreement. After this conversation, some of the Democratic Senators who were on that trip said to me: BOB, that is going to be very hard. It is going to be very difficult. We are not getting the kind of cooperation we feel we need out of the Bush administration. Well, now they have. It has been worked out.

Again, back to The New York Times:

Negotiations to complete the trade deals have been led by Susan Schwab, United States Trade Representative on the administration side, and by Representative Charles Rangel, the New York Democrat who is Chairman of the Ways and Means Committee on the House side.

Good news. Both sides giving a little and getting something done. Then this paragraph from the New York Times:

Despite the endorsement of Mr. Rangel and Speaker Pelosi, many Democrats say that half or more of the Democrats in Congress may vote against the deal, but the agreement is expected to pass with strong backing among Republicans, whose leaders will urge them to vote with President Bush.

This reminds me of a meeting I had in the White House when Bill Clinton was the President. We were talking about how to deal with trade, and President Clinton said to the Members of Congress who were there: What do we need? The former Senator from New York, Pat Moynihan, sitting next to the President, spoke up and said: Sir, we need more Democrats. The Republicans are fine on this issue, it is the Democrats who are the problem.

Well, we have had that breakthrough on trade. It is encouraging. The Wall Street Journal had this to say about it.

The agreement announced last night by House Speaker Pelosi, Treasury Secretary Henry Paulson, and other top officials and lawmakers clears the hurdle to passage of some small bilateral trade deals, and it could ultimately smooth the way for broader trade measures such as renewing President Bush's soon to expire authority to negotiate trade deals without the threat of congressional amendments as well as a new global trade agreement now being negotiated in the Doha round of world trade talks.

I raise this as a ray of hope and then as the background for a suggestion. I hope the sense of urgency that brought the two sides together on trade can apply to the question of the tax cuts and whether they will be made permanent. I was in New York yesterday with a group of representatives from Wall Street, from the venture capital community and those economists who deal with the question of growth and keeping the economy strong, and was interested to be told the one thing that would be the most important for them to keep the economy strong and growing was to keep the tax cuts that were enacted in 2003 in the law permanent.

We asked some of those representatives what would happen if the tax cuts were to expire? The reaction we got was: Well, we assume that Congress will, of course, not let them expire because they have worked so well. They have made significant differences with respect to corporate governance and economic growth that, of course, they are going to be extended. Then I pointed out to them that if we stay on the track that was established in the budget bill that was passed, the budget bill that the Senator from New Hampshire talked about, those tax cuts will expire in 2010.

The folks in New York were stunned. How could Congress do this? How could they allow that to expire in the face of the evidence that these tax cuts have been so beneficial? We said: Well, that is the path we are on. That is the glidepath that was set in this budget bill. The budget bill can be trumped by future budgets later on, but if nothing is done and we stay exactly as we are, these tax cuts are certain to expire.

What will be the consequences? Well, we have turned to some experts who will make these kinds of projections and asked that question. We would like to talk about this. I am sure no one can see the detail on the chart, but I will do my best to highlight the visual impact. I will say, in all fairness, as I always say, these are projections, and every projection is wrong. I don't know whether it is wrong on the high side or wrong on the low side, but every projection we ever have about the future, that is specific, is wrong. Nonetheless, I think the basic trend that is shown in these charts is a legitimate trend.

This first one talks about the number of jobs that will be created State by State if the tax cuts are made permanent. Now, don't pay attention to the numbers because you can't see them, look at the bars and let me identify the States that will see significant job growth if the tax cuts are made permanent.

The biggest line is California, followed by Florida, Illinois, New York, Ohio, Pennsylvania, and Texas. It might be interesting to go back to those States and look at how those Senators from those States voted on the budget bill that would have the tax cuts expire. Jobs in California, Florida, Illinois, New York, Ohio, Pennsylvania, and Texas.

Some of those States are complaining about their current economies. They are saying their unemployment rate is too high. Make the tax cuts permanent and you make a significant contribution to creating jobs in those States.

What about economic growth in those States? Let's look at that chart. Basically, they are the same States, but there are some slight changes. Once again, this is the income growth

per State if the tax cuts are made permanent. And the winner, again, clearly, is California, followed by New York and Texas. But Michigan begins to show up, New Jersey begins to show up, along with Florida, Illinois, Ohio, and Pennsylvania. These are States, again, where they are saying: Our economic growth has been anemic, our job growth has been anemic. What can we do?

The answer to what can we do? We can make the tax cuts permanent. Well, no, politically, we don't want to do that. Politically, it makes good rhetoric for us to attack the rich.

One of the things we have to remember as we have these economic debates is the best thing you can do for someone who is poor is to find him a job. The best thing you can do for people who are at the bottom is to have strong economic growth. Who gets hurt the most in a recession? It is the poor. Who loses his job when unemployment goes up? It is the person with the least skills, who can least afford to lose his job.

I remember a hearing in the Joint Economic Committee, when one of my colleagues, in the midst of the boom of the late 1990s, asked Chairman Greenspan: Who has benefitted the most from this boom, expecting the answer to be: Well, it is the people at the top; the people at the top have gotten all the money; the people at the top have benefitted from the boom, and we have to do something about that. Chairman Greenspan said, very emphatically and very firmly, the people who have benefitted the most from this booming economy are the people at the bottom. The bottom quintile have seen their life change, their lifestyle, their availability to income improve better than anybody else.

We always single out Bill Gates as the richest person in the United States. Did Bill Gates get hurt with the recession? No. His lifestyle didn't change. He didn't lose his house. He wasn't in danger of being late on his mortgage payments because he didn't have any mortgage payments. The growth in the economy did not make that big an impact on his situation. But the people at the bottom, who were unable to get the jobs in the recession that began in 2000; the people at the bottom, who were unable to meet their bills with the recession of 2000; the people at the bottom, whose skills were such that they were the first laid off, they are the ones who have benefitted the most by the expansion that began with the passage of the tax cuts in 2003.

They are the ones who were benefited the most when the unemployment rate fell below 5 percent. It is currently 4.4 percent.

In my home State of Utah, the unemployment rate is 2.3 percent. Who is benefiting the most? It is the people who would otherwise be unemployed if the unemployment rate went back up to 6 percent.

When we look at income growth per State, don't say that only benefits the fat cats; that only benefits the people at the top. Recognize that the best welfare you can do for anyone is to find them a job. The best life-changing experience you can create for someone is to have a strong economy where that person can work and grow their own savings and get slightly ahead.

Chairman Greenspan was very firm about that, with respect to who benefited the most from the income growth of the 1990s. It is still true today. Who will get hurt if the tax cuts are not made permanent and the jobs represented on these charts do not materialize? It will be the people who lose their jobs.

We, the Congress and the administration, demonstrated that we could get together on the trade deals. It was announced with great gladness that the Democrats who had said ''never'' and the Republicans who had said ''never'' were able, finally, to get together and make this thing work. Can't we do that with respect to tax policy? Can't we understand now that the tax policy has worked?

Since the tax cuts were enacted, 8.5 million new jobs have grown up in the United States. More Americans are working today than ever in our history, both in total numbers and as a percentage of the workforce. Can't we celebrate that achievement and say let's keep in place the policies that caused it? Or will we continue to say, no, we can't let anything happen because, for some political reason we want to scare people, we want to use class warfare rhetoric; we want to say, no, this isn't really working, it is an illusion. Ignore the statistics. Ignore the facts.

I think we can work together. I think we should work together. I think the facts are clear. We should endorse them and move ahead in that spirit.

The ACTING PRESIDENT pro tempore. The Senator from Washington State is recognized.

Ms. CANTWELL. Madam President, I ask unanimous consent to speak for 10 minutes in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ENERGY POLICY

Ms. CANTWELL. Madam President, I am coming to the floor this morning to talk about energy policy. I know the Presiding Officer very much understands the importance of energy policy and has represented a State in a region of the country that has been a key component to the U.S. energy strategy. My own State, Washington State, with our long history, with our hydro system, is starting to become a leader in alternative energy and certainly in renewable energy.

But I rise today to talk about the beginning of the U.S.-China Strategic Economic Dialogue that is an ongoing bilateral forum between the United States and China. I think it will help lay the foundation for important, productive, and mutually beneficial ties between our two countries.

I appreciate that Treasury Secretary Paulson and Vice Premier Wu are starting that discussion today. I hope energy will be among the issues they talk about.

I am under no illusion that we have big challenges in working with China and particularly in embracing a concept I believe is very strategic to how the United States operates in a global economy, that is ''coopetition''—you look at those with whom you are competing and also look for ways in which you can cooperate and have strategic benefits by working together. I think that ''coopetition'' is exactly the policy we ought to embrace with China as it relates to energy, and it is very important we use this Strategic Economic Dialogue to move forward on that issue.

I know they are going to talk about lots of different issues. It is not as if Washington State agrees with China on all issues. I know the currency issue will be part of the discussion. I know there are intellectual property rights and agricultural issues, there are restrictions on Washington products, and many things that will be discussed as part of a larger economic dialogue. But I think it is important to understand the Washington State experience. If you juxtapose our experience to that of the United States, and the U.S. trade imbalance with China, I venture to say Washington State almost has a trade surplus with China. That is, if you look at various aspects of our economic numbers, Washington State and China have been good trading partners.

Back last year, China was the largest export market for Washington State. We sent $6.8 billion in exports to China. Approximately two-thirds of Washington State's agricultural exports went to Asia and 17 percent to China: apples, potatoes, cherries, and a variety of other products. And Washington State companies have been aggressive at pursuing opportunities in China for a long time. I don't know if it is the proximity of our State to China and the fact that we both look to the Pacific, I don't know if it is the large Chinese-American population that resides in the State, or just the long cultural history on which we continue to build. But Washington State companies have been aggressively pursuing opportunities in China for years.

In fact, Boeing signed its first contract with the Chinese Government for 10 707 jetliners in 1972, shortly after President Nixon made his first visit there. It is amazing that today 60 percent of China's commercial aircraft are Boeing planes.

That relationship has grown over a long period of time, and we have benefited. In fact, in 2006 China purchased $7.7 billion dollars' worth of Boeing planes. That represents about 112 orders from different Chinese airlines.

Today China is one of the largest opportunities for Boeing. Some have estimated the commercial aircraft market could be as large as $280 billion.

When we look at these issues, we look at the cooperation and the economic opportunity that has existed for our State. Microsoft is another example. It first opened an office in Beijing in 1992. It is no surprise, when President Hu was visiting the United States, he actually came to Everett and Seattle and Redmond and had an opportunity to be hosted by Bill Gates. Microsoft is benefiting greatly from the sales of computers and legally licensed software in China.

More recently, Starbucks has launched hundreds of stores in China. Who would have thought that a coffee company would go into a tea-drinking country and have so much success. But China represents roughly 20 percent of the new international store growth for Starbucks. It has become Starbucks' most important foreign market.

My point in saying this is that I hope, as we have a debate about currency—and I think it is important that we have a debate about currency—that we also realize that China is a market. It is a market for U.S. products. No export sector could be of greater interest, I believe, than the opportunity in the energy and environmental areas.

Today, China accounts for about 40 percent of the increase in world oil demand. The number of passenger vehicles on China's roads has tripled since 2001 and may equal the United States by 2030. The Chinese face this mass internal transformation from growth and modernization. We have the opportunity to help them with that transition. They are trying to keep pace. In fact, China is adding one huge 1,000-megawatt, coal-fired plant to its grid each week. That is like adding enough capacity every year to serve the entire country of Spain. But even with this new capacity, their country is without predictable electricity.

In 2004, China had power shortages in 24 of its 31 provinces and autonomous regions, so they are dealing with a challenge to deliver energy to various parts of their country.

What is the opportunity? The International Energy Agency estimated that China will spend $2.3 trillion over the next 25 years just to meet its growing energy demands, and that modernizing its electricity grid will require about $35 billion annually for the foreseeable future. That is where American technology can come in; that is where we can seek new opportunities for U.S. companies. In fact, the same International Energy Agency has talked about the fact that, if we institute demand-side management programs where we can leverage modernizing the electricity grid, we can show that investments of $700 billion in the demand side could avoid almost $1.5 trillion in additional generation, transmission, and distribution costs in China between now and 2030.

That is an interesting number. By the United States partnering with China, we would have an opportunity to help them save on their energy costs. What does that mean for us as far as the great opportunity? It means increasing exports of U.S. goods and services. It means U.S. opportunities to grow in the areas that I have mentioned. Good opportunities already exist in aerospace and software and coffee but they also can emerge in the energy and environmental sectors.

It is interesting to think that China realizes that they have a challenge and that they are trying to diversify into an array of more clean energy sources, including wind, solar, biofuels, and clean coal. They are trying to increase productivity and cost savings associated with modernizing the electricity grid.

I happened to visit Beijing last November with a group of Washington State business leaders that were there to promote long-term opportunities for us to work together. It was then that I realized how much the Chinese Government had embraced and was committed to its goal of cutting energy consumption per unit of GDP by 20 percent by 2010. For that very short period of time they have tremendous energy goals that we, the United States, can help them meet.

Modernizing the domestic energy infrastructure will require an estimated $35 billion a year. Again, that is an opportunity for the United States, exporting existing U.S. products and services, that could help us turn around the trade imbalance.

In a speech last month, Premier Wen acknowledged that China must focus on energy conservation and emission reduction in order to both develop the economy and protect the environment. I think this is an opportunity that is before us now as we are part of the Strategic Economic Dialogue with China. Increased U.S.-China cooperation on energy and environment would have tremendous economic, environmental, and security benefits for both our nations. It would help make U.S. companies better positioned for economic opportunities both inside and outside China as we develop standards associated with our energy policy.

I recently sent a bipartisan letter to the President asking for a comprehensive U.S.-China energy policy and bilateral energy summit. I am proud to say that the bipartisan letter, signed by several of my colleagues on the other side of the aisle—Senator SMITH, Senator MURKOWSKI, Senator VOINOVICH—also was signed by the four chairs of important committees—the Energy Committee, Finance Committee, Foreign Relations, and Homeland Security Committee—because I believe that they agree that this is an important opportunity for the U.S. and China to work together. In fact, we said, in sending the letter to the President:

The way we approach global energy issues will affect the international economy and the world's environment for decades to come. A bilateral U.S.-China energy policy and a summit between our nations to focus on ways to cooperate on energy issues would have tremendous economic benefits for both our nations.

I hope as the Strategic Economic Dialogue goes forward this week that a great deal of focus will be placed on energy. When one of my predecessors, Warren Magnuson, went to China, he said, ''pretending 700 million people in the world do not exist is the wrong approach.'' Today it is 1.3 billion people. It is time to understand China's internal transformation, our own global energy needs, and our nations' evolving relationship. It is time to see the great promise in our common interests and time to work together on shared challenges and opportunities involving energy and the environment.

I yield the floor.

The ACTING PRESIDENT pro tempore. Who seeks time? The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Madam President, I would like to speak for 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. WHITEHOUSE pertaining to the introduction of S. 1451 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. WHITEHOUSE. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

## ORDER OF PROCEDURE

Mr. CASEY. I ask unanimous consent to be recognized for up to 10 minutes in morning business and that the Senate recess at 12:40 p.m. today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CASEY. I thank the Senator from Alabama for his courtesy in allowing me this time.

Madam President, I rise today to focus the attention of the Congress, and the attention of the country, upon an issue that is at the heart of why I asked the people of Pennsylvania to allow me to serve in the U.S. Senate.

That issue is the well-being of our children and their future.

When we greet one another in this country we typically say ''Hello'' and ''How are you?'' But the standard greeting of the East African Masai people is not, ''How are you?'' but, rather, ''How are the children?'' This culture embodies the wisdom that the health of any civilization is always a reflection of the well-being of its most vulnerable citizens—its children.

I am distressed and alarmed that in response to the question, ''How are the children,'' the answer today, here in the richest country on Earth, is this: The children, and particularly children from low income and working families, are not well. Our children are not

faring well because 6 years of this administration's budget cuts have decimated vital services for children and working families—cuts to childcare assistance, Head Start and other early childhood programs that help children get off to a good start.

I am determined to reverse the course this administration has taken in slashing funding for critical children's programs and I know that a great many of my colleagues—on both sides of the aisle—are equally determined. Some of the Presidential candidates have begun talking about the importance of early education and I am heartened by the increased public attention this will garner. If we don't invest money to give children—and particularly the most disadvantaged and at risk children—the services and programs they need in early childhood, they will be at much greater risk of academic failure, drug abuse and even criminal activity when they are older. We can spend upwards of $40,000 on incarceration, thousands of dollars on drug treatment and special education, or we can spend a small fraction of that now on high quality preschool and give children the good start they deserve. We can pay now or we can pay later. The choice is ours.

On Friday, May 11, I introduced a bill, the Prepare All Kids Act of 2007.'' The primary goal of my bill is to help States provide high quality prekindergarten programs that will prepare children, and particularly disadvantaged children, for a successful transition to kindergarten and elementary school. My bill reflects the wisdom that an ounce of prevention is worth a pound of cure.

Most States have either begun or are on the way to developing prekindergarten programs. In my own State, the new Pennsylvania Pre-K Counts initiative will provide approximately 11,000 3- and 4-year-olds with voluntary, high-quality prekindergarten that is targeted to reach children most at risk of academic failure. But States need our financial assistance. My Prepare All Kids Act provides this assistance—with conditions and matching commitments from States. Grounded in research and best practices, my bill provides a blend of State flexibility and high quality standards that will serve children well.

Here is a quick summary of the main components of my bill and why they are important for children and families:

The Prepare All Kids Act will assist States in providing at least 1 year of high quality prekindergarten to children. Studies show high quality prekindergarten programs provide enormous benefits that continue into adulthood.

Prekindergarten will be free for low-income children who need it the most. The cost of prekindergarten can be financially draining and even prohibitive for low-income and working families.

Prekindergarten programs will utilize a research-based curriculum that supports children's cognitive, social, emotional and physical development and individual learning styles. Experts tell us that at the preschool stage, social and emotional learning can be as important, perhaps even more important, than cognitive learning. This is where early socialization takes place—learning to share, pay attention, work independently, express feelings—all these are critical to successful childhood development.

Classrooms will have a maximum of 20 children and children-to-teacher ratios will be no more than 10 to 1. Children need individualized and quality attention to thrive and these requirements provide that.

Prekindergarten programs will consist of a 6-hour day. This requirement supports both children and working parents who need high quality programs for their children while they work.

Prekindergarten teachers will be required to have a bachelor's degree at the time they are employed, or obtain one within 6 years. Funding under my bill may also be used for professional development purposes by teachers.

States will not be able to divert designated funding for other early childhood programs into prekindergarten. We want prekindergarten to build upon and support other early childhood programs like Head Start and child care. We do not want prekindergarten to replace these programs in any way. All these programs are necessary and serve different purposes.

Prekindergarten programs will be accountable to a State monitoring plan that will appropriately measure individual program effectiveness.

Infant and toddler programs will receive a portion of the funding. These programs typically receive the lowest dollars of all early childhood programs, making it difficult for working parents, many of them single mothers, to find quality child care for the youngest of children.

A portion of funding will be used to create extended day and extended year programs. Working families struggle to afford high quality care for their children during after-school hours and the summer months—this provision will increase the availability of good options.

Finally, my bill supports the important role of parents in the education of their young children by encouraging parental involvement in programs and assisting families in getting the supportive services they may need. Children come in families and to truly help children, we have to involve and support their parents.

There is one additional component of my bill that I'd like to highlight. My bill ensures that prekindergarten providers will collaborate and coordinate with other early childhood providers so that prekindergarten programs can support and build upon existing programs and services for children. This is a very high priority for me. For example, Head Start has provided effective and comprehensive early education to the most economically disadvantaged children for the past 40 years. And community-based childcare providers are absolutely vital to the well being of our children. In crafting my bill and establishing a new Federal funding source for State prekindergarten programs, I have zealously protected the importance of Federal support and funding for Head Start and childcare programs. All these programs are necessary for a system of early childhood education that truly serves children and families by providing families with multiple options, avoiding duplication of services, and giving children access to the services and support they need to get the best possible start in life.

I believe that investing in our children is our moral responsibility. But for anyone who needs additional reasons, decades of research on the life outcomes of children who have attended early education programs prove the wisdom of this investment.

A landmark study of the Perry Preschool Program in Michigan began in 1962. Children were randomly assigned to attend the preschool or not, and then tracked over many years to measure the long-term impact of high quality preschool. By age 27, the children excluded from the program were five times more likely to have been chronic law-breakers than those who attended the program. By age 40, those who did not attend the Perry Preschool program were more than twice as likely to be arrested for violent crimes. Those who did not attend the Perry Preschool Program were also more likely to abuse illegal drugs.

The research also confirms that high quality prekindergarten programs not only keep children out of trouble, they help children succeed academically. Children in the Perry Preschool Program were 31 percent more likely to graduate from high school than children who did not attend the program. Children who were not enrolled in the Perry Preschool Program were also twice as likely to be placed in special education classes.

Another long-term study comparing 989 children in the Chicago Child-Parent Center to 550 similar children who were not in the program showed that children who did not participate in the program were 70 percent more likely to be arrested for a violent crime by age 18. Children who attended the program were 23 percent more likely to graduate from high school.

So we know that high-quality early education is invaluable for children. They do better in school, they're less likely to repeat a grade or be held back, less likely to need remedial help or special education. And they are less likely to engage in delinquency, drug use and other dangerous behaviors. But the research shows much more.

It turns out that these investments in young children save us quite a bit of money. Specifically, for every dollar invested, high quality early education

programs save more than $17 in other costs. That is what I call a smart investment. Many leading economists agree that funding high-quality prekindergarten is among the best investments government can make. An analysis by Arthur Rolnick, senior vice president and director of research at the Federal Reserve Bank of Minneapolis, showed that the return on the investment of the Perry Preschool Program was 16 percent after adjusting for inflation. Seventy-five percent of that return went to the public in the form of decreased special education expenditures, crime costs, and welfare payments.

To put this in perspective, the long-term average return on U.S. stocks is 7 percent after adjusting for inflation. Thus, while an initial investment of $1,000 in the stock market is likely to return less than $4,000 in 20 years, the same investment in a program like the Perry Preschool is likely to return more than $19,000 in the same time period. William Gale and Isabel Sawhill of the Brookings Institution observe that investing in early childhood education provides government and society ''with estimated rates of return that would make a venture capitalist envious.''

With research as clear and compelling as this, I defy anyone to give me one good reason why we are not investing more—much more—in sound early education for our children.

I guess we shouldn't be surprised, though, that despite the evidence, this administration has gone in the opposite direction. Under this administration, cuts to early childhood programs have hurt hundreds of thousands of children and the numbers are only growing. Head Start has been cut 11 percent since 2002. The National Head Start Association calculates that by 2008 our country will have 30,399 fewer children in Head Start than in 2007—that figure includes nearly 1,100 children from Pennsylvania.

The President has also called for a freeze in funding for child care assistance—for the sixth year in a row. Currently, only 1 in 7 eligible children receives Federal childcare subsidies. Years of flat funding have already resulted in the loss of child care assistance for 150,000 children. By 2010, 300,000 more children are slated to lose out. In my own State, the current trajectory will mean the loss of $14 million in childcare assistance by 2012.

This is, very simply, unacceptable. And it is profoundly wrong. And it is fiscally irresponsible.

I began my remarks this morning with the question, ''How are the Children?'' The current answer to that question is not acceptable

It is my deep conviction that as elected public servants, we have a sacred responsibility to ensure that all children in this country have the opportunity to grow to responsible adulthood, the opportunity to realize their fullest potential, to live the lives they were born to live. The Protect All Kids Act is a big step in that direction, and I ask my colleagues to join me in supporting this bill. Everything we do in Congress has some impact—in one way or another and for good or for bad—upon the well being of our children. Our children are our future. With everything we do we must ask ourselves, ''How are the children?'' We cannot rest until the answer to this most fundamental of questions is: The children—all the children—are well.

I yield the floor.

## CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is now closed.

## COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1348, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1348) to provide for comprehensive immigration reform and for other purposes.

Pending:

Reid (for Kennedy/Specter) amendment No. 1150, in the nature of a substitute.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Alabama, Mr. SESSIONS, is recognized for up to 2 hours.

Mr. SESSIONS. Madam President, I thank the Chair for recognition and want to continue the discussion on the very important piece of legislation that is now before the Senate.

I do believe the immigration system is comprehensively broken. I have said for some time we need a comprehensive solution to it, to comprehensively reform it, but to reform it in a way that will actually work, that will do it with principles we can adhere to in the future, that will move us from a lawless system of immigration.

Most people may not know but 1.1 million people are arrested each year entering our country illegally. Think about the cost and personnel involved in processing that many people. It is a system that is not working. We know many people are getting by the border and not being apprehended.

It rightly causes the American people to question how serious we are in Congress when we say we want to do something about it. They believe we should do something about it. We say we want to do something about it, but eventually, as time goes along, for one reason or another, little ever seems to occur that actually works.

I have stated more than once we can pass a lot of legislation in this Senate dealing with immigration, but if you offer something that will actually work, to actually fix the problem, to actually be effective, we always have much wailing and crying and gnashing of teeth, and usually those things do not become law.

Last year, I was very critical of the bill that was offered. I said it was fatally flawed. I said it should be withdrawn and urged my colleagues that if we drafted a bill for this session of Congress it should not be based on last year's fatally flawed bill but that we should start over and create a system that would create a genuine temporary worker program, not the flawed program that was there last year, that would move us toward a Canadian-based system where people all over the world could apply to our country, and they would be selected based on their merits and the skills and abilities they bring that would be valuable to our country.

I noted that we needed, of course, effective border enforcement as well as workplace enforcement, and we ought not to create a system that gives someone who enters our country illegally every single benefit we give to those who come to the country legally. The legal people do deserve to be treated in a different way than those who come illegally.

Now, I know as a matter of compassion and practicality we have to wrestle with the 12 million people here. I never doubted that. Nobody doubts that. How we deal with it, though, is a matter that will determine what policies we, as a nation, adhere to. It will send a signal to people all over the world that we are actually going to insist that we have a legal system of immigration and we intend to enforce it.

It is one thing to have a law, but if you are not prepared to enforce it and go through the process that is oftentimes painful to catch someone who violated the law and then have them deported—oftentimes that is a painful process—you either are going to do that or we might as well admit here we have no intention of enforcing any laws.

I do not think that is what we do. Almost every Senator has stated they want a lawful system of immigration, Republicans and Democrats. I do not think we have a problem. I would say yesterday and last week I had a very great concern that a plan was afoot to get cloture on the bill yesterday. The old bill, which I steadfastly believe is not an effective piece of legislation, would then be substituted by a new piece of legislation. That happened last night. It is approximately 300 pages of fine print and maybe 1,000 pages of the kind of legislative bill language we normally use here. It is one of the largest pieces of legislation to be introduced since I have been in the Senate. I think the Presiding Officer, Senator LANDRIEU, might remember some of the omnibus bills may have been that big, but I cannot remember a single piece of legislation since I have been in the Senate that would be 800 to 1,000 pages.

So the scheme or the plan was to try to move that through this week. I am

glad Senator HARRY REID, a man whom I enjoy working with, did agree last night he would not try to move this bill through this week, that we would be able to talk about it this week, that we would be in recess for Memorial Day, and the next week after that we would have another full week of discussions. I think we need more than that.

Madam President, I see my colleague Senator INHOFE is in the Chamber. I say to the Senator, I know he has a tight schedule, and when he is ready to make his remarks, I would be pleased to yield to him.

We are on the track now to have a full week of discussion. But it would be unfortunate, indeed, if my colleagues in the Senate, if the American people, were not to utilize that time to ask seriously what it is we are about in this ''grand compromise'' that has been proposed for us.

I think there is a possibility that good legislation could yet come out of this that would be worthy of passing. I am aware, as so many of us are, of the language from the supporters of this compromise that, well, they say: Nothing is perfect. The perfect is the enemy of the good. There are a lot of things in the bill I don't like. I think there are things that could be better, and that sort of thing, but I am for it.

I would ask why it is we do not take out those things that are not good? Why it is we do not create a bill we can be proud of and that eliminates weaknesses and problems? Because like jumping across a 10-foot ravine, jumping 9 feet is not good enough. If you jump 9 feet, you still fall to your doom. So let's create a system that will work. Many of the defects are of such a nature that could actually undermine the very principles that have been stated as the basis for this compromise. If we cannot accomplish those principles, why do it?

There are some good things in the bill and some things I am very troubled with. We will talk about them more as we go along.

Madam President, I see the Senator from Oklahoma. We serve together on the Armed Services Committee and I admire him greatly. He cares about our soldiers and has spent more time in Iraq than any Member of the House or the Senate, I suppose, meeting with our soldiers and trying to figure out the best way to handle our efforts there. I admire him greatly, Senator JIM INHOFE.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I thank the Senator very much for the time.

IRAQ

Madam President, before getting into this bill, I want to comment that last week when I was there—it was my 14th time to be in the AOR of the Middle East and where the conflict is—the progress that is being made there is incredible. I sat here and I heard a couple Senators talk about how bad things were there and that we are losing and all this.

This is the first time—I remember a year ago in Ramadi they actually declared Ramadi was going to be the al-Qaida capital of the Middle East or the terrorist capital of the Middle East. Right now, it is completely changed. IEDs are down 81 percent. Attacks are down 74 percent. Then, next door at Fallujah, they are now totally under the security of the Iraqi security forces.

So all these good things are happening there. I wish Members of this Senate would go over there and see for themselves instead of trying to use it politically to advance their careers. You are doing a great disservice to our troops over there.

But that is not why I am here in the Chamber.

I appreciate the comments that have been made by the Senator from Alabama. I agree with everything he has said. My concern is at 2 a.m. on Saturday morning is when all this came up. We did not have any way of knowing exactly what was in it. Yet I am concerned about all sorts of things, such as how do you make a Z visa work.

But the reason I want to have a little time right now is because I do have an amendment. It is my understanding I will be able to call up this amendment for consideration after the Senator from North Dakota has his up, and that will be later this afternoon.

My amendment is the English amendment. Those Members on the floor can remember a year ago I got an amendment adopted that made English the national language for the United States of America. It passed by a vote of 62 to 35. There are some extremist groups that opposed it and, quite frankly, some of the liberal Members of the Senate were afraid to vote for it without having a backup where they could negate it. This is what happened. They voted for my amendment.

The amendment is very simple. It says there is not an entitlement for language, other than the English language, to be given to people who want Government services. Very simple. That is the same way over 50 other countries, including Ghana in West Africa, have it.

The Presiding Officer knows I have spent a lot of time in Africa on some of the same programs she has been involved with, and most of the countries in sub-Saharan Africa—the ones that speak English—all have English as their national language. Thirty states have it as their national language, but not we in the United States of America.

There is going to be an effort on my part to get this in the bill, and I am going to use the same text I had last time.

It is interesting when you hear different Presidents talk about this issue. In 1999, in his State of the Union Address, President Clinton said:

> Our new immigrants must be part of our one America . . . that means learning English.

Everyone said ''hooray,'' and then he came along with an executive order right after that which did away with that statement completely.

President Bush said:

> The key to unlocking the full promise of America is the ability to speak English.

We know how many States have adopted this. The polling is incredible. A 2006 Zogby poll reported 84 percent of Americans—I have polls showing up to 91 percent—said English should be the national language. And 77 percent of Hispanics polled by that Zogby poll said the same thing. This poll was in 2006, only a year ago, demonstrating how many Americans believe English should be our national language. Establishing English as a national language should not be viewed as a partisan issue. It is widely supported throughout the country.

In this Congress, in this immigration debate, I am again offering my amendment to make English the national language. My amendment would accomplish three things. No. 1, it would establish English as the national language of the United States of America. No. 2, it would establish that the official business of the Federal Government should be conducted in English, and eliminates all of the entitlements people would have for language other than English. Now, it does respect current law. For example, we have the Court Interpreters Act. The Court Interpreters Act is necessary to support the sixth amendment, the right to counsel, and we are making sure this doesn't affect that in a negative way.

So we create no restriction of providing materials of other languages and allow certain exceptions where it is specifically mandated by statute. We made that very clear.

My amendment does not prohibit the use of other languages. However, my amendment states:

> There is no entitlement to individuals that Federal agencies must act, communicate, perform, or provide services or materials in any language other than English.

So it is hypocritical that the immigration legislation we are considering now contains a section generally recognizing the importance of English. However, this section 702 of this immigration legislation does not establish English as a national language.

Now, we had this debate. We were on the Senate floor and debating this about a year ago right now, and people were hesitant to vote against it. We had every kind of excuse in the world. They came trotting in here with State flags that had foreign languages on them saying: We would have to do away with all of these State flags.

It has nothing to do with that. We are talking about entitlements.

We had one Member come in and say: You are going to be responsible for the deaths of Hispanics.

I said: Explain that.

This Member on the Senate floor, right down here, said: Well, you know, they have some bad currents down in

the Potomac, and we have ''no swimming'' signs that are written in Spanish. If you don't have those, then people are going to drown.

This has nothing to do with that. You can put up any kind of sign you want that is in the best public interest.

We had one Member come down and say: You would never be able to speak in Spanish on the floor of the Senate.

Well, that has nothing to do with it. I have made a few speeches in Spanish, and there is a reason for it which I will not go into now. But these are things that people say are problems and things that just don't hold up.

Now, I think it should be pointed out—because a very good friend of mine was on a television station this morning, and I know this individual would not have said what he said if he were aware of the truth, but let me just bring this out. A year ago, when I had my amendment, which would do essentially what the amendment will do if it is passed today, Senator SALAZAR from Colorado came up with an amendment right afterwards. In fact, we voted on it in a matter of minutes after we voted on mine, 62 to 35, and his passed also. All his did was offer language that is totally different from mine.

For example, I am going to read his. It didn't say English is the national language, it says it is a common language.

Preserving and Enhancing the Role of the English Language: The Government of the United States shall preserve and enhance the role of English as the language of the United States.

But listen to this:

Nothing herein shall diminish or expand any existing rights under the laws of the United States relevant to services or materials provided by the Government of the United States in any language other than English.

There it is, folks: ''Nothing herein shall diminish or expand . . .'' In other words, it is going to continue to be the same.

Now, there are a lot of people out there who are going to be looking at this amendment. Americans are clamoring to have this done. They don't understand why we don't do this. I don't understand it either. But this language is found in the current immigration bill.

Down here under ''definition'' in section 702, which was in the language that was put in 2 minutes after my vote took place a year ago, it says:

For the purposes of this section, law is defined as including provisions of the United States Constitution, the United States Code, controlling judicial decisions, regulations, and Presidential Executive Orders.

Now, this is a very significant one because what you hear about quite often is President Clinton's Executive Order No. 13166 entitlement, which offers entitlement to translation in any language of your choice, anyone who receives any Federal funds. Well, that completely opens the door for every possible language. A lot of people think we are only talking about Spanish. That is not correct. That Executive order refers to any language at all. This bill we are considering that I will oppose has language in there that would codify that Executive Order No. 13166, and I think it is one that people have to understand.

The Senator from Alabama is not back, so I will take a little bit more time. I am going to read the language now that is actually in the amendment which says English shall be the national language of the Government of the United States: The Government of the United States shall preserve and enhance the role of English as the national language of the United States of America, unless specifically provided by statute.

Now, I use as an example the court interpreters law, existing law right now. It says, unless specifically provided by statute, no person has a right, entitlement, or claim to have the Government of the United States or any of its officials or representatives act, communicate, perform, or provide services or provide materials in any language other than English. If an exception is made with respect to the use of a language other than English, the exception does not create a legal entitlement to additional services in that language or in any language other than English.

Forms—it says:

If any form is issued by the Federal Government in any language other than English, or such form is completed in a language other than English, the English language version of the form is the sole authority for all legal purposes.

Again, there is one sentence in there that says:

Nothing in this chapter shall prohibit the use of language other than English if it is codified into law.

That is what we use the Court Interpreters Act for, and a few others, where there is a constitutional reason—in this case it is the sixth amendment to the Constitution—for having that language in there.

So what I will do until the Senator from Alabama returns is mention a few other things I think are significant. This is not a new issue. This is an old issue, and the old issue goes back to many years ago, to President Theodore Roosevelt in the 1900s:

Let us say to the immigrant not that we hope he will learn English, but that he has got to learn it. He has got to consider the interests of the United States or he should not stay here. He must be made to see that his opportunities in this country depend on his knowing English and observing American standards. The employer cannot be permitted to regard him only as an industrial asset.

Now, that was President Theodore Roosevelt in 1916. I could go through—we have them all the way up, including Ronald Reagan and other Presidents. Later on, I will go over the polling data. Later on, if we have a chance to present this and debate this amendment, I am going to go over all the polling data. You cannot find any polling data that says less than 84 percent of the American people want to have English as the national language.

So even LaRaza, an extremist, leftwing group, says they found in a 2004 poll that LaRaza did, 97 percent strongly—86 percent—97 percent that is strongly or somewhat agreed that the ability to speak English is important to succeed in this country. That is the extremist group. In other words, if you want to be an attorney or a doctor instead of a busboy, you need to learn the language.

Now, I see the Senator from Alabama is back, but let me just repeat the one thing that I think is very important because so many of our own Members—Republicans and Democrats—believe somehow this bill positively addresses the problem or it makes English the national language. I am going to go ahead and tell you that when they put section 702 in instead of my language, section 701, all they said is English is a common language in the United States. Big deal. But it says in here:

Nothing herein shall diminish or expand any existing rights under the laws of the United States relative to services or materials provided by the Government of the United States in any language other than English.

Well, there it is, I say to my friend from Alabama. Nothing in here would diminish or expand. In other words, it is going to stay like it is today. But then it goes on to say—and this is the critical thing—all the criticism of President Clinton when he passed Executive Order No. 13166, which was an entitlement for a translator in any language you want other than English, or the language of your choice if you are a recipient of Federal funds. So that definition, if we pass this bill—which I don't think we are going to, and which I don't want to for many other reasons—but if we pass it, we would say for the purposes of this section of law, the law is defined as including provisions of the U.S. Constitution, the United States Code, controlling judicial decisions, regulation, and Presidential Executive orders. In other words, we are codifying this very Executive Order that so many people in America find so offensive.

So I think this is an opportunity to put this in. Quite frankly, I think unless the bill would be dramatically changed, I still wouldn't support the bill, but we need to have every opportunity we can, when we are addressing problems with immigrants or legislation of this nature, to make English the national language. Ninety percent of the American people are for it, 77 percent of the Hispanics are for it, and I am for it.

I thank my colleague very much for his time, I say to the Senator from Alabama, who has done a great job.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. Casey). The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I thank Senator INHOFE for sharing this with us. I think he understands, and all of us need to understand, as we continue the flow of immigration at a level we have not sustained before in our history. Once or twice we have peaked at immigration levels close to what we have today. Most of those immigrants, in fact, or many of them, spoke English. Regardless of that, we are sustaining a level of immigration that is unprecedented in American history.

People are coming from all over the world, and English is being taught all over the world. What we need to understand is that it is even more important now that we officially and systematically and effectively emphasize that English is the unifying language because, as you have greater and greater numbers of people who don't speak English as a native language, encouraging, requiring, incentivizing English as the national language is the glue that can hold us together and can avoid cultural divisions that we might otherwise have.

I think the American people understand that, as the polling data of Senator INHOFE showed. Hispanic voters, when they are told about this, recognize it is critical for their children who are going—for them to receive the greatest benefits of the American dream, to flourish in our culture and our economy, that they be able to speak English. For some reason, we went through a period—and hopefully we are coming out of it—where we felt it necessary to try to communicate in foreign languages to other people, therefore diminishing their incentive to learn English and weakening our commitment as a nation that English should be the unifying language.

I thank the Senator for raising this subject, and I believe it is important.

I will just say one more thing. A lot of nations do have trouble getting along. Oftentimes, it goes down language lines. We have even seen our neighbors in Canada almost divide over French and English portions of the country. They wanted to separate from one another, and we see that around the world. So if we are to remain a nation of immigrants, and we are going to do that, I think it may be even more important today that we emphasize the unifying language of English than we ever have before.

I think most people when they came here wanted their children to learn English, and they did so. But we have a situation today that could get away from us in terms of transmitting to them the benefits of citizenship, the benefits of our economy because, if they can't communicate, it won't be effective.

The bipartisan negotiations that were carried out in an attempt to reach a good bill set forth some principles. Those principles seem to be the ones that were leaked as part of a PowerPoint presentation that the White House worked on. That presentation was made to me. I thought it was pretty good. I thought it was a much better framework for immigration than last year's bill. I said repeatedly in recent weeks that we had a framework superior to last year's bill that could actually lead us to something important.

Unfortunately, the four main principles that were so often talked about—the trigger, a temporary worker program, the elimination of chain migration, and the creation of a merit system and no amnesty for the illegal alien population—are insufficiently effectuated by this legislation. They have the appearance of doing those things and maybe in a few areas improve over current law or last year's bill, but they don't effectively carry it out. So I am worried about that situation.

I am worried that, yes, our supporters say: We have problems with the bill, but overall it is good. If we have problems with the bill, let's look at those problems, let's see if they can be fixed, and let's make a better bill. Let's not pass a bill that we tell the American people is going to fix the immigration problem in America when it has loopholes and weaknesses that will not work and will not accomplish what we are promising—what some are promising—will occur if it is passed. I worry when people say they disagree with large portions of the bill, yet they are for it.

Let's talk about some of the principles that were asserted.

Last year, when this bill was jammed through the Senate Judiciary Committee, of which I am a member, I came up with the idea—actually, it came to me in an interesting way. I realized, why, when I offer amendments on enforcement and to spend more money on this or that item, people would accept them in committee. If you offered an amendment that would change policy—empower State and local law enforcement officers, for example, to participate—you got a push back from other policy matters, but they would just accept any amendment that would spend more money on enforcement. You ask yourself: Why is that so? That is so because they were not spending any money. We are the Judiciary Committee, an authorization committee. We cannot appropriate a dime. So we can authorize money for border patrol, we can authorize fencing, we can authorize prison systems, we can authorize an entry-exit visa system, but if nobody comes up with the money to pay for it, it never becomes law. Do you see?

So I suggested on the question of amnesty that no amnesty be allowed until we have a certification by the Secretary of Homeland Security that the border was secure and that this would be a trigger. The trigger for amnesty would be a certification that the border laws were enforced. That was the philosophy behind the trigger amendment on which Senator ISAKSON worked so hard on the floor. It was not adopted in committee last year, and when we had a full debate on it, the people who were supporting last year's fatally flawed bill said: Oh, this goes to the core of the bill. We can't support this. It might be OK, but the coalition that put this bill together won't support it. It will cause it to fall apart. So they voted it down by a fairly close margin, but voted it down.

So now we are told: OK, we need a trigger. So one of the principles of this bill is to have a trigger in it. Let me show why I think there are some weaknesses in that trigger and it is not as effective as it needs to be. As a matter of fact, it is not very powerful at all. It applies only to the new guest worker program, but all other amnesty programs will begin immediately. In other words, the legalization process, the Z visas that allow people to stay here, will be issued before any of these steps are actually taken. See, we want to be sure that steps are not just promised but are actually taken, paid for, and implemented, because in 1986 what happened was amnesty was given—and they did not deny calling it amnesty in 1986—amnesty was given on a promise of enforcement, and they never funded the enforcement. They just never did it. We had 3 million illegal people here in 1986, and we have 12 million today. So Congresses and the Presidents since 1986 and before 1986 have never taken these matters seriously and given them the priority needed to be successful.

We have that weakness in the trigger which I mentioned. The legalization process will occur before any of these items are required to be funded and executed.

Secondly, the trigger only requires enforcement benchmarks already in the works, almost accomplished. So it does not require anything new. It does not require one critical thing, I believe, which is a U.S. visit exit system. You come into the country and show your identification. The new system we should have and proponents suggest is in this bill would say you come in with your identification, you show it at the border, you work. When your time is up, you are supposed to exit the country. But there is no system to record whether anybody exits. This was required to have been implemented by 2005. It has been put off and put off. Why? Because it creates a system, I suggest, that would actually work. It is a key component of an honest, effective border control system. If a spouse comes to visit a temporary worker for 30 days, how do we know they will ever leave? Who is going to keep up with this? Do people think agents are going out knocking on people's doors to see if their visiting spouses are still here? That is not the way the system is going to work. So an exit system is not part of a trigger requirement.

The language we wanted and was in the Secure Fence Act that we passed last year requires the Department of

Homeland Security to attain operational control of the border. That is the fundamental principle of the trigger from the beginning. None of that language is in this bill. It does not require the Secretary of Homeland Security to certify operational control of the border. So we don't have a very great trigger.

Also, it requires under the trigger 18,000 Border Patrol agents to be employed—not that we hire new ones whom we plan to hire even above that but only the 18,000 who mostly are already there now.

Last year, right before the election, we passed legislation that requires the construction of 700 miles of fencing. Will that fence ever get built? I suggest that my colleagues read the fine print. We see already the fence is being undermined. There is no trigger requirement that occurs. Only 370 miles of fencing and 200 miles of vehicle barriers are part of the trigger. These have been in the works and some fencing already exists, and that should be there. But that leaves about 300 miles not part of the contingency, and we don't know if the money will ever be there for this 300 miles which we authorized just last fall. Do my colleagues follow me? Just because we authorized fencing last fall does not mean it will ever be built. If you want to say that is a shell game, I have to agree. It is done all the time around here. It is particularly done on immigration matters.

Bed space: We currently have 27,500 detention beds. What does a trigger require before the amnesty process can go forward? It requires 27,500, what we already have. But the bill, in a separate section of this legislation, would require 20,000 additional beds to be built because we need them. It is an essential part of gaining control of the border. Mr. President, 20,000 is not that large a number in the scheme of things, but it can get us to a tipping point where the border can be brought under control. But that is not part of the trigger. There are other matters in the trigger that are not available.

I will note this: If you want to be dubious about the intent of the drafters of this legislation to follow through on some of the things they promise, let me tell you how the bill words it. It is filled with phrases such as ''subject to the availability of appropriations'' and ''authorized to be appropriated.'' Those words are used in the legislation 38 times—''authorized to be appropriated.'' You can authorize a fence in this legislation, but this is not an appropriations bill. Unless the Congress comes along and funds it, it will never be built. Worse than that, it has ''subject to the availability of appropriations.'' That is a real suggestion by somebody, I would argue, who never intends to see that section funded appropriately. That was one of the principles.

I am disappointed in the trigger. We were told we would have a real temporary worker program this year, one that would fit the needs of businesses, and they do have needs, and the agriculture community, and they do have needs, and we would create one that would actually work. But I am afraid this one is set to fail. It is better than last year's bill in a number of ways. Let me tell you how it is better, and that is the good news.

Last year, the temporary worker program allowed an individual to come to this country as a temporary worker for 3 years, and they could bring their spouses and children with them. Then they could extend that 3 years another 3 years, another 3 years, another 3 years—I think indefinitely. Mr. President, 3 years, 3 years, 3 years, as long as you live, and your spouses and children can be here, and any children born here would be American citizens at birth. The first year the person was here, they could apply through their employer for a green card, permanent legal residence, which would put them on the pathway to citizenship within 5 years. That was a temporary guest worker program.

I say that to my colleagues because we need to be alert to the fact that just because it says we have a trigger, just because we have a temporary worker program, when you read the fine print, it may not be what it appears to be. So that was a disaster. That wasn't a temporary worker program at all. After a family has been here for 8, 10, 12 years, their children are in junior high school. Who is going to come and get them and send them home? That is a program which had no chance whatsoever. But the sponsors went around for months saying we have created a temporary guest worker program. That was not so, and I am glad eventually that came to be exposed for what it was.

This year's bill says, as part of the principles, that we would have a temporary worker program where the temporary workers did not bring families. That changes the dynamics dramatically because if they don't bring families, they have an incentive to go home. If they bring their families, their incentive is to put roots down and stay. It is not a temporary worker program, in my view.

So how did it come out in real fine print? In fine print, what we understand is it is not a 3-year program but a 2-year program; that 20 percent of the temporary workers can bring their families, and of the remaining 80 percent, their families can visit up to 30 days. Well, let's say that your spouse is pregnant and you are working here temporarily. You could ask that spouse to come to America for a visit and have good health care and have a child born who would have dual citizenship, or maybe they would stay in the United States and the child can be a citizen because of birthright citizenship. There are some problems with this.

I am troubled by the 2-year situation and the way it works. You come for 2 years, you would go home for 1 year; you come back for another 2 years, you would go home for a year; come back a third time for 2 years, and then you could never come back again.

What we have in the agriculture community is circularity, where people come for 8, 10, 11 months a year, maybe, without their families, and they work for a season, maybe 8 months, and go home. They are based and their home is among their family and their kin in the town or city or village they grew up in. They go to their church in their neighborhood.

So that is the way that worked, and I was hoping, or thought we would move in that direction. But, no, it looks like it is a 2-year deal, where you can bring your spouse to visit for 30 days, and 20 percent would be able to have their spouses with them the entire stay. They have to post a small bond. But that is not a defining event, I think.

What about the numbers? When I first asked, as they moved the PowerPoint presentation around, how many guest workers, temporary workers was contemplated in this program, I was told about 200,000 by an official in the Bush administration. Well, what do we have now? We have 400,000 to 600,000 workers a year who come up for 2 years at a time and go home for 1 year in between. But if you have 400,000 in this year and they stay for 2 years, and next year you have another 400,000 to go next year, then in years 2 and 3 you are at 800,000, except there is an escalating clause in there that will probably take it well above 900,000—follow me?—instead of 200,000 or 400,000, the real mechanism involved in the temporary guest worker program is to create numbers that amount to almost a million guest workers.

Now, these guest workers are different from the 12 million who will be given legal status here. It is different from the 1 million to 2 million flow of people who will be coming into the country on the citizenship track. This would be 1 million here as guest workers. So you see, we have to get these numbers straight. How many people are being let in by this bill? We are having a hard time getting it out.

Remember, the bill was only introduced last night. A staff offered draft copy of it was produced Saturday morning. So who knows for sure? Who can say for certain what this actually means? I tell you, we intend to look at it, and we intend to make sure the Members of the Senate and the American people understand how big an impact this is.

What we do know, from last year's bill, even after Senator BINGAMAN offered two amendments that passed, and I offered one to reduce the overall numbers, it dropped from 80 million to 200 million over 20 years. Let me go back and repeat that. Last year's bill, as introduced on the floor, the McCain-Kennedy bill, would have allowed into our country 78 million to 200 million people in 20 years. Now, we only have 300 million in America at this time. Do

you understand the significance of that?

I don't know if they knew those numbers or somebody was trying to pull a fast one, but it was breathtaking. We came up with those numbers. The Heritage Foundation was doing an independent analysis, and they came up with very similar numbers. So Senator BINGAMAN offered two amendments and I offered one that passed and it reduced the number to 53 million. Real progress; right? Not so fast.

The current rate of immigration over 20 years in our country is 18.9 million, maybe closer to 20 million. So it was at 53 million, which is 2½ times the current rate of immigration. So I don't think the American people who thought we were reforming immigration ever understood that the real plan was to increase legal immigration by 2½ times.

So I am worried about the numbers in this year's bill, is all I am saying. We are going to look at it. I haven't been able to figure it out yet, but my super staff is getting close, and we are going to keep working on it. But that needs to be acknowledged. I think there is going to be push-back on this huge number of temporary workers, which appears to me to be three times what the administration suggested to me, this year, would be an appropriate number. Of course, the President is bent on having workers for everybody who needs one.

The 2 years, the 2 years, and the 2 years, let us say a person came as a temporary worker and they worked 2 years and went home; worked 2 years and went home; worked 2 years and went home. There are bad things that occur from that program as a practical matter. Is the employer going to depend on this person every 2 years, when that worker has to go home? That is not practical to me. Then they are finished. They, perhaps, had no desire to live in America permanently or become a citizen of America but wanted to be a temporary worker. Yet now they are put in a position where they have to apply for a green card and citizenship and try to compete on this permanent citizenship track so they can keep working. For people who may have no desire to apply for a green card, they would have to, under this system. So I think it creates a magnet for dual citizenship in a way that is not necessary.

I think it would complicate the life of a business to have this break in their employment. I would like to see a system, myself, in which a person could come 10 months a year in America, or less—they may want to work less—and they would have a good ID so they could go back and forth to visit their family or their home as many times as they chose. They would go home each year for several months and could come back the next year, if they chose and if the employer wanted and if they were certified to come back and hadn't been convicted of a crime or done anything else that would disqualify them. That, to me, makes more sense. Maybe the drafters have a better idea than I do on it—I don't think so at this point.

Now, one of the issues we talked about in last year's debate, and I emphasize it because nobody had even considered it, is why shouldn't we go to a merit-based system—a system that is skill based—where we would have people come into this country based on their opportunity for success here, based on their ability to flourish in our economy? What we learned was that Canada does that. Canada spent several years of national discussion, and then their Parliament got together and decided the question. They passed a law that said to the immigration department in Canada, you work with our economics department and you set up an immigration system for our country that says 60 percent of the people who would enter our country would enter based on skills and merit and education that we think are important for Canada because we believe our immigration policies should serve the national Canadian interest. It should make Canada better. We believe this is the right policy.

That was done and is being executed today. I met, in my office last year, with the gentleman who was the director of that program, and he explained to me that it was very popular. They like it in Canada. We had never even discussed it last year. I tried to get a hearing in the Judiciary Committee on it. No, they didn't have time. Senator MIKE ENZI, who was chairman of the Health, Education, Labor and Pensions Committee, agreed to have a hearing on it, and we did that. We had experts testify on that and very little negative was said about it. The witnesses at various hearings we had all said an immigration policy, in their opinion, should serve the national interest, and a skill-based program serves the national interest. That is why they did it.

Australia does the same thing. Australia has 60 percent enter on merit; New Zealand has a similar program; the United Kingdom is looking at it; and I believe the Netherlands and other countries are considering more movement in that area. The developed world is moving in that area, except the United States. Only 20 percent of the people who enter our country with green cards get those permanent resident green cards based on skills—only 20 percent. Sixty percent, almost, get their permanent residence based on family.

Now, no one disputes, and this bill certainly doesn't, and neither do I, that if we give permanent residence to anyone, to a man, to come to America, he should be able to bring his wife and his minor children. But if you choose to come to America—you tell me, I say to my church friends—tell me why, if you choose to leave your extended family and come to America and establish a new life, what right do you have to demand that your aging parents should come with you? What right do you have, what moral right do you have to demand that?

That is what we are doing today. Parents are allowed to come, as well as adult children, as well as brothers and sisters—the siblings. So under the current system of chain migration, a person comes to America and they get a green card, or become a citizen, and they are able then to bring their aging parents or bring their brothers and sisters, who are then able to bring their wives and their children. That is how we get nearly 60 percent of immigration in America not based on skills.

That is the policy question I thought had been established when we adopted the new framework that became the basis for the new bill that was introduced late last night. Does the new bill get us there? It does adopt a point system. I have to say I was excited about that because I believe so strongly that was the right direction for us to go. I was excited about that. But as I read the bill, I was very dispirited.

For example, what happens in the years 2008 to 2012 if this bill becomes law? Skill-based immigration will remain capped at the current level of 140,000 for the first 5 years until 2012. Even out of this 140,000, 10,000 will be carved out for temporary, low-skilled workers. I am not talking about temporary workers now but people on a track to citizenship—green card, permanent residence, and then citizenship. The 140,000 green cards we have set aside for that track, they have taken 10,000 of that for the temporary workers who come without a merit-based system.

So there is a step taken in the bill to reduce chain migration, and it reduces it, it appeared, immediately and even back I think 2 years. But it says that if you were an applicant to come into our country for a permanent residence, as part of a chain migration application, you are considered to be a backlogged applicant. As a backlogged applicant, this bill says we are going to give you the opportunity to come and to get permanent residence in America, even though people who applied after a certain date would not get to have that provision applied to them. This will free up some numbers that will not be coming in on chain migration, but the theory was the green card numbers would be shifted to a skill-based, point-based system like Canada's. That is how you get there, and this bill does attempt to do that. Unfortunately, it takes a lot of time to get there.

Under this bill, they will take 8 years of those saved green card numbers and apply them to the backlog. There are about 3 million backlogged chain migration petitions, and each one amounts to about 2.2 persons because they could bring a wife or a child with them, sometimes 3 or 4 children. If you are in the backlog as a brother of a citizen and you have been in the backlog for several years, then you get to come with your family—not just yourself as

a brother, but you get to bring your family—in the next 8 years. So we think it will total up to 6 to 8 million people who are in the backlog. We are not moving to a merit-based system any time soon. Actually, it is going to be 8 years out before it really kicks in. I don't know what will happen in 8 years. I have grown, in my 10 years in this Senate, to be somewhat worried about what we are likely to do when that happens.

I salute my colleagues for making a decision that appears to shift us to a more healthy view of immigration that will be more likely to serve our national interest. But I am disappointed that it is not going to really take effect for 8 years. That is so long, I am not sure I can buy that as a legitimate compromise.

My colleagues say: We did the best we can do. Jeff, there are things in the bill I don't like. I would like to have it take place right now.

Why don't we make it happen right now? Why wait 8 years? We don't have a right to offer amendments and fix that? We need to think about it.

Another thing is, in Canada they have, as I said, 60 percent based on skills. We think the numbers in the United States—from 20 to 22 percent based on skills—will not exceed 40 percent. In fact, Senator KENNEDY, who really opposed this part of the provision, estimates it would only be 30 percent. That is not enough. We need to look at these numbers. If we don't have a proposal which would carry us 50 percent or above, I don't think we have made the kind of real progress in that area that we could.

Also, the system is going to skew, again, to the temporary workers. If you are here as a temporary worker, you get 6 to 8 points for adult sons and daughters who might apply under the point system, 4 points for brothers and sisters of citizens and permanent residents, and 2 extra points if you apply for a chain migration category between May 1, 2005, and now. So a significant number of points are given based on family, I am concerned about that.

Points are going to be given not just for higher skills but for high-demand occupations. That is what the temporary program is for, the high-demand occupations. I think the permanent track to citizenship should clearly shift to a more skill-based system. But we are going to give a lot of this skill-based system personnel—they will get 16 points on the point scale if they are in a high-demand occupation. These could be fairly low-skilled jobs. You could be in the service industry or things of that nature, low-skill personnel and things of that nature, or food processing. That is an undermining of the principle of moving to a merit-based, skill-based system. That worries me, that we are not getting there sufficiently on the point system. It is just frustrating to see that.

Why is that point-based system important in the long run? Just because Canada has gone through this process and has reached that conclusion? No.

Mr. Robert Rector is a senior fellow at the Heritage Foundation, a premier think tank, a conservative think tank but one of the most respected in America. Mr. Rector has for well over 20 years, I suppose, been recognized as one of the most knowledgeable persons in America on welfare and social policy. He is widely recognized as the architect of the highly successful major welfare reform that was done a number of years ago. Eventually, after 2 vetoes, President Clinton signed it, and it became a very popular program that reduced child poverty and created a system where lots of people went out and found work. The welfare office became an employment office where people can be counseled on how to get work, and people are now out being very proud to be breadwinners, bringing home money—more than they ever thought possible sometimes—just because they got out of the welfare trap and into workplace. That is what Mr. Rector was part of.

At a press conference yesterday, he was very strong in his view that we have a big problem with low-skilled immigrants. He talked about some things you don't like to talk about so much, but it is just a fact, and all these other countries have had to deal with it. When you are low skilled, have low education, you tend to collect more from the government than you put in. That is a big problem. What he concluded was that the necessary fiscal deficit for a house which is headed by a person without a high school degree is $19,000 a year. He put his pencil on it. He calculated it out. I don't know whether that figure is correct, I didn't calculate the numbers myself but that is what he said yesterday. This is Mr. Rector. He noted that $19,000 per year in benefits could buy each one of those families a new automobile every year.

He calculated that, over a lifetime, the numbers are worse, that we should calculate the numbers not in the first 10 years where they would be artificially low but calculate them over a lifetime. He calculated that if we pass this bill, the immigrant households headed by non-high school graduates would take out of the U.S. Treasury $2.3 trillion more than they pay in over their lifetime. That is the group which would be in the 12 million who would be legalized.

There are reasons for that. People with education, with language skills, who have skills and talents America needs, who apply in a point-based merit system, who have any college at all when they come, tend to do very well in America. In fact, the numbers show that if you just had 2 years of college, you tend to do very well and pay much more in taxes than you would ever take out in taxes. We have to be careful that our business friends understand that somebody is picking up the tab if they have low-skilled, low-wage workers. It may not be the employer, but somebody is paying. It is the Social Security system, it is the Medicare system, it is the American taxpayers who pay.

I see my good friend from Florida.

Mr. MARTINEZ. Will the Senator yield for a moment?

Mr. SESSIONS. I am pleased to yield such time as the Senator wishes.

Mr. MARTINEZ. The Senator is very kind.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MARTINEZ. I wanted to point out that last year my colleague rightly pointed to a serious problem with last year's bill dealing with chain migration. I recall the Senator coming to the floor and explaining what had not been well understood until then, which is the fact that, as people were acquiring legal permanent resident status, then they would also have the opportunity to bring family members. That would result in a huge problem. We have 12 million illegals. If those 12 million are somehow legalized and then they can also chain migrate their families, we would end up with a problem manyfold what it would be otherwise.

In this bill, we tried mightily to end chain migration, and I think we have for the most part. I want to say to the Senator from Alabama, it is because of his good work last year in pointing out that flaw in the bill that I think now we have corrected and reversed course in what I think is, by some, a real problem in terms of family reunification. But at the end of the day, I think it is the right thing for America.

If we allow those who are here, after a probationary period, after payment of fines, and ultimately after returning to their home country, to legally apply for readmittance, that then chain migration would not be permitted, I think that is a fair tradeoff and is at the heart of what is called by some the ''grand bargain,'' a massive coming together we had. I want to give the Senator very much due credit for having a real hand in what it is that is at the heart of this new agreement.

I realize the Senator may have many other issues of concern. I hope, as we go forward and talk about them, we will alleviate some of those concerns. I think one of the things that has happened is it is a massive bill. Here we have it now still not in printed form as we go through it. I compliment the majority leader for giving us the extra time so we all have a chance to get into what is in the details of the bill.

There has been a lot of emotion and a lot of conversation and a lot of it not very well based on what is in the bill. The trigger is in the bill, and I know Senator ISAKSON from Georgia will be speaking to that this afternoon. It is fundamental. Nothing happens until the border is secure.

I wish to give the Senator credit where credit is due for a good step along the way.

Mr. SESSIONS. I say to Senator MARTINEZ that I thank him for that,

but he was one of the people who stood firm on this issue of a more merit-based, competitive system of immigration, like Canada. Without his leadership, I know it would not have happened. In fact, his personnel leadership was pivotal in a number of areas in this legislation that made it better than it would otherwise have been. I appreciate that.

My concern on the bill is that by saying the backlog gets approved, we delay about 8 years moving to the full implementation of a merit system. I know, when you are in a meeting and you have to negotiate with people—I know Senator KENNEDY didn't want to do this at all.

Mr. MARTINEZ. Right.

Mr. SESSIONS. You had to reach a compromise. But the compromise of waiting 8 years is troubling to me. I like the move. I thank the Senator for his leadership, and that is the point I have tried to make this morning.

I thank Senator MARTINEZ. The Senator himself is an immigrant from Cuba and has risen to serve as a member of the Cabinet of the President of the United States and now an outstanding Member of this Senate. I am proud to know him. I am also proud his wife is from my hometown of Mobile, AL. She is wonderful also.

As I understand the chain migration matter, in fact, it does end chain migration mostly, but it does allow 40,000 parents to come each year. There are some restrictions on it, but 40,000 parents. So those 40,000 more elderly parents—by the way, Canada gives points for youth. They believe Canada benefits from a younger rather than an older immigrant.

But those parents who come—we have to be honest with ourselves are not going to be net gain like a young skilled person. But that was the compromise they pounded away at. Some said family reunification, we have to have family reunification. So instead of eliminating aging parents, they agreed to cap them at about half the number we currently have of parents who get to come each year.

But what I want to ask you to think about is, here is a young man in Honduras who went to high school, graduated, maybe was valedictorian of his class, taken English, utilizes television and radio to improve his English, has 2 years of college. He applies to get in the United States.

He wants to come here very badly. Maybe he has a distant cousin here or maybe he has read about America. Maybe he wants to come here and work and go to college and earn a degree and be a doctor. I don't know what is in that young man's mind. It is a zero-sum game.

If you let the parent in, you deny someone such as that the ability to come in on a more meritorious basis. That is why this is not an easy call and why we need to be clear about this. Every time we allow a chain migrant or an aging parent to take an immigration slot, we are denying someone who deeply wants to come, who could be selected on merit from the large number out there who want to come to America, that would be more successful and flourish here. That is all I am saying.

We hear stories about familial reunification. I know that is nice to talk about. That could be important to an immigrant who becomes a citizen and wants to also bring their extended family. It might be important to them personally. But the real question is, what we have to ask is: Is this important to the national interest? What is in the best national interest? The best national interest, I believe, and other nations of the developed world have concluded, requires a movement where you can bring your wife and children, but you don't get to bring extended family in.

Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator has 7 minutes prior to the recess.

Mr. SESSIONS. All right. I will use that and then reserve the remainder of the time.

Another principle of the PowerPoint presentation was the question of giving legal status to persons currently illegally in the country through a new visa. But it was stated as one of the principles that there would be no special path to citizenship. That was a direct quote. ''No special path to citizenship.''

However, the bill clearly creates a system whereby current people here illegally are treated differently, better, than those who tried to come to the country lawfully.

That is a principle I think we have all said we don't want to breach. In fact, the PowerPoint principle about any new immigration bill stated that would be one of the principles. This bill is not jackpot amnesty, as some would say; but I think it is a form of amnesty, however you want to define it.

I have not tried to use that word too much because I am not sure what it means to anybody. If I use the word amnesty, it tends to mean that you allowed somebody who came here illegally to stay permanently. That is a form of amnesty. I mean, normally they would be apprehended and removed. That is what the law would require.

But whatever amnesty is, I have concluded that the principle we should adhere to is, that if someone did come to our country illegally, and we have now not enforced the law as we would expect the law to be enforced but are going to allow them to stay here in our country, come out of the shadows to have a legal status, that we can do that, but we should not provide to that illegal entrant every single benefit we provide the persons who wait in line and come lawfully.

I see no reason to do that. That is what we did in 1986. The speeches were crystal clear: Never again. This is the last amnesty. Because those people in 1986 understood that if amnesty became the rule, we would totally undermine respect for our legal system. So here we are, 20 years later, granting another amnesty. I think we need to maintain some clarity so there is a difference in status of those who come illegally.

Now, Senator MCCONNELL, the Republican leader, gave a definition. He made a statement that is valuable. ''One thing is for sure, if this bill gives them any preferential treatment towards citizenship over people who came into the country in the proper way, that is a non-starter.''

I would go further. I think we can give some kind of legal status and certain benefits to people who come illegally, but I believe they should not be given benefits that lead to citizenship—that powerful, wonderful thing, citizenship in the United States—based on an illegal act. I do not think we should. I think we should say forever—in 1986, we said the truth then—you come illegally, you are not going to benefit. We are not going to do this again. We should do that.

Now, if they have children born here, the children can become citizens. But there will be detriments to having come illegally that would be permanent, that are not going to be wiped out. That is my personal view. We will see how it goes.

I would say, with regard to the question of moving to citizenship, there are at least five preferential treatments toward citizenship given to the illegal alien population by this bill. Preferential treatment.

First, illegal aliens who rushed across the border between January 7, 2004—the date contained in last year's bill—and January 1, 2007, this January, will be eligible for amnesty. This includes illegal aliens who have been here for a mere 5 months. They would be eligible for the amnesty, be eligible to be put on track for citizenship, even if they came into our country last December 31. Remember, we called out the National Guard, the President did, after the American people put the heat on, called out the National Guard. We are building fences now, not enough, but we are building barriers. We are increasing agents and we are saying: The border is closed. But we turn around and have a bill that says that somebody who got past the National Guard, got past the Border Patrol, got around the fence, is now going to be put on a path, guaranteed path to citizenship.

Now, I don't think that is good public policy. That does not breed respect for the law. I was a Federal prosecutor for nearly 15 years. I am telling you, if you don't enforce a law, it is undermined and undermines respect for the Government in general, frankly.

I will not go any further. I think our time is about finished. I would thank my colleagues for their attention to this bill. I hope they will be reading it. I hope the research we do might be helpful to some of you as you work on

it and try to decide how you should handle this very important piece of legislation. We need to do something. We need to do something that is good. We need to pass a bill. I guess no bill will be perfect, but we do not need to pass bills with serious flaws in them, those that undermine the principles that any effective immigration system should be founded on.

I will have extra time. We will talk about that later and talk about some other things I have.

I yield the floor.

## RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:40 p.m. having arrived, the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:40 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

## COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007—Continued

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I understand under the order, Senator SESSIONS is to be recognized to speak for a period of time.

The PRESIDING OFFICER. The Senator is correct.

Mr. BAUCUS. I have consulted with Senator SESSIONS. I asked if it was OK if I proceeded for 5 minutes preceding his remarks. Accordingly, I ask unanimous consent to proceed for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

### PAY RAISE FOR SOLDIERS

Mr. BAUCUS. Mr. President, I rise in support of our troops. There are few things as important as the gift of one's labor, one's love, one's life. Our soldiers are asked to make generous sacrifices of these precious commodities every day. Our finest young soldiers work 19 hours a day in hot, dry, dangerous places such as Fallujah and Kabul. They do so because they have a deep love of country. Many of our soldiers make the ultimate sacrifice with their lives. Increasingly, we are asking more and more of our soldiers. In April, Secretary Gates announced he is extending the tours of duty for active-duty soldiers in Iraq and Afghanistan from 12 to 15 months. Our troops have already accomplished so much: deposed Saddam Hussein, toppled the Taliban, responded to the threats posed by vicious terrorists around the world. They have done everything we have asked of them. I was, therefore, disappointed when I came across a newspaper article this weekend noting that the administration opposes a modest pay raise for American soldiers.

The House Defense authorization bill includes a one-half of 1 percent increase in military pay above the President's request. For the average new enlistee, this will amount to roughly $75 per year in extra pay—clearly, not enough to cover additional costs: school clothes for kids, a family trip to the ballpark, a few tanks of gas at the prices we are stuck paying.

The increase is aimed at reducing the gap in pay between comparable military and civilian jobs that stands at about 4 percent today. Even after the proposed increase, that gap will remain at least 1.4 percent, clearly not keeping up with civilian pay increases.

Of the billions of dollars we spend on the wars in Afghanistan and Iraq, it would seem absurd to oppose this small pay bump, but that is exactly what the administration is doing. In a May 17, 2007, letter to the House Armed Services Committee, the President's budget director announced the pay increase included in the House bill is ''unnecessary.'' I believe it is necessary. I believe it is necessary to do anything we can to provide for the welfare of our fighting men and women. Salaries for newly minted enlistees start at about $15,600 per year. To put this in perspective, new enlistees with three or more dependents are eligible for food stamps.

Among the sacrifices we ask of our men and women in harm's way, going hungry should not be one of them. In addition, the administration opposes a $40 per month increase in allowances for the widows of slain soldiers. Again, this is a modest bump in benefits and pales in comparison to the sacrifice these families have made. Forty dollars a month extra won't make it any easier to face another day without a loved one who is lost, but it could help pay the rent, keep the heat on, and relieve a bit of stress for families facing a new world without their spouse. That is why I am urging the administration to reconsider their opposition to a pay increase and additional survivor benefit. Supporting our troops is something we all agree on, Republicans and Democrats alike.

I ask the President to reconsider his opposition to increased pay for our soldiers and aid for this war's widows. We may not all agree on what we should do in Iraq going forward, but I believe we can and should reach a simple accommodation on troop pay.

Mr. President, I see my friend getting prepared. I ask for 1 or 2 minutes' indulgence.

### CHILDREN'S HEALTH

Mr. President, in the Catholic and Eastern Orthodox Bibles, the book of Ben Sirah counsels: ''Observe the opportunity.''

This year, the Senate has the opportunity to improve the health of millions of American children, for the next decade.

The Senate has the opportunity to renew and improve the State Children's Health Insurance Program, or CHIP.

Let us seize the opportunity.

There is no greater health care priority for me this year.

In a few short weeks, the Finance Committee will consider legislation to reauthorize and strengthen this successful 10-year-old program.

Many of us were present in this Chamber when we created CHIP in 1997. Since then, this program has proven to be a true success.

Since its inception, CHIP has brought health insurance to more than 40 million low-income children.

It has saved the lives of many children, and it has improved the availability and quality of care for many more.

In my home State of Montana, Fawn Tuhy has some pretty active kids. Montana is a State full of active kids, and active kids get hurt.

Fawn's 2-year-old needed stitches after hitting her head. Fawn's 6-year-old broke his arm twice.

Fawn's medical bills could have sunk their family of six. But she credits CHIP with keeping her kids healthy, and her family afloat.

CHIP has made that kind of difference for millions of Americans, in the last 10 years.

Among families with incomes less than about $34,000 a year—that is twice the poverty level—the share of uninsured children has dropped by a quarter.

CHIP has held the number of uninsured children down, even as the number of uninsured adult Americans has increased.

But Congress cannot rest on its laurels. We have to continue CHIP. We have to build on its success, and we have to do it before CHIP's funding expires, on September 30.

The Finance Committee is poised to act, with a markup early next month.

In this reauthorization, we will pursue five principles:

First, we must provide adequate funds to keep coverage for those who have it now.

Last week, the Congressional Budget Office reported that CHIP needs an additional $13.4 billion, just to maintain current coverage.

Maintaining level funding is just not good enough. If funding stays flat, then 4 million American children could lose health coverage, over the next 10 years.

Second, we must also reach the 6 million uninsured children who are eligible for either CHIP or Medicaid coverage but not enrolled.

CBO says that the best opportunity to further reduce the number of uninsured children is to target CHIP enrollment toward more families whose incomes are below twice the poverty level.

Third, we must support State efforts to expand CHIP coverage to more kids. States have found innovative ways to reach as many uninsured kids as possible. States have acted according to their unique abilities and needs.

Fourth, we must improve the quality of health care that children receive.

We are making great strides to improve the quality of health care for adults through Medicare. Yet there is no comparable investment in quality

standards for children. We can and must do more.

Fifth, whatever we do, we must not add to the numbers of the uninsured.

Right now, Federal waivers let some States provide CHIP coverage to pregnant women, to parents of eligible children, and even to some adults without children.

Congress may not want CHIP to cover all those groups in the future, but we must not pull the rug out from under anyone who has health coverage today.

Too many CHIP recipients are already in imminent danger. Right now, 14 State programs are facing shortfalls for this year—even before CHIP's 10-year authorization expires.

I worked hard to include funds to cover funding shortfalls in the supplemental appropriations bill.

But even if we fix this year's shortfalls, many more States will face funding gaps in the coming years. We need to ensure greater predictability and stability of CHIP funding.

Ten years ago, we simply did not know how much funding CHIP would take. We know much more now, and we should make the appropriate financial commitment to keep kids healthy. We must take a forward-thinking approach.

We must consider the likelihood of continuing increases in health care costs, and we must consider likely population changes.

We must consider that a child born today may have a shorter life expectancy than his or her parents. But that is what we face, due to the threats of obesity and related illnesses. So reauthorization must strengthen prevention and early screening benefits.

As we tackle CHIP, we should keep in mind the deep need for broader health reform. There are still too many families whose health stories don't have happy endings. CHIP cannot help them all. But it should help more.

One morning last year, Kearstin Jacobson woke up in Whitefish, MT, with a severe headache. Tests showed that the high school senior had a clot, preventing the blood flow from her brain.

Kearstin got wonderful care. But it cost almost a quarter of a million dollars, and her family did not have health insurance.

So even as the hospital staff wheeled Kearstin out of the emergency room, this young lady with a life-threatening condition was worried about money.

She was telling her parents how concerned she was about the financial burdens that her care would cause.

Kearstin feared that her parents would be paying for her care for many years to come, and they are.

This year, Congress has a historic opportunity to help families like Kearstin's.

We have an opportunity to make a good health policy for children even better.

An overwhelming majority of Americans support CHIP.

I extend my hand to my colleagues on both sides of the aisle. Let's work together.

CHIP is not a Democratic priority or a Republican priority. It is an American priority.

America's kids are depending on us to do this right. We must not disappoint them.

Let us observe the opportunity to improve the health of millions of American children. Let us observe the opportunity to give peace of mind and financial security to millions of families. And let us renew and improve the Children's Health Insurance Program.

I thank the Senator from Alabama and yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I was sharing with my colleagues before the leadership break a number of issues about the immigration bill. Perhaps it will cause some to think unless it is improved, it should not be passed. Some will be encouraged, hopefully, to support amendments that could make it better. To some, I am sure it will make no difference. They intend to vote for it, maybe, or against it, as it is today. But I am glad we will now have all week. The Democratic leader has changed his previously stated view that we would vote this week. We brought the bill up only last night. If it was written in formal bill language, it would be one of the longest pieces of legislation ever considered in the Senate, maybe the longest piece of legislation since I have been here, other than perhaps an omnibus bill, but not a legislative bill.

We need to be thinking about the basic principles that are important to immigration reform. That is what I wish to continue discussing. The Republican leader, MITCH MCCONNELL, said:

> One thing's for sure, if this bill gives them any preferential treatment towards citizenship over people who came into the country in the proper way, that's a nonstarter.

I have made a number of points about some of the things that actually are in the bill that provide for a person who came into our country preferential treatment toward the process of being a citizen that are not given to somebody dutifully waiting outside the country to be called up when their time comes. I want to point that out in a number of ways.

For example, only illegal persons would be eligible for these Z visas, visas that would allow them to live and work here forever, as long as they are renewed every 4 years. That visa would not be available to anyone currently living in the United States who came here to work legally or someone who did not overstay their visa but went home when they were supposed to. So if you came here for a work visa and your work visa is 1 year, and you are complying with the law, and you don't want to go home at the end of your year, you still have to go home. But if a person broke into the country illegally and they don't want to go home, they are given the Z visa, they get to stay, and they get to apply for a green card that leads to citizenship. Even if they entered the country last December 31, getting past our National Guard, the new fences and the Border Patrol, and got into the country as late as last December, a single person with no skills, that person is eligible for the Z visa and could be here forever.

A Z visa plan is a better plan than the plan we had last year, I have to say, but it still has some real problems with it. Namely, it still leads to citizenship.

My colleagues say: Well, nothing is perfect. Yes, there are things in it I don't like, but we have to do something.

Well, why don't we fix things such as that? If it is not right, why should it be in the bill? We don't have to let the Z visa be a pathway to citizenship, it could just be renewable forever.

Well, they say, we can't touch anything that affects the core of the bill. All of us—the senators in the secret room—have agreed.

Who agreed? This group that met for several months with one another and outside groups, and they wrote up this bill and plopped it down on the floor last night. Until last night, we were still on last year's fatally flawed bill that should never, ever have become law. Although it passed this Senate, it never had a dog's chance of passing in the House. That is where we are, and I am concerned about that.

A third example of preferential treatment is Z visa holders get legal status 24 hours after they apply, even if their background checks aren't complete. The bill says ''No probationary benefits shall be issued to an alien until the alien has passed all appropriate background checks or the end of the next business day, whichever is sooner.'' Nobody else gets immigration status benefits if their background check is not complete. Fourth, visa holders are exempted from a long list of inadmissibility grounds, including fraud or misrepresentation to obtain an immigration benefit and false claims for U.S. citizenship, and their prior deportation or removal orders can be waived, even if they never left, if they can show extreme hardship to their illegal alien family members.

An illegal alien who applies to be a Z visa holder is exempted. That includes anyone that got here before January 1 of this year. They can walk in and they get a Z visa. They don't have to pass a background check to get the visa immediately—at the end of the next business day. Presumably, they will check pretty quickly. But what if we had hundreds and thousands of people showing up with convictions for crimes and that kind of thing that makes them ineligible, how are we going to find them? They will have the probationary z visa.

If they have participated in a scheme to obtain immigration benefits or have

falsely claimed with official documents to the U.S. Government that they are a citizen, this is a crime under Title 18, section 911, that does not bar them either. What would happen if an American citizen made a false claim to the Government? Title 18, section 1001, false claims to the Government is a Federal felony that can put you in jail for 2 years, 5 years. But if you made a false claim to be a citizen or some other benefit under immigration law and you are one of the people who came here illegally and not through a system, you get immunity from those cases, whereas a citizen does not. We have to be careful about what we do in legislation such as this. This is why amnesty deals are important. We should not be put in the position of ever having to do this. We said we would not do it again. After 1986, we said we were not going to ever do another amnesty again because it was so painful. It worked so poorly. All it did was encourage additional immigration, as those who opposed it in 1986 predicted.

It is very interesting. I looked back at the debates. You could see who was right and who was wrong. The people said: This is going to be a one-time thing. Don't worry about it. This will end the backlog and bring people out of the shadows, and we don't have to enforce the law on these people. Let them stay, and we will give them for one time amnesty. We won't do it again.

Others said: Wait a minute. This is a principle of importance. How can we say in the future we won't give amnesty if people come illegally, when we did this time? Doesn't this put us on the road to repeat amnesty in the future? Aren't we afraid it won't work?

What happened? After the 1986 bill, 3 million people claimed the benefits of amnesty. Twenty years later, we now have maybe 12 to 20 million that will be claiming amnesty. There are consequences to making these kinds of choices. That is a preference given to people who have come illegally over someone waiting outside the country to come legally.

Fifth, a Z visa holder will be able to get a green card through their own separate point system and without being subject to the regular annual numerical limits. This is a huge benefit to them. In other words, they will not have to compete with other persons around the world on a merit basis, as we are supposed to be moving to, but, in fact, they will have an inside track. They will not be in a line that has the standard numerical limit, instead they will have their own like, so that at most they will have to wait only 5 years for a green card after they are eligible for one.

That makes clear to me—I think it is clear to anyone—the way the bill is now written there is a preference given in quite a number of areas on the question of citizenship, as well as other questions, frankly, that they get benefits over persons who came here waiting to come legally or came locally.

In fact, another thing they have left out of the bill—and it was in last year's bill—they do not have to pay back taxes. So the illegal alien community that has been working here for half a dozen years—and we hear there are so many of them, and many of them have decent-paying jobs. I think that is true, quite a number do have decent-paying jobs and are supposed to be paying taxes. If they did not pay their taxes, they don't have to pay them as a condition for getting z visa amnesty. American citizens have not been exempted from paying their taxes for those same years. That is just true.

You may say: Well, you are just harping and complaining, SESSIONS. Well, I pay my taxes. Most Americans pay their taxes. If somebody has come here illegally and makes $50,000, $80,000 a year—some do—and they did not pay taxes, we are just going to wipe that tax debt out? I do not think so. It is not a principle, to me, that I could adhere to, instead it is one I would dispute.

So what about the chain migration question? Are we eliminating that? And what should we do?

Let me say it this way—and this is accurate, and there are other ways to look at it—it is accurate to say that instead of eliminating chain migration, which was one of the principles in the talking points that circulated around as this new bill was drafted, the bill actually escalates chain migration two to three times over the next 8 years. That is an indisputable fact.

Not only are the current chain migration numbers maintained—the 140,000 that was eliminated is now used to adjust backlogged chain migration applications.

They did eliminate chain migration. No new applications will be accepted. Let's go back and be fair about the bill. The bill eliminates chain migration in the future. That is an important thing. Chain migration means collateral relatives; it does not mean your wife or your child. They would get to come with you. If you are a citizen or a permanent resident, your wife and children get to come with you. It is the question of the brothers and sisters, adult children that perhaps are married and have their own families, or aging parents that are part of chain migration.

If a person comes, then you can bring your brother and sister. If your brother is married, the wife comes with your brother. If they have three children, those come. If she moves forward to a green card or citizenship, she can also bring in her relatives. Then the wife can bring in her brothers and sisters. So that is how this system works. It is unrelated to skills and the productivity of the person intending to come. It is unrelated, therefore, to the national interests of the United States. It is unconnected to them. It is their interest they are concerned about and not the national interest, which is to make sure the persons who come are honest, hard-working, decent people with skills and capabilities to be successful in America.

So how did all this work out in reality? Not only are the current chain migration numbers maintained—the 140,000 was eliminated, so to speak, but it will be applied during the 8-year period after the bill to provide more green cards, increase the numbers of green cards for family migration, most of which are for chain migration persons who are waiting to get green cards as a result of their applications over a period of time. So if a brother applies to come to the United States with a wife and child, because they have a brother here who is a citizen, they apply and they are put on a list. This is non-skill-based immigration. It is purely based on kinship. Those numbers have been set aside to allow the people who are backlogged to clear, and it is going to take 8 years, they estimate 8 years. As we look at the numbers, it looks as if it could well be longer than that. It looks as if the backlog will not be eliminated in 8 years but could be much more.

So what we will do then I am not able to say because we have not had a chance to read the bill sufficiently from last night. So I just would say we are concerned about that aspect of it. So the first 8 years we can expect, as we calculate it this way—hold your hat—in the first 8 years, there would be family-based green cards—not skill based—lots of them chain migration-based green cards—issued in numbers over 920,000 each year. That is almost a million each year who would come in under that program, unrelated to skill-based immigration that the bill purports to establish.

I will admit, after that 8 years, if the bill is unchanged—and who knows what would happen in that period—there would be a bigger shift to merit-based immigration and well over a million people will enter the country legally—probably closer to 2 million per year under this plan—whereas the current number of legal immigrants each year into America is about 1 million. So it is going to increase quite a bit the number of people entering the country with green cards, but it is not going to shift us to a merit-based system until at least 8 years go by. That is a serious defect, in my mind.

They say: Well, it is implemented for those who qualify. That is right. Out of a million, a million and a half, 2 million—closer to a million and a half to 2 million—who will be coming legally in the next 8 years, only 150,000 of those will enter based on the Canadian point system, merit-based system. That is not much. It is a disappointment to me that the hopes that were held out for a system like Canada's point-based system were not realized. I am disappointed in that.

I will read an example prepared by the Senate Republican Policy committee, which did a nice study on merit-based permanent immigration. It is a look at Canada's point system.

Remember now, there are a number of categories of issues we will deal with. One is a temporary worker program. We are going to have two votes on that, I understand, this afternoon. I intend to support Senator BINGAMAN's amendment, although I have not seen it. But based on what I know about it, it would reduce the number of people who would come in under the temporary worker program from 400,000 to 200,000.

Now, this is all, in my view—I do not want to be too cynical—a little bit of a put-up job. I talked to administration officials earlier in the year, and I asked: Well, how many would be expected to enter under the temporary worker program? They said: Well, about 200,000.

So the bill comes out, and it is 400,000 per year, and you stay for 2 years. There is an escalator clause in it that could take the cap to 600,000. So under the bill that was plopped in last night, you would have 400,000 the first year—and it could be fifteen percent more than that with the escalator clause—plus 400,000-plus the second year. Now, at that point, in the second year of the new program, you have about 900,000 temporary workers here competing for jobs in our economy—at one time, almost a million. That is a big number. That is bigger than I think anybody ever intended.

So we are going to have an amendment this afternoon, and it is going to allow the Senators to impact the agreement, and they are going to bring those numbers down, and we are all going to pat ourselves on the back, I guess, and go back to our working people in our communities and union people and say: See, we knocked that business bill down to a rational number that is much better. Now we may be able to vote for the bill. But I have to tell you, that was the number I was told some months ago was the appropriate number by an official in the Bush administration who certainly is not timid about asking for temporary workers in America.

So I am inclined to support the Bingaman amendment. I do, however, have concerns about the Dorgan amendment because it strikes me that a good temporary worker program is good for America; it just needs to work, it just needs to be effective. I can tell you one good example. A portion of my State and a large portion of Louisiana and Mississippi were devastated by Hurricane Katrina. There is tremendous construction work there. A lot of people moved out of the neighborhoods and no longer live or even work there. So immigrant labor in numbers larger than you would normally expect to be needed were needed and were helpful and remain helpful. So a good system of temporary workers would consider those kinds of things because those workers in New Orleans, right now, are not likely to be putting Americans out of work or even pulling their wages down any noticeable degree.

I think a temporary worker program is good. I am not inclined to vote for the Dorgan amendment, as I understand it at this moment. But we do need to work to examine the temporary worker program that is in this bill because it still has defects.

Now, let's take an example of a would-be seeker of permanent residence as they apply to Canada according to the RPC paper. This is a made-up example of how the system works.

Stella, an individual from Cyprus, desires to reside permanently in Canada. She has a master's degree in computer science. For that, she would get 25 points. She has a job offer from Nortel. That would give her 10 points. She has 3 years of paid work experience in her home country. Canada gives her 19 points for that. She is 23 years old, and because she is younger and Canada prefers younger people—unfortunately, for some of us, she is younger—she gets extra points for being younger, an extra 10 points. She has a moderate to good proficiency in English. She gets 10 points for that. So she has a total of 74 points. She has met the minimum of points required to apply for permanent residency in Canada. But she previously studied in Canada, and that gives her another 7 points. And the fact that her sister resides in Toronto gives her another 5 points—for a total of 86 points. She can apply to be a permanent resident at the Canadian Embassy in Cyprus and would be eligible promptly—immediately. So that is the way the system works in Canada. It is something that I think without doubt should be a part of our immigration reform.

So we are a nation of immigrants. We are at a point in our history in which the influx of immigrants into America is as high as it has ever been. Once, I believe, in our country's history we peaked at this high of an immigration rate, but along came the Depression and World War II and we almost stopped immigration entirely. We went to very low immigration rates. Then we have gone back into a new cycle of very strong immigration.

It looks as if there is not any likelihood that this Nation will stop this current rate and go back to zero. Most of us believe immigration, properly handled, is good for America, but we do have to consider the actual numbers. The numbers cannot be too great, or it takes jobs from Americans and can, in fact, create cultural problems that wouldn't occur if it was a little slower. So we have a situation where we would like to see immigration continue.

Now, if we are going to maintain a very high level of immigration at historic highs for America, it only makes good sense and common sense, it seems to me, that we would look around the world and we would give points like Canada does to the persons who are most likely to be happy and prosperous in our country, who are most likely to not go on welfare, most likely to have good jobs and pay taxes, who will help us balance the budget rather than causing a drain on the budget, and in fact attract people who really desire to be an American and who want to be a part of our society and deeply desire to make a permanent move, and who want to create a new allegiance from their prior country to their new home in the United States. That was the ideal of American immigration, and I certainly think that remains our ideal today. We ought to keep that in mind as we go forward.

Doing the right thing, creating the right number in the right categories with the right skill sets, while at the same time having a legal system that really works, is within our grasp.

Forgive me if I am disappointed that the framework which I thought had so much great potential has not been fleshed out with statutory language that meets the ideals of that framework. My concern is it is so far from the ideals of that framework that it is not a good choice for us at this moment. There will be time for us to fix it on the Senate floor. There will be time for us to pass amendments that could make it better, but it is troubling to me at this point.

I hope our colleagues who are involved in actually writing this bill will not be so hard-headed about their commitment to sticking together on the core principles that they all agreed to and pull out all the stops to make sure they have the votes to not allow any significant amendments. We do need some significant amendments to make this bill appropriate.

Madam President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mrs. MCCASKILL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Madam President, I think there is a previous unanimous consent agreement by which I will be recognized for the purposes of offering an amendment. The Senator from Georgia has asked if he could be recognized in morning business for 10 minutes. I have no objection to that, providing that I be recognized following the presentation by the Senator from Georgia so that I might offer my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Georgia is recognized.

Mr. ISAKSON. Madam President, I thank the distinguished Senator from North Dakota for his graciousness in allowing me 10 minutes.

Two years and five months ago, I made my first speech as a United States Senator on the floor. It was a speech about the issue of immigration, both legal and illegal. A year ago today I made another speech about immigration on the day I offered an amendment

that has become known as the trigger amendment on immigration.

I rise for the third time in 2 years and 5 months to talk about the most significant issue facing the United States of America as far as domestic policy is concerned.

Our borders to the south have been leaking far too long and in too great of numbers. We have had an immigration policy that for the better part of 21 years has been to look the other way as people flowed across our southern border to calibrate on a low basis legal immigration to say we are doing something about it, while millions come into this country. It has to come to an end. It is the reason the controversy is so great over this issue today.

I, first of all, want to thank the Members who have worked with me over the last 6 weeks on the concept of putting a trigger in the underlying bill, to be the trigger upon which immigration reform either takes place or doesn't. There is so much misinformation out there right now about this issue, so I want to spend the remainder of my time talking about what trigger must be pulled in order for immigration to be reformed.

The underlying bill we are debating today says the following: No program granting status to anyone who enters the United States of America illegally may be granted until the Secretary of Homeland Security has certified that all the border security measures in section 1 are completed, funded, and in operation. There is no wiggle room. There is no Presidential waiver. There is no possibility of the Secretary saying: Well, maybe we are OK. This is absolute.

Let me tell my colleagues what those five are. No. 1 is 370 new miles of walls. Many of us got this in the mail last year. When Congress attempted to debate a flawed immigration bill that called for no border security, they mailed bricks because they wanted barriers. This bill calls for 370 miles. It calls for 200 miles of obstacles on those areas where vehicles might come across the border. That 200, plus the 370 miles of walls, is 570 miles.

It calls for four unmanned aerial vehicles, eyes in the sky, 24/7, each with a 150-mile radius. That 600 miles, added to the 570 miles, is 1,170 miles. Then it calls for 70 ground-positioning radar systems with a radius of 12 miles, or 1,680 miles of seamless security. That 1,680 on top of the 1,170 is almost 2,800 miles of seamless security. There are not 2,800 miles on the border. We have redundancy all along the border.

The next trigger is 27,500 detention beds on the border so when somebody is intercepted, they are held until their court date comes up. No more catch and release. Then, importantly as well, 18,000 Border Patrol agents have to be trained and in place and functioning. We have 14,500 right now. That is another 3,500. Those agents, by the way, are trained ostensibly in Georgia at FLETC, the Federal Law Enforcement Training Center. They are trained on border security, on intervention, and on capture. Then, it requires the seamless border security. It requires the ID that is biometric and is secure. It ends the largest growth industry on the southern border, and that is the forged document industry.

When those five triggers are in place and when the Secretary of Homeland Security has certified them, then and only then is the immigration reform in place because we have stopped the bleeding.

There are a lot of people talking about this issue of immigration from a lot of different standpoints, but I know one thing: When you go to the doctor, you don't want him to treat the symptom. You want him to treat the cause. If you are cut, you want him to sew up the cut, not just put a Band-Aid on it. If you hurt and you hurt badly, you want him to x-ray and find out whatever that source is.

We know what the source is in America. The source is we have a 2,000-mile land contiguous border with a country that is less developed than ours and has less opportunity, and the United States of America is a magnet without obstacle for them to get in. We have to stop the source of the problem or we will never be able to reform it for the future.

I come to this debate as a second-generation American. My grandfather came here in 1903 from Sweden. In 1926, he became a naturalized citizen. It took him 23 years to follow what is the only right pathway to citizenship, and that is legal immigration.

I stand before my colleagues today to say the American people want border security. I want border security. If it is the trigger for immigration reform, it ensures that we will never have to repeat the mistakes of 1986 and that America once again will restore confidence in its borders, confidence in its immigration policy, and legitimacy with its people.

I am where I began. There is no wiggle room in this trigger. There is no waiver. There is no looking the other way. If we in Congress don't fund the money, it doesn't work. If the President doesn't do what he is supposed to do, it doesn't work. If the Secretary of Homeland Security doesn't do what he is supposed to do, it does not work.

The American people, for the first time, have an ironclad guarantee that our biggest problem, and that is an insecure border in the south, will be fixed and fixed forever.

I again thank the distinguished Senator from North Dakota for giving me the chance to make this presentation.

Madam President, I yield back the remainder of my time.

AMENDMENT NO. 1153 TO AMENDMENT NO. 1150

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Madam President, I am going to offer an amendment. I believe by a previous unanimous consent agreement, I will be recognized for offering an amendment. I don't know whether my amendment is at the desk.

I believe my amendment is at the desk, and I will offer that amendment on behalf of myself and Senator BOXER, who is a cosponsor of that amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, and Senator BOXER, proposes an amendment numbered 1153 to amendment No. 1150.

Mr. DORGAN. Madam 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:

AMENDMENT NO. 1153

(Purpose: To strike the Y nonimmigrant guestworker program)

Strike subtitle A of title IV.

Mr. DORGAN. Madam President, we will hear ample discussion today—and we heard it yesterday and we will hear it the rest of this week and perhaps another week going into the month of June—about this issue of immigration. It is not an insignificant issue; it is a very significant issue with great policy implications for our country. We will hear that it is a moral imperative that we deal with the issue of immigration.

We have a lot of moral imperatives in this country, and particularly in this Chamber of the Senate. I don't disagree that the issue of immigration is one of them. There are people living among us in this country who have been here 10, 20, 25 years who came across the border decades ago. They found work here, raised a family here. They were model citizens. I understand that we are not going to round up people who have been here for 2½ decades and deport them to say: You have come illegally and therefore you are not entitled to stay. That is a different sensitivity, however, than what is in the underlying bill that says: By the way, if you came here by December 31 of last year, we will deem you to be here legally.

I think there are serious problems with that approach. What about someone overseas who has been waiting to come to this country and they know that we have a legal method of coming to this country. There are quotas for each country, and we allow people to sign up and make application and then over a period of time their name comes to the top of the list and they are able to come to this country under their immigration quota. Some, perhaps, have waited 5 years, some 10 years and are now near the top of the list.

What they discover today is they would not have had to wait 5 or 10 years for a legal mechanism by which to come into this country. They could have come across the border at the end of last December, and by this legislation would have been deemed to be legal, would have been deemed to have been here legally.

I understand this country is a magnet for people from across the globe who would like to come to this country. I was flying via helicopter one day some time ago between Honduras, Nicaragua, and El Salvador. Regrettably, the helicopter I was flying in on ran out of gas. I learned one of the beautiful laws of the air that afternoon. That is, when you are in a flying machine and it runs out of fuel, you will be landing very quickly.

We landed, and we were safe, but, nonetheless, in the mountains and jungles, somewhere—we were not sure where—in an Army helicopter. We were there 4 or 5 hours before other helicopters found us and pulled us out. While there, the campesinos came walking to see who had come down in these helicopters. So I had a chance with some hours to talk to the campesinos, the poor people from around the area.

I recall visiting with one woman, a young woman in her early twenties. She told me she had only three children. She seemed disappointed by that fact. It was explained to me later that because they have no social security system in her country, you have as many children as you can in your childbearing years, hoping that enough of them will survive, and if you are lucky enough to grow old, you will have enough children to provide for your support. That was a form of family social security. Only three children, she said.

I said: What do you aspire for yourself and your children?

Oh, that is easy, she said through an interpreter. To come to America, to come to the United States of America.

I asked why.

She said: The United States of America, that is a country with opportunity and hope for me and my children. Standing there in the clearing near the helicopters, this young woman was telling me what people would tell you in many parts of the world. They would aspire to come to the United States because this is the land of opportunity.

Ask yourself what would happen were this country to have no immigration quotas, no immigration restrictions, no border security of any type, and instead a public policy that said the following: To those of you who live on this planet, let us say we welcome you. Come to America. See the United States. Stay here. Live here. Work here. We welcome you. We welcome any number.

I ask the question: How many people would migrate to the United States and from where? Before you answer, let me explain that this wonderful planet we live on circles the Sun, and on this planet there are, I believe, close to 6.5 billion neighbors, many of them living in very difficult conditions. Half of them have never made a telephone call, one-half of them live on less than $2 a day, and 1.5 billion do not have access to clean, potable water on a daily basis. It is a challenging planet on which we live.

So if the United States of America, this great beacon of hope and opportunity, said to the rest of the world: Times have changed, we no longer have any immigration laws, come here, join us, live here, be a part of the American experience, we would, I venture to say, have tens and tens, perhaps hundreds of millions of people journeying to this great country. Why? Because many live in abject poverty. Many, if they can find work, are working for 10 cents or 20 cents an hour in unsafe plants, in unsafe working conditions, in circumstances where they would be put in prison if they decided to organize the workplace. That is a fact of life in many parts of the world. We would be overrun by those who wish to come to this country.

As a result, what we have done is understand that immigration is good for our country. It refreshes and nurtures a country such as ours. So we have a process by which legal immigration occurs, with quota systems from various countries around the world, and immigrants come to live in this country.

I venture to say that almost every Member of the Senate found their way to this country or found their way at least to this Senate by looking back in the rearview mirror and seeing some unbelievable ancestors—mine were the same—people who came to this country with nothing.

One of my ancestors was a woman named Caroline. She came to this country with her husband. Her husband died of a heart attack, and with six children—think of this, six children and virtually no assets at all—she got on a train and went to the southwest corner of North Dakota and pitched a tent on the prairie to homestead. She, from that tent, built a house, raised a family, and operated a family farm. Think of the strength and courage of that Norwegian woman who decided: I am going to do this.

All of us have that story in our backgrounds. So we understand the value of immigration, the value of immigrants, and we provide for it in a quota system by which we accept people from around the world.

Last year, nearly 1.5 million people came into this country through that system. In addition, there were other people who came in as agricultural workers. In addition to that, there were people who came in illegally. So here we are on the floor of the Senate saying: Now we have about 12 million people who have decided to come to this country, no, not through the process by which we accept immigration on a legal basis but come to this country in other ways—get a visitor's visa, come in, get dropped off by an airplane, never go home, stay here illegally, or they come across the border, walk across the border without a visitor's visa and decide they are going to stay here without legal authorization. So we have, some say, 12 million people who are in that status.

The underlying bill says: Let's decide, as a matter of course, we say to all who came into this country or those who came to this country up until and through December 31 of last year: OK, you are no longer an illegal immigrant. You entered without legal authorization, but as of this day forward, when this legislation passes, you have legal authorization to stay. We will give you an opportunity to work and an opportunity to gain citizenship.

In addition to that, which is the ingredient of a compromise that was created in the last week, this legislation says we wish to add something called guest workers or temporary workers. I will talk at some length about those temporary workers. The issue of temporary workers is an important one because we live in a time in this country where there is downward pressure on income for American families.

This morning, Tuesday, a whole lot of people, millions of people got up this morning to put on clothes and go to work. When they got to work, they discovered, as they do every day these days, that there is no opportunity for upward mobility at their job. In fact, every day their employers are trying to find ways to push down wages, eliminate retirement, and eliminate health care.

What has happened in this country, with what is called the ''new global economy,'' is dramatic downward pressure on income for American workers.

I couldn't help but notice a story recently—I mentioned this on the floor of the Senate a while back—that Circuit City, a corporation most people know about, decided they were going to fire 3,400 of their workers. Those folks got up in the morning, went to work that morning, probably kissed their spouse goodbye and said: Honey, I will see you this evening. I love my job. I do a good job. I have been there 8 years. I know my business. But they found out when they got there that the corporation that has a chief executive officer who makes $10 million a year decided they are going to eliminate 3,400 of these people. We are going to fire them. Why? Because they make $11 an hour, and we want to rehire people at a lower wage. So 3,400 people came home that night and said to their families: I lost my job. No, it wasn't because I did something wrong, it wasn't because I was a bad worker, it wasn't because of performance. My company told me that $11 an hour was too much money, and they want to replace me with someone with less experience and someone to whom they can pay a lower wage.

There is dramatic downward pressure on income all across this country for American workers, and that is especially true for workers at the bottom of the economic ladder.

I don't need to go through all the data, but it is unbelievable when you take a look at what is happening in this country. Those at the very top are getting wealthier, much wealthier, and those at the very bottom are being squeezed with substantially less income.

Incidentally, the bill that has been offered—this document—has been put on all our desks a few minutes ago, or in the last hour or so. This is the immigration bill. I think I can speak with certainty that no Member of the Senate has read this. It just became available. So I assume everyone will have their evening reading going through a bill that size and a bill of such importance.

Earlier, I stated that if we had no immigration quotas and no restrictions, we would have massive numbers of people who live and work in poverty, who in many cases can't find a job at all in other parts of the world, who are experiencing famine and war, pestilence and disease, who would want to find their way to this country.

It is interesting. You can now go to your computer and Google ''Earth.'' If you haven't done that, I encourage people to do that. Google ''Earth,'' and you can, from the air, come down and find out what is happening on Earth—any spot on the Earth. So if you Google ''Earth'' and try to evaluate what is happening on this planet, the United States doesn't look so much different than anyplace else. It is just a piece of property on this planet of ours. But it is a very different piece of property, a very unusual piece of property. It was born and nurtured by those who wrote a Constitution starting with the words ''We the people'' that has created the most affluent country on Earth, with a dramatic expansion of the middle class and opportunity that is universal opportunity—universal education, saying that every child can become whatever their God-given talents allow them to become in this country of ours.

What a great place we have created. But given what is happening on this planet, we have had to at least provide some order and some limitation with respect to immigration into this country because so many would want to come. So we have a legal system of import quotas. That is a system that many have used. They have waited for years to be at the top of the list to come to this country. But it is a system that many have ignored, instead deciding they wanted to get a visiting visa, jump on an airplane, and when it lands, disappear into the populace, never to be seen again, and stay here illegally, or others have come across on foot, across the Rio Grande or from other areas, deciding to remain here without legal authorization.

Border security has become very important. It was something discussed at great length in the year 1986, when the Simpson-Mazzoli bill was passed by the Congress. That was a period of time when we had an immigration crisis. The Simpson-Mazzoli bill was designed to address the immigration crisis. It was going to shut down employment opportunities for illegal immigrants by providing employer sanctions. It was going to provide for border security, employer sanctions, and it was going to shut down this system and, therefore, we were going to solve the immigration problem. Even as that bill was passed, it provided for amnesty for 3 million people at that point who had come here illegally.

Well, we know that since 1986 that didn't work. All the promises that were offered then have been promises that were not kept. So we find ourselves, from 1986 to 2001, with Osama bin Laden, al-Zawahiri, and others associated with al-Qaida deciding to launch an attack on our country and murder a good number of Americans, thousands of Americans, on that fateful day of 9/11/2001. All of a sudden, we have another spurt of interest in border security. Not with respect to specifically the issue of immigration but border security with respect to keeping terrorists out of our country. Because if you don't control your border, if you don't know who is coming in and keep track of them, you have unbelievable security problems for this country.

So we, at various times, have had these spurts of interest with respect to border security. Now we come to the year 2007, and the issue again is a comprehensive immigration bill—but as a portion of it, border security. Of course, border security ought to be, should be, some say will be, but certainly must be the first and foremost important element of any immigration reform. If you can't provide for border security, let us not spend a lot of time thinking about how we are going to keep people out if you can't keep them out. Border security is first and foremost the responsibility of any immigration reform plan—border security that works.

Yes, it is important for terrorism; it is also important with respect to this bill dealing with immigration. If border security is important, and I believe it is the most important issue at this moment, then other issues—if you have solved the border security issue, and I don't believe this piece of legislation has—other issues are also important as well, one of which is the issue I came to talk about, and that is the issue of the guest worker amendment.

The guest worker amendment in this compromise on immigration provides that 400,000 people who are not in this country now, who are living outside of our country, will be able to come in to assume jobs in our country per year—400,000 a year. The bill says there are 12 million people who came here illegally who will be given status to stay here and to work here. That is what the bill says. So it gives us 12 million people who will have legal status. It says to someone who came across December 30, 2006: You are going to be deemed to be here legally, or at least have legal status to stay, and we will give you an opportunity to work. So we have 12 million in that circumstance.

In addition, there is a provision dealing with guest workers. My understanding is that provision comes at the request of the Chamber of Commerce and big business that want an opportunity to continue the flow of cheap labor. That is not the way they would describe it, that is the way I am describing it. This is a country in which we are seeing more and more jobs being outsourced in search of cheap labor overseas, particularly to China, Sri Lanka, Bangladesh, and Indonesia, and the same interests that wanted to move American jobs overseas in search of cheap labor, enjoy the opportunity to bring, through the back door, cheap labor from other countries.

So we have what is called a guest worker or temporary worker provision. Here is how it works. I don't know how one can construct something this Byzantine, but it nonetheless got done. Here is how this system will work. A so-called guest or temporary worker will be able to come in, and 400,000 of them will come in the first year. They are able to stay for 2 years. They are able to bring their family, if they choose. Then they have to go home for 1 year, take their family home with them, and then they are able to come back 2 years later. So they are here 2 years working, then they go home for 1 year; then they can come back for 2 years, then they have to go home for 1 year; then they get to come back for 2 years. That is the case with 400,000 a year.

This grid shows you what it looks like and what it adds up to do. If you talk about the years of employment, you are talking about 18, 19 man-years of employment here with respect to this grid. It is a kind of Byzantine proposition. We say: Come here and work, bring your family and stay here 2 years. Then you all go back and stay where you came from for 1 year. Then everyone is welcome back for 2 more years, but you have to leave again and stay back 1 year and then come back for 2 more years.

I guess there is a provision that if you bring your family one of the first 2 years, which is your choice, then you only get to come back twice for 2 years. I don't know how you concoct something like that. It makes no sense at all. But aside from the merits of deciding that we don't have enough workers in this country so we need to import cheap labor, aside from that, how on Earth would you construct this approach to importing cheap labor?

I wish to make some comments about this suggestion that we don't have enough people in this country to assume jobs and, therefore, we must have a temporary worker or a guest worker program. There are plenty of big businesses, including the U.S. Chamber of Commerce, that take that position: We need to bring in people who aren't here now to assume American jobs. I mentioned earlier we are suggesting that is the case at a time when a whole lot of people at the bottom of the economic ladder in this country are trying to keep up and not doing well at all.

This chart shows from 1979 to 2003—and this is from the Congressional Budget Office—what has happened with

respect to income for the various income groups. Look at what has happened to the top 1 percent. A 129-percent increase in income in nearly a quarter of a century.

Look what has happened to the bottom fifth in a quarter of a century. In a quarter of a century, these folks who are going to work every day, the people you don't see very often, they are the people who pass the coffee to you across the counter or help out at the gas station and do those kinds of jobs, they get a 4-percent increase in 25 years. Unbelievable.

In that circumstance, in an economic circumstance where the people at the top are doing well, where there is substantial inequality of income with greater income going to the people at the top and much less income going to the people at the bottom, we are told we need to bring in additional workers from overseas.

We are told they are to be brought in because, for example, in the area of food preparation jobs, we just can't find enough American workers. There are just not enough people, we are told, in food service.

Let's look at food service jobs: 86 percent of the people working in food service in this country are legal citizens, U.S. citizens, or legal immigrants. We are told these are jobs Americans will not take, so let's bring in some guest workers. Explain this. Explain how it is that, at least in food preparation, 86 percent of the people working in those areas are Americans or people here legally.

If you want to bring in people at the bottom of the economic ladder, low-wage workers, you know what that does to the other 86 percent. It pushes down. It puts downward pressure on income. We don't have to debate about that. That debate is over. That is exactly what that does.

We are told we have other industries like that, such as the construction industry. We can't find enough people in the construction industry. But 88 percent of the people in the construction industry in this country are U.S. citizens or legal immigrants. Once again, we have people who would love to bring in low-wage workers at the bottom to put downward pressure on wages. But it is simply not true that we need low-wage workers to come in, more workers to come in because we cannot find Americans to do this job.

I understand those who support the temporary worker provisions by and large want lower incomes. I am talking about the interests outside of this Chamber. There are plenty of them who want to pay less income. Transportation jobs—93 percent of the workers in transportation are U.S. citizens or legal immigrants. Is someone going to debate this issue, that we cannot find Americans to work in these jobs? Clearly, that is not the case.

I understand there are those who have these jobs who do not want to pay a decent wage for them. There are a whole lot of companies that do not want to pay a decent wage. They want to strip the retirement benefits away, they want to strip health care benefits if they ever gave them in the first place, and then they want to try to depress the income to the extent they can. I understand that. But it is not the right thing.

What is the moral imperative in this country? We have a moral imperative to stand up for all of the people in this country who get up in the morning and go to work and do a good job and hope at the end of the day they get a fair day's pay. Productivity is on the rise in this country. Productivity increases but workers' incomes do not increase. Why? Those who hire them do not have to increase those incomes even as workers become more productive because they have a supply of cheap labor coming in.

Transportation jobs—you can't find Americans to do them? Not true.

Manufacturing jobs—94 percent of manufacturing jobs are jobs that are performed by American citizens or legal immigrants.

I have made the point before that there is no one in this Chamber who has lost their job because of a job being outsourced. But there are so many Americans who understand this. There is a man named Blinder. He used to be the Vice Chairman of the Federal Reserve Board. He is a mainstream economist. With respect to the outsourcing of American jobs to China and other areas of low wages, he says there are 44 million to 52 million jobs that are able to be outsourced or tradable. He says not all of them will leave our country. But, he says, even those that stay will have downward pressure on their income because they will be competing with 1.5 billion people in the rest of the world, many of whom work for pennies an hour.

As American workers confront that issue, we are told we can't find enough workers in manufacturing and we need to bring in temporary workers who do not now live here. That is not true. Most of the workers in manufacturing are U.S. citizens and legal immigrants.

If someone wants more workers, I will tell you where you can get them. Go find the people who used to work for Levis. They don't make Levis in this country anymore. They got fired. Find the people who used to work for Fruit of the Loom underwear. They got fired, too. They must have some opportunity for some manufacturing jobs if you can find them. Find the people who used to work for Huffy bicycle. Their jobs went to China. They got fired. Go find the people who worked for Radio Flyer Little Red Wagon. They got fired. Go find the people who worked for Fig Newton cookies. They got fired. Their jobs went to Mexico.

I could talk at great length about where you might find American workers who lost their jobs because they couldn't compete with 20-cent-an-hour labor in China.

In my State of North Dakota, last week we received some pretty somber news. The Imation Corporation decided they were shutting down their plant in Wahpeton, ND, with 390 workers. After I pried it out of them, I discovered that slightly less than half of those people are going to lose their jobs because the product of their work is going to go to Juarez, Mexico, where you can pay 1/10 the wage. That is what is facing the American worker, that downward pressure on income.

Now we are told in this bill, let's ignore that. What we need is to bring in some more temporary workers to assume jobs Americans will not take. Again, how about paying a decent wage in this country? How about paying a decent wage? You will find plenty of people to take these jobs.

There is a study by Professor George Borjas at the John F. Kennedy School of Government, and he talks about the impact of immigration from 1980 to 2000, 20 years, on U.S. wages by ethnicity of workers. Over the last 20 years, as a result of immigration—that is low-wage workers coming into this country and putting downward pressure on wages—the average wage is down 3.7 percent; for the average Asian, 3.1; average White, 3.5; average Black, 4.5; Hispanic, minus 5 percent in wages. The fact is, it doesn't require a huge study to understand the consequences of that. We all understand that would be the result of bringing in a low-wage workforce. That is not unusual at all.

Let me be clear. None of the discussions we are having now have anything to do with agricultural workers. In addition to the temporary worker program, there is a separate program dealing with agricultural workers. So you have three things: You have legal immigration through import quotas and so on; then you have agricultural workers, well over 1 million of them, I believe 1.5 million in legal immigration; and then you have a temporary worker permit which, if you add up with the chart I have shown you, you are talking about millions of jobs. We are told, no, this doesn't matter much because, frankly, businesses say they just can't find Americans to take these jobs.

I believe that is not the case. I understand what is really at work. What is at work, in my judgment, is the handprints of those who want to bring in additional cheap labor. I do not support it.

The amendment I have offered is an amendment that is simple on its face. It addresses that provision, that title in this immigration bill that deals with temporary workers. I am not talking about the status of the 12 million people. I am talking about the creation of a status for people who are not in this country now, for people who live outside of this country who, as a result of this bill, are going to be told: You come on in to this country. We will give you a temporary worker status.

You can come for 2 years at a time, 3 times, a total of 6 years. I do not understand the urgency of putting a provision like this in this bill.

I am told again, as we are always told, if you offer an amendment that is successful, you will kill this bill because it is a fragile compromise. It is the old argument. It is about the loose thread on a cheap sweater. You pull the thread and the arm falls off. God forbid if you pass an amendment, it is going to destroy this compromise.

In my judgment, part of offering amendments and getting amendments agreed to to improve this legislation should be beneficial even to those who represented a part of this compromise.

I say clearly that I think immigration has, for as long as this country has existed, refreshed and nurtured this country. I support immigration through the legal means of immigration quotas each year. I also support, at this point, strong, assertive border enforcement, border security. Let me describe why we have failed so miserably.

Here is a chart. When you talk about the need for border security and employer sanctions, here is a chart that shows what has happened in the last 6 or 7 years with respect to enforcement. As you see, there is a decline in the worksite enforcement to almost zero. It has gone back up a little bit. I haven't put the last 2 years on there. But you will see enforcement with respect to employer sanctions and worksite enforcement has gone down to almost zero. This administration didn't do anything with respect to worksite enforcement.

Let me describe what has happened with respect to fines that have been levied. In 1986 they passed an immigration bill and said we are going to impose fines if someone would hire illegal workers. Here is what has happened with the fines. It was $3.6 million nationally, across the whole country in 1999. It is down to $118,000 in 2004. That is pathetic enforcement. That is not enforcement, that is just looking the other way.

Yet we come to this floor with an urgent problem with immigration, and the compromisers say: Let's put all these things together to legalize 12 million people, up to those who came across on December 31, and let's decide, as well, we are going to bring additional people in who do not now live here. That doesn't make any sense to me.

One of the moral imperatives, as I indicated, is to stand up for the interests of workers in this country yes, all workers in this country.

Let me conclude. There is so much to say, but let me conclude by telling a story about a piece I saw in the New York Times one day. It was just a small piece. It was a few years ago. It was about a New Yorker who died. I thought it was a curious piece, so I asked a staff person: Can you track down and see what this little news item in the New York Times is? They did.

It was a man named Stanley Newberg who died in New York City. Stanley Newberg, my staff discovered, was a man who came to this country with his parents to flee the persecution of the Jews by the Nazis. Stanley Newberg and his parents landed in this country as new immigrants. Stanley was a little boy, and he followed his dad around the lower east side, apparently, peddling fish. This young boy walked with his dad peddling fish in New York City as a very young man.

As his parents made a living peddling fish, Stanley learned English. Then Stanley went off to school and Stanley became a pretty good student. Then Stanley graduated from school, he went to college, he graduated from college and then got a job in an aluminum company. He worked in this aluminum company, did really well, was a good worker, and he rose up to manage the aluminum company and then eventually he was able to buy the aluminum company.

So here was Stanley Newberg, this young boy who came with his father and mother to this new country and walked in the lower east side of New York peddling fish and now owns an aluminum company in this country. It is a very wonderful American success story.

Then Stanley Newberg died. They opened his will and that became the subject of a very small item in the New York Times. Stanley Newberg's will left $5.7 million to the United States of America. He said ''with deep gratitude for the privilege of living in this great country.''

This little boy who followed his daddy peddling fish, who went to school, became a successful businessman and then died, wanted in his will to remember this country and left $5.7 million to the United States of America ''with deep gratitude for the privilege of living in this great country.''

This country did not become this great country by accident. ''We the people,'' the framework of our Government, a wonderful Constitution, a series of initiatives that created a body of law, initiatives in the private sector, the genius and the entrepreneurship of inventors and investors and business men and women—it is a wonderful place.

But we have obligations. As I indicated earlier, if we had no immigration quotas we would be overrun by millions, tens of millions of people who want to move from where they are on this planet to this spot because this is the land of opportunity.

We have a process of legal immigration. That process needs to work. First and foremost, we need border security. Second, it seems to me, we need to be sensitive to find a way to deal with the status of those who have been here a long while. Third, and most importantly, we ought not decide to bring legislation to the floor of the Senate that says: On behalf of those big interests, big economic interests that want to hire cheap labor through the back door—even as they export good American jobs through the front door—we ought to say this provision needs to be stricken.

My amendment is very simple. On behalf of myself and Senator BOXER, I offer an amendment to say: Strike this provision.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. Tester.) The Senator from Arizona.

Mr. KYL. Mr. President, I wish to speak briefly in opposition to the amendment of the Senator from North Dakota. I certainly concur with several of the comments he made, about the need to secure our borders, about the need to have a workable immigration system, and the need for reform that ensures the rule of law is restored in the United States.

Where I differ with him is in his belief that we can actually achieve these goals if we have no ability for temporary workers to come to the country. His amendment would eliminate the temporary worker program from this bill.

Now, there are several reasons why a temporary worker program, within certain constraints, is a good idea. The first reason is because it will help to relieve the magnet for illegal immigration. This is one of the things President Bush has talked about frequently.

The reason most of the people are crossing our border illegally is to get employment. There are jobs available for them. Some people say this is work Americans will not do. That is actually not true. In all of the different work areas, whether it be construction or landscaping or working in a hotel or motel, whatever it might be, roughly half the people working in those industries are American citizens. But there are not enough American citizens to do all of the work that needs to be done. So naturally the law of supply and demand sets in here. People come across the border illegally, and they take that work. What we want to do is both close the border, secure the border of the United States, but also eliminate the magnet for illegal employment here, because the reality is desperate people will always try to find some way to get into the country.

It would be nice if, instead of having to rely strictly on fences and Border Patrol agents, we also relieved the pressure so American employers would have the workers they need and there would be no opportunity for illegal workers to come into the United States. Another way we have done that, by the way, is to have a very good employee verification system put into this legislation.

But the key here is to, in effect, have a pressure cooker safety valve. When there is too much employment need here to match up with the number of workers, then we let off the pressure by allowing some visas or temporary

workers to come here temporarily. In the bill they either come 10 months out of the year—that is the seasonal workers—and then return home, or they can get a 2-year visa, which enables them to come here and work for 2 years, then go home for a year. They could reapply. They could reapply twice for a total time of 6 years. But in between each 2-year time period working in the United States, they would have to return to their home country for a year, in order to try to prevent the situation in which they put down a stake in the United States and believe after a period of time they are entitled to stay here, thus raising the same kind of problem we have had in the past where a group of people come here and then do not want to go home, and somehow America doesn't have the will to enforce its law, in this case to require them to go home.

That is why the program was set up the way it was. The concept here is if you relieve that pressure for employees, by having an opportunity for people to temporarily come here as the guests of the United States to work here under our conditions and our rules and then go back home, that will both serve our needs and serve their needs. That is the rationale for a temporary worker program.

Now, why wouldn't you want to immigrate all of the people here as legal permanent residents? Well, obviously you are talking about millions of people, as the Senator from North Dakota said, in addition to the quotas we currently have. But, secondly, you need to have some ability to adjust. Let me mention the construction industry in my home State of Arizona as a good example of this.

Two or three years ago we could not find enough workers to build homes in Arizona. The reality is, the Home Builders Association was candid in saying this, that if they had to guess, they would guess about half of the people building homes in Arizona were illegal immigrants. They had the legal papers, but we all know that is a joke. That is why we have to have a workable employee verification system, which we have put into the bill we are now debating. But the law currently is not good in terms of verifying employment documents.

So you have a construction boom that is occurring in Las Vegas, Phoenix, Tucson, and other cities in the Southwest, and we need workers desperately. About 6, 8 months ago, the market began to taper off, and today we are in a situation where we have an excess of workers for the jobs available. The market has not tanked completely, by any means, but there is clearly a downturn in the housing construction industry in Arizona. So we do not need nearly as many workers now. Now that is depressing wages.

The Senator from North Dakota is correct in one respect here with regard to wages. If you have a greater supply of labor than you have jobs available, you will depress wages. That indeed has happened in some sectors of our economy, particularly in some low-skilled areas. But the reason is because you have a glut of workers. The workers who came here illegally find it very difficult to go home. Moreover, they will undercut the wages of American workers or depress those wages. They are here and they are depressing wages. Wouldn't it be better to have a temporary worker program, where everyone is working within the law so when we need the temporary workers to build houses, for example, we issue more of these 2-year visas, but when we don't need them, we stop issuing the visas? When those visas run out, we wait until we need more workers. Then we issue more visas. That is the way the temporary worker program is designed to work.

The alternative some people want—well, there are two alternatives. Either you allow the illegal situation to continue, which nobody wants—that is not a solution—or you adjust all of the quotas Senator DORGAN was talking about and let everyone come in as a permanent worker.

That totally upsets our immigration quotas, for one thing. Secondly, you do not have the flexibility of moving up or down depending upon what the labor requirements or demands are. Again, in housing, if we had let all of these workers come in as green card holders, as legal permanent residents, they are here and there is no ability to send them back where they came from. They have a legal right to be in the United States for the rest of their lives. That is why you do not want to try to deal with temporary, especially low-skilled worker categories, with extra green cards. That is why you have a temporary worker program, in addition to relieving the magnet for illegal employment.

Let me make a couple of other points here. The Senator from North Dakota says even the temporary worker program will depress wages. Well, there are two reasons why that is not true. The first is it is adjusted based on the labor needs. So at least ideally you never have a glut of workers, an oversupply of workers compared to the demand. The market works to set the wages at the proper rate.

If you have green cards, for example, you can easily get a depression in wages, because you never can adjust that downward once the workers are here. Secondly, in order to get a temporary worker under this bill, you have to advertise at a wage which, in effect, is the average wage that is being paid in that area in that industry. Now, you have to do that to be fair to American workers, because otherwise what would happen is you say: Hey, I have got a construction job; it pays $8 an hour. Well, there are not very many Americans who would do heavy construction for $8 an hour, so nobody shows up.

Then the employer goes to the Department of Labor and says: Well, gee, I could not get an American to take the job. Let me have some temporary workers. You cannot do that. If it is a carpenter—I am not sure what the wage is; maybe it is $18 an hour, maybe more. If he says I need 10 carpenters, he has got to say the wage I am paying is $18 an hour. Then if American workers are out of work and want to work for that wage, that is the average wage in that industry in that place, and they can come in and work with the knowledge that they are not receiving a depressed wage.

If you have Americans willing to do the work, then there is no temporary worker. But if there is not an American to come do the work, the temporary worker comes in at the same wage that is paid to everyone else, so there is no wage depression under this temporary worker program. I think that argument is not an argument to eliminate this program.

Finally, the Senator from North Dakota began his argument with something that is absolutely true. He made the point that we cannot allow everybody in the world to come to a better place, to come to the United States. That is absolutely true. We have got a big heart, but we have only got so much room.

As a result, we have an immigration system that tries to establish quotas, and it establishes areas of immigration in which we will allow people to come here: countries from which they can come; some family immigration; some work visas; asylum, and all of the other categories we have. Then we draw a limit. We say that is it, except for certain categories, except for the nuclear family.

A temporary worker program allows us to remain true to that general immigration philosophy we have always had in this country. That is to say, when we need more workers temporarily, we will bring them into the country, but when we no longer need them here, they return home. That way you are not, as the Senator from North Dakota said, opening your doors to all of the people in the world who want to come here. I agree with him; we cannot do that. But when we have a need that is not being satisfied and we have advertised the job for the same wage Americans are earning, and we cannot get an American to do that work, then it is appropriate to say to a foreign national: If you want to come here and work under our conditions, abiding by our rules, we will allow you to do that and, of course, when you are done, you will return home.

That is the essence of the temporary worker program here. It is a good program. I hope my colleagues will appreciate that there are strong reasons for including it in this legislation, as I said, starting with the proposition that it will eliminate the magnet for illegal employment that exists today.

I urge my colleagues to oppose the amendment of the Senator from North Dakota.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, the Comprehensive Immigration Reform Act we are debating right now is a long and complicated bill that touches on a number of important issues. It addresses the concerns I believe all of us have about securing our borders, something I strongly support, and that is long overdue. It addresses the need to hold employers accountable when they knowingly hire illegal immigrants, something which certainly under the Bush administration has not been the case.

This bill addresses the very contentious and difficult issue of how we respond to the reality that there are some 12 million illegal immigrants in this country today, and how we can carve out a path which eventually leads to citizenship, which is something I support.

But today I want to concentrate on one major aspect in this comprehensive bill, and that deals with the Dorgan amendment and the whole issue of guest laborers. That point centers around the state of the economy for working people in the United States and, in my view, my strong view, the negative impact this overall legislation will have for millions of Americans.

Let me begin by pointing to this quote, this quote right here, from Mr. Randel K. Johnson, the vice president of the U.S. Chamber of Commerce, which was reported in the New York Times on May 21, the other day. This is what Mr. Johnson said:

> We do not have enough workers to support a growing economy. We have members who pay good wages but face worker shortages every day.

Mr. President, let me suggest that Mr. Johnson and many of the other big business organizations and multinational corporations that have helped craft this legislation are not being quite accurate when they make statements such as this. The major economic problem facing our country today is not that we do not have enough workers to fill good-paying jobs. Rather, the problem is we do not have enough good-paying, livable wage jobs for the American people, and that situation is getting worse. Over the last 6 years, 5.4 million more Americans have slipped into poverty, with the national minimum wage remaining at a disgraceful $5.15 an hour.

By the way, Mr. Johnson's organization, the U.S. Chamber of Commerce, opposes raising the minimum wage.

With over 5 million more Americans slipping into poverty, where are all those good-paying jobs these workers can't seem to find? Over the last 6 years, nearly 7 million more Americans have lost their health insurance. Where are all those good jobs that provide benefits such as a strong health insurance package? Where are all those good jobs Mr. Johnson talks about when millions of Americans are losing their health insurance completely or are asked to pay substantially more for inferior coverage?

In the last 6 years since President Bush has been in office, some 3 million American workers have lost their pensions. If all of these good jobs are out there, why are more and more Americans slipping into poverty, more and more Americans losing their health insurance, and more and more Americans losing their pensions?

From the year 2000 to 2005, median household income declined by $1,273. For 5 consecutive years, median household income for working age families has gone down. In other words, despite Mr. Johnson's assertion about all of the good-wage, good-paying jobs that are out there waiting for the American worker, the reality is, all over our country people are desperately looking for jobs that pay a livable wage. The real income of the bottom 90 percent of American taxpayers has declined steadily from $27,060 in 1979 to $25,646 in 2005. While women have done somewhat better in recent years, real median weekly earnings for males has actually gone down since 1979. Despite Mr. Johnson's assertion, the economic reality facing our country is that the middle class is shrinking, poverty is increasing, and the gap between the very rich and everybody else is growing wider and wider.

I am assuming most Members of the Senate took economics 101 in college. One of the major tenets of free market economics is the law of supply and demand. Under that basic economic proposition, if an employer is having a difficult time finding a worker—and Mr. Randel Johnson tells us that is the case—then the solution to that problem on the part of the employer is to provide higher wages and better benefits. That is what the free market economy is supposed to be about. That is what supply and demand is all about. If you are having a difficult time attracting workers, you pay them higher wages and better benefits, and they will come. I wonder how it could be that with a supposed scarcity of workers out there, wages and benefits are going down. That doesn't make a lot of sense to me. If Mr. Johnson were right, you would expect that wages would be going up, benefits would be going up. In fact, the opposite is true.

What this legislation is not about is addressing the real needs of American workers. It is not about raising wages or improving benefits. What it is about is bringing into this country over a period of years millions of low-wage temporary workers with the result that wages and benefits in this country, which are already going down, will go down even further.

Let's talk about what really is going on in our economy today. I ask unanimous consent to have printed in the RECORD a document entitled ''May 2005 Occupational Wages and Estimates'' which comes from the State of Vermont Department of Labor. That is the latest such report available.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 2005 VERMONT OCCUPATIONAL WAGE ESTIMATES

| SOC | Occupation title | Reporting units | Employment | Mean |
|---|---|---|---|---|
| 41–2011 | Cashiers | 399 | 9,950 | 8.71 |
| 41–2031 | Retail Salespersons | 537 | 9,910 | 11.88 |
| 25–9041 | Teacher Assistants | 183 | 5,840 | n/a |
| 43–3031 | Bookkeeping, Accounting, and Auditing Clerks | 1,660 | 5,710 | 14.14 |
| 29–1111 | Registered Nurses | 309 | 5,560 | 24.07 |
| 35–3031 | Waiters and Waitresses | 170 | 5,420 | 8.97 |
| 43–6014 | Secretaries, Except Legal, Medical, and Executive | 860 | 4,660 | 12.91 |
| 43–9061 | Office Clerks, General | 889 | 4,190 | 11.17 |
| 25–2021 | Elementary School Teachers, Except Special Education | 117 | 4,040 | n/a |
| 37–2011 | Janitors and Cleaners, Except Maids and Housekeeping | 640 | 4,020 | 10.51 |
| 53–3032 | Truck Drivers, Heavy and Tractor-Trailer | 315 | 4,000 | 15.64 |
| 43–6011 | Executive Secretaries and Administrative Assistants | 938 | 3,840 | 17.28 |
| 47–2031 | Carpenters | 182 | 3,550 | 16.20 |
| 49–9042 | Maintenance and Repair Workers, General | 600 | 3,280 | 15.06 |
| 43–5081 | Stock Clerks and Order Fillers | 333 | 3,240 | 10.19 |
| 43–4051 | Customer Service Representatives | 421 | 3,220 | 13.48 |
| 25–3099 | Teachers and Instructors, All Other | 132 | 3,070 | n/a |
| 31–1012 | Nursing Aides, Orderlies, and Attendants | 96 | 2,890 | 10.47 |
| 35–3021 | Combined Food Preparation and Serving Workers, Inclu | 146 | 2,860 | 8.58 |
| 25–2031 | Secondary School Teachers, Except Special and Vocati | 75 | 2,770 | n/a |
| 21–1093 | Social and Human Service Assistants | 109 | 2,740 | 13.40 |
| 53–7062 | Laborers and Freight, Stock, and Material Movers, Hand | 238 | 2,650 | 10.75 |
| 35–2021 | Food Preparation Workers | 257 | 2,570 | 9.04 |
| 37–2012 | Maids and Housekeeping Cleaners | 160 | 2,530 | 9.68 |
| 13–2011 | Accountants and Auditors | 730 | 2,490 | 26.10 |
| 37–3011 | Landscaping and Groundskeeping Workers | 229 | 2,440 | 11.32 |
| 43–4171 | Receptionists and Information Clerks | 542 | 2,400 | 11.22 |
| 41–1011 | First-Line Supervisors/Managers of Retail Sales Workers | 514 | 2,360 | 19.43 |
| 51–2092 | Team Assemblers | 70 | 2,330 | 12.71 |
| 43–1011 | First-Line Supervisors/Managers of Office and Administr | 743 | 2,230 | 22.36 |

MAY 2005 VERMONT OCCUPATIONAL WAGE ESTIMATES—Continued

| SOC | Occupation title | Reporting units | Employment | Mean |
|---|---|---|---|---|
| 41–4012 | Sales Representatives, Wholesale and Manufacturing, E | 408 | 2,210 | 24.81 |
| 53–3033 | Truck Drivers, Light or Delivery Services | 263 | 2,100 | 12.77 |
| 49–3023 | Automotive Service Technicians and Mechanics | 132 | 2,040 | 14.66 |
| 35–2014 | Cooks, Restaurant | 130 | 1,920 | 11.46 |
| 11–1021 | General and Operations Managers | 950 | 1,830 | 46.22 |
| 39–9011 | Child Care Workers | 79 | 1,810 | 9.97 |
| 35–9021 | Dishwashers | 164 | 1,760 | 8.06 |
| 51–1011 | First-Line Supervisors/Managers of Production and Ope | 464 | 1,650 | 24.46 |
| 35–3022 | Counter Attendants, Cafeteria, Food Concession, and C | 91 | 1,600 | 8.33 |
| 43–5071 | Shipping, Receiving, and Traffic Clerks | 428 | 1,590 | 12.96 |
| 25–2022 | Middle School Teachers, Except Special and Vocational | 88 | 1,580 | n/a |

Notes.—n/a = not available because employment or wage estimate was either not reliable or not calculated; + = indicates the top reportable wage, actual wage is at least this high and probably higher.

Source: Occupational Employment Statistics (OES) survey—released May 2006.

Mr. SANDERS. Let me discuss the 10 largest categories of employment in my State of Vermont and the wages workers earn who do that work. We will talk on some of them, not all 10. The occupation in Vermont with the most employment is that of being a cashier. Those are people who obviously work at retail stores and who take in money, make change. The average wage for this category of worker 2 years ago—these are the latest figures we have seen—was $8.71 an hour. Many of those workers have inadequate or no health care at all. That is $8.71 for that category of work in which more Vermonters perform than any other. Are these the good wages to which the Chamber of Commerce is referring?

In that same survey, the second largest job category in Vermont is that of retail salespersons. That mean hourly wage was, as of 2 years ago, $11.88 an hour. That is better than cashiers earn but less than $26,000 a year.

On and on it goes: bookkeepers in Vermont, $14.14 an hour; waiters and waitresses, $8.97; secretaries, $12.91; office clerks, $11.17 an hour; janitors and cleaners, $10.51 an hour.

I ask unanimous consent to print in the RECORD a list of jobs available today in northern Vermont and in the Littleton, NH, area as posted by the Vermont Department of Labor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Vermontjoblink.com, May 22, 2007]

1. Flagger
City: Newport, VT
Order Number: 47463
Basic Job Information: $10.00–$10.00, Full-time
Required Education: No Educational Requirement
Required Experience: No Experience Requirement
Flaggers are needed to work throughout the state. Employer will train and certify—no experience is nec., however ALL applicants must have valid VT Driver's License, their own, reliable transportation, and a telephone in their home. Work hours will not be flexible—40+ per week. Applicants must also be 18 years old. Please have company application completed before coming to course—DOL to hold. Those planning on attending course (to be held on May 29th from 9 am to noon CCV-Newport) must . . .

2. Dispatcher/Scheduler
City: St. Johnsbury, VT
Order Number: 47466
Basic Job Information: $11.00–$11.00, Full-time
Required Education: High School Diploma or Equivalent
Required Experience: 1 Year 0 Months
The Dispatcher/Scheduler reports to the Executive Director. Primary responsibilities include carrying out all procedures in dispatch, verifying client eligibility for Medicaid and/or other program subsidy. Verifying and changing appointments, questioning necessity or nature of treatment to the closest available facility. Schedules the passenger with a driver, notifying driver of specific information regarding trip/passenger. Schedules all rides with taxi companies at clients requests for . . .

3. Web Designer
City: Saint Johnsbury, VT
Order Number: 47470
Basic Job Information: $12.00–$25.00, Full-time or Part-time
Required Education: Associates Degree
Required Experience: 2 Years 0 Months
Web Technician Responsibilities include, Basic Web HTML maintenance, creating and sending weekly newsletters to e-mail data base, Creative internet marketing, and understanding and set up of merchant account cart options.

4. Home Care Attendant
City: St Johnsbury, VT
Order Number: 45721
Basic Job Information: $7.53–$7.53, Part-time
Required Education: High School Diploma or Equivalent
Required Experience: 0 Years 3 Months
Home Care Attendant opening offering flexible schedule, weekdays and every other weekend required. Duties include providing household management assistance and minimal personal care to clients in their homes. May include light meal preparation, doing errands, cleaning, laundry and some socialization skills. If you enjoy helping others, working independently and having flexible hours you should apply. There is a shift differential for weekends/evenings. Training and orientation are provided . . .

5. Operations Manager
City: Lydonville, VT
Order Number: 46723
Basic Job Information: $40,000.00–$50,000.00, Full-time
Required Education: High School Diploma or Equivalent
Required Experience: 3 Years 0 Months
Earth Tech operates the Lyndon Wastewater Treatment Facility on behalf of the local community under an operation and maintenance contract. The Operations Manager will oversee the daily operations and maintenance of a .750 mgd extended aeration activated sludge secondary treatment plant with 3 employees. The plant has an ATAD system, Air Scrubber, and a Land Application program. Responsibilities include monthly reporting to the ANR, the client and Earth Tech. This position is responsible for . . .

6. Residential Crisis Counselors
City: Newport, VT
Order Number: 47441
Basic Job Information: $0.00–$0.00, Full-time or Part-time
Required Education: High School Diploma or Equivalent
Required Experience: 0 Years 6 Months
Dynamic new crisis program is looking for mature, responsible, empathic counselors to work with adults with complex issues who need brief crisis intervention. Counselors will work with a team of clinical professionals providing supervision, peer recovery support, crisis intervention and discharge planning. All shifts and weekend coverage available. (This is shift work and not live-in employment). Will provide training. Full time & part time positions available.

7. Assistant Director. Adult Outpatient Services
City: Newport, VT
Order Number: 47442
Basic Job Information: $0.00–$0.00, Full-time
Required Education: Masters Degree
Required Experience: 4 Years 0 Months
Administers, coordinates and manages programs and services for Adult Outpatient Services, Mental Health & Substance Abuse, for St. Johnsbury area. This includes clinical and administrative supervision, budgetary controls, initiation and review of policies and procedures, and participation in quality control, assurance and improvement. Takes an active role in the development and implementation of new programs and services. May be assigned to act as the division director.

8. Store Clerk
City: W Danville, VT
Order Number: 47452
Basic Job Information: $8.00–$8.00, Part-time
Required Education: No Educational Requirement
Required Experience: 1 Year 0 Months
Job is fast paced therefore you must be able to multi-task. Lifting, stacking, cooking and cleaning involved. Must be customer service oriented and be able to run a cash register. Waitstaff experience a plus. Employer is looking for a self motivated, independent, reliable person. This job has potential of moving into a management position. Serious applicants only please.

9. CNC Mill or Lathe Setup Operator
City: Bradford, VT
Order Number: 46876
Basic Job Information: $11.00–$16.00, Full-time
Required Education: High School Diploma or Equivalent
Required Experience: 3 Years 0 Months
3–5 years experience on CNC equipment. Experience editing programs and/or programming would be a plus. Learning to program could be included in this position. Candidates need good math skills and attention to detail. Knowledge of geometry and trigonometry highly desirable. Full time position 6:30–3PM Monday-Friday with some flexibility of schedule possible.

10. Teacher
City: Lyndonville, VT
Order Number: 47415
Basic Job Information: $1,000.00–$1,000.00, Full-time
Required Education: Bachelors Degree
Required Experience: 0 Years 6 Months
This is a teaching position for an alternative high school for 9th through 12th grades with teaching experience in Math and Social Studies. This position would most likely involve troubled youths. This is a salaried position for the academic school year of 2007–2008. There is also a possible one-on-one paraeducator position opening with experience relevant to the above. This one would be an hourly position. Applicants must pass a criminal background check.

11. Real Estate Title Abstractor/Searcher (Legal Secretary)
City: St Johnsbury, VT
Order Number: 47423
Basic Job Information: $10.00–$13.00, Full-time or Part-time
Required Education: Associates Degree
Required Experience: 0 Years 6 Months
Full or part time Real Estate Abstractor/Searcher (Legal Secretary) needed. Qualified applicants will have excellent computer and communication skills as well as good writing, grammar and compositions skills, willing to learn, dependable with valid drivers license and reliable vehicle. Employer prefers someone with an Associates Degree and 3–5 years office experience. Job duties will include travelling to Orleans, Essex and Caledonia counties to search for land records.

Construction Laborer/Bridge Carpenters
City: Concord, VT
Order Number: 47409
Basic Job Information: $11.00–$11.00, Full-time
Required Education: High School Diploma or Equivalent
Required Experience: 0 Years 6 Months
Local construction company is seeking construction laborers and bridge carpenters to work in various sites throughout Vermont and Northern New Hampshire. Current jobs are located in Bradford, VT and West Lebanon, NH. Applicants must have a valid drivers license and employer would prefer someone with some construction experience. Job includes heavy physical work and occasionally work on Saturdays.

13. Loan Admin Support Staff
City: Littleton, NH
Order Number: 47359
Basic Job Information: $0.00–$0.00, Full-time or Part-time
Required Education: High School Diploma or Equivalent
Required Experience: No Experience Required
The successful candidate will perform a variety of clerical and administrative functions working within the Loan Administration department. Responsibilities include maintaining and updating loan files and insurance files, order supplies, reconcile loan checks, completing all loan files, and assisting the administration personnel when needed. This position is full time and comes with Career Opportunities and excellent benefit package.

14. Receptionist/Switchboard Operator
City: Littleton, NH
Order Number: 47360
Basic Job Information: $8.00–$10.00, Full-time or Part-time
Required Education: No Educational Requirement
Required Experience: No Experience Required
The successful candidate will greet and direct visitors in professional manner, sorts and distributes incoming mail, keeps current information up to date on locations, absences, travel plans, and is responsible for all incoming calls. The right candidate must have excellent communications and computer skills. This position has career opportunities, and comes with an excellent benefit package.

15. Director of Operations
City: Littleton, NH
Order Number: 47362
Basic Job Information: $0.00–$0.00, Full-time or Part-time
Required Education: Some College
Required Experience: 5 Years 0 Months
The right candidate will have direct leadership to ensure high quality patient care, fiscal responsibility, and employee satisfaction. Responsibility includes the overall business management. In addition to strong technical skills, you should be comfortable working in a team environment and fostering cross-functional teamwork. The individual in this role needs to have business savvy and be able to take initiative to identify/communicate/resolve discrepancies and drive process improvements.

16. Soldering
City: Littleton, NH
Order Number: 47363
Basic Job Information: $8.00–$12.00, Full-time or Part-time
Required Education: High School Diploma or Equivalent
Required Experience: 1 Year 0 Months
Previous experience in manufacturing as a machine operator is a plus.
Candidate will be responsible for soldering cables, working with hand tools, hand held machines, as well as assembling. On the job training is available.

17. Shipping / Order Processor
City: Littleton, NH
Order Number: 47365
Basic Job Information: $11.00–$11.00, Full-time or Part-time
Required Education: High School Diploma or Equivalent
Required Experience: 1 Year 0 Months
Excellent opportunity to work for a small business with worldwide clientelle. This position entails the following responsibilities: prepare product for shipping using various shipping methods, ability to lift 30 lbs on a frequent basis, all aspects of order processing including, but not limited to the following: quote/bid prices, customer service, invoicing, purchase orders to suppliers, and all accompanying paperwork. Experience in a manufacturing environment and a resume is required. Thi. . .

18. Machine Operator
City: Littleton, NH
Order Number: 47212
Basic Job Information: $8.00–$10.00, Full-time or Part-time
Required Education: High School Diploma or Equivalent
Required Experience: No Experience Required
Previous experience in a manufacturing environment as a machine operator is a plus.

19. Payroll Administrative Assistant
City: Littleton, NH
Order Number: 47215
Basic Job Information: $10.00–$14.00, Full-time or Part-time
Required Education: High School Diploma or Equivalent
Required Experience: 2 Years 0 Months
This position is full time and is responsible for payroll, payroll taxes, general ledger, inventory, excellent follow through and communications skills.

20. Sales and Marketing Analyst
City: Littleton, NH
Order Number: 47217
Basic Job Information: $8.00–$12.00, Full-time or Part-time
Required Education: High School Diploma or Equivalent
Required Experience: 2 Years 0 Months
This position requires a candidate who is detail oriented, multitasking, and can work in a fast pace environment. Excellent benefits come with this opportunity.

Mr. SANDERS. These are the jobs which are available today. If any Member of the Senate wanted to retire today and they wanted to run up to northern Vermont or to the Littleton, NH, area, these are the jobs which are available today, posted by the Vermont Department of Labor: If you wanted to be a flagger, you can make $10 an hour; if you want to be a dispatcher, $11 an hour; home care attendants, thousands of home care attendants taking care of the elderly and the frail make all of $7.53; store clerk, $8 an hour; construction laborer, $11 an hour; receptionist, $8 to $10 an hour; shipping, $11 an hour; machine operator, $8 to $10 an hour. On and on it goes. Those are the jobs available today in northern Vermont, what we call the Northeast Kingdom, and the Littleton, NH, area.

Over the years in Vermont and throughout this country, people have been trying to understand a very important concept: How much money does an individual and a family need in order to survive economically with dignity? That means having an adequate home, having a car that works, paying your electric bill on time, having some health insurance, having childcare for a child if that is what you need. That whole concept is called a livable wage—the means by which an American citizen can live in dignity.

For a single person living alone in the State of Vermont, that wage is $14.26 an hour. That is substantially more than the wage being paid in Vermont for a cashier, which is what more people do than anything else. If you are a single parent with one child, that livable wage is $21.40 an hour; single parent with two children, $20.59 an hour; two parents, two children, and one wage-earner, $24.89.

What is my point? My point is a simple one: Despite the Chamber of Commerce assertion that there are all these great-paying jobs out there and the major problem facing our economy is that we just can't find the workers to do them, I can tell you, in the Vermont-New Hampshire area, there are thousands and thousands of decent, hard-working people making 10 bucks an hour, 11 bucks an hour, 12 bucks an hour, less than that, and many of those workers have no health insurance. Many of those workers are having a hard time making ends meet.

Here is my concern about this legislation. At a time when millions of Americans are working longer hours for low wages and have seen real cuts in their wages and benefits, this legislation would, over a period of years, bring millions of low-wage workers from other countries into the United States. If wages are already this low in

Vermont and throughout the country, what happens when more and more people are forced to compete for these jobs? Sadly, in our country today—and this is a real tragedy—over 25 percent of our children drop out of high school. In some minority neighborhoods, that number is even higher. What kind of jobs will be available for those young people?

This is not legislation designed to create jobs, raise wages, and strengthen our economy. Quite the contrary. This immigration bill is legislation which will lower wages and is designed to increase corporate profits. That is wrong, and that is not an approach we should accept.

Today, corporate leaders are telling us why they want more and more foreign workers to come into this country to compete with American workers. I find it interesting that just a few years ago, during the debate over our trade policy, this is what these same people had to say. Let me quote. According to an Associated Press article of July 1, 2004, Thomas Donohue, president and CEO of the U.S. Chamber of Commerce, was quoted as saying that he ''urged American companies to send jobs overseas'' and that ''Americans affected by off shoring should stop whining.'' Then he told the Commonwealth Club of California that ''one job sent overseas, if it happens to be my job, is one too many. But the benefits of [outsourcing] jobs outweigh the cost.'' That was from an AP story, July 1, 2004.

Carly Fiorina, former CEO of Hewlett-Packard, said in January of 2004: ''There's no job that is America's Godgiven right anymore,'' as her company Hewlett-Packard has shipped over 5,000 jobs to India, outsourced almost all of their notebook PC designs, production, and logistics to Taiwan, and manufactures much of their product in China. Ms. Fiorina may have had a point. A few years ago, she lost her job as CEO due to poor performance. But unlike the thousands of jobs she was responsible for shipping overseas, Ms. Fiorina walked away with a $21 million golden parachute.

I should add that Hewlett-Packard, among many other corporate leaders in outsourcing, just coincidentally happens to be one of those corporations most active in the immigration debate. In other words, if these large corporations are not shutting down plants in the United States, throwing American workers out on the streets, moving to China, where they pay people 50 cents an hour, what they are doing is developing and pushing legislation which displaces American workers and lowers wages in this country by bringing low-wage workers from abroad into America.

Mr. DORGAN. Mr. President, I wonder if the Senator from Vermont will yield for a question.

Mr. SANDERS. Mr. President, I yield.

Mr. DORGAN. Mr. President, on that point, I was thinking of something our colleague from Arizona said a few minutes ago. He talked about the fact they are going to provide substantial border security, No. 1. Then later he said the reason we have to allow guest or temporary workers—400,000 of them—to come into this country is if we do not let them come in, there will be more tension for illegal immigration. Well, where is the illegal immigration going to come from if you have secured the border? If you have not secured the border, isn't it the case that what you have simply done is said we are going to have 400,000 people come across the border or come into this country and assume jobs? Do you know what we will do? Let's just call them legal. Isn't there an inherit contradiction in what we just heard—and we will hear again, I am sure—the proposition that we have to have temporary workers because if we do not, people will come in illegally? How will they come in illegally if you have secured the border? And shouldn't you first secure the border in a way that is credible?

Mr. SANDERS. Mr. President, I agree with my friend from North Dakota. But he will remember something else. Doesn't this argument about passing legislation that will stop illegal immigration ring a bell in terms of the debate we had over NAFTA? Does my friend from North Dakota remember that one of the reasons we had to pass NAFTA was to improve the economy in Mexico so workers there would not be coming into this country?

It sounds to me as if it is the same old tired argument. It certainly has not worked with regard to NAFTA. Since NAFTA has passed, among many other things, there has been a huge increase in illegal immigration. The point the Senator makes is quite right.

Mr. DORGAN. Mr. President, if the Senator will yield further, this is another piece of evidence that in this kind of discussion in the Congress, you never have to be right; all you have to have is a new idea—and you just keep coming up with new ideas that are wrong.

The Senator is perfectly correct with respect to NAFTA. In fact, the same economists who were giving all this advice about NAFTA, who were fundamentally wrong, are now giving us advice on this issue and telling us how they are going to create new jobs and all of these related issues.

The fact is, at its roots, isn't it the case that what this kind of temporary worker provision does is put downward pressure on the income for American workers and bring in low-wage workers to assume American jobs? Isn't that the case?

Mr. SANDERS. Mr. President, that is exactly right.

I know the Senator from North Dakota has been very strong on this issue. We are looking at two sides of the same coin, with the result that the middle class gets squeezed and workers are forced to work for lower wages. That is, on one hand, a trade policy which corporate America pushed through the House and the Senate that says we can shut down plants in America, run to China, pay people there pennies an hour, and bring those products back into America. They have laid off millions of American workers. On the other side of the economy, we still have service jobs in this country, some of which may pay a living wage. Many of them do not. American corporations and companies say: We need to be able to make more profits, so if we cannot shut down restaurants and McDonald's in America and take them to China, well then, I guess what we have to do is bring those workers back into the United States. But as the Senator from North Dakota just indicated, the end result is the same: more and more workers experiencing cuts in their wages, poverty in America increasing, and the middle class shrinking.

Let's not forget—I think a lot of people do not know this, and the media does not necessarily make this point—behind a lot of this immigration legislation stands the largest corporations in America, one of them being Microsoft, having played a very active role in this debate. Here is what the vice president of Microsoft said, as quoted in BusinessWeek in 2003:

> It's definitely a cultural change to use foreign workers, but if I can save a dollar, hallelujah.

Four years ago, Brian Valentine, Microsoft's senior vice president, urged his managers to ''pick something to move offshore today.''

The CEO of Microsoft has said—this is Steve Ballmer; this is relevant to this debate—''Lower the pay of U.S. professionals to $50,000 and it won't make sense for employers to put up with the hassle of doing business in developing countries.

Lower the pay of professionals in America.

What I find interesting about corporate America's support for this type of legislation is their arguments now distinctly contradict the arguments they made when they told us how good outsourcing is for this country and how good our trade policies such as NAFTA and permanent normal trade relations with China would be. What hypocrisy. One day they shut down plants with high-skilled, well-paid American workers and move to China. That is one day. On the next day, after having shut down a plant with highly skilled workers, they have the nerve to come to the Congress and tell us they cannot find skilled workers to do the jobs they have. Give me a break.

I think we all know what is going on here. Greed rather than love of country has become the driving force behind corporate decisions. While corporate profits are at their highest share of gross domestic product since 1960—up more than 90 percent since President Bush took office—median earnings are at their lowest share since 1947. In other words, as a result of all of these policies, people on top—corporate

America—are doing very well. The middle class is struggling. While millions of workers are working longer hours for lower wages, the CEOs of major corporations are now earning 400 times what their employees make.

Today, in America, the top 300,000 Americans earn nearly as much income as the bottom 150 million Americans combined. Today, in America, the richest 1 percent own more wealth than the bottom 90 percent, and we now have the most uneven distribution of wealth and income of any major nation on Earth. That is the reality, and these immigration policies, these trade policies, are directly causing this disparity of wealth and income.

We hear over and over again from large multinational corporations that there are jobs Americans just will not do and that we need foreign workers to fill those jobs. Well, that is really not quite accurate. If you pay an American or any person good wages and good benefits, they will do the work.

In June 2005, Toyota, in San Antonio, TX, announced the opening of a plant. That plant received, in a 2-week period, 63,000 applications for 2,000 jobs. That story has been repeated all over this country. If you are going to pay decent wages, they will come and they will do the work. Yes, it will be difficult to attract an American worker to work in, say, a meatpacking house if the pay is 24 percent lower today than it was in 1983—24 percent lower. But guess what. In 1980, when the wages of meatpacking workers were 17 percent higher than the average manufacturing sector wage—because they had a strong union—American workers were prepared to do that difficult and dirty job. They did it because they were paid well. They had a union. They had dignity.

I have talked about the crisis in terms of low-wage jobs. Now let me say a few words about the problems facing our country in terms of higher wage jobs.

While our corporate friends bemoan the lack of skilled professionals and want to bring hundreds of thousands of more employees into this country with a bachelor's degree, an M.A., or a Ph.D., earnings—while this process goes on—of college graduates were 5 percent lower in 2004 than they were in 2000, according to White House economists. In other words, for college graduates, their earnings are also in decline. But what this legislation does is expand the opportunity for people with M.A.s and Ph.D.s and B.A.s and B.S.s to come into this country. When it comes to the H–1B visa, our corporate friends tell us Americans cannot do it. We cannot do that work. We are either too dumb or just not willing to do the following jobs.

Let me for a moment mention some of the eligible occupations for H–1B visas that Americans are, apparently, too dumb to be able to do: information technology/computer professionals, university professors, engineers, health care workers, accountants, financial analysts, management consultants, lawyers—my God, if there is one thing in this country, one area where we have too many, it is lawyers; I am not sure there is a pressing need to bring more lawyers into this country—architects, nurses, physicians, surgeons, dentists, scientists, journalists and editors, foreign law advisers, psychologists, technical publication writers, market research analysts, fashion models—fashion models—and teachers in elementary or secondary schools. I just did not know we were incapable of providing teachers in our elementary or secondary schools.

Having said that, I do recognize we do have a serious problem in terms of labor shortages in some areas. That is true. But, in my view, our major strategy must be to educate our own students in these areas so they can benefit from these good-paying jobs. These are the jobs which are paying people good wages. Rather than bringing people from all over the world to fill them, I would rather our kids and grandchildren were able to do these kinds of jobs.

Let me give you one example. Right now, it is absolutely true that we have a major shortage of nurses in this country. That is true. But at the same time as we have a major shortage of nurses, some 50,000 Americans last year applied to nursing schools, and they could not get into those schools because we do not have the faculty to educate Americans to become nurses. How absurd is that? So it seems to me, before we deplete the Philippines and other countries of their stock of nurses—doing very serious harm to their health care systems—maybe, just maybe we might want to provide educators in this country for our nurses. The same thing is true of dentists. It is a very serious problem with regard to shortages of dentists. Yet in dental schools all over this country we lack faculty to educate people to become dentists. While there is a dispute as to whether we do have a shortage in information technology jobs, there is no doubt we should make sure that enough Americans—far more Americans—are better educated in math and computer science than we are currently doing.

The bottom line is we need to take a very hard look at our educational system and, among other things, make college education affordable to every American while we increase our focus on math and science. How absurd it is that hundreds of thousands of low-income kids no longer are able to go to college because they cannot afford it, and then we say: Well, we don't have the professionals we need in this country; we have to bring them in from abroad. So the long-term solution is making sure college is affordable and improving our public schools so our people can fill these jobs.

As this debate on this bill continues, I am going to do everything I can to make sure any immigration reform legislation passed by this body has the result of lifting wages up and expanding the middle class, rather than doing the contrary.

Mr. President, thank you very much.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I want to cooperate with my friend from California. I have been here for the debate with the Senator from North Dakota, and I want to respond.

If the Senator needs 5 or 8 or 10 minutes——

Mrs. BOXER. Ten minutes.

Mr. KENNEDY. Then I will be glad to withhold and speak after that time.

Mrs. BOXER. I thank the Senator so much.

Mr. KENNEDY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, can the Chair tell me when I have gone about 9 minutes, and then I will wrap up.

Mr. KENNEDY. Madam President, if the Senator will permit me, I ask to be recognized at the conclusion of the remarks of the Senator from California.

Mrs. BOXER. Madam President, would the Chair inform me when I have 1 minute left of my 10 minutes so I can wrap up at that time?

The PRESIDING OFFICER (Mrs. MCCASKILL). She will.

Mrs. BOXER. Thank you very much.

Madam President, I come to the floor this afternoon—I wanted to be here for this entire debate, but I have been chairing a hearing over in the Environment and Public Works Committee, where our attorney general, Jerry Brown, is here to make a very strong and persuasive case for our State and 11 other States to begin to take on the issue of global warming in terms of emissions of movable sources, mobile sources—cars. I came over as soon as I could.

I am so grateful to Senator DORGAN for once again showing the leadership to offer us an amendment that I think has tremendous merit and that is to strip from the immigration bill this guest worker program. I wish to make it clear that this guest worker program has nothing to do with the agricultural jobs program that is in this bill that I support, a bill that has been vetted at hearings. We know there is a need. There seems to be very little, if any, disagreement on that portion of the bill.

But this is a generalized guest worker program. I did hear the comments of Senator SANDERS. I wish to associate myself with his remarks. Senator SANDERS makes a brilliant point. How many times have we seen workers huddled in a corner with tears in their eyes because they received a notice that they have been laid off—not by the tens, not by the twenties, not by

the hundreds but sometimes by the thousands. Big employers in this country seemingly with nowhere to turn tell us: Oh, my goodness, we have to compete, we have to pare down our employment, and they lay people off. Those same employers are now begging for a guest worker program. Why? You have to ask yourself why? I do have a degree in economics, but I would say that was a long time ago. You don't need a degree in economics to understand what is at stake. These large employers want a large, cheap labor pool that they can draw from. My colleagues on the other side say: Oh, we are protecting those workers. Oh, they will be fine.

No, they will not be fine. How many workers do you know ever in the history of America who have to leave after 2 years and wait a year to come back to a program, leave after the next 2 years, come back, and by the way, how powerless are these workers, these temporary guest workers? They know if they say one thing to criticize, perhaps, a manager or to complain or to beg for a sick day because they have a sick child at home, when they know they have no power, everything rides on their being able to come back into the country because the employer says they can come back in. We are setting up a system of exploitation. We are setting up a system with this generalized guest worker program, a system that will put downward pressure on the American worker. We are already worried about what is happening with trade.

Many of us have been saying for years: Where are the workers' rights in these trade agreements? Where are the environmental standards? Now they claim they are coming in with these agreements. I will believe it when I read the fine print. But the point is we are already in trouble, our workers are, competing with workers from around the world. Now we are bringing them in here, 400,000 a year, every single year, millions of workers.

Now, I know my dear friends who put this together tried their best to bring us a fair bill, but this is not fair. I know my friends who worked so hard to put this together said: Well, we have to give up something to get something. I know that, believe me. I just brought my first bill to the floor as a chairman. It was tough, very tough. I understand that. But there is a point at which you have to say: Time out; let's look at this. This isn't good. I say we make this bill so much better if we can strip out this generalized guest worker program. I think Senator SANDERS has shown us, by way of his research, that this whole thing is a phony request that we need these workers, when we already know that big business is laying off our workers.

I think we have to look at what we are about to do. The underlying bill takes 12 million undocumented immigrants, most of whom are in the workforce already, and they put them on a path to legality. I support that. If they have worked hard and if they have played by the rules and if they are good people, I support that. It is not amnesty. I have seen what this bill does. They have to pay heavy-duty fines. They have to get in the back of the line. That is fine. But on top of the 12 million workers, we then have our regular program of green cards. Madam President, 1.1 million receive green cards; 1.5 million in 2005 were given temporary worker admission. So here we have a circumstance where we are legalizing 12 million people, most of whom are workers; we have another 3 million who come in every year, plus we have our regular immigration system, and now we are adding on top of that 400,000 workers a year.

Now, according to the Economic Policy Institute, nearly 30 million Americans make an average wage of $7 an hour. The plight of these working poor is not getting better. In fact, real wages for the bottom 20 percent of American workers have declined from 2003 to 2005. Let me repeat that. Real wages between 2003 and 2005 have declined. People cannot live on $7 an hour, to be honest with you. I was going through my son's old pay stubs when he worked his way through college in the 1980s. He worked as a clerk at a grocery store. He made $7 an hour in the 1980s; $11 on the weekend. A good job. That is what a lot of the workers still make. That is not right, to stagnate like that. It is not right.

Now, you add to the fact that our workers are losing ground; you say 400,000 guest workers. By the way, if we did this industry by industry, it might make a little more sense, but oh, no. These workers can come in and go anywhere. They can go anywhere. So it is a pool of cheap labor at the expense of the American workers. It is as simple as that. I don't think it takes an economics degree to understand it. Our colleagues say: Well, these are jobs that American workers would not take. Baloney. We heard the jobs. A lot of them are good jobs.

We are going to work on this. We may not make this amendment. I hope we win it. I think everyone who cares about American workers today should vote for the Dorgan-Boxer amendment and strip this guest worker program from the bill—leaving the AgJOBS in place, of course—but strip this from the bill. Get rid of this terrible program. If that doesn't work, there will be amendments to cut it in half and maybe more. Let's do that. I will have amendments to make sure there are some checks on this program, that if more than 15 or 16 percent of the workers don't obey the rules and stay here, even though they are supposed to go back, the program will be finished, over, done.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mrs. BOXER. So there will be a series of amendments on this guest worker program.

I also will have an amendment that has the Department of Labor certifying that this guest worker program is good for America. It is good for the American worker. If they cannot so find, they will tell us, and we will have to reauthorize this program every single year. This is written in a way that no matter what the unemployment rate, no matter what is happening on the ground to our workers, 400,000 guest workers come in. Imagine that. Imagine that. Imagine a time in America where we could be up to 8 percent, 9 percent, 10 percent unemployment. I have lived through those days, and I know the Senator from North Dakota has as well. But there is no automatic change in this program. We will still have 400,000 workers a year coming in. We have to put a check and balance on that program.

So I want to be able to vote for an immigration bill that is fair and just. This program is unfair. It is unjust. It will place downward pressure on the American worker who is struggling as we speak.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Madam President, I am going to address the Senate on a different but very important issue and ask that these remarks be placed in the appropriate place in the RECORD and then address the amendment that is before us.

I see my good friend from Florida wishes to address the amendment, and we have notified our leaders that we are hopeful we will be able to get a vote in the not-too-distant future, for the benefit of Members. I wanted to speak now briefly, if that is all right.

The Senator from Florida has been waiting a good deal of time, so if he would like to take 10 minutes and speak, I plan to be around here anyway, so if he would like to do that, I will be more than happy to do that.

Mr. MARTINEZ. That would be fine.

Mr. KENNEDY. I ask unanimous consent to be recognized after the Senator from Florida speaks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Florida is recognized for 10 minutes.

Mr. MARTINEZ. Madam President, I wanted to speak on the subject of the Dorgan amendment and maybe try to set the record straight on some things.

It is obvious that there is a different point of view on the relative merits of this amendment and also on the situation our country faces today relative to labor. I come from a State where the unemployment rate is barely above 2.5 percent and where, frankly, there is a shortage of workers to do any number of jobs, from picking citrus to working in our hotels and many other tourist attractions. That is a fact of life. When you talk to the hospital administrators of our hospitals, they will tell us without a doubt there is a shortage of nurses. Our Governor very wisely has

created some programs to enhance the number of nurses in our State by providing expanded educational opportunities. But the fact remains, we do have a problem. From time to time, there are needs for workers that our Nation simply cannot meet. To say otherwise simply would be ignoring the reality we face today.

So as we speak to this issue, I wish to try to go through several aspects of the bill that I think are important to keep in mind as we talk about this guest worker program. The eligibility requirement for Y workers, this is what the workers must do. They have a valid labor certification issued within 180 days. They have to have eligibility to work. They must have a job offer from a U.S. petitioner employer, and they must also have the payment of a processing fee and the State impact fee. Whatever State they are going to be going to, there is going to be an impact on that State as it relates to health care and schools and whatever else, and that impact fee will be paid to the States. They have to have a medical examination and, very importantly for our national security, a complete criminal and terrorism-related background checks. They also must not be inadmissible or ineligible, meaning if we have deported you before, you need not apply.

Here is something else. For the Y–3 visa, they must have a wage 150 percent above the poverty level for the household size, and if they come with their families, which Y–3s would be allowed to in very limited numbers, they also must have insurance for their family as they come.

Now, if a worker fails to timely depart at the time that his temporary worker status is up, they will be barred from any future immigration benefit except where the applicant is seeking asylum. So it means that when the time is up, if you don't leave, you have quit playing the game, you are not coming back.

Here are some of the requirements that are placed on the employer before they can bring in an employee to work under this program. The employer of the Y visa worker must file an application for labor certification and a copy of the job offer. They have to pay a processing fee, so that this is a pay-as-you-go program. They must also make efforts to recruit U.S. workers for the position for which the labor certification is sought. Now, they must start recruiting no later than 90 days before the filing day for the application to the Department of Labor, and they must also, as part of their requirements, advertise in the area where the job is sought to be filled.

They advertise with labor unions, other labor organizations, and the Department of Labor Web site saying: Please come work for me, we have a job available. Then and only then, if there is a certification that the job goes unfilled, could a guest worker come to work on our shores.

The Secretary of Labor and the employers must attest that it will not displace, nor adversely affect, the wages or working conditions of U.S. workers, and that the wages will be paid not less than the greater of the actual wage paid by the employer to all similarly situated workers or the prevailing competitive wage.

We are doing this because there is a need, not because we simply want to. It is obvious that all of us would love to see American workers flourish first and foremost, but the facts are such that this is a necessary thing that we must have in our economy.

As to the issue of whether it will help border security, I happen to believe if we have a legal means for people to come across the border to meet that same supply and demand we are talking about—there is a demand for workers, there is a ready and available supply—those two are going to meet one another, and we are going to enhance our border security.

But would it not help border security if we also had a legal means by which people could come and work in this country? Of course, it will. That will give us a safety valve. It will give us an opportunity for legal workers to come to work for a period of time to fulfill a need when necessary—after certification, after advertising, and for the prevailing wage in that area. I think it is a reasonable thing to do. It is part of what our economy needs.

I could get into all kinds of other issues, such as wage scale and foreign trade and issues such as that, but I don't know that they are relevant to the subject at hand.

I do hope my colleagues will support defeating the Dorgan amendment because I believe this amendment would not only do great harm to the bill, it would be the end of this very comprehensive immigration bill. At the same time, in this bill I think we have, negotiated through this process, carefully balanced the needs of our economy with the rights of workers, as well as made sure that we are keeping a good balance between the needs of the economy and also that which is necessary to be fulfilled by a foreign workforce.

I see the Senator from Massachusetts on the Senate floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I thank my friend from Florida for his comments and helpful statements.

Madam President, I ask unanimous consent that the time until 5:45 p.m. today be for debate with respect to Dorgan amendment No. 1153, prior to a vote in relation to the amendment, with no amendments in order prior to the vote, and that the time be divided as follows: 20 minutes under the control of Senator DORGAN and the remaining time equally divided and controlled between Senators KENNEDY and KYL or their designees; and that at 5:45 p.m., the Senate proceed to vote in relation to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Madam President, I yield myself 12 minutes.

Madam President, we have the Dorgan amendment that is before us and will be acted on at 5:45 pm. It effectively eliminates the temporary worker program that provides for 400,000 visas a year. Let's understand where we are. It is important to look at the total legislation to understand each part of it.

First of all, Madam President, we have very tough border security proposals. That has been talked about and will have a greater opportunity to talk about those enormously important provisions.

Secondly, it has very important interior enforcement proposals. That is very important. It does not exist today. It didn't exist in the 1986 Act. I opposed the 1986 Act. President Reagan signed the Act and amnesty was part of it. But, the 1986 Act was a different proposal and legislation and has no relevancy whatever with this. So, this legislation has tough border security and tough interior enforcement provisions.

The legislation does have an impact on chain migration, which will be an issue to debate and discuss later. The legislation does include a temporary worker program. There are provisions that many in this body felt were extremely important. They are included in this legislation. We've also included in this legislation assurance to the 12 million undocumented immigrants that are here that they will be safe and secure and not deported like a number of families were deported in my own state of Massachusetts in the city of New Bedford.

The legislation also eliminates the backlog. Some families have been waiting 20 years to be reunited with their families will now be reunited over eight years. That is enormously important. It has the AgJobs bill. I listened carefully to my good friend from California being opposed to temporary workers, with the exception of temporary workers in agriculture. We have an AgJobs bill for farmworkers who probably have the most difficult backbreaking job in America. This bill gives them the opportunity to emerge from the shadows and into the sunlight. This is enormously important. Many of us remember the extraordinary work of Cesar Chavez, who was a leader on the issue of farmworker rights. This bill gives the workers the respect they deserve. This amendment would deny many families the opportunity to see their children of undocumented workers get help and assistance after the children have worked hard, played by the rules, graduated from school but would be unable to continue their education.

This bill is a real sign of hope for many families. These are the concepts in the temporary worker program, which are the target of the Senator

from North Dakota. He wants to get rid of the temporary worker program. We believe, as the Senator from Florida pointed out, even if you have a secure border—we are hopeful of having secure borders—it won't stop illegal immigration.

As the Governor of Arizona who probably knows as much about this as any other member of the United States Senate, has pointed out, you can build the fence down there, but if it is 49 feet high, they will have a 50 foot ladder. Talk to the Arizona governor. The fact of the matter is, some workers will come here illegally, or legally, one way or the other they come in. That is where the temporary worker program comes in. We say if we close this down, if we eliminate this program, you will have those individuals that will crawl across the desert and continue to die as they do now. Or you can say, come through the front door and you will be given the opportunity to work for a period of time in the United States—two years—and return.

Who are these people we are talking about? If an employer wants a temporary worker, what does that employer have to do? First of all, that employer has to advertise at the local unemployment office. Second, they have to advertise at their workplace. Third, they have to advertise in the newspaper. Fourth, they have to offer the job at the prevailing wage to any American. All of that applies. Prevailing wage. Even if the employer is not paying the prevailing wage to the others, he still has to pay it to the new employee and if they do more they have to pay to the guest worker what they pay to the other workers. If they pay an average of $10 at the facility, they have to pay $10 here.

Also they cannot have guest workers in high unemployment areas as well. Now, that is the situation. Now, what do they get when they actually arrive in here? What kind of protections do they have? This is what they will have. If they are guest workers, they are treated equally under U.S. labor laws. They are not treated that way today.

They are not treated that way today, but under our legislation they will be. The employers provide workmen's compensation. So they are provided by protections under OSHA. If they have an accident they get workman's compensation. The employers with the history of worker abuse cannot participate in the program. And there are strict penalties for the employers that break the rules. Now, what is happening today? What is happening today?

We have listened to the Senator from North Dakota. Let's keep it as it is today. Let's look at the program today. Look what happens to undocumented workers that were exploited. This is what is happening today in America. This is what happens today. That is what the Senator from North Dakota wants. He wants to continue what we are doing today.

Here is the New Bedford example. Workers rights were trampled on. They were fined for going to the bathroom, denied overtime pay, docked 15 minutes pay for each minutes they were late, they would be fired for talking while on the clock, forced to ration on toilet paper.

Why? Because they were undocumented. Without this program, temporary workers will come here and be exploited. That is the history of immigration. Read history. It is sad. That is what has happened. There is exploitation. That is what we are trying to deal with. That is what we are trying to deal with.

One in 10 workers is injured every year by sharp hooks, knives, exhausting assembly line speeds or painful damage from repetitive motions. Workers are subject to chlorine mist, lead to bloody noses, vomiting and headache. Undocumented workers don't report their injuries because they live in fear they will lose their jobs and be deported. That is what the problem is. That is what we are attempting to eliminate. And the idea that you just write an amendment and eliminate that is reaching for the stars. It just ain't the way it is.

It isn't me that is saying this. But you take the Governor Napolitano and others who have studied it and lived it, they understand it. So that is what the alternative is. Either we are going to have a program that is limited. Might not be the program that I like but, it is the program that is in there. Those workers are going to come on in here. They are going to have protections. If you close and try and slam that door, it isn't going to work. It is not going to work. That is what we have seen over a period of time. They are going to come in as long as the magnet of the American economy is there. That is what is happening. And the idea that you just say, oh, we're offering an amendment and just going to eliminate this and then everything will be all set, everything will be all worked out, everything will just be fine. It just defies logic, understanding, experience and the history of this issue. Under this program, those that come in here will have the kind of worker protections that they should.

And finally, we won't have the situation that we have now where you have the undocumented workers come in here. They drive the wages down because they'll work for virtually nothing. And that drives American wages down.

You want more of that? I don't. You want more of that? I don't. I don't. So I would hope that this amendment will not pass.

Madam President, I reserve my time.

The PRESIDING OFFICER. Who yields time?

The Senator from South Carolina.

Mr. GRAHAM. Madam President, I believe Senator KYL has 19 minutes?

The PRESIDING OFFICER. The Senator has 18 ½ minutes.

Mr. GRAHAM. Madam President, I ask unanimous consent to be recognized for 8 minutes.

The PRESIDING OFFICER. Without objection, the Senator is recognized for 8 minutes.

Mr. GRAHAM. Madam President, we will put Senator KENNEDY down in the ''undecided'' column on this issue, but I was very much persuaded by his argument.

The goal is to create a balance that will allow this country to move forward and not replicate the problems of the past, allow us to move forward and learn from our mistakes of the past, allow us to move forward in the best traditions of this country, and allow us to move forward in order to be competitive in a global economy.

The temporary worker program is one of the key elements of this bill. Why do we have 12 million people, plus, probably, here illegally? I think most of them came, hopefully they all came, not to destroy America but to earn more money here than they could in their home area. The problem is they are doing it illegally. They are subject to being exploited. There are no controls over how these people are being treated. There is no control over how they are paying taxes. It is a lose-lose. It is a losing situation for the economy and it is a losing situation for the worker.

If we do away with the temporary worker program, the only thing I can promise you for sure is the next Congress and the next generation of political leaders will look back on our time in shame. They will be cursing us because we failed to rise to the occasion and to logically deal with a problem that is crying out for a solution.

Providing a temporary worker program allows people from other parts of the world to make their life better on our terms. They will pay taxes. They won't be exploited. And before they get one of these jobs, we will have to advertise it in the area in question to American citizens. Only when an American citizen refuses to do a job in question can the temporary worker be hired, and at a competitive wage in order to take care of our people and also to take care of our economy.

This is a win-win. People from other places in the world can come through in an orderly process, get a tamperproof card, so we will know who they are. They will have a visa where they will never have to worry about being afraid of the law while they are here, as long as they obey the law. They can do jobs American workers are not doing at a competitive wage. That is a blessing to this country.

Everybody in the world doesn't want to come here to get a green card. There are a lot of people who want to come for a temporary period of time and improve themselves and go back and improve the country from whence they came. If we want to be competitive, we need to have the workforce vis-a-vis the rest of the world to make us competitive. If you take the temporary

worker program out of the mix, then you are going to ensure in the future more illegal immigration. If you don't have a temporary worker program that is regulated, you are going to ensure exploitation.

From the economic side and the humanitarian side, we need to do this. If this amendment would somehow pass, then we will have repeated the fundamental mistake of the past. We will not have fixed a thing, and we will have ensured that more people will come here illegally, because the magnet will still attract them. We will ensure they get exploited, and we will hurt our economy because we can't regulate this workforce.

The Y card will be tamper proof. People will have to give a fingerprint; they will have to sign up; they will be regulated in terms of how they are treated; they will be paid a competitive wage, and we will know where they are and what they are up to; and we will allow them to work here and go back to where they came three different times, 6 out of 8 years, to better themselves. If they want to be a citizen, they can apply for a green card. The more points they earn during their temporary worker period, the more competitive they will be.

If they go to school at night, as my good friend KEN SALAZAR has suggested, if they get a certificate in an employment area and learn a skill, they will get points. If they get a GED, if they work hard during the day and improve themselves at night, then they get rewarded. Let me tell you about the individuals we are talking about. They work hard. Neither one of my parents graduated high school. They started a small business, a restaurant, where they opened before the sun was up and closed at 10 o'clock at night. They worked like dogs. When they were sick, they went to work, because there was nobody there to take their place.

The people we are talking about here are coming from other parts of the world and who are good workers. I am confident they will have a chance to prove their worth to our country, add to our economy, and make us a better nation. Some of them will want to become citizens, and they can. We need the Ph.Ds from India and other places, but we also need people like my parents, who will come and work hard, play by the rules, better themselves, and find a niche in our economy. Without a temporary worker program, we are going to ensure people come here in fear, live in fear, get exploited, and don't contribute to our economy.

This bill is as balanced as I know how to make it. I am always openminded to better ideas, but I am close-minded when it comes to destroying it. A temporary worker program is the key to not repeating the mistakes of the past, which is exploitation, not controlling who comes here, not having economic control over your workforce, and leaving people to be exploited. If it stays a part of this bill, we all can hold our heads up high and say we created a win-win situation that says to the hard-working person, who looks to America as a place to start a new life, to learn a skill, to improve themselves, there will be a place for you. Those who want to stay after their temporary worker period is over, you can get points to stay, and the more you do, the more you better yourself, the better chance you will have.

To me, it is exactly what we have needed for years. My good friends, Senator KENNEDY and Senator SALAZAR, and so many others, have sat down and tried to make this temporary worker program meet our economic needs and be humanitarian in its application. I think we have done a darned good job. For the sake of this country and all we stand for, let us keep this bill moving forward.

Madam President, I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, may I ask how much time we have on our side?

The PRESIDING OFFICER. There is 11½ minutes remaining.

Mr. DOMENICI. And on the other side?

The PRESIDING OFFICER. The Senator from Massachusetts has 4 minutes 25 seconds, and the Senator from North Dakota has 20 minutes.

Mr. DOMENICI. Mr. President, I yield myself the 11½ minutes we have remaining.

The PRESIDING OFFICER. The Senator may proceed.

Mr. DOMENICI. Mr. President, might I first say how good it is to see the Senator from Colorado in the chair as debate on this first crucial vote on this bill winds down. Because while sitting in the chair and presiding is a functional part of the Senate's normal operation, in this debate, for the Senator from Colorado and this Senator from New Mexico, it means a little more than that. My neighboring Senator, the new Senator from Colorado, has indeed spent a great deal of time and effort and applied some very good common sense, when others were not applying it, to this bill. He has done more than his share to see to it that we arrived here today at this point and can move ahead with a very difficult bill, with some very difficult propositions being put forth, and I commend him for that.

Let me say to those who are listening, I still want, at some point before we close debate, probably within the next 5 or 6 or 8 days, to talk to the Senate about my family and the whole history of how we got here—how we survived the immigration laws, which were very complicated 50 or so years ago when I was a little kid. They were so complicated that my mother was arrested by the Federal Government because they said she was not a citizen. She was arrested right in front of all of us children, only to find out there were some technical problems with her efforts to become a citizen. We had to sit there and watch her march off, as some people talk about happening to them today.

But today I want to talk about where we are with a complicated bill and what should happen tonight. First, many Members worked hard and long with two Cabinet members to weave together a very interesting bill to manage illegal aliens and aliens who want to come to this country to get ahead, as my folks did when they got on a boat and went to France and ended up in Albuquerque from the little town of Lucca in northern Italy. They came and followed the laws of that day. Others want the same thing.

The important thing to know is that relevant laws, and what has happened to immigrants, and how those laws have been applied to those people, is in shambles. Americans know that. Every day they tell us about something happening on the border, and then they remind us of those things because they are very upset and angry citizens. And what they are upset about is that we have a body of laws but those laws aren't being enforced because we are right up alongside some countries that are poor and whose people want to work and make more money than they can make at home by getting over here and getting a job.

Everybody should understand that the big problem here is the problem of economics. People from Mexico and other countries in or near this continent want to make a living and they can't make a living at home. Things are in disarray because that big force, that economic force, drives these people who have families they want to send money to, who are trying to get away from starvation. That is pushing everything into the ground and pushing people from what they should do to what they are doing, and lo and behold, there is a huge illegal immigration problem everywhere you turn.

In putting the pieces together, those who wrote the bill we have before us decided that, among all of the pieces, we needed to have a legalized temporary worker piece to this American fabric of a bill that will control guest workers henceforth. When we are finished, we will have a law that works against and in favor of, depending upon who you are and what you are doing, and will regulate the law applying to guest workers and undocumented aliens.

There is no question, according to those who worked so hard on this bill, that we need a temporary worker component in the bill. So they put it in there. It is a 2-year program. You get a special card, and you can work for 2 years as a temporary worker and then you must go home for a year. This is a temporary worker permit. It is different from anything else in the bill. Those who worked so hard to piece the bill together so that it would work said: Among the things we have, let's

make sure we have a temporary worker permit.

This is not for agricultural workers only, and anybody who thinks it is does not know what is happening in America. The illegal aliens are working in all kinds of jobs. It would shock you to know what industries. If this bill works and these undocumented workers turn themselves in, we are going to have a great big shock in America when we find out who these individuals are, what they do, where they work and how they make a living. When those 10 to 12 million Americans show up and agree that they want to take a chance on America, that will be one phase of this bill. But even after that is finished, we will decide tonight whether there will be room for the next 50 years, or until we change it, for new people to come here and take a place as temporary workers in the United States, as described and defined, for 2 years, and then they must go home. They must stay home a year and then come back. Do we want that?

Those who have worked hard on this bill say a resounding: Yes, we do. We need it. It is part of the entire panorama of the pieces of the bill, and taken all together, we ought to vote aye and this part of the bill ought to stay intact. That will be the first indication tonight that we understand that those who worked hard to put this bill together deserve our confidence regarding this very important piece of legislation for temporary workers.

I hope everybody who is interested in a good law will keep this piece in the bill tonight when they vote. With that, I understand there are others who might want to speak on our side. I had the remaining time because no one was here, but since Senator SPECTER is here, I am going to yield. Whatever that does for him, I am glad to do it. I yield back any time I have.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DORGAN. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from North Dakota has 20 minutes; the Senator from Massachusetts, 4 minutes 25 seconds; the Senator from Pennsylvania, 3½ minutes.

Mr. DORGAN. Does the Senator from Pennsylvania wish to make his statement at this point?

Mr. SPECTER. Not now.

Mr. DORGAN. Let me be recognized and ask I be notified when I have 5 minutes remaining. It will be my intention to close debate on my amendment.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, this is a Byzantine argument. This has been interesting to listen to. It reminded me, sitting here, of Will Rogers. He once said:

> It's not what they know that bothers me, it's what they say they know for sure that just ain't so.

I am listening to this, and I am hearing, first of all, we have border security in this bill. We are going to beef up border security. We have it fixed.

Then I hear this: We have to have a guest worker provision. We have to have temporary workers come in because: One way or another those immigrants are coming across the border. You try to close that door, it is not going to work.

This from the people who wrote the bill. Two of them have said it. It seems to me what they are saying is we can't stop illegal immigration so let's try to figure out who is coming across and call them legal. That is what this looks like to me.

Let me say it again. Those who put this bill together say: One way or another, these people are coming in. We are not going to stop them. You can't close that door. It would not work. The solution? Make them legal.

What does that say to people across the world who have decided they want to come to the United States of America, and there is a quota by which their country can allow some people to come in, we will accept them. They put their name on the list 8 years ago and they have been waiting patiently to be able to come to our country legally. Now they discover that on the floor of the Senate some people put together a plan that says: It is true you waited for 8 years and you are still not here and you may be near the top of the list, but all those who came here through December 31 of last year, we will now declare that they are here legally.

What does that say to a lot of people around the world who thought this was on the level, that our immigration quotas were real quotas?

If this amendment fails, the one that says let's get rid of the temporary worker provision which will bring millions of additional people into this country at the bottom of the economic ladder—if this amendment fails, it doesn't mean we are not going to have immigrant workers. There will be a million and a half who come in legally with the quota system and the relatives and so on; and there will be over a million a year who come in working in agriculture, because this is not about agriculture. You are talking about over 2 million a year, even if my amendment fails.

But we are told: No, this amendment has to fail. We have to keep this temporary worker provision in the bill because if it is not in the bill, we have this finely structured, crafted bill that is not perfect—everybody who worked on it said it is not perfect. We get that. We knew that when we saw it. But if you pass this amendment, that changes this bill and the whole stool collapses.

There has been no talk about American workers today. This is about immigration. I understand that. But we have a whole lot of folks at the bottom of the economic ladder who went to work this morning struggling, trying to make ends meet. It has been 9 years since we increased the minimum wage in this country, 9 years for those American workers out there struggling at the bottom of the ladder.

I mentioned a while ago what is happening to American workers. You know it. Read the paper. Circuit City says: You know what, we have decided we are going to fire 3,400 of our workers. Because they are bad workers? Oh, no. They are making too much money. The chief executive officer of Circuit City makes $10 million a year. The average worker was making $11 an hour. So we decided we are going to get rid of them. They have too much experience and we don't want to pay $11 an hour, so 3,400 people get fired.

Bo Anderson, the top executive agent for General Motors in purchasing, calls in all the companies making parts for General Motors. Here is what he said to them: You need to outsource your jobs to China to reduce costs. Get those American jobs moving to China right now.

Pennsylvania House Furniture—I have told this story before. Governor Rendell told me about that. Fine furniture made by Pennsylvania House, top-of-the-line furniture with Pennsylvania wood and craftsmen who made great pieces of furniture. La-Z-Boy bought it and said: You know what, we will move all those jobs to China. We will ship Pennsylvania wood to China, bring it back, and we will still call it Pennsylvania House Furniture.

On the last day of work, when all those craftsmen lost their jobs, the last piece of furniture to come off that line they turned upside down and all those workers, those craftsmen at Pennsylvania House Furniture, signed the bottom of that piece of furniture, knowing it was the last piece of furniture they were going to make as American workers, craftsmen who knew their jobs and made great furniture. The last piece—they all signed it.

Somebody in this country has a piece of fine furniture called Pennsylvania House, signed by all the craftsmen who got fired because those jobs went searching for 20-cent and 30-cent-an-hour labor.

I am telling you, the same economic interests, the same corporate interests that are finding ways and searching for ways to ship American jobs overseas in search of 20-cent and 30-cent-an-hour labor are the ones pushing this provision through the back door.

I have heard precious little discussion today about the plight of the American worker. They say we don't have enough workers, can't find workers. One of my colleagues said we have jobs in America that Americans will not do at a competitive wage.

Oh, really? Is that the case? Or is it the case they are not paying a competitive wage and don't want to have to pay a competitive wage? I thought maybe we would have some people here who studied economics 101, about supply and demand. You are having trouble finding workers? Maybe increase

the price of that job a little bit, increase the wage offer a little bit. You know these people who work in the hospital corridors keeping it clean at night, the people who make the motel beds, the people who are across the counter of the convenience store. You can't find workers? Maybe you better pay a little better wage. That is supply and demand, isn't it? But you don't have to do that if you can bring in people at the bottom of the economic ladder, bring in millions of them.

This Byzantine plan, let me tell you what it is: 40,000 temporary workers a year, they can stay for 2 years, they can bring their family for 2 years if they wish. Then they have to go home for a year and they have to take their family with them. Then they can come back for 2 years. Then they have to go home for a year, can come back for 2 additional years, but if they brought their family either during the first or second stay, they can only come back twice for 2 years. You think that is goofy? That is the plan. I am telling you, if you can read, open it up and read it and ask yourself whether that makes any sense at all.

Do American workers have a stake in this plan? You are damn right they do. American workers have a big stake in this issue, and I hear precious little attention to the plight of the American workers. People say they can't find them. I will tell you what, go read the newspaper and figure out who is throwing them out of work today. These jobs migrate to China. I can stand here for 15 minutes and tell you the name of companies that have laid off thousands, tens of thousands, in fact, 3 million and counting more jobs in search of cheap labor overseas. You want to go find somebody to do your work? Find the people who got laid off because their job got outsourced to cheap labor. You don't have to bring in millions of additional people—no, not 400,000 a year. Add that up over 10 years, 400,000 a year, plus an escalator, plus stay for 2 years, go home for a year, come back 2 years, go home for a year, come back for 2 years, do that every year and you are talking about millions of low-wage workers coming in to assume low-wage jobs in this country.

I wish to put in the record at this point letters from folks who run some of the labor organizations in our country: Terry O'Sullivan, Laborers International Union of North America; Joe Hansen, United Food and Commercial Workers, the presidents of those unions; James Hoffa, president, Brotherhood of Teamsters; Newton Jones, international president, Boilermakers Union; Bill Samuel, director of the AFL–CIO; Ed Sullivan, president of Building and Construction Trades—they all say exactly the same thing, support this amendment.

I ask unanimous consent the letters be printed in the RECORD and I reserve the remainder of my time and I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 21, 2007.

DEAR SENATOR: On behalf of our more than 3 million members, our Unions write to urge your support for true immigration reform, but in opposition to immigrant worker abuse. That is why our Unions have joined together to support Senator Dorgan's effort to strip out the new guestworker provision of the compromise immigration legislation.

The compromise legislation has good and bad elements, but as the New York Times noted just yesterday, ''The agreement fails most dismally in its temporary worker program . . . It offers a way in but no way up, a shameful repudiation of American tradition that will encourage exploitation—and more illegal immigration.

This is not a deal that we would have negotiated, nor one that our members—if they had an opportunity to ratify—would accept. Neither should the United States Senate.

Senator Dorgan's amendment to eliminate the new guestworker Y visa program is the right approach at this time. With a positive plan to provide earned legalization to as many of the 12 million undocumented workers as proposed, it is hard to justify the need for an additional 400,000–600,000 workers at the same time. This new visa program is a Bracero-type guestworker model, forcing workers to toil in a truly temporary status with a high risk of exploitation and abuse by those seeking cheap labor. In addition, we are all aware that the current guestworker programs are badly in need of reform. Those reforms should be addressed before any broad new expansion takes place.

We appreciate the difficulties in brokering a compromise on this critical issue, as well as the conflicting perspectives that need to be addressed. However, on this critical issue, we have made it clear from the very beginning that an agreement which forced future immigrant workers to be obligated into indentured servitude would be anathema to us. We are disappointed that such a provision was included in the legislation, but are gratified that Senator Dorgan will be offering an amendment which will permit Senators who oppose this provision a positive vote to improve the legislation, and take a stand in support of worker's rights—both domestic workers and immigrant workers.

We strongly support Senator Dorgan's amendment to strike the guestworker provision and urge your support for it as well.

Thank you for your consideration of this request. If you have questions or need more information, please feel free to contact Yvette Pena Lopes of the International Brotherhood of Teamsters at 202–624–6805, Bevin Albertani of the Laborers' International Union of North America at 202–942–2272, or Michael J. Wilson of the United Food and Commercial Workers International Union at 202–728–4796.

Sincerely,

JAMES P. HOFFA,
*General President, International Brotherhood of Teamsters.*
TERENCE M. O'SULLIVAN,
*General President, Laborers' International Union of North America.*
JOSEPH T. HANSEN,
*International President, United Food and Commercial Workers International Union.*

INTERNATIONAL BROTHERHOOD OF BOILMAKERS, IRON SHIP BUILDERS, BLACKSMITHS, FORGERS & HELPERS,

*Fairfax, VA, May 22, 2007.*

DEAR SENATOR: On behalf of the International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers & Helpers, I write to express our concern over the pending immigration legislation. which includes an enormous guestworker program that would allow employers to import hundreds of thousands of temporary workers very year to perform permanent jobs throughout the U.S. economy.

This new Y visa program will force workers to labor in a truly temporary status with a high risk of exploitation and abuse by those seeking a cheap workforce. In addition. the current guestworker programs are badly in need of reform. Those reforms should be addressed before any broad new expansion takes place.

For this reason, we urge your support for the Dorgan-Boxer Amendment to strip out the Y guestworker provision of the compromise immigration legislation. The Y visa would lock millions of new workers into a life of virual servitude. This is not a deal that we would have negotiated, nor one that our members—if they had an opportunity to ratify—would accept. Neither should the United States Senate.

If the Dorgan-Boxer Amendment fails, the Senate will then have an opportunity to curtail the size, scope and potential negative impacts of this new program. The Bingaman Amendment would cap the Y guest worker program at 200,000 each year and eliminate the escalator that allows it to grow as much as 600,000 guestworkers a year.

Certainly, our Union understands the difficulties in brokering a compromise on this crucial issue, as well as the conflicting viewpoints that need to be addressed. However, on this issue. any agreement which forces future immigrant workers to be obligated into a virtual indentured servitude would be deplorable to us.

The Boilermakers urge you to support the Dorgan-Boxer Amendment and the Bingaman Amendment, which will permit Senators who oppose this provision a positive vote to improve the legislation, and take a stand in supprt of worker's rights—both domestic workers and immigrant workers.

Thank you for your consideration of this request. If you have questions or need more information, please contact Bridget Martin.

Sincerely,

NEWTON B. JONES,
*International President.*

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AMERICAN FEDERATION OF LABOR, CONGRESS OF INDUSTRIAL ORGANIZATIONS,

*Washington, DC, May 22, 2007.*

DEAR SENATOR: The pending immigration bill includes a massive guestworker program that would allow employers to import hundreds of thousands of truly temporary workers every year to perform permanent jobs throughout the U.S. economy. Without a real path to legalization, the program will ensure that America has two classes of workers, only one of which can exercise even the most basic workplace rights. For this reason, we urge you to support the Dorgan-Boxer Amendment to eliminate the Y guestworker visa program from the bill.

If the Dorgan-Boxer Amendment fails, the Senate will then have an opportunity to curtail the size, scope and potential negative impacts of the poorly crafted Y guest worker program. The Bingaman Amendment would cap the Y guest worker program at 200,000 each year and eliminate the escalator that allows it to grow to as much as 600,000 guestworkers a year.

The Y visa would lock millions of new workers into a life of virtual servitude. It does not belong in a bill whose alleged purpose is to relieve 12 million currently undocumented workers of the very same exploitations. The AFL–CIO urges you to vote for the Dorgan-Boxer and Bingaman Amendments.

Sincerely,

WILLIAM SAMUEL,
*Director,*
*Department of Legislation.*

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AMERICAN FEDERATION OF LABOR,
CONGRESS OF INDUSTRIAL ORGANIZATIONS,
*Washington, DC, May 22, 2007.*

U.S. SENATE,
*Washington, DC.*

DEAR SENATOR: On behalf of the twelve international unions of the Building and Construction Trades Department, AFL–CIO, I urge you to support the Dorgan/Boxer Amendment to strike the guest worker provision from the compromise immigration legislation.

Throughout the debate on comprehensive immigration reform the Building Trades have opposed the creation of a new guest worker program. We feel that American workers have enough downward pressure on their wages and the last thing they need is to have an influx of hundreds of thousands of temporary workers every year competing for their jobs at substandard wages.

If the Dorgan/Boxer Amendment fails, we ask for your support to curtail the size and scope of the guest worker program by supporting the Bingaman Amendment. The Bingaman Amendment would cap the guest worker program at 200,000 each year and eliminate the escalator that allows it to grow as much as 600,000 guest workers a year.

On behalf of America's construction workers and all the workers that would be negatively impacted by the implementation of the proposed guest worker program, we urge you to vote for the Dorgan/Boxer and Bingaman Amendments.

Sincerely,

EDWARD C. SULLIVAN,
*President.*

The PRESIDING OFFICER. Who yields time?

Mr. WEBB. Will the Senator from North Dakota yield 5 minutes of his time?

Mr. DORGAN. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator has used 9 minutes. He has 11 minutes remaining.

Mr. DORGAN. Mr. President, I will be happy to yield 4 minutes to my colleague from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WEBB. I thank the Senator from North Dakota. I did not come to the floor to speak on this amendment. I have long admired the Senator from North Dakota in his sometimes lonely attempts to preserve the well-being of the American worker. But I couldn't sit and listen to his comments without saying a few words in support of this amendment.

There seems to be a trend running through the Congress that disturbs me. It is a trend of omission. I do not see enough people who are willing to stand up and speak on behalf of the people who are doing the hard jobs in this society. We can talk about all the benefits of different portions of this bill, but at the same time we are faced with a set of realities, not only with respect to the American workers but, in a broader sense, with respect to people in this country who are having to do the hard work of our society. Who is speaking for them? This used to be the function of the Democratic Party, to speak for them.

We are in a situation in this country right now where corporate profits are at an all-time high as a percentage of our national wealth. Yet wages and salaries as a percentage of our national wealth are at an all-time low. How does this happen? One of the ways that it happens is exactly what the Senator from North Dakota is talking about. We have these programs that benefit Wall Street, and they are not necessarily benefiting the people who are doing the hard work of our society, the wage earners who are getting cut out because of an underground economy.

I support, in many ways, the move toward giving permanent status to people who have come to this country illegally at one point and who have put down roots and who want to move into the mainstream of our society. But this particular portion of this bill is not designed to do that. It is designed to increase the difficulties that we already have. It is not a compromise, it is a fabrication.

I have that concern also when it comes to what we are doing on the Iraq bill. We are sending a supplemental back right now that is not in any way going to support the troops who are having to do the hard work in Iraq. We are going to be talking about benchmarks.

There is nobody in the Pentagon, there is nobody in the administration, there are precious few people in the United States Congress who are aware, in a measurable way, of what we are doing to the well-being of the ground troops who are having to go back to Iraq again and again.

If this is a conflict that is requiring that sort of commitment on the ground, then why isn't the administration talking differently about the number of troops it needs? Because the people who volunteered to go in the military are supposed to go again and again and do their duty.

Well, they are probably on their third and their fourth tours. I put in a bill, along with Senator HAGEL, that said you cannot send anybody back to Iraq unless they have been home as long as they have been gone. That, to me, is common sense if you have ever been deployed. I have had a father who was deployed. I have been deployed. I have had a son who has been deployed. I know what it is like. There are a lot of people who know what it is like. Unfortunately, they do not seem to be forcing the administration on that end.

We see it in areas such as what has happened to our gas prices here. We are going to get a vote on the Attorney General, apparently, a no-confidence vote. How about getting a vote on how the American people are getting ripped off at the pump? Those things can be documented. You can have all of the economic theories in the world about why these gas prices are going up. Gas was $24 a barrel when we went into Iraq. It is now close to $70. The people who are making money off of that are making money largely off of foreign policy.

The PRESIDING OFFICER. The Senator will suspend. The Senator has used 4 minutes.

Mr. WEBB. Fifteen seconds, Mr. President. There is a theme in this. The theme is that this is the party that is supposed to be taking care of the people who are doing the hard work of our society. There is no shame to stand up and say that what the Senator from North Dakota is proposing is for the good of the people who are doing the hard work of our society.

The PRESIDING OFFICER. Who yields time?

The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, how much time remains under my control?

The PRESIDING OFFICER. There is 3½ minutes remaining.

Mr. SPECTER. Mr. President, I yield that time to myself.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I urge my colleagues to reject the amendment by the Senator from North Dakota. This identical issue was considered by the Senate a little more than a year ago, on May 16 of last year, when Senator DORGAN made a similar motion, and I, in my capacity at that time as chairman of the Judiciary Committee, moved to table. The tabling motion was agreed to 69 to 28.

I submit that the same reasons which justified the rejection of the Dorgan amendment last year are applicable here. We have a situation in the United States where according to the Bureau of Labor Statics, the national unemployment rate for April, last month, 2007, is 4.5 percent, which constitutes virtual full employment. So there is a need for extra workers.

In structuring the bill, we have provided for flexibility so that the number can be raised or lowered depending upon what circumstances exist. We have taken steps to protect American workers who are available to fill the jobs with a statutory requirement that there will have to be extensive advertising before the guest worker program can be utilized and workers can be employed.

Last year, the bill was considered by the Judiciary Committee. This year we did not follow that process. Perhaps it was an error. Instead, we had very extended meetings over the course of the past 3 months, hour upon hour, customarily with as many as 12 Senators sitting to work out the issues.

This issue was considered at some length. But last year when the matter

was before the Judiciary Committee, we had very persuasive, really compelling testimony by a number of prominent economists in support of the guest worker program.

On April 25, 2006, we had Harry Holzer, professor of public policy, Georgetown University, April 25, 2006, before the Senate Judiciary Committee testifying that most economists believe immigration is a good thing for the overall economy, that it lowers costs, lowers prices, and enables us to produce more goods and services and to produce them more efficiently.

We had testimony of a similar nature from Dan Siciliano, executive director of the program in law, economics and business at Stanford Law School on April 25 of last year. Similarly, Richard Freedman, professor of economics at Harvard University, testified on April 25, expressed his view:

I think all economists believe from evidence that immigration raises not only the GDP of the United States because we have more people now to do useful activities, but it also raises the part of the GDP that goes to current residents in our country.

This year, on May 3, earlier this month, the Assistant Secretary of Policy at the U.S. Department of Labor, Leon Segeuira, testified that there were three fundamental reasons the United States needs immigration.

The PRESIDING OFFICER. The Senator will suspend. The time for the Senator from Pennsylvania has expired.

Mr. SPECTER. Mr. President, I ask unanimous consent for an additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. The three reasons were the aging workforce we have, the necessity to maintain a higher ratio of workers to retirees, and, third, that immigrants contribute to innovation and entrepreneurship.

So I think we have a record basis that this guest worker program is useful, helpful to the economy, and that it is very important to the economy to have an adequate workforce.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, as I indicated, as the sponsor of the amendment, I would prefer to conclude the debate. So if Senator KENNEDY has additional time remaining, my hope is that he would take that time so I may conclude.

Mr. KENNEDY. How much time remains?

The PRESIDING OFFICER. The Senator from Massachusetts has 4 minutes 20 seconds.

Mr. KENNEDY. Would the Chair let me know when I have 20 seconds left?

The PRESIDING OFFICER. The Senator will be notified.

Mr. KENNEDY. Mr. President, what we are trying to do in this legislation is have secure borders. Secure borders, not open borders. Secure borders.

Part of having a secure border is making sure the people who are going to come in are going to come in legally. The idea that you can have a secure border and close it completely is something that has never happened before and will not happen now.

The idea that you eliminate completely the guest worker program means what? It means you are going to have border guards who are going to be chasing after landscapers out in the middle of the desert and racing after people who might be working in gardens or as bartenders in the future.

You want your border guards to be going after terrorists and smugglers. How do you do that? You give a pathway for people to come here legally. When they come here legally they get the protections of the labor laws. If you do not do that, you think you can eliminate this program? You are going to have people who are going to come in illegally and they are going to be exploited day in and day out. When they are exploited day in and day out, it is going to depress wages. That is the way it has been. That is the way it is today.

That is the difference. Maybe you don't like this particular guest worker program. It is better than many others. Maybe you would like to shape it somewhat differently. That is the issue plain and square, plain and square. We are trying to take illegality out of this system: illegality at the border, illegality at the workplace, illegality in exploiting the undocumented, and illegality from the people who are here, if they are going to pay their fines, work hard, go to end of the line. We are trying to reduce illegality.

If there is anybody in this Senate who believes you can just say, no, we are going to close that border, 1,800 miles, and that is it—I would like the chicken pluckers to pay $10 or $15 an hour. They do not do it. They are not going to do it. Who are you trying to kid? Who is the Senator from North Dakota trying to fool?

These are the realities, the economic realities. No one has fought for increasing the minimum wage more than I have. But you have got realties that employers are not going to pay it. They are going to exploit people if you can get them here undocumented.

So that is the issue, Mr. President. I believe we have a reasonable program that makes sense. I think it makes sense from a law enforcement point of view. I think it makes sense in terms of protecting the wages of American workers under this program.

We are going to make sure that all of those who are coming here with the guest worker program are going to get the prevailing wage, they are going to be protected by OSHA, if they get hurt on the job they are going to get the workers' compensation. They are going to get those worker protections. If they are working on construction sites, they are going to be covered by Davis-Bacon.

You can either do it legally, or you can do it with the undocumented. That is not just the Senator from Massachusetts, that is Governor Napolitano who knows something as the Governor of a border State who has pointed this out time in and time out, Mr. President.

So I would hope this amendment would not be accepted.

I yield the floor, and I reserve whatever time I have.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from North Dakota has 4 minutes 52 seconds.

Mr. DORGAN. Mr. President, would the Chair advise me when I have 30 seconds remaining?

Mr. DORGAN. Mr. President, let me stand up and say a word on behalf of chicken pluckers. I had no idea that was the debate. But they will never get $15 an hour as long as we bring in cheap labor through the back door to pluck chickens.

I am more interested in the issue of manufacturing. I am interested in people who got up this morning and packed a lunch pail and they are going to have to shower after work because they work hard and they sweat and they do not get paid very much. They have waited for 9 years for an increased minimum wage; it has not come. They are worried about whether they are going to be there. They are worried whether they are going to be called into a meeting someday and be told: Your job is gone. We are either moving your job to China or we are bringing in someone from the back door to take your job at much lower pay.

That is what workers face now. No one in this Chamber will face it. Nobody. We all get up and put on a white shirt and a blue suit. We come here and talk. No one is going to lose their job. None of it is going to be outsourced, and no one who comes through the back door is going to jeopardize a job in this Chamber. It is not going to happen on an editorial board in a newspaper. It is just the folks this morning who got up and had an aspiration of going to their job and working hard and providing for their families. They are the ones who are wondering: What is my future?

Now, let me make a very important point. The assumption is that if we defeat the temporary worker program we are not going to have immigration. The fact is, we are going to have a million and a half people coming into this country under legal immigration having nothing to do with this program. We are going to have over a million people coming into this country for agricultural jobs having nothing to do with this program. Oh, we will have immigration. It is just that those who wrote this said: That is not enough. We want more.

Now, my colleagues keep saying: Well, if we dump this thing called temporary workers, they are just going to

come here anyway. They are going to be illegal.

Wait a second. I thought you were going to provide border security. Now you are telling me there is no border security because if you do not decide to call them legal, they are going to come anyway. If that is the case, point to the area of this bill that says that you provided border security. You know, this is like Groundhog Day. We have been here once before, 1986. We are going to secure the border. Twenty years later, 12 million people are here without legal authorization. Now we are going to secure the border.

But now we are told at this hour, just before the vote on my amendment: Oh, by the way, if we don't provide for temporary workers to call those coming in legal, if we do not do that, they will come in illegally anyway. So, then, where is the border security? Is that a false promise? One of these two options is the case. You either have border security, and people are not going to come here by the hundreds and thousands because they can't, or you have no border security so you have decided we will just name them all legal and call them temporary workers.

My colleague cited a Harvard economist. Many of these economists cannot remember their home phone number, and they are giving us their thoughts on what is going to happen 5 years from now.

This one, Professor George Borjas from the John F. Kennedy School of Government at Harvard, said: Here is what has happened to U.S. workers. U.S. workers have lost income in the 20 years as a result of immigration. That is not disputable. Is anybody here disputing that? I don't think so. We have had downward pressure on U.S. income as a result.

This proposition in this bill says: You know what. That may be the experience, but we have not had enough of it. We want more. We want more of it.

Again, finally, if you decide to vote against my amendment, I want you to have a town meeting and explain it.

We allow 400,000 workers in the first year. They can come for 2 years. They can bring their family, if they wish. Then they have to go home for a year and take their family with them. They can come back after going home for a year, for 2 more years. Then they have to go home for another year. Then they can come back for 2 more years unless they decided to bring their family with them in the first place. In that case, they get two stays for 2 years, with 1 year back home in between. We will do that cumulatively, and what you have here in 10 years is roughly 12 million man-years of work by people who come in, leave, come in, leave. By the way, how many of you think these people are going to leave?

The PRESIDING OFFICER. The Senator has 30 seconds.

Mr. DORGAN. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I would like to put in the record the extraordinary story that was in the Washington Post today, ''First Called to Duty, Then Citizenship,'' about green card workers, members of the Armed Forces. We have 70,000 who are in Iraq and Afghanistan. So many of them are working toward earning their citizenship and defending America. It is a great story. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From washingtonpost.com, May 22, 2007]

FIRST CALLED TO DUTY, THEN CITIZENSHIP

(By Brigid Schulte)

In a crowd of nearly 100 eager faces of newly sworn-in citizens on the grounds of Mount Vernon yesterday, three men in the front row stood out. Their black shoes shone to glossy perfection. Their backs were ramrod straight. One wore the crisp white uniform of the Navy. Another, the drab khaki of the Marines and a third, the dress uniform of the Army. Two had campaign ribbons from serving in Iraq or Afghanistan.

Until yesterday, the sailor, the Marine and the soldier were among more than 40,000 ''green card'' service members—non-citizens serving in the U.S. military. After swearing to defend the Constitution, Petty Officer Reginald Cherubin, 30, Marine Sgt. Brian Joseph, 38, and Army Sgt. Jeremy Tattrie, 24, joined another group: the more than 26,000 service members who have become U.S. citizens since the Iraq war began and the Bush administration expedited the citizenship process for military members. Seventy-five service members have received their citizenship posthumously since then.

It was the sight of Iraqis pulling down Saddam Hussein's statue in 2003 that led Tattrie, a Canadian by birth who was then in college in Florida, to join the military.

''I felt the call to duty,'' he said, clutching one of the small American flags that immigration officials had just passed out. ''I just felt the urge to serve my country.'' Even though when he enlisted, the United States wasn't, technically, it.

The three were sworn in as the military and the country are engaged in a vigorous, divisive debate about what place immigrants should have in the armed forces and society at large.

The ceremony at George Washington's home took place as lawmakers on the other side of the Potomac River began debating a controversial immigration bill that would, among other provisions, grant legal status to virtually all undocumented workers, create a temporary worker program and tighten border controls.

The bill also calls for allowing the military to be a path to citizenship for a limited number of undocumented immigrants—those who were brought to the United States when they were younger than 16 and have been living here for at least five years.

The ceremony also came as some military experts want to open the armed forces to undocumented immigrants and foreign recruits to fill the ranks as the Army and Marines plan troop increases.

Critics fear a flood of recruits lured solely by the promise of legal status. ''A very large number of non-citizens could change the purpose of the military from the defense of the country to a job and a way to get a foot in the door of the United States,'' said Mark Krikorian, executive director of the Center for Immigration Studies, which advocates restrictions on immigration. ''It becomes a kind of mercenary thing.''

Others argue that a liberalized policy could improve the armed forces. Margaret Stock, an immigration lawyer, Army officer and law professor at West Point, noted that during wartime, military brass can already sign up undocumented immigrants, some of whom have received citizenship.

''I think that it's great for the military to allow people to enlist who are qualified to be in the military,'' Stock said. ''Having papers doesn't tell me whether someone's qualified or not.''

Official military policy is to accept legal permanent residents with green cards, although Congress in January 2006 gave military leaders wartime powers to enlist anyone they deem ''vital to the national interest.''

At Mount Vernon yesterday, the three military men remained stoic as they were swarmed by photographers and TV cameras and held out by federal officials as the best that immigration has to offer.

''There's too much immigrant-bashing going on,'' said Dan Kane, a spokesman for the U.S. Citizenship and Immigration Service. Featuring the three military personnel ''sends a powerful message that immigrants make a meaningful contribution to the United States.''

Legal permanent residents serving in the military were given the right to apply for citizenship immediately by a wartime executive order signed by President Bush in 2002. In peacetime, permanent residents in the military are required to wait three years.

Nonetheless, there has not been a rush to obtain citizenship, according to Emilio Gonzalez, USCIS director. ''After the executive order, we have not seen hordes of people joining the military,'' he said. ''These people don't join the military just to become citizens. These people joined the military because they wanted to serve.''

Cherubin, who immigrated in May 1999, joined the Navy a few months later and is based at Anacostia Naval Station, was the first to be called to receive his citizenship papers yesterday.

After high school in Haiti, there was nothing for him. He just waited for the day when his father, already in the United States, would call and say his visa had come through.

''When you live in a country like Haiti, you don't think about your future,'' Cherubin said. ''You live day by day. The biggest dream you could possibly have is coming to the United States.''

Cherubin joined the military so he could go to college. It wasn't until the attacks of Sept. 11, 2001, that he found a sense of purpose to his life in the Navy. An aviation planner, he was deployed to an aircraft carrier and readied F–18 hornets for bombing runs over Afghanistan.

''To be part of that, to be among the first people over there fighting back, it was a beautiful feeling,'' he said.

During the ceremony, Glenda Joseph slipped to the front row to snap a photo of her husband. She'd been after him to get his citizenship for the 14 years they'd been married. He'd always wanted to but procrastinated. Then he was deployed for 10 months, running convoys throughout Iraq, and there was no time.

Based in Quantico, Joseph is an aviation assignments monitor and is charged with moving 10,000 Marines around the globe. He moved from St. Vincent to Brooklyn, N.Y., with his family when he was 6. He's been in the Marines for 16 years, has earned two bachelor's degrees and is working on a master's degree.

It was time to make it official.

''At least,'' he said, ''now I'll be able to vote.''

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, this amendment is very simple. It strikes the temporary worker provision. It does not mean there won't be immigration coming into this country. We will have 2.5 million people coming in under legal channels, agricultural work, so on. This is extra. We are told that 2.5 million is not enough. When you cast this vote, cast this vote on behalf of American workers who want American jobs that pay well, and that has been all too hard to find recently.

I yield the floor.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 1153.

Mr. KENNEDY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

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 South Dakota (Mr. JOHNSON), the Senator from Illinois (Mr. OBAMA), and the Senator from New York (Mr. SCHUMER) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 31, nays 64, as follows:

[Rollcall Vote No. 174 Leg.]

YEAS—31

| | | |
|---|---|---|
| Baucus | Durbin | Reed |
| Bayh | Feingold | Reid |
| Biden | Harkin | Rockefeller |
| Boxer | Inouye | Sanders |
| Brown | Landrieu | Stabenow |
| Byrd | Lautenberg | Tester |
| Casey | Leahy | Vitter |
| Clinton | Levin | Webb |
| Coburn | McCaskill | Whitehouse |
| Conrad | Murray | |
| Dorgan | Nelson (NE) | |

NAYS—64

| | | |
|---|---|---|
| Akaka | Domenici | McConnell |
| Alexander | Ensign | Menendez |
| Allard | Enzi | Mikulski |
| Bennett | Feinstein | Murkowski |
| Bingaman | Graham | Nelson (FL) |
| Bond | Grassley | Pryor |
| Brownback | Gregg | Roberts |
| Bunning | Hagel | Salazar |
| Burr | Hatch | Sessions |
| Cantwell | Hutchison | Shelby |
| Cardin | Inhofe | Smith |
| Carper | Isakson | Snowe |
| Chambliss | Kennedy | Specter |
| Cochran | Kerry | Stevens |
| Coleman | Klobuchar | Sununu |
| Collins | Kohl | Thomas |
| Corker | Kyl | Thune |
| Cornyn | Lieberman | Voinovich |
| Craig | Lincoln | Warner |
| Crapo | Lott | Wyden |
| DeMint | Lugar | |
| Dole | Martinez | |

NOT VOTING—5

| | | |
|---|---|---|
| Dodd | McCain | Schumer |
| Johnson | Obama | |

The amendment (No. 1153) was rejected.

Mr. KENNEDY. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I thank all of the Members.

If we could have your attention, please. We are lining up the amendments for tomorrow. I think Senator GRAHAM has an amendment. Senator BINGAMAN also has an amendment that is going to reduce these numbers down to some 200,000. We had that issue that was raised before. So we are trying to line up some amendments, trying to go back and forth during the morning. We would like those who have amendments and who are prepared to go, if they would talk with Senator KYL or myself, and we will try to do the best we can to both give the Members the information and to work out a process.

We thank all of our colleagues for their cooperation.

Mr. CORNYN. Mr. President, will the Senator yield for a question?

Mr. KENNEDY. Yes, I am glad to yield.

Mr. CORNYN. Mr. President, I inquire whether we are going to bring up an amendment one at a time and that has to be voted on and disposed of or whether there will be an opportunity to offer multiple amendments and then work with the managers of the bill to try to queue those up for a vote at the appropriate time?

Mr. KENNEDY. Well, I thank the Senator. I think for the start of this debate we ought to try to do them individually. I think that is what the leaders had decided. We can see. As we make progress with the legislation, we can consult. But it does seem to me we ought to just take these. We have had a good debate, an extensive one on this issue, and it is enormously important. I think at the start of this we would like to do them individually. We will do the best we can to cooperate with people and their schedules, but I think we ought to try to at least follow that. Then we can see, as we make progress on the legislation, whether the leaders will decide on a different strategy to move them.

Mr. CORNYN. Mr. President, if the Senator will yield for one more question.

The PRESIDING OFFICER. Does the Senator yield?

Mr. KENNEDY. Yes, Mr. President, I am glad to yield.

Mr. CORNYN. Mr. President, I appreciate the response, and certainly we want to do this in an orderly fashion. But I think the majority leader and the Republican leader were very farsighted in extending the time beyond this week where we could actually consider amendments on the bill because I think there is a real need to have a full and fair debate and a free opportunity to offer amendments because, frankly, there are a lot of people who do not know what is in this bill yet. The final bill text was, I guess, filed last night, laid down at 9 o'clock. So it is very hard to fashion those amendments until we have bill text back from legislative counsel and the opportunity to craft those amendments.

So my only point is I hope we are going to continue to have the opportunity to offer those amendments, to have the debate, to have those votes, and not get into a time crunch. Two weeks seems like a long time, but with the kind of amendments, the number of amendments I know are going to be offered, I think we need to have this opportunity for a full airing of the issues and an opportunity to vote on those amendments.

The PRESIDING OFFICER (Mr. MENENDEZ). The majority leader is recognized.

Mr. REID. Mr. President, we want to have a full and complete debate on this bill. But my experience has been that if we do not follow having one amendment—if the managers do not like it, they can move to table it, or there are a lot of things you can do. But where we run into trouble is where you stack up a bunch of amendments that are pending because that is when the managers lose control of the bill. The people who have offered all the amendments control what goes on with the legislation.

So unless something untoward happens, I think we are so much better off having people offer amendments. If they are dilatory, the managers can move to table. If that does not work, then we can try something else. But for the foreseeable future, why don't we try to move through this one at a time.

I think the debate today has been excellent. There have been no surprises to what Senator DORGAN was going to do. I thought what would be the right thing to do is have—we have had a Democratic amendment. If the Republicans want to offer an amendment, let them offer the next one, and go back and forth. The next Democratic amendment, as far as I understand it, is the Bingaman amendment; is that right?

Mr. KENNEDY. Well, we are working that out. Senator GRAHAM may offer his amendment. Then, there would be an amendment—I expect the Bingaman amendment will be in the morning, some time in the mid, late morning.

Mr. REID. My only point is——

Mr. KENNEDY. Yes. We are trying to go back and forth. We are working together, Senator KYL and ourselves. If there seems to be two amendments on the same subject, we are trying to deal with those issues.

Mr. REID. Even tonight—there is an event for the spouses—if people want to stay and work, that is fine, they can do that, too. There are no time limits on how late we can work. I want people to feel they can work as late as they want. And we can have some late votes. I don't think there is anything wrong with that.

Mr. MCCONNELL. Mr. President, let me just make the point that the key is how many votes are allowed. We were on this measure for 2 weeks last Congress; there were 32 votes. This process

will work fine provided we get votes and move along and follow in an orderly process. But if that breaks down, the Senator from Texas has a point, that we need to get some amendments in the queue and try to handle them as rapidly as we can.

Mr. KENNEDY. Mr. President, the Senator from Texas raised probably four or five points that I know of in the course of these discussions. We are familiar with the general subject matter.

If I could have the attention of my colleagues, he had raised probably four or five issues that related to the title II. I listened to him this morning at the breakfast, and he raised a point on title II. So if he wants to, we are prepared to move ahead with the Senator's amendments. We are familiar with the general area. I know there are going to be drafting issues, but we are glad to accommodate that. We don't want the technical aspects to slow the process.

So we are familiar with those subject matters. The Senator could get a hard look maybe over tonight about the particular areas and then talk with us tomorrow, and we will make sure we have the time and that we are prepared to go ahead. We are more than ready to be here. We had a good afternoon. We enjoyed it. We started on it at a quarter to 3 and worked until 6:15. We are prepared to go this evening or tomorrow or tomorrow night or the following night. We are not trying to rush anybody, but we are prepared to do business.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mr. SCHUMER. Mr. President, I enter this statement in the RECORD in support of the Dorgan-Boxer amendment to strike the temporary worker program from S. 1348. While we certainly should fill jobs for which there is a shortage of American workers, it should be done on specific needs and based on traditional visas. I believe that the introduction of a large stream of low-skilled foreign workers would have a negative impact on the wages of American workers. Finally, I fear that the inherent flaws in this proposed system will, in time, recreate the very same undocumented worker crisis this bill seeks to eliminate. A graduation event for my daughter requires me to be away from Washington, D. C. on the afternoon of May 22, 2007, and regrettably prevents me from officially registering my support of the Dorgan-Boxer amendment.●

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mr. OBAMA. Mr. President, unfortunately, I had to miss today's vote on the Dorgan amendment to strike the new Y visa worker program in the bill. As currently designed, the temporary worker program in this bill is designed to fail.

The program in the bill proposes to create a new 400,000 person annual temporary worker program that could grow to 600,000 without congressional approval. It expands the existing seasonal guestworker programs from 66,000 up to 100,000 in the first year and 200,000 after that. At the end of their temporary status, almost all of these workers would have to go home. That means at the end of the first 3 years, we would have at least 1.2 million of these new guestworkers in the country with only 30,000 having any real hope of getting to stay.

As we have learned with misguided immigration policies in the past, it is naïve to think that people who do not have a way to stay legally will just abide by the system and leave. They won't. The current group of undocumented immigrants will be replaced by a new group of second-class workers who will place downward pressure on American wages and working conditions. And when their time is up, they will go into the shadows where our current system exploits the undocumented today.●

Mr. REID. 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. CASEY. 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. CASEY. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The minority leader.

## HONORING OUR ARMED FORCES

### CORPORAL NICHOLAS J. DIERUF

Mr. MCCONNELL. Mr. President, 2 days ago, family and friends gathered at the Dieruf family farm near Lexington to celebrate a birthday and continue an annual tradition.

If this year was similar to years past, they played games and shared stories around a bonfire. But unlike years past, one man was missing. That man is CPL Nicholas J. Dieruf, a U.S. marine.

Corporal Dieruf was taken from us on April 8, 2004. It is his birthday that brings so many people together, a tradition that started when he was in high school.

Corporal Dieruf was mortally wounded in the Al Anbar Province of Iraq. As the gunner of a light armored vehicle, his vehicle was in the lead of a convey when terrorists attacked with rocket-propelled grenades and small arms. He was 21 years old.

For his valorous service, Corporal Dieruf received numerous medals and awards, including the Purple Heart.

As the youngest of four brothers—where the eldest and youngest are separated by only 4 years—Nich learned quickly how to get along with others.

His mother Barbara sheltered him from the youthful pranks that his brothers, Charlie, Matthew, and Paul, tried to play on him, like when they almost convinced him to swallow an earthworm fresh from their mother's rose bed.

But Charles Dieruf, their father, instilled confidence and self-respect in his sons and reminded them that the only thing you will ever have in life is your brothers. By the time the boys reached grade school, they had developed a respect and admiration for one another that persists to this day.

Nich became especially close to Matthew, the second oldest brother, with a spirit and a temperament much like Nich's. In high school, Matt and Nich would take what they called ''fun runs,'' jogging through the bluegrass countryside. Runs that started as training for the cross-country team soon became what Matt calls ''a chance to get out and talk about stuff.'' Barbara says Nich always looked up to Matthew and valued his advice.

After graduating from Paul Laurence Dunbar High School, in his hometown of Lexington in 2000, Nich enrolled in classes at Lexington Community College that fall. That October, however, he joined the Marines.

That decision was an important step in Nich's transformation, as his older brothers watched the youngest brother who looked to them for advice become the man they themselves would turn to for counsel.

''When Nich was in town, everyone would come around,'' says his brother, Matthew. ''People just gravitated to my brother.''

Nich deployed to Iraq for the first time in early 2003 and quickly acclimated to the 14-hour workdays. His commanding officers noted his leadership qualities, and when his platoon commander had to break in a new staff sergeant, he assigned the sergeant to Corporal Dieruf's vehicle, to learn from the best.

The trust Corporal Dieruf's commanders placed in him with this decision became clear when you realize that a staff sergeant is two full ranks above a corporal. Another marine who worked with Nich, SGT Joseph Leurs, had this to say:

> Corporal Dieruf was extremely tactful. If he saw me doing something differently than how it was normally done, he would suggest we get a drink, and only then would he propose that I try it another way.

Sergeant Leurs went on to say that Corporal Dieruf earned the respect of those he served with, and never soured on his duties to the Corps.

Shortly before his first deployment, Nich gave a young woman named Emily Duncan a pearl ring—a promise

ring, which he asked her to wear while he was away. Emily Duncan, who would become Emily Dieruf, wore his ring and sent him letters and care packages. When Nich returned from his first tour in July 2003, he asked Emily to replace that promise ring with a wedding band.

The young couple exchanged vows in January of 2004, and on February 18, shared their last embrace before Nich deployed for his second tour in Iraq. In a note Nich sent to Emily from Iraq, he described why he was honored to wear his country's uniform: ''If you could see what I see, and compare it to back home,'' he wrote, ''you would see why we are needed.''

He was a loving, caring marine who believed deeply in what he was doing, his wife Emily says. Nich was especially proud of the work he and his fellow marines were doing for the Iraqi children.

Nich, who had demonstrated his gift for taking things apart and putting them back together as a boy, planned to enroll in the University of Kentucky's engineering program when he returned.

Then came that fateful day in April. Emily wrote Nich a letter and at the end of the day fell asleep. Shortly after midnight, she was awakened by a knock at the door. Looking outside to see a marine on her doorstep, her first thought was that Nich had come home to surprise her, as he had in the past. Tragically, she learned, instead, that her husband had died earlier that day.

Corporal Dieruf was buried with full military honors at Lexington's Calvary Cemetery on Friday, April 16, 2004. Three years later, we continue to honor his life and his sacrifice, and I am very pleased that some of his family and friends have traveled to Washington to meet with me in the Capitol today.

Nich's beloved family members include his wife Emily, his father Charles, his mother Barbara, his brother Charlie, his brother Matthew, his brother Paul, his sister-in-law Katie, his sister-in-law Court, his nephew Charles R. Dieruf, IV, his grandmother Fran, his mother-in-law Jennifer Duncan, his uncle Thomas Greer, his aunt Wilma Greer, his cousin Ashley Greer, and many others. I ask the Senate to keep them in your thoughts and prayers today. I know they will be in mine.

No words we can say today will ease the pain of the Dieruf family or fill the hole Nich leaves behind. But I hope the reverence and respect this Senate shows Corporal Dieruf can remind them that he lived and served as a hero, and his country will forever honor and remember his sacrifice.

Even after his passing, Nich continues to bring his family and friends together, as he has today, as he did 2 days ago at the Dieruf family farm. Perhaps his mother Barbara said it best when she said, ''Nich was the glue that held those he loved together.''

The bond Nich formed with those who love him is so strong it holds fast today, and it will bring his friends and family together again, in his memory, year after year.

## DRUG SAFETY

Mr. KENNEDY. Mr. President, I wish to address the Senate about a very important subject. Too often it takes a crisis for Congress to take action on a national need. We have had crisis after crisis on drug safety, and yesterday we learned of another. A report published in the New England Journal of Medicine showed that the diabetes drug Avandia may increase the risk of heart attacks and death. If further evidence were needed that improving drug safety is an urgent priority, yesterday's report puts the matter beyond doubt. The Senate has approved strong and comprehensive legislation to improve drug safety. That proposal should be taken up by the House and enacted without delay.

Yesterday's report was based on an analysis of clinical trials conducted by a team of physicians and scientists, and I commend them for their skill and perseverance. Why isn't FDA doing this kind of analysis, and why aren't companies required to undertake additional safety tests if there are unanswered questions about their products?

The simple answer is, the FDA does not have the resources to conduct these analyses itself, and it doesn't have the authority needed to require companies to perform them. The legislation the Senate recently approved corrects both of these major flaws.

Our legislation requires FDA to link electronic health care databases to allow for better, faster identification and assessment of safety problems. The bill adds to the fees that drug companies are required to pay and devotes new funds to drug safety.

Unforeseen risks of a drug must be caught as quickly as possible so that effective protections can be implemented before more lives are needlessly put at risk, and our legislation makes that happen.

The New England Journal recommended a large prospective trial as the best way to get the answers we need. FDA should have clear authority to require such trials, and our bill provides it.

Some trials studied in the journal report were included in a registry that Glaxo voluntarily maintains. The Senate bill requires the results of clinical trials to be made available to the public in a single, easily accessible database. That will help patients get information about the medicines they take, and it will help scientists identify drug safety problems faster.

Information alone is not enough to protect public health. FDA needs the authority to take action where needed. Right now all FDA can do after approval is request a labeling change or request a medication guide or request patient labeling or request a review of drug advertising. Safeguarding the lives of American patients should not have to depend on requests. Our bill gives the FDA the authority to require those measures and impose civil monetary penalties to enforce them.

Our legislation will make FDA, once again, the gold standard for protecting public health. It should not take a new crisis to bring Congress to act. I look forward to working with our colleagues in the House to see that this legislation is signed into law without delay.

## TRIBUTE TO BETH SPIVEY

Mr. LOTT. Mr. President, I would like to take this opportunity to bid farewell to my senior legislative assistant, Beth Spivey, who is departing my staff after almost 10 years of outstanding service to the people of Mississippi and the Nation.

Beth has been an integral part of my personal office staff for so many years and we will genuinely miss her when she leaves. She joined my staff as an intern during the summer of 1997 and never left, starting as an employee that September. From the beginning, she demonstrated exceptional skills and confidence. Starting as a legislative correspondent, she showed that she could handle a large volume of mail, promptly answering all letters with well thought out responses.

Beth was eager to learn the substance of large and small issues alike, and it was only a matter of time and an available opening on my staff before she was ready to move up to serve as a legislative assistant. She proved herself adept at handling a range of issues with skill and efficiency; from transportation to telecommunications, and from energy to the environment. She understands the key concerns, organizations, and people for her issues and knows how to bring them together to find common ground in order to advance legislation to become law.

It is the latter quality that I found so valuable in Beth. As my colleagues know, I care about the Senate being productive in matters that are resolvable. While there will always be issues that define the differences between the political parties, the vast majority of bills can be worked out with a minimum of contested votes, or none at all, if Members and their staffs are willing to work hard to reach an agreement. Beth has the skills and the desire to move bills through the legislative process to enactment, sometimes negotiating two or more bills moving through the process at the same time.

Beth excels at multitasking. It has not been uncommon for her to simultaneously work on the highest priority bills of the Commerce, Science, and Transportation Committee and the Energy and Natural Resources Committee. This skill was evident early on as she planned her Mississippi wedding from Washington while working a rigorous schedule. Whether I was chairing a surface transportation subcommittee or an aviation subcommittee, Beth was

my point person for moving nationally significant legislation through the committee and the Senate. When I was the majority leader, she led the Senate Energy Task Force staff efforts.

Beth has been a key figure in the enactment of several important bills into law: the Energy Policy Act of 2005 and its previous incarnations, the Vision 100—Century of Aviation Reauthorization Act, the Aviation Investment and Revitalization Vision Act, and the Safe, Accountable, Flexible and Efficient Transportation Equity Act—A Legacy for Users. She also shepherded the Passenger Rail Investment and Improvement Act of 2005 through the Senate and the Advanced Telecommunications and Opportunities Reform Act through the Commerce, Science, and Transportation Committee during the 109th Congress. During the 110th Congress, she has already guided the Aviation Investment and Modernization Act through the Commerce, Science, and Transportation Committee. Beth always ensured that these bills were good for the Nation and good for Mississippi.

While Beth is as gracious and charming as one would expect from her Mississippi upbringing, she is also assertive and confident, and deserving of respect for her abilities. She never hesitated to take charge of her areas of responsibility or speak up if she felt she or anyone else was being overlooked.

Beth is not just a hard working, skilled staff member. She has been part of my personal office family for almost 10 years. Whether training a new staff member, guiding interns through their Washington experience, or cutting birthday cakes, Beth has been a trusted, steady, and caring colleague. As a former intern, she always ensured that our legislative interns were provided challenging assignments and treated with respect.

Mr. President, Beth has come a long way from Brandon, MS, and the University of Mississippi. In addition to being a seasoned staff member, she also is a wife and a mother. Beth now moves on to a new phase in her life, leaving for the private sector and making more time for her husband Les and young daughter Ann Miller. We all will miss her very much. I wish her the very best as she heads out in a new direction and pray that God will continue to bless her and her family.

## NOPEC

Mr. LEAHY. Mr. President, I am proud to be an original cosponsor of S. 879, the No Oil Producing and Exporting Cartels Act of 2007, or NOPEC. The Judiciary Committee today reports that bill favorably, with an accompanying committee report. This is not the first time the committee has reported this legislation, but it ought to be the last. Indeed, the Senate Judiciary Committee under three different chairmen has now considered and recommended this legislation for passage. It is long past time for this bill to become law.

NOPEC will hold certain oil producing nations accountable for their collusive behavior that has artificially—and drastically—reduced the supply and inflated the price of fuel. It authorizes the Attorney General to take legal action against any foreign state, including members of the Organization of Petroleum Exporting Countries, OPEC, for price fixing and artificially limiting the amount of available oil.

Just this morning, I read in the Washington Post that the Energy Department declared that ''gasoline prices last week came within a half penny of tying the modern era's inflation-adjusted record set in March 1981,'' and that the nationwide average price at the pump is $3.218 a gallon. That is a rise of more than 11 cents a gallon just in the last week, according to the Energy Information Administration. These increases in price have led to renewed calls for investigation into their causes, but we already know well one significant cause: anticompetitive conduct by oil cartels.

While OPEC actions remain protected from antitrust enforcement, the ability of the governments involved to wreak havoc on the American economy remains unchecked. If OPEC were simply a collection of foreign businesses engaged in this type of behavior, they would already be subject to the antitrust laws.

I am disappointed that the administration recently announced it would oppose this bill and recommend that the President veto it. When entities engage in anticompetitive conduct that harms the American consumers it is the responsibility of the Department of Justice to investigate and prosecute. It is wrong to let OPEC producers off the hook just because their anticompetitive practices come with the seal of approval of national governments.

Americans deserve better, and it is time for Congress to act. With the summer months approaching, there is no end in sight to the rise in gas prices. I am hopeful that the Senate will take up and pass this legislation in June. I thank Senator KOHL for his leadership on this important issue.

## REVEREND JERRY FALWELL

Mr. HATCH. Mr. President, I want to say a few words about Reverend Jerry Falwell, who passed away last week. Reverend Falwell loved God, loved people, and loved his country. He not only spoke about what he believed, he acted on what he believed and worked to help people and to make this country better.

Jerry Falwell led a remarkable and inspiring life. He was born in Lynchburg, VA, the son of a nonreligious bootlegger and the grandson of a staunch atheist. This family background makes all the more real, some might say dramatic, his conversion to Christianity and his lifelong unwavering commitment to Christ.

In 1956, he founded Thomas Road Baptist Church. Just 35 people attended its first meeting in the local elementary school. Although Reverend Falwell became known to most for his national political efforts, he was in his heart a local church pastor and he led that congregation for more than 50 years, seeing it grow to more than 24,000 members.

Reverend Falwell knew that faith cannot be segregated from life and that Christ calls us to be doers, rather than simply hearers, of the Word. Reverend Falwell founded the Elim Home in 1959 as a residential program providing spiritual restoration and help for those battling alcohol and drug addiction. The home still operates today, just north of Lynchburg.

Proverbs 22:6 says to train up a child in the way he should go and so, in 1967, Reverend Falwell founded Lynchburg Christian Academy for children from kindergarten through high school. Four years later, he founded Lynchburg Bible College with just 154 students and 4 full-time faculty. Today, Liberty University is the largest evangelical college in the world, fully accredited with more than 20,000 students from around the world. In recent years, Reverend Falwell returned to this mission of Christian education and he was at work in his office when he passed away. His vision there continues to unfold. Liberty University Law School, which achieved provisional ABA accreditation in just 18 months, graduated its first class this year and a medical school is on the drawing board.

When it came to issues such as the sanctity of human life, Reverend Falwell once again put action to his words. He founded the Liberty Godparent Foundation in 1982, opening a home for unwed mothers while other evangelicals were content simply to protest abortion. I certainly agree that abortion is wrong because of what abortion is and does, but Reverend Falwell demonstrated that there is more to being pro-life than simply being opposed to death. He set an inspiring example, and today there are more crisis pregnancy centers than abortion clinics in America.

Reverend Falwell is perhaps best known for what launched him onto the national stage, founding the Moral Majority organization in 1979. This effort brought millions of Americans into the political process and made them more informed, more active citizens. In 1995, he launched a monthly magazine, the National Liberty Journal, which reaches hundreds of thousands of pastors and Christian citizens. The author of more than a dozen books over nearly 30 years, Reverend Falwell continued to write his own e-mail newsletter and columns distributed widely through the world.

Reverend Falwell certainly gained his share of notoriety for positions on certain issues or particularly controversial statements. That happens to people who speak out, especially those

who speak against the drift of the prevailing culture. Reverend Falwell chose to adopt a national profile and received a good amount of criticism for taking public stances on difficult issues. But he accepted consequences and was not above admitting and apologizing for his mistakes or, after more thought and reflection, adjusting some views and adapting to change.

Reverend Falwell was not nearly as easily labeled as some might think. For all the opposition he received from those on the left, some on the right criticized him for appearing to move away from the fundamentalist and toward the evangelical camp. Others attacked him for his friendship with leaders of the charismatic movement, speaking at conferences hosted by groups or leaders from different Christian traditions, or working closely with Roman Catholic leaders. His Liberty Baptist College has hosted speakers from Reverend Billy Graham to, yes, Senator EDWARD KENNEDY. Through it all, Reverend Falwell stayed true to his own convictions while working with others on issues of common purpose to help people and to make our country better.

One of the most telling tributes about Reverend Jerry Falwell comes from a most unexpected source. After losing a libel suit to Penthouse publisher Larry Flynt in the Supreme Court back in 1988, Reverend Falwell befriended Flynt and the two appeared together in numerous media venues, visited each other, and even exchanged Christmas cards. In a column published just a few days ago in the Los Angeles Times, Flynt declared that while he disagreed with everything Reverend Falwell preached, he found that they actually had a lot in common. He wrote: ''The more I got to know Falwell, the more I began to see that his public portrayals were caricatures of himself.'' The ultimate result of their relationship was, as Flynt put it, ''just as shocking a turn to me as was winning that famous Supreme Court case: We became friends.''

Jerry Falwell leaves behind Macel, his wife of nearly 50 years, his three children and eight grandchildren. His son Jerry has taken up the mantle as Chancellor of Liberty University and his son Jonathan had already been named Executive Pastor of Thomas Road Baptist Church. Reverend Falwell's example, his legacy, is so much more than the controversial remarks, views, or positions that some want to emphasize. Reverend Jerry Falwell lived what he believed, he put action to his faith, he inspired and educated, he led and equipped. He was a pastor, a teacher, and a leader. He helped change countless lives and helped make our country better. For all those reasons and so many more, he will be missed.

## THE MATTHEW SHEPARD ACT

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On May 18, 2007, in Greenville, SC, Sean Kennedy was beaten by an unnamed man which resulted in his death. Kennedy, a gay man, was punched in the face and knocked to the ground where he sustained injuries to his head. Kennedy died of his injuries later that night at a local hospital. The attacker was later brought into custody and charged with murder. Because Kennedy was attacked while leaving a gay bar and the attacker used anti-gay epithets, the Greenville County Sheriff turned the case over to the FBI for investigation as a hate crime.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Matthew Shepard Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

# ADDITIONAL STATEMENTS

## NEW HAMPSHIRE EXCELLENCE IN EDUCATION AWARDS

● Mr. SUNUNU. Mr. President, I wish to congratulate the 2007 recipients of the New Hampshire Excellence in Education Awards. These prestigious awards, commonly called the EDies, are presented each year to individuals and schools who demonstrate the highest level of excellence in education.

The EDies were founded as a way to honor the best of the best among New Hampshire's educators. In the 14 years since, there has been a rich source of talented and successful teachers, administrators, schools, and school boards to draw from to honor at each annual event. This year was no exception.

Those individuals selected have been compared against a criteria set by others in their discipline through their sponsoring organization. Schools are also chosen by experienced educators and community leaders in New Hampshire based on guidelines established by the New Hampshire Excellence in Education Board of Directors. I am proud to recognize the individuals and schools who will receive this year's awards on June 9, 2007.

In addition, I would also like to recognize the many teachers who have played such an important role in my children's lives and in my own life, as well. As I serve in the Senate, I remain proud and grateful for the excellent education I received in the public education system of the State of New Hampshire.

Mr. President, I ask that the list of the 2007 New Hampshire Excellence in Education Award winners be printed in the RECORD.

The list following.

2007 NEW HAMPSHIRE EXCELLENCE IN EDUCATION AWARDS RECIPIENTS

Susan E. Auerbach, Ph.D.; Officer Robert Bennett; Susan Bradley; Linda Burdick; Marjorie Chiafery; Deborah Couture; Debbra Crowder; Judith Elliott; Debbie D. Gay; William Gibson; Christina Gribben; Jack Grube; Kathleen Hill; Russell Holden; Dr. Steven Kelley; Carolyn Kelley; Dr. Beverly R. King; Joseph Kopitsky; Bruce Larson; Dr. Patricia ''Irish'' Lindberg.

Shari J. Litch-Gray, Ph.D.; Constance Manchester-Bonefant; Deborah Nichols; Rosemary Nunnally; Jason Parent; William Ranauro; David Remillard; Linda Sherouse; Kathryn L. Skoglund; Marcia Trexler; Debra Vasconcellos; Karen P. Whitmore; Dr. Barbara Young-Hoffman.

Ashland Elementary School; Belmont Middle School; Chichester Central School; Claremont School Board; Hampstead Central School; Hampstead Middle School; Kearsarge Regional Middle School; South Londonderry Elementary School; Adeline C. Marston School; Pembroke Academy.●

## RECOGNIZING FRANKFORT, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Frankfort, SD. Founded in 1882, the town of Frankfort will celebrate its 125th anniversary this year.

Located in Spink County, Frankfort was named after Frankfort I. Fisher, a settler who explored the area. It was also named in part after Frankfurt, Germany. Frankfort has been a successful and thriving community for the past 125 years and I am confident that it will continue to serve as an example of South Dakota values and traditions for the next 125 years.

I would like to offer my congratulations to the citizens of Frankfort on this milestone anniversary and wish them continued prosperity in the years to come.●

## RECOGNIZING WARNER, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Warner, SD. Located in Brown County, the town of Warner will celebrate the 125th anniversary of its founding this year.

Since its beginning in 1881, Warner has been a strong reflection of South Dakota's values and traditions. Their community spirit was recognized in 2000, when Warner was honored as South Dakota's ''Community of the Year.'' As they celebrate this milestone anniversary, I am confident that Warner will continue to thrive and succeed for the next 125 years.

I would like to offer my congratulations to the citizens of Warner on their anniversary and wish them continued prosperity in the years to come.●

## RECOGNIZING LETCHER, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Letcher, SD. The town of

Letcher will celebrate the 125th anniversary of its founding this year.

Located in Sanborn County, Letcher was named after O.T. Letcher, who was Assistant Secretary of Dakota Territory at the time. Since its beginning in 1883, Letcher has been a strong reflection of South Dakota's values and traditions. As they celebrate this milestone anniversary, I am confident that Letcher will continue to thrive and succeed for the next 125 years.

I would like to offer my congratulations to the citizens of Letcher on this milestone anniversary and wish them continued prosperity in the years to come.●

## RECOGNIZING SANFORD SCHOOL OF MEDICINE

● Mr. THUNE. Mr. President, today I recognize the University of South Dakota's Sanford School of Medicine. Founded in 1907, the school will celebrate its 100th anniversary this year.

Throughout the past 100 years, the Sanford School of Medicine has served the State of South Dakota through its excellence in education and research. The school has earned a reputation as one of the best rural medicine and family medicine programs in the Nation. Consistently on the cutting edge of research, Sanford Medical School has world-class programs in heart disease, cell biology, multiple sclerosis, antibiotics, and rural health.

I am confident that the high standard of excellence that has been achieved at the Sanford School of Medicine will continue thanks in part to the generous donation of Sioux Falls businessman, T. Denny Sanford. Sanford's generous gift of $20 million has allowed and will continue to allow the school to develop into a leading research and training institution. In addition, the Sanford School of Medicine is currently constructing the Lee School of Medicine Building, a new high-tech science facility. These improvements will allow the school to continue to serve as a prominent medical institution in the State of South Dakota and across the Nation for the next 100 years.

I offer my congratulations to the Sanford School of Medicine on this milestone anniversary and wish them continued prosperity in the years to come.●

## RECOGNIZING THE SOUTH DAKOTA NEWSPAPER ASSOCIATION

● Mr. THUNE. Mr. President, today I recognize the South Dakota Newspaper Association as they celebrate their 125th anniversary this year.

Throughout the past 125 years, the SDNA has consistently provided outstanding service to the State of South Dakota. We count on our news organizations to keep the public informed and to promote a sense of community within our State. Currently representing 138 weekly and daily newspapers from all over South Dakota, the SDNA allows newspapers to more effectively perform their role of keeping citizens up-to-date on world events. As they celebrate this milestone anniversary, I am confident that the SDNA will continue to thrive and succeed for the next 125 years.

It gives me great pleasure to rise with the South Dakota Newspaper Association and to congratulate them on this historic occasion. I wish them and all of South Dakota's newspapers continued success in the years to come.●

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry, nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## MESSAGE FROM THE HOUSE

At 2:43 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 698. An act to amend the Federal Deposit Insurance Act to establish industrial bank holding company regulation, and for other purposes.

H.R. 1425. An act to designate the facility of the United States Postal Service located at 4551 East 52nd Street in Odessa, Texas, as the ''Staff Sergeant Marvin 'Rex' Young Post Office Building''.

H.R. 2077. An act to designate the facility of the United States Postal Service located at 20805 State Route 125 in Blue Creek, Ohio, as the ''George B. Lewis Post Office Building''.

H.R. 2078. An act to designate the facility of the United States Postal Service located at 14536 State Route 136 in Cherry Fork, Ohio, as the ''Staff Sergeant Omer 'O.T.' Hawkins Post Office''.

H.R. 2272. An act to invest in innovation through research and development, and to improve the competitiveness of the United States.

## MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 698. An act to amend the Federal Deposit Insurance Act to establish industrial bank holding company regulation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1425. An act to designate the facility of the United States Postal Servicelocated at 4551 East 52nd Street in Odessa, Texas, as the ''Staff Sergeant Marvin ''Rex'' Young Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2077. An act to designate the facility of the United States Postal Servicelocated at 20805 State Route 125 in Blue Creek, Ohio, as the ''GeorgeB. Lewis Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2078. An act to designate the facility of the United States Postal Servicelocated at 14536 State Route 136 in Cherry Fork, Ohio, as the ''StaffSergeant Omer T. 'O.T.'' Hawkins Post Office'; to the Committee on Homeland Security and Governmental Affairs.

## MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2272. An act to invest in innovation through research and development, and to improve the competitiveness of the United States.

## 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–1984. A communication from the Under Secretary, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Data Collection Related to the Participation of Faith-Based and Community Organizations'' ((RIN0584–AD43)(FNS–2007–0005)) received on May 21, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1985. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the competitive sourcing efforts of the Department during fiscal year 2006; to the Committee on Armed Services.

EC–1986. A communication from the Secretary of Defense, transmitting, a report on the approved retirement of Lieutenant General William G. Boykin, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1987. A communication from the Secretary of Defense, transmitting, a report on the approved retirement of Lieutenant General Dell L. Dailey, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1988. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Excessive Pass-Through Charges'' (DFARS Case 2006–D057) received on May 21, 2007; to the Committee on Armed Services.

EC–1989. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Deletion of Obsolete Acquisition Procedures'' (DFARS Case 2006–D046) received on May 21, 2007; to the Committee on Armed Services.

EC–1990. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Military Construction on Guam''

(DFARS Case 2006–D065) received on May 21, 2007; to the Committee on Armed Services.

EC–1991. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Wage Determinations'' (DFARS Case 2006–D043) received on May 21, 2007; to the Committee on Armed Services .

EC–1992. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Acquisition Integrity'' (DFARS Case 2006–D044) received on May 21, 2007; to the Committee on Armed Services .

EC–1993. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to the Department's intent to obligate up to $5 million of fiscal year 2006 funds for the Cooperative Threat Reduction Program; to the Committee on Armed Services.

EC–1994. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved retirement of Vice Admiral Stanley R. Szemborski, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–1995. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved retirement of General Bryan D. Brown, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–1996. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Small Business Programs'' (DFARS Case 2003–D047) received on May 21, 2007; to the Committee on Armed Services.

EC–1997. A communication from the Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Native American Housing Assistance and Self-Determination Act; Revisions to the Indian Housing Block Grant Program'' ((RIN2577–AC57)(FR–4938–F–03)) received on May 21, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–1998. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce , transmitting, pursuant to law, the report of a rule entitled ''Updated Office Names, Office Addresses, Statements of Legal Authority and Statute Name and Citation'' (RIN0694–AE01) received on May 21, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–1999. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Export Administration Regulations Based on the 2006 Missile Technology Control Regime Plenary Agreements'' (RIN0694–AD96) received on May 21, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2000. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determination'' (72 FR 18587) received on May 21, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2001. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (72 FR 20735) received on May 21, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2002. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (72 FR 20755) received on May 21, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2003. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (72 FR 20243) received on May 21, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2004. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (72 FR 20251) received on May 21, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2005. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, notification that the cost of response and recovery efforts in the State of Indiana has exceeded the $5 million limit; to the Committee on Banking, Housing, and Urban Affairs.

EC–2006. A communication from the Acting Director, Federal Housing Finance Board, transmitting, pursuant to law, a report relative to category rating for calendar year 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–2007. A communication from the Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement 2007 2nd and 3rd Season Atlantic Shark Commercial Management Measures'' (I.D. 021307B) received on May 21, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2008. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Interim Rule to Temporarily Amend the Monkfish Fishery Management Plan'' (RIN0648–AT22) received on May 21, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2009. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Decrease of Landing Limit for Georges Bank Yellowtail Flounder'' (I.D. 041707E) received on May 21, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2010. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area'' (I.D. 041807B) received on May 21, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2011. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish and Pelagic Shelf Rockfish for Trawl Catcher Vessels Participating in the Rockfish Entry Level Fishery in the Central Regulatory Area of the Gulf of Alaska'' (I.D. 042007A) received on May 21, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2012. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish, Pacific Ocean Perch, and Pelagic Shelf Rockfish in the Western Regulatory Area and West Yakutat District of the Gulf of Alaska'' (I.D. 042307B) received on May 21, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2013. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Inseason Action, Temporary Rule, Closure of the Eastern U.S./Canada Area'' (RIN0648–AN17) received on May 21, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2014. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, the Department's Annual Report on Transportation Security; to the Committee on Commerce, Science, and Transportation.

EC–2015. A communication from the Secretary of Energy, transmitting, pursuant to law, two reports relative to the Department's compliance with the Energy Policy Act of 2005; to the Committee on Energy and Natural Resources.

EC–2016. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report entitled ''Quality of Water, Colorado River Basin, Progress Report No. 22''; to the Committee on Energy and Natural Resources.

EC–2017. A communication from the Chief of Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—June 2007'' (Rev. Rul. 2007–36) received on May 21, 2007; to the Committee on Finance.

EC–2018. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2007–78—2007–99); to the Committee on Foreign Relations.

EC–2019. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Microbiology Devices; Reclassification of Herpes Simplex Virus Types 1 and 2 Serological Assays'' (Docket No. 2005N–0471) received on May 21, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–2020. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Obstetrical and Gynecological Devices; Classification of Computerized Labor Monitoring System'' (Docket No. 2007N–0120) received on May 21, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–2021. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Child Care and Development Fund State Match Provisions'' (RIN0970–AC18) received

on May 18, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–2022. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Letter Report: Auditor's Concerns Regarding Matters that May Adversely Affect the Financial Operations of the District of Columbia Water and Sewer Authority''; to the Committee on Homeland Security and Governmental Affairs.

EC–2023. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Letter Report: Sufficiency Review of the Water and Sewer Authority's Fiscal Year 2007 Revenue Estimate in Support of the Issuance of $300 Million in Public Utility Subordinated Lien Revenue Bonds (Series 2007)''; to the Committee on Homeland Security and Governmental Affairs.

EC–2024. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the semiannual report of the Inspector General for the period of October 1, 2006, through March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2025. A communication from the Chairman, Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual report as prepared by the Inspector General for the six-month period ending March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2026. A communication from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting, pursuant to law, the Company's Balance Sheet as of December 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–2027. A communication from the Administrator, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to the Administration's competitive sourcing efforts for fiscal year 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–2028. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, the report of draft legislation that would authorize four new competitive grant programs; to the Committee on the Judiciary.

EC–2029. A communication from the Secretary, Judicial Conference of the United States, transmitting, the report of draft legislation entitled ''Criminal Judicial Procedure, Administration, and Technical Amendments Act of 2007''; to the Committee on the Judiciary.

EC–2030. A communication from the Director, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Trademark Classification Changes'' (RIN0651–AC10) received on May 21, 2007; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 294. A bill to reauthorize Amtrak, and for other purposes (Rept. No. 110–67).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 879. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal (Rept. No. 110–68).

S. 863. A bill to amend title 18, United States Code, with respect to fraud in connection with major disaster or emergency funds (Rept. No. 110–69).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

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''.

H.R. 437. A bill to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the ''Lino Perez, Jr. Post Office''.

H.R. 625. A bill to designate the facility of the United States Postal Service located at 4230 Maine Avenue in Baldwin Park, California, as the ''Atanacio Haro-Marin Post Office''.

H.R. 988. A bill to designate the facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, as the ''Lieutenant Todd Jason Bryant Post Office''.

H.R. 1402. A bill to designate the facility of the United States Postal Service located at 320 South Lecanto Highway in Lecanto, Florida, as the ''Sergeant Dennis J. Flanagan Lecanto Post Office Building''.

S. 1352. A bill to designate the facility of the United States Postal Service located at 127 East Locust Street in Fairbury, Illinois, as the ''Dr. Francis Townsend Post Office Building''.

## EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. AKAKA for the Committee on Veteran's Affairs.

*Michael K. Kussman, of Massachusetts, to be Under Secretary for Health of the Department of Veterans Affairs.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GREGG (for himself, Mr. MCCONNELL, Mr. KYL, Mr. DOMENICI, Mr. ALLARD, Mr. ENZI, Mr. BUNNING, Mr. CRAPO, Mr. ENSIGN, Mr. CORNYN, Mr. GRAHAM, Mr. SESSIONS, Mr. ALEXANDER, Mr. BROWNBACK, Mr. CRAIG, Mr. SUNUNU, Mr. MARTINEZ, Mr. THOMAS, Mr. VITTER, Mr. CHAMBLISS, Mr. ISAKSON, Mrs. DOLE, Mr. DEMINT, Mr. VOINOVICH, Mr. THUNE, and Mr. LOTT):

S. 15. A bill to establish a new budget process to create a comprehensive plan to rein in spending, reduce the deficit, and regain control of the Federal budget process; to the Committee on the Budget.

By Ms. COLLINS:

S. 31. A bill to amend the Immigration and Nationality Act to reduce fraud in certain visa programs for aliens working temporarily in the United States; to the Committee on the Judiciary.

By Mr. McCAIN:

S. 32. A bill to reform the acquisition process of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. ENZI (for himself and Mr. KENNEDY):

S. 33. A bill to redesignate the Office for Vocational and Adult Education as the Office of Career, Technical, and Adult Education; considered and passed.

By Mr. ENZI:

S. 34. A bill to promote simplification and fairness in the administration and collection of sales and use taxes; to the Committee on Finance.

By Mr. COLEMAN (for himself and Ms. COLLINS):

S. 35. A bill to amend section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004 and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. CLINTON:

S. 1444. A bill to provide for free mailing privileges for personal correspondence and parcels sent to members of the Armed Forces serving on active duty in Iraq or Afghanistan; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KENNEDY (for himself and Mrs. HUTCHISON):

S. 1445. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish, promote, and support a comprehensive prevention, research, and medical management referral program for hepatitis C virus infection; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WARNER, and Mr. WEBB):

S. 1446. 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 Homeland Security and Governmental Affairs.

By Mr. KOHL:

S. 1447. A bill to amend the Agricultural Adjustment Act to require the Secretary of Agriculture to make decisions relating to proposed amendments to milk marketing orders not later than 90 days after the date on which the Secretary holds a hearing; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REED (for himself, Mr. LEAHY, and Mr. CORNYN):

S. 1448. A bill to extend the same Federal benefits to law enforcement officers serving private institutions of higher education and rail carriers that apply to law enforcement officers serving units of State and local government; to the Committee on the Judiciary.

By Mr. SALAZAR (for himself and Mr. ALLARD):

S. 1449. A bill to establish the Rocky Mountain Science Collections Center to assist in preserving the archeological, anthropological, paleontological, zoological, and geologic artifacts and archival documentation from the Rocky Mountain region through the construction of an on-site, secure collections facility for the Denver Museum of Nature and Science in Denver, Colorado; to the Committee on Energy and Natural Resources.

By Mr. KOHL (for himself and Ms. SNOWE):

S. 1450. A bill to authorize appropriations for the Housing Assistance Council; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WHITEHOUSE:

S. 1451. A bill to encourage the development of coordinated quality reforms to improve health care delivery and reduce the

cost of care in the health care system; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CLINTON (for herself and Mr. DOMENICI):

S. 1452. A bill to amend the Public Health Service Act to establish a national center for public mental health emergency preparedness, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRAPO:

S. Res. 213. A resolution supporting National Men's Health Week; to the Committee on Health, Education, Labor, and Pensions.

## ADDITIONAL COSPONSORS

S. 119

At the request of Mr. LEAHY, the name of the Senator from Pennsylvania (Mr. CASEY) 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. 185

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 185, a bill to restore habeas corpus for those detained by the United States.

S. 231

At the request of Mrs. FEINSTEIN, the name of the Senator from Virginia (Mr. WEBB) 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. 329

At the request of Mr. CRAPO, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 543

At the request of Mr. NELSON of Nebraska, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 579

At the request of Mr. REID, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 579, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 648

At the request of Mr. CHAMBLISS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 648, a bill to amend title 10, United States Code, to reduce the eligibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active federal status or on active duty for significant periods.

S. 831

At the request of Mr. DURBIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 831, a bill to authorize States and local governments to prohibit the investment of State assets in any company that has a qualifying business relationship with Sudan.

S. 901

At the request of Mr. KENNEDY, the names of the Senator from Colorado (Mr. SALAZAR) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 901, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 901, supra.

S. 935

At the request of Mr. NELSON of Florida, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 935, a bill to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 937

At the request of Mrs. CLINTON, the names of the Senator from California (Mrs. BOXER) and the Senator from Illinois (Mr. OBAMA) were added as cosponsors of S. 937, a bill to improve support and services for individuals with autism and their families.

S. 940

At the request of Mr. BAUCUS, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 940, a bill to amend the Internal Revenue Code of 1986 to permanently extend the subpart F exemption for active financing income.

S. 959

At the request of Mrs. CLINTON, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 959, a bill to award a grant to enable Teach for America, Inc., to implement and expand its teaching program.

S. 970

At the request of Mr. SMITH, the names of the Senator from Alaska (Mr. STEVENS), the Senator from North Dakota (Mr. DORGAN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 970, a bill to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, and for other purposes.

S. 1084

At the request of Mr. OBAMA, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1084, a bill to provide housing assistance for very low-income veterans.

S. 1145

At the request of Mr. LEAHY, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 1145, a bill to amend title 35, United States Code, to provide for patent reform.

S. 1147

At the request of Mrs. MURRAY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1147, a bill to amend title 38, United States Code, to terminate the administrative freeze on the enrollment into the health care system of the Department of Veterans Affairs of veterans in the lowest priority category for enrollment (referred to as ''Priority 8'').

S. 1172

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1172, a bill to reduce hunger in the United States.

S. 1183

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1183, a bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities, and for other purposes.

S. 1226

At the request of Mr. BAYH, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1226, a bill to amend title XIX of the Social Security Act to establish programs to improve the quality, performance, and delivery of pediatric care.

S. 1232

At the request of Mr. DODD, the names of the Senator from New York (Mrs. CLINTON) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1232, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools, to establish school-based food allergy management grants, and for other purposes.

S. 1244

At the request of Mr. KENNEDY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1244, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for certain violators, and for other purposes.

S. 1276

At the request of Mr. DURBIN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1276, a bill to establish a grant program to facilitate the creation of methamphetamine precursor electronic logbook systems, and for other purposes.

S. 1337

At the request of Mr. KERRY, the names of the Senator from Ohio (Mr. BROWN), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 1337, a bill to amend title XXI of the Social Security Act to provide for equal coverage of mental health services under the State Children's Health Insurance Program.

S. 1382

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1382, a bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1403

At the request of Ms. KLOBUCHAR, the names of the Senator from New York (Mrs. CLINTON) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 1403, a bill to amend the Farm Security and Rural Investment Act of 2002 to provide incentives for the production of bioenergy crops.

S. 1407

At the request of Mr. PRYOR, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 1407, a bill to amend the Internal Revenue Code of 1986 to temporarily provide a shorter recovery period for the depreciation of certain systems installed in nonresidential and residential rental buildings.

S. 1413

At the request of Ms. MIKULSKI, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1413, a bill to provide for research and education with respect to uterine fibroids, and for other purposes.

S. 1415

At the request of Mr. HARKIN, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1415, a bill to amend the Public Health Service Act and the Social Security Act to improve screening and treatment of cancers, provide for survivorship services, and for other purposes.

S. 1426

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1426, a bill to amend the Agricultural Trade Act of 1978 to reauthorize the market access program, and for other purposes.

S. 1435

At the request of Mr. COCHRAN, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1435, a bill to amend the Energy Policy and Conservation Act to increase the capacity of the Strategic Petroleum Reserve, and for other purposes.

S. 1439

At the request of Mr. ROBERTS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1439, a bill to reauthorize the broadband loan and loan guarantee program under title VI of the Rural Electrification Act of 1936.

S. RES. 171

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. Res. 171, a resolution memorializing fallen firefighters by lowering the United States flag to half-staff on the day of the National Fallen Firefighter Memorial Service in Emmitsburg, Maryland.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GREGG (for himself, Mr. MCCONNELL, Mr. KYL, Mr. DOMENICI, Mr. ALLARD, Mr. ENZI, Mr. BUNNING, Mr. CRAPO, Mr. ENSIGN, Mr. CORNYN, Mr. GRAHAM, Mr. SESSIONS, Mr. ALEXANDER, Mr. BROWNBACK, Mr. CRAIG, Mr. SUNUNU, Mr. MARTINEZ, Mr. THOMAS, Mr. VITTER, Mr. CHAMBLISS, Mr. ISAKSON, Mrs. DOLE, Mr. DEMINT, Mr. VOINOVICH, Mr. THUNE, and Mr. LOTT):

S. 15. A bill to establish a new budget process to create a comprehensive plan to rein in spending, reduce the deficit, and regain control of the Federal budget process; to the Committee on the Budget.

Mr. GREGG. Madam President, I rise today to talk specifically about how we get our fiscal house in order as a nation and especially as a government. Just last week, the Congress passed—or at least the Senate passed and the House passed—a proposal for a budget which, unfortunately, fails the American people dramatically in the area of controlling spending and in the area of good tax policy. It creates a cascade. It is a Democratic budget that creates a cascade of new spending, hundreds of billions of dollars of new spending which will grow the size of the Government dramatically and which is, therefore, undisciplined in its approach.

It also proposes tax policy which will radically increase taxes on working Americans and have the effect of stifling what has been an extraordinary economic expansion, which in part has been a function of having a tax policy which understands that if you let people keep their money, they tend to be more productive with those dollars, they tend to go out and take risks, be entrepreneurs, create jobs, and as a result, the Federal Government gets more revenue because people creating these jobs pay taxes and we end up with more economic activity. We have had 72 months of growth, and we have created 7.4 million new jobs in this country, and that is a significant step in the right direction toward economic expansion.

But all that is at risk because we, as a government, tend to spend more than we take in, and we do not have in place a discipline necessary as a government to effectively manage our own house. This was reflected in the budget that was just passed, regrettably. Therefore, as we also look to the future, we are confronting a cost to the Government which is going to radically increase the expenditures of the Federal Government to a point where our children and our children's children will not be able to afford them.

In fact, just the cost of three programs alone—Medicare, Social Security, and Medicaid—by the year 2025, because of the retirement of the baby boom generation, will actually exceed the amount of money which the Federal Government has historically spent as a percentage of gross national product. So by about the year 2025, because of the retirement of the baby boom generation, three programs—Social Security, Medicare, and Medicaid—will absorb all the money that historically the Federal Government has spent, which means there will be no money left over for education, laying out roads, or environmental protection.

We will be in a position where our children, in order to bear the burden of those three programs, will have to pay a tax rate which will make it impossible for them to afford their own Government and will make their lifestyle significantly constrained. The pressure on them will be dramatic because the burden of taxes will exceed their ability to pay them and still maintain a quality lifestyle. Their ability to send their children to college, to buy a house, to have a good lifestyle, to have the luxuries which our generation has had will be constrained by the fact that the size of the Federal Government is growing out of control as a function of the retirement of the baby boom generation.

So these two events combined—the dramatic expansion in entitlement spending and the Democratic budget which was essentially grossly irresponsible in the area of spending on the discretionary side of the account and in the area of creating debt; it will add $2.5 trillion of new debt to the Federal Government over the 5 years of this budget—these two events combined are going to put a lot of pressure on our economy and on the well-being of our Nation.

A group of us believe very strongly that we need to put in place mechanisms in this Government which more effectively discipline the spending of the Government. So I am introducing today, along with 27 colleagues—and that is a fair number of cosponsors—the Stop Over-Spending Act, SOS. This bill has eight basic elements. I am not going to go through them all, but I

wish to highlight the ones that are significant.

Basically, what this bill does is it puts in place disciplines which allow this Congress, if it desires to do so—all of these disciplines can be waived by 60-vote points of order, basically—if Congress desires to do so, it can limit the growth of the Federal Government to something that is affordable to the American people.

The most important discipline this bill puts in place is one over entitlement spending. Right now, we have nothing that controls entitlement spending. This bill says that if entitlement spending reaches a certain level of use of general funds of the Treasury—and most of these entitlement programs—Social Security, Medicare, and Medicaid—are not supposed to be overwhelming burdens on the general fund, the general fund being basic income taxes, not retirement taxes and health insurance taxes—if the burden of these programs exceeds a certain level, then there are mechanisms which allow us to take a second look at these programs to improve them, to make them cost-effective while delivering quality services.

In addition, this proposal puts in place caps, serious caps on discretionary spending so that we know that when you hit a certain level of spending and you are trying to exceed the amount of money the Federal Government should spend, there will be a 60-vote point of order before that can occur. That is only reasonable, that is only good budgeting, and it is something we need to have in place.

Unfortunately, the Democratic budget which was just passed essentially got rid of caps for the year 2009, 2010, and it puts them in place for 2008, but that is almost irrelevant because it raises them so high that there is no way anybody is going to hit those caps unless they are truly spendthrifts.

They basically add $200 billion of new spending over the next 5 years, and next year they dramatically increase spending, both through taking programs off the budget by declaring them emergencies, such as in the agricultural area, and putting them into the next year through advanced funding, which is a total gamesmanship, and then actually increasing the spending levels under the discretionary account. It is a grossly irresponsible cascade of new spending we see coming at us next year as a result of this Democratic budget. This Stop Over-Spending Act will try to discipline that in a more effective way, and it is time we did that.

In addition, it puts in place two very aggressive proposals to try to take a look at how we are managing the bigger programs of the Federal Government. One is a proposal which came from Senator BROWNBACK which is a bipartisan commission on accountability and Federal review. It is basically a BRAC commission for all the Federal Government. So if we find programs that are overlapping—and believe me, there are an awful lot of overlapping programs in the Federal Government—if we find programs that are just not producing the results they are supposed to produce or which have served their time, which were supposed to be 3-year programs and they have been going on for 10, 15 years, we will have a mechanism where those programs can come back to the Congress and voted up or down, either they should be in place or not in place, the same way we approach managing the defense spending accounts through BRAC.

There is a second commission put in place which, again, has an automatic vote by the Congress, which is an attempt to address the most significant issue we have, which is this entitlement spending issue which was reflected in the chart I held up earlier. This is a commission which would be set up, which would be bipartisan, which would be Members of the Congress, and which would essentially take a look at these programs—Social Security and Medicare specifically—and see how we can improve them, see how we can make them work more effectively but see how we can make them more affordable for our children, and then in a bipartisan way, with an overwhelming supermajority, so there is no question that anybody will be gamed, everybody will be at the table, and nobody will be gamed, bring those proposals back to Congress and vote them up or down without amendment so that we know this commission, when it makes a report, will actually get action from a report.

The problem is that we get all these commissions and they produce wonderful reports and nothing happens. This commission will have something happening. It is a critical element. It is important.

If we don't get on this issue of mandatory spending, we will be irresponsible as a generation. We are the generation that created this problem, the baby boom generation. We are the generation governing today. Probably 80 percent of the people in this body are of the baby boom generation. And what we are doing is burying our heads in the sand and passing what we know is a huge problem—which is going to occur because all the people who are going to create this problem exist and they are going to retire—we are going to pass that problem on to our children and say: You figure it out, even though it is a problem we created. That is irresponsible.

As people who have obtained a position of governing in this country, we have an absolute responsibility to our children and our children's children and to this Nation's fiscal health to address this issue, and this commission is an attempt to do that. This Stop Over-Spending Act is an attempt to do just that.

In addition, the proposal includes biannual budgeting, which is something many people around here think will help us be more efficient in the way we approach the accounts of the Federal Government. It changes and reforms a lot of what are institutional mechanisms for the purposes of managing the day-to-day business of the spending of the Federal Government by putting in place baselines which are appropriate and limitations on the ability to spend money around here under reconciliation and limitations on the ability to raise taxes arbitrarily on the American people.

So it is a balanced approach. It has 27 cosponsors, and, quite honestly, if a percentage of these proposals were adopted, we would actually have some discipline around this place in the area of fiscal policy. We would be back on a path toward making sure we have a government that people can afford, while we still have a government that is delivering the services that people want. That should be our bottom-line goal.

It is an honor for me to have a chance to introduce this today, to be the primary sponsor of it, but I especially appreciate the support of my colleagues in signing onto this bill, which I hope will be considered or at least elements of this bill will be considered because we are running out of time.

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By Ms. COLLINS:

S. 31. A bill to amend the Immigration and Nationality Act to reduce fraud in certain visa programs for aliens working temporarily in the United States; to the Committee on the Judiciary.

Ms. COLLINS. Mr. President, I rise to introduce the H–1B Visa Fraud Prevention Act of 2007.

Many American businesses rely on the H–1B visa program. When employers can demonstrate that there are too few U.S. workers to fill particular positions with defined education and skills standards, the program allows temporary, non-immigrant workers to fill vacancies in engineering, sciences, medicine, health, and other specialties.

The program is of considerable benefit to our economy. Unfortunately, there has been a long history of some unscrupulous employers attempting to abuse the H–1B program. Last fall, the Portland Press Herald newspaper in Maine printed a three-part series resulting from its in-depth investigation of H–1B abuses.

The newspaper found evidence of shell companies filing applications for H–1B visas in Maine, but no evidence of H–1B visa holders actually working for those businesses in Maine. One company rented office space in Portland for a year and submitted at least 160 H–1B and green-card applications on behalf of foreign workers, but the building manager never saw anyone there, and was asked to forward all mail to an address in New Jersey.

This legislation will help detect and prevent the kind of fraud identified by the Portland Press Herald.

Before I describe the details of my legislation, I want to acknowledge the

leadership of Senators GRASSLEY, DURBIN, GREGG, HAGEL, and LIEBERMAN on this issue. They have also drafted bills aimed at reforming the H–1B visa issuance process as well as expanding the number of H–1B visas. My hope is that we can join forces to craft an amendment to the immigration bill that will curb the fraud afflicting this program.

Specifically, my legislation is targeted at detecting employers who do not have legitimate business operations that require H–1B workers and who intend only to transfer the H–1B workers they receive to another employer. This bill prohibits employers from contracting their H–1B workers to an employer in a different State.

The Portland Press Herald's investigation showed that some employers may have filed for H–1B workers in Maine in order to take advantage of a lower prevailing wage, then transferred those employees to States where a higher prevailing wage would have been required on the H–1B application.

The legislation I am proposing would remove onerous restrictions on the Department of Labor's ability to investigate suspected fraud. It would allow the Department to investigate applications that have clear indicators of fraud or misrepresentation, instead of merely checking for completeness and obvious inaccuracies, as current law provides.

It also would expand the types of information that can be used to investigate fraudulent activity and eliminate a requirement that the Secretary of the Department of Labor personally approve each investigation. In addition, to further deter companies from filing fraudulent applications, the legislation would double the current monetary penalties.

Preventing H–1B fraud and abuse also requires that the Department of Labor work more closely with the Department of Homeland Security's U.S. Citizenship and Immigration Services, or USCIS, which is the agency that ultimately approves an H–1B visa application. To that end, this legislation requires the Director of USCIS to share with Labor information it receives from employers who file H–1B visa applications that may indicate noncompliance with the H–1B visa program.

USCIS has taken first steps to detect fraud in other types of visas. For example, last July USCIS completed an assessment of religious-worker benefit fraud that showed fraud in one-third of the cases surveyed. From these surveys, USCIS developed known indicators of fraud for religious-worker visas that it can now compare against incoming applications.

USCIS began a similar assessment of benefit fraud for H–1B visas nearly a year ago. It is not yet completed, despite repeated inquiries by my staff on its status. This legislation requires completion of the H–1B fraud assessment within 30 days, so that USCIS can begin using this valuable tool to uncover fraud in other H–1B applications.

This legislation fills gaps in our ability to ensure that H–1B visas are granted and used in the manner Congress intended. I urge my colleagues to support this proposal as we consider immigration-reform 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. 31

*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 ''H–1B Visa Fraud Prevention Act of 2007''.

**SEC. 2. H–1B EMPLOYER REQUIREMENTS.**

(a) PROHIBITION OF OUTPLACEMENT.—

(1) IN GENERAL.—Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)) is amended—

(A) in paragraph (1), by amending subparagraph (F) to read as follows:

''(F) The employer shall not place, outsource, lease, or otherwise contract for the placement of an alien admitted or provided status as an H–1B nonimmigrant with another employer if the worksite of the receiving employer is located in a different State;'' and

(B) in paragraph (2), by striking subparagraph (E).

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to applications filed on or after the date of the enactment of this Act.

(b) IMMIGRATION DOCUMENTS.—Section 204 of such Act (8 U.S.C. 1154) is amended by adding at the end the following:

''(l) EMPLOYER TO SHARE ALL IMMIGRATION PAPERWORK EXCHANGED WITH FEDERAL AGENCIES.—Not later than 10 working days after receiving a written request from a former, current, or future employee or beneficiary, an employer shall provide the employee or beneficiary with the original (or a certified copy of the original) of all petitions, notices, and other written communication exchanged between the employer and the Department of Labor, the Department of Homeland Security, or any other Federal agency that is related to an immigrant or nonimmigrant petition filed by the employer for the employee or beneficiary.''.

**SEC. 3. H–1B GOVERNMENT AUTHORITY AND REQUIREMENTS.**

(a) SAFEGUARDS AGAINST FRAUD AND MISREPRESENTATION IN APPLICATION REVIEW PROCESS.—Section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)) is amended—

(1) in the undesignated paragraph at the end, by striking ''The employer'' and inserting the following:

''(H) The employer''; and

(2) in subparagraph (H), as designated by paragraph (1) of this subsection—

(A) by inserting ''and through the Department of Labor's website, without charge.'' after ''D.C.'';

(B) by inserting '', clear indicators of fraud, misrepresentation of material fact,'' after ''completeness'';

(C) by striking ''or obviously inaccurate'' and inserting '', presents clear indicators of fraud or misrepresentation of material fact, or is obviously inaccurate'';

(D) by striking ''within 7 days of'' and inserting ''not later than 14 days after''; and

(E) by adding at the end the following: ''If the Secretary's review of an application identifies clear indicators of fraud or misrepresentation of material fact, the Secretary may conduct an investigation and hearing under paragraph (2).''.

(b) INVESTIGATIONS BY DEPARTMENT OF LABOR.—Section 212(n)(2) of such Act is amended—

(1) in subparagraph (A), by striking ''The Secretary shall conduct'' and all that follows and inserting ''Upon the receipt of such a complaint, the Secretary may initiate an investigation to determine if such a failure or misrepresentation has occurred.'';

(2) in subparagraph (C)(i)—

(A) by striking ''a condition of paragraph (1)(B), (1)(E), or (1)(F)'' and inserting ''a condition under subparagraph (B), (C)(i), (E), (F), (H), (I), or (J) of paragraph (1)''; and

(B) by striking ''(1)(C)'' and inserting ''(1)(C)(ii)'';

(3) in subparagraph (G)—

(A) in clause (i), by striking ''if the Secretary'' and all that follows and inserting ''with regard to the employer's compliance with the requirements of this subsection.'';

(B) in clause (ii), by striking ''and whose identity'' and all that follows through ''failure or failures.'' and inserting ''the Secretary of Labor may conduct an investigation into the employer's compliance with the requirements of this subsection.'';

(C) in clause (iii), by striking the last sentence;

(D) by striking clauses (iv) and (v);

(E) by redesignating clauses (vi), (vii), and (viii) as clauses (iv), (v), and (vi), respectively;

(F) by amending clause (v), as redesignated, to read as follows:

''(v) The Secretary of Labor shall provide notice to an employer of the intent to conduct an investigation. The notice shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced. The Secretary is not required to comply with this clause if the Secretary determines that such compliance would interfere with an effort by the Secretary to investigate or secure compliance by the employer with the requirements of this subsection. A determination by the Secretary under this clause shall not be subject to judicial review.'';

(G) in clause (vi), as redesignated, by striking ''An investigation'' and all that follows through ''the determination.'' and inserting ''If the Secretary of Labor, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the employer has failed to comply with the requirements under this subsection, the Secretary shall provide interested parties with notice of such determination and an opportunity for a hearing in accordance with section 556 of title 5, United States Code, not later than 120 days after the date of such determination.''; and

(H) by adding at the end the following:

''(vii) The Secretary of Labor may impose a penalty under subparagraph (C) if the Secretary, after a hearing, finds a reasonable basis to believe that—

''(I) the employer has violated the requirements under this subsection; and

''(II) the violation was not made in good faith.''; and

(4) by striking subparagraph (H).

(c) INFORMATION SHARING BETWEEN DEPARTMENT OF LABOR AND DEPARTMENT OF HOMELAND SECURITY.—Section 212(n)(2) of such Act, as amended by this section, is further amended by inserting after subparagraph (G) the following:

''(H) The Director of United States Citizenship and Immigration Services shall provide the Secretary of Labor with any information contained in the materials submitted by H–

1B employers as part of the adjudication process that indicates that the employer is not complying with H–1B visa program requirements. The Secretary may initiate and conduct an investigation and hearing under this paragraph after receiving information of noncompliance under this subparagraph.''.

(d) AUDITS.—Section 212(n)(2)(A) of such Act, as amended by this section, is further amended by adding at the end the following: ''The Secretary may conduct surveys of the degree to which employers comply with the requirements under this subsection and may conduct annual compliance audits of employers that employ H–1B nonimmigrants.''.

(e) PENALTIES.—Section 212(n)(2)(C) of such Act, as amended by this section, is further amended—

(1) in clause (i)(I), by striking ''$1,000'' and inserting ''$2,000'';

(2) in clause (ii)(I), by striking ''$5,000'' and inserting ''$10,000''; and

(3) in clause (vi)(III), by striking ''$1,000'' and inserting ''$2,000''.

(f) INFORMATION PROVIDED TO H–1B NONIMMIGRANTS UPON VISA ISSUANCE.—Section 212(n) of such Act, as amended by this section, is further amended by inserting after paragraph (2) the following:

''(3)(A) Upon issuing an H–1B visa to an applicant outside the United States, the issuing office shall provide the applicant with—

''(i) a brochure outlining the employer's obligations and the employee's rights under Federal law, including labor and wage protections;

''(ii) the contact information for Federal agencies that can offer more information or assistance in clarifying employer obligations and workers' rights; and

''(iii) a copy of the employer's H–1B application for the position that the H–1B nonimmigrant has been issued the visa to fill.

''(B) Upon the issuance of an H–1B visa to an alien inside the United States, the officer of the Department of Homeland Security shall provide the applicant with—

''(i) a brochure outlining the employer's obligations and the employee's rights under Federal law, including labor and wage protections;

''(ii) the contact information for Federal agencies that can offer more information or assistance in clarifying employer's obligations and workers' rights; and

''(iii) a copy of the employer's H–1B application for the position that the H–1B nonimmigrant has been issued the visa to fill.''.

**SEC. 4. H–1B WHISTLEBLOWER PROTECTIONS.**

Section 212(n)(2)(C)(iv) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(C)(iv)) is amended—

(1) by inserting ''take, fail to take, or threaten to take or fail to take, a personnel action, or'' before ''to intimidate''; and

(2) by adding at the end the following: ''An employer that violates this clause shall be liable to the employees harmed by such violation for lost wages and benefits.''.

**SEC. 5. FRAUD ASSESSMENT.**

Not later than 30 days after the date of the enactment of this Act, the Director of United States Citizenship and Immigration Services shall submit to Congress a fraud risk assessment of the H–1B visa program.

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By Mr. MCCAIN:

S. 32. A bill to reform the acquisition process of the Department of Defense, and for other purposes; to the Committee on Armed Services.

Mr. MCCAIN. Mr. President, I am introducing this omnibus defense acquisition reform bill today to highlight the scope and urgent need for comprehensive reform in how the Pentagon procures its biggest and most expensive weapons systems.

Defense acquisition policy has been a major issue ever since President Eisenhower first warned the Nation, in 1961, about the military-industrial complex. As Operation Ill Wind in the 1980s and the Boeing tanker lease scandal just a few years ago have taught us, Eisenhower's comments apply with equal force today.

Despite the lessons of the past, the acquisition process continues to be dysfunctional. In the 110th Congress, major acquisition policy issues have arisen in some of the biggest defense programs, including the Navy transformational program, Littoral Combat Systems, LCS and the Air Force's second largest acquisition program, Combat Search and Rescue Vehicle Replacement Program, CSAR–X.

We can not do much to ensure that taxpayers' dollars are spent wisely in developing, testing and acquiring major defense systems. By increasing transparency and accountability and maximizing competition, comprehensive acquisition reform can provide the taxpayer with the best value; minimize waste, fraud and abuse; and, perhaps most importantly, help guarantee that the U.S. maintains the strongest, most capable fighting force in the world. That is what this legislative proposal is all about.

Our colleagues in the House Armed Services Committee have already taken considerable steps in this area, which I applaud. It is my intention to offer this acquisition package to the defense authorization bill this week. The defense bill which we will be considering this week in the Committee on Armed Services totals more than $650 billion. That's serious money.

As stewards of the taxpayers' dollars we must assure the public that we are buying the best programs for our servicemen and women at the best price for the taxpayer. I have already highlighted critical weapon systems with key acquisition problems. If we continue to buy weapon systems in an ineffective and inefficient manner so that costs continue to go up or the deployment of the system is delayed, it will only hurt the soldier, sailor, airman, or marine in the field.

The reason for this is quite simple. First, it does not take an economics degree to understand that the higher that costs of a weapon system unexpectedly goes up, the fewer of them we can buy. A prime example is the F–22 Raptor. The original requirement was for 781 jet fighters, now we can only afford 183. In addition, without fundamental reforms, such as I have proposed in this bill, we will continue to buy weapon systems in an ineffective manner, which usually results in long delays and unexpected cost growth, as requirements, acquisition policy and resources never get in synch.

One aspect of how the Pentagon buys the biggest weapons systems that my proposal addresses head-on is the ''requirements process''; that is, the process by which the Pentagon defines the weapon system it wants to procure. All too often, costly requirements, many of which are unrelated to what the unified commands say they need, are piled on to these programs irresponsibly, without regard to the bottom-line. Just as egregious is the tendency to drop requirements that the warfighter has said they need, which sometimes justified the system in the first instance.

There is an emerging consensus that one way of addressing these, and related, problems is by integrating processes, that is, aligning the acquisition, resources, and requirements spheres of the procurement process in a way that provides the necessary accountability and agility for the Pentagon to make sound judgments on its defense investments. Historically, each sphere has been stove-piped and allowed to operate independently in a way that has produced poor cost, scheduling and performance outcomes, to the detriment of both the taxpayer and the warfighter.

Elements of this legislative proposal that provide for ''integrated processes'' include 1. having the Service Chiefs help oversee acquisition management decisions; 2. standing-up a ''tri-chair committee''—so-called because it will be that headed by the primary players in the acquisition, resources and requirements communities—that can help make enterprise-wide investment decisions more powerfully and with greater agility than any other procurement-related organization currently within the Pentagon 3. increasing the membership of the Pentagon's main requirements-setting body to include leadership from all three spheres; and 4. setting out guidelines that, when coupled with certain provisions currently under law, can help the Pentagon better manage unexpected cost growth.

Other elements of this proposal address particular structural problems in major weapons procurement that Congress has observed over the last few years. One such provision restricts the services from entering into multiyear contracts irresponsibly when buying weapons. Buying weapons under a multiyear contract restricts Congress's ability to exercise appropriate oversight. If Congress bought these items under a series of annual contracts, there would be a meaningful opportunity for it to annually review the programs' progress. For this reason, using multiyear contracts should be limited to only the best performing and most stable programs. The approach provided for under this legislative proposal would help to ensure that.

Other elements of this proposal would help reign in abuses in how the Government pays award fees and require defense contractors to maintain a robust internal ethics compliance program that can help maintain effective oversight of defense programs.

In developing this reform package, I have pulled the ''best of the best,'' that is, the best, most powerful ideas which enjoy the broadest consensus among some of the most respected experts, whose ideas have been ventilated in public hearings and reps over the last 3 years, including the Defense Acquisition Performance Assessment Report, a.k.a. the DAPA or the Kadish Report; the Center for Strategic International Studies' CSIS, Beyond Goldwater-Nichols Report; the section 804 report from the Undersecretary of Defense for Acquisition, Technology and Logistics; a number of reports and analyses from the Government Accountability Office and the Congressional Research Service; and others. Some of the elements of this package also institutionalize good ideas that the Pentagon has informally put in place recently.

Acquisition reform of a bureaucracy as large as the Pentagon does not happen overnight. That is why we need to act now. Our defense spending has doubled in the last decade, from $350 billion to $650 billion. Every American I talk to as I cross the country understands that we need to spend as much as necessary for national defense. However, how much is enough? Taxpayers also expect that we spend his or her hard-earned tax dollars in a sound and cost-effective manner. We have not been fulfilling that expectation. We need to. This proposed legislation sets us on that course.

Chairman LEVIN and I have discussed the need for greater oversight in the Senate Armed Services Committee and the common goal of producing concrete results on acquisition reform this year. I look forward to working with Chairman LEVIN to fully adopt this acquisition package this week and also working with his capable staff in taking comprehensive steps, similar to what our House colleagues have done, to assure that we buy weapon systems at the best price and field them as soon as practicable.

Mr. President, 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. 32

*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 ''Defense Acquisition Reform Act of 2007''.

**SEC. 2. JOINT REQUIREMENTS OVERSIGHT COUNCIL EVALUATION OF MAJOR DEFENSE ACQUISITION PROGRAMS EXPERIENCING CERTAIN COST INCREASES.**

(a) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2433 the following new section:

**''§ 2433a. Joint Requirements Oversight Council evaluation of programs experiencing certain cost increases**

''(a) IN GENERAL.—The Secretary concerned may not reprogram funds for a major defense acquisition program described in subsection (b), or otherwise provide or provide for additional funding for such a program, until the Joint Requirements Oversight Council submits to the Secretary an assessment of the performance requirements for the item to be procured under the contract, including the effect of such requirements on cost increases under the program.

''(b) COVERED MAJOR DEFENSE ACQUISITION PROGRAMS.—A major defense acquisition program described in this subsection is any major defense acquisition program as follows:

''(1) A major defense acquisition program that experiences a percentage increase in the program acquisition unit cost of—

''(A) at least 10 percent over the program acquisition unit cost for the program as shown in the current Baseline Estimate for the program; or

''(B) at least 25 percent over the program acquisition unit cost for the program as shown in the original Baseline Estimate for the program.

''(2) A major defense acquisition program that is a procurement program that experiences a percentage increase in the procurement unit cost of—

''(A) at least 10 percent over the procurement unit cost for the program as shown in the current Baseline Estimate for the program; or

''(B) at least 25 percent over the procurement unit cost for the program as shown in the original Baseline Estimate for the program.

''(c) DEFINITIONS.—In this section:

''(1) The terms 'program acquisition unit cost' and 'procurement unit cost' have the meaning given those terms in section 2432(a) of this title.

''(2) The terms 'Baseline Estimate' and 'procurement program' have the meaning given those terms in section 2433(a) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such title is amended by inserting after the item relating to section 2433 the following new item:

''2433a. Joint Requirements Oversight Council evaluation of programs experiencing certain cost increases.''.

**SEC. 3. MEMBERSHIP OF THE JOINT REQUIREMENTS OVERSIGHT COUNCIL.**

Section 181(c) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''and'' at the end;

(B) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new subparagraphs:

''(F) the Under Secretary of Defense for Acquisition, Technology, and Logistics; and

''(G) the Under Secretary of Defense (Comptroller).'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) The Director of Program Analysis and Evaluation shall be an advisor to the Council in the performance of its mission under this section.''.

**SEC. 4. REQUIREMENT OF APPROVAL OF JOINT REQUIREMENTS OVERSIGHT COUNCIL FOR INITIAL OPERATIONAL TEST AND EVALUATION IN ENVIRONMENT NOT SPECIFIED IN TEST AND EVALUATION MASTER PLAN.**

Section 2399(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) Initial operational test and evaluation of a major defense acquisition program may not be conducted in an environment other than the environment specified and defined in the test and evaluation master plan (TEMP) concerned without the approval of the Joint Requirements Oversight Council.'';

(3) in paragraph (4), as redesignated by paragraph (1) of this subsection, by striking ''paragraph (2)'' and inserting ''paragraph (3)'';

(4) in paragraph (5), as so redesignated, by striking ''paragraph (2)'' and inserting ''paragraph (3)''; and

(5) in paragraph (6), as so redesignated—

(A) by striking ''paragraph (4)'' and inserting ''paragraph (5)''; and

(B) by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

**SEC. 5. APPROVAL BY PROGRAM MANAGERS OF CERTAIN COST INCREASES IN CONTRACTS FOR THE ACQUISITION OF PROPERTY.**

(a) REGULATIONS REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe in regulations certain mechanisms that provide cost control measures in contracts for the acquisition of property for the Department of Defense that may be authorized or approved by the program manager.

(2) OBJECTIVES.—In prescribing the regulations, the Secretary shall seek, to the maximum extent practicable, to achieve cost control, the stabilization of requirements, and timely delivery in accordance with contract specifications in the performance of contracts for the acquisition of property for the Department.

(b) COVERED COST INCREASES.—The regulations required by subsection (a) shall provide that the cost increases that may be authorized or approved by a program manager under a contract shall be limited to the following:

(1) A cost increase necessary to secure or enhance safety in the property procured under the contract where the unsecure or unsafe condition or situation (as officially documented by a responsible oversight organization) is attributable to the Government.

(2) A cost increase necessary for the correction of a defect in the contract that is attributable to the Government, including a defect in contract specifications, a defect in or the unavailability of Government information necessary for the performance of the contract, or a defect in or the unavailability of Government equipment necessary for the performance of the contract.

(3) A cost increase associated with the unavailability of Government-specified, contractor-furnished equipment or components.

(4) A cost increase that is necessary for the modification of the property procured under the contract that is critical for the delivery or completion of operational testing.

(5) A cost increase resulting from a modification of applicable statutes or regulations, but only if—

(A) funds are specifically made available to implement such modification; or

(B) in the event funds are not so made available, the service acquisition executive concerned approves the cost increase.

(6) Any other cost increase approved and funded by an appropriate oversight organization that is the result of new or revised requirements or modifications that would result in an overall reduction in life cycle cost in the property procured under the contract.

(c) AVAILABILITY OF CHANGE ORDER FUNDS FOR COST INCREASES.—The regulations shall provide that amounts appropriated for a program and available for change orders to contracts under the program shall be available

for costs authorized or approved under subsection (b).

(d) PROHIBITION ON OTHER COST INCREASES.—The regulations shall prohibit the authorization or approval by a program manager of any cost increase under a contract not authorized pursuant to subsection (b).

(e) COST REDUCTIONS.—The regulations shall also authorize a program manager to authorize or approve an administrative change, whether engineering or non-engineering, to a contract for the acquisition of property for the Department if the change will reduce or have no effect on the cost of the contract.

(f) PROHIBITION ON USE OF CERTAIN COST REDUCTIONS FOR OFFSET.—The regulations shall prohibit the utilization as an offset for a cost increase in a contract under subsection (b)(6) of any reduction in the cost of the contract resulting from a cost change approved by the program manager, including a reduction attributable to a change authorized under subsection (e).

**SEC. 6. MILITARY DEPUTIES TO THE ASSISTANT SECRETARIES OF THE MILITARY DEPARTMENTS FOR ACQUISITION MATTERS AND THE CHIEFS OF STAFF.**

(a) DEPARTMENT OF THE ARMY.—

(1) IN GENERAL.—There is in the Army a Military Deputy for Acquisition Matters, appointed by the President, by and with the advice and consent of the Senate, from among officers in the Army who have significant experience in the areas of acquisition and program management.

(2) GRADE.—The Military Deputy for Acquisition Matters has the grade of lieutenant general.

(3) DUTIES.—The Military Deputy for Acquisition Matters shall have the following duties:

(A) To assist the Assistant Secretary of the Army with responsibility for acquisition matters in the supervision of acquisition matters for the Army.

(B) To report to the Chief of Staff of the Army regarding such matters.

(b) DEPARTMENT OF THE NAVY.—

(1) IN GENERAL.—There is in the Navy a Naval Deputy for Acquisition Matters, appointed by the President, by and with the advice and consent of the Senate, from among officers in the Navy and Marine Corps who have significant experience in the areas of acquisition and program management.

(2) GRADE.—The Naval Deputy for Acquisition Matters has the grade of vice admiral or lieutenant general.

(3) DUTIES.—The Naval Deputy for Acquisition Matters shall have the following duties:

(A) To assist the Assistant Secretary of the Navy with responsibility for acquisition matters in the supervision of acquisition matters for the Navy.

(B) To report to the Chief of Naval Operations regarding such matters.

(c) DEPARTMENT OF THE AIR FORCE.—

(1) IN GENERAL.—There is in the Air Force a Military Deputy for Acquisition Matters, appointed by the President, by and with the advice and consent of the Senate, from among officers in the Air Force who have significant experience in the areas of acquisition and program management.

(2) GRADE.—The Military Deputy for Acquisition Matters has the grade of lieutenant general.

(3) DUTIES.—The Military Deputy for Acquisition Matters shall have the following duties:

(A) To assist the Assistant Secretary of the Air Force with responsibility for acquisition matters in the supervision of acquisition matters for the Air Force.

(B) To report to the Chief of Staff of the Air Force regarding such matters.

(d) EXCLUSION OF MILITARY DEPUTIES FROM DISTRIBUTION AND STRENGTH IN GRADE LIMITATIONS.—

(1) DISTRIBUTION.—Section 525(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(9)(A) An officer while serving in a position specified in subparagraph (B) is in addition to the number that would otherwise be permitted for that officer's armed force for the grade of lieutenant general or vice admiral, as applicable.

''(B) A position specified in this subparagraph is each position as follows:

''(i) Military Deputy for Acquisition Matters of the Army.

''(ii) Naval Deputy for Acquisition Matters of the Navy.

''(iii) Military Deputy for Acquisition Matters of the Air Force.''.

(2) AUTHORIZED STRENGTH.—Section 526 of such title is amended by adding at the end the following new subsection:

''(g) EXCLUSION OF MILITARY DEPUTIES TO ASSISTANT SECRETARIES OF THE MILITARY DEPARTMENTS FOR ACQUISITION MATTERS.—The limitations of this section do not apply to a general or flag officer who is covered by the exclusion under section 525(b)(9) of this title.''.

**SEC. 7. COMMITTEE ON STRATEGIC INVESTMENT IN MAJOR DEFENSE ACQUISITION PROGRAMS.**

(a) IN GENERAL.—The Secretary of Defense shall establish within the Department of Defense a committee to ensure the effective allocation within major defense acquisition programs of the financial resources available for such programs.

(b) MEMBERS.—

(1) IN GENERAL.—The committee established under subsection (a) shall be composed of the following:

(A) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

(B) The Vice Chairman of the Joint Chiefs of Staff.

(C) The Director of Program Analysis and Evaluation.

(D) Any other officials of the Department of Defense jointly agreed upon by the Under Secretary and the Vice Chairman.

(2) CHAIRS.—The officials referred to in subparagraphs (A) through (C) of paragraph (1) shall serve as joint chairs of the committee.

(c) DUTIES.—

(1) IN GENERAL.—The committee established under subsection (a) shall, at each point in the acquisition of a major defense acquisition program specified in paragraph (2), determine the most effective allocation among such program of the financial resources available to such program at such point. In making such determinations, the committee shall balance requirements, technological maturities, and available resources under such program utilizing solutions bounded by a time-certain and available resources (commonly referred to as ''bounded solutions''), portfolio management techniques, and other appropriate investment evaluation techniques to identify the most appropriate allocation of financial resources to meet requirements.

(2) POINTS WITHIN ACQUISITION PROCESS.—The points in the acquisition of a major defense acquisition program specified in this paragraph are the points as follows:

(A) At an appropriate point early in the acquisition jointly specified by the Under Secretary and the Vice Chairman.

(B) At such other point in the acquisition as the Under Secretary and the Vice Chairman shall jointly specify for purposes of this section or otherwise jointly specify for purposes of the program.

(d) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term ''major defense acquisition program'' means a major defense acquisition program for purposes of chapter 144 of title 10, United States Code.

**SEC. 8. COMPTROLLER GENERAL REPORT ON DEPARTMENT OF DEFENSE ORGANIZATION AND STRUCTURE FOR THE ACQUISITION OF MAJOR DEFENSE ACQUISITION PROGRAMS.**

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on potential modifications of the organization and structure of the Department of Defense for the acquisition of major defense acquisition programs.

(b) ELEMENTS.—The report required by subsection (a) shall include the results of a review, conducted by the Comptroller General for purposes of the report, regarding the feasibility and advisability of, at a minimum, the following:

(1) Establishing system commands within each military department, each of which commands would be headed by a 4-star general officer, to whom the program managers and program executive officers for major defense acquisition programs would report.

(2) Revising the acquisition process for major defense acquisition programs by establishing shorter, more frequent acquisition program milestones.

(3) Requiring certifications of program status to the defense acquisition executive and Congress prior to milestone approval for major defense acquisition programs.

(4) Establishing a new office (to be known as the ''Office of Independent Assessment'') to provide independent cost estimates and performance estimates for major defense acquisition programs.

(5) Establishing a milestone system for major defense acquisition programs utilizing the following milestones (or such other milestones as the Comptroller General considers appropriate for purposes of the review):

(A) MILESTONE 0.—The time for the development and approval of a mission need statement for a major defense acquisition program.

(B) MILESTONE 1.—The time for the development and approval of a capability need definition for a major defense acquisition program, including development and approval of a certification statement on the characteristics required for the system under the program and a determination of the priorities among such characteristics.

(C) MILESTONE 2.—The time or technology development and assessment for a major defense acquisition program, including development and approval of a certification statement on technology maturity of elements under the program.

(D) MILESTONE 3.—The time for system development and demonstration for a major defense acquisition program, including development and approval of a certification statement on design proof of concept.

(E) MILESTONE 4.—The time for final design, production prototyping, and testing of a major defense acquisition program, including development and approval of a certification statement on cost, performance, and schedule in advance of initiation of low-rate production of the system under the program.

(F) MILESTONE 5.—The time for limited production and field testing of the system under a major defense acquisition program.

(G) MILESTONE 6.—The time for initiation of full-rate production of the system under a major defense acquisition program.

(6) Requiring the Milestone Decision Authority for a major defense acquisition program to specify, at the time of Milestone B approval, or Key Decision Point B approval, as applicable, the period of time that will be

required to deliver an initial operational capability to the relevant combatant commanders.

(7) Establishing a materiel solutions process for addressing identified gaps in critical warfighting capabilities, under which process the Under Secretary of Defense for Acquisition, Technology, and Logistics circulates among the military departments and appropriate Defense Agencies a request for proposals for technologies and systems to address such gaps.

(c) CONSULTATION.—In conducting the review required under subsection (b) for the report required by subsection (a), the Comptroller General shall obtain the views of the following:

(1) Senior acquisition officials currently serving in the Department of Defense.

(2) Individuals who formerly served as senior acquisition officials in the Department of Defense.

(3) Participants in previous reviews of the organization and structure of the Department of Defense for the acquisition of major weapon systems, including the President's Blue Ribbon Commission on Defense Management in 1986.

(4) Other experts on the acquisition of major weapon systems.

(5) Appropriate experts in the Government Accountability Office.

**SEC. 9. CHANGES TO MILESTONE B CERTIFICATIONS.**

Section 2366a of title 10, United States Code, is amended—

(1) by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively;

(2) by inserting after subsection (a) the following new subsection (b):

''(b) CHANGES TO CERTIFICATION.—(1) The program manager for a major defense acquisition program that has received certification under subsection (a) shall immediately notify the milestone decision authority of any changes to the program that are—

''(A) inconsistent with such certification; or

''(B) deviate significantly from the material provided to the milestone decision authority in support of such certification.

''(2) Upon receipt of information under paragraph (1), the milestone decision authority may withdraw the certification concerned or rescind Milestone B approval (or Key Decision Point B approval in the case of a space program) if the milestone decision authority determines that such action is in the best interest of the national security of the United States.'';

(3) in subsection (c), as redesignated by paragraph (1)—

(A) by inserting ''(1)'' before ''The certification''; and

(B) by adding at the end the following new paragraph (2):

''(2) Any information provided to the milestone decision authority pursuant to subsection (b) shall be summarized in the first Selected Acquisition Report submitted under section 2432 of this title after such information is received by the milestone decision authority.''; and

(4) in subsection (e), as so redesignated, by striking ''subsection (c)'' and inserting ''subsection (d)''.

**SEC. 10. BUSINESS CASE ANALYSIS FOR CERTAIN MAJOR DEFENSE ACQUISITION PROGRAMS.**

(a) ANALYSIS BEFORE MILESTONE B APPROVAL.—The milestone decision authority for a major defense acquisition program may not grant Milestone B approval for the program until the milestone decision authority obtains from a federally funded research and development center (FFRDC) a business case analysis for the program meeting the requirements of subsection (c).

(b) ANALYSIS FOLLOWING DEVIATIONS FROM MILESTONE B APPROVAL CERTIFICATION.—If the milestone decision authority for a major defense acquisition program determines that information provided to the milestone decision authority by the program manager reveals changes to the program that are inconsistent with the certification for Milestone B approval with respect to the program under section 2366a(a) of title 10, United States Code, or that significantly deviate from the material provided to the milestone decision authority in support of such certification, the milestone decision authority shall require the conduct by a federally funded research and development center of a new business case analysis for the program meeting the requirements of subsection (c).

(c) ELEMENTS OF BUSINESS CASE ANALYSIS.—The business case analysis for a major defense acquisition program under this section shall ensure the following:

(1) That the needs of the user for the system under the program have been accurately defined.

(2) That alternative approaches to satisfying such needs have been properly analyzed, and that the quantities of the system required are well understood.

(3) That the system developed or, in the case of a new developmental program, the system to be developed, is producible at a cost that matches the expectations and financial resources of the system user.

(4) That the developer has the resources to design the system with the features that the user wants and to deliver the system when the user needs the system.

(d) SUBMITTAL TO CONGRESS.—Each business case analysis conducted under this section shall be submitted to the congressional defense committees not later than seven days after the date on which such business case analysis is submitted to the milestone decision authority under this section.

(e) DEFINITIONS.—In this section:

(1) The term ''major defense acquisition program'' means a major defense acquisition program for purposes of chapter 144 of title 10, United States Code.

(2) The term ''Milestone B approval'', with respect to a major defense acquisition program, has the meaning given that term in section 2366(e)(7) of title 10, United States Code.

**SEC. 11. GUIDANCE ON UTILIZATION OF AWARD FEES IN CONTRACTS UNDER DEPARTMENT OF DEFENSE ACQUISITION PROGRAMS.**

(a) REGULATIONS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe in regulations guidance on the appropriate use of award fees in contracts under Department of Defense acquisition programs.

(b) UTILIZATION OF OBJECTIVE CRITERIA IN ASSESSMENT OF CONTRACTOR PERFORMANCE.—

(1) IN GENERAL.—The regulations required by subsection (a) shall provide that, to the extent practicable, objective criteria are utilized in the assessment of contractor performance in Department acquisition programs.

(2) MIXED UTILIZATION OF OBJECTIVE AND SUBJECTIVE CRITERIA.—The regulations shall provide that, in any case in which objective criteria are available for the assessment of contractor performance, the program manager and contracting officer concerned may elect to assess contractor performance through an appropriate mixture of objective criteria and such subjective criteria as the program manager and contracting officer jointly consider appropriate under a contract providing both incentive fees and awards fees, including a cost-plus-incentive/award fee contract or a fixed-price-incentive/award fee contract.

(3) UTILIZATION OF SUBJECTIVE CRITERIA.—

(A) IN GENERAL.—The regulations shall provide that, if it is determined that objective criteria do not exist and it is appropriate to use a cost-plus-award-fee contract, the head of the contracting activity concerned shall find that the work to be performed under the contract is such that it is not feasible or effective to establish objective incentive criteria for the contract.

(B) DELEGATION.—The authority to make a determination and finding under subparagraph (A) may be delegated by the head of a contracting activity but only to an official in the contracting activity who is one level lower in the contracting chain of authority than the head of the contracting activity.

(c) SCHEDULE FOR AWARD FEES.—

(1) IN GENERAL.—The regulations required by subsection (a) shall set forth a schedule of ratings of contractor performance for award fees in contracts under Department acquisition programs, including—

(A) a range of authorized ratings;

(B) the contractor performance required for each authorized rating; and

(C) the percentage of potential award fees payable as a result of the achievement of each authorized rating.

(2) AUTHORIZED RATINGS AND PERFORMANCE.—The schedule shall set forth a range of authorized ratings and associated contractor performance as follows:

(A) Outstanding, for a contractor who meets—

(i) the minimum essential requirements of the contract; and

(ii) at least 90 percent of the criteria for the award of award fees under the contract.

(B) Excellent, for a contractor who meets—

(i) the minimum essential requirements of the contract; and

(ii) at least 75 percent of the criteria for the award of award fees under the contract.

(C) Good, for a contractor who meets—

(i) the minimum essential requirements under the contract; and

(ii) at least 50 percent of the criteria for the award of award fees under the contract.

(D) Satisfactory, for a contractor who meets the minimum essential requirements under the contract but does not meet at least 50 percent of the criteria for the award of award fees under the contract.

(E) Unsatisfactory, for a contractor who does not meet the minimum essential requirements under the contract.

(3) AWARD FEES PAYABLE.—The schedule shall provide that the amount payable from amounts available for the payment of award fees under a contract (commonly referred to as an ''award fee pool'') to a contractor who achieves a particular rating under the schedule shall be the percentage of such amounts, as determined appropriate by the contracting officer, from the percentages as follows:

(A) In the case of outstanding, 90 percent to 100 percent.

(B) In the case of excellent, 75 percent to 90 percent.

(C) In the case of good, 50 percent to 75 percent.

(D) In the case of satisfactory, not more than 50 percent.

(E) In the case of unsatisfactory, 0 percent.

(d) ESTABLISHMENT OF AWARD FEE REQUIREMENTS.—The regulations required by subsection (a) shall provide that the requirements to be satisfied for the award of award fees under a contract shall be determined by the contracting officer, in consultation with the program manager concerned and the fee determining official for the contract. The specification of such requirements in the contract may be referred to as the ''Award Fee Plan'' for the contract.

(e) ROLLOVER OF AWARD FEES TO LATER AWARD PERIODS.—

(1) IN GENERAL.—The regulations required by subsection (a) shall establish a negative presumption against the rollover of amounts available for the payment of award fees under a contract from one award fee period under the contract to another award fee period under the contract unless the rollover of such amounts is specifically set forth in the acquisition strategy under which the contract is entered into.

(2) LIMITATION ON AMOUNT OF ROLLOVER.—The regulations shall set forth specific limits on the amount available for the payment of award fees under a contract that may be rolled over from one award fee period under the contract to another award fee period under the contract. Such limits may be expressed as specific dollar amounts or as percentages of the amount available for payment of award fees under the contract concerned.

(3) DOCUMENTATION OF ROLLOVER.—The regulations shall require that any determination by the fee determining official to roll over amounts available for the payment of award fees under a contract from one award fee period under the contract to another award fee period under the contract shall be included in writing in the contract file for the contract.

**SEC. 12. SUBSTANTIAL SAVINGS UNDER MULTIYEAR CONTRACTS.**

(a) DEFINITION IN REGULATIONS OF SUBSTANTIAL SAVINGS UNDER MULTIYEAR CONTRACTS.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall modify the regulations prescribed pursuant to subsection (b)(2)(A) of section 2306b of title 10, United States Code, to define the term ''substantial savings'' for purposes of subsection (a)(1) of such section. Such regulations shall specify the following:

(A) Savings that exceed 10 percent of the total anticipated costs of carrying out a program through annual contracts shall be considered to be substantial.

(B) Savings that exceed 8 percent of the total anticipated costs of carrying out a program through annual contracts, but do not exceed 10 percent of such costs, shall not be considered to be substantial unless the following conditions are satisfied:

(i) The program has not breached any threshold under section 2433 of title 10, United States Code, during the two-year period ending on the date on which the military department concerned first submits to Congress a multiyear procurement proposal with respect to the program.

(ii) The program is estimated to save at least $500,000,000 under a multiyear contract, as compared to annual contracts

(C) Savings that do not exceed 8 percent of the total anticipated costs of carrying out a program through annual contracts shall not be considered to be substantial.

(2) DETERMINATION OF SAVINGS.—The regulations required under this subsection shall require that the determination of the amount of savings to be achieved under a multiyear contract, including whether or not such savings are treatable as substantial savings for purposes of subsection (a)(1) of section 2306b of title 10, United States Code, shall be made by the Cost Analysis Improvement Group (CAIG) of the Department of Defense.

(3) EFFECTIVE DATE.—The modification required by paragraph (1) shall apply with regard to any multiyear contract that is authorized after the date that is 60 days after the date of the enactment of this Act.

(b) REPORTS ON SAVINGS ACHIEVED.—

(1) REPORTS REQUIRED.—Not later than January 15 of 2008, 2009, and 2010, the Secretary shall submit to the congressional defense committees a report on the savings achieved through the use of multiyear contracts that were entered under the authority of section 2306b of title 10, United States Code, and the performance of which was completed in the preceding fiscal year.

(2) ELEMENTS.—Each report under paragraph (1) shall specify, for each multiyear contract covered by such report—

(A) the savings that the Department of Defense estimated it would achieve through the use of the multiyear contract at the time such contract was awarded; and

(B) the best estimate of the Department on the savings actually achieved under such contract.

**SEC. 13. INVESTMENT STRATEGY FOR MAJOR DEFENSE ACQUISITION PROGRAMS.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an investment strategy for the allocation of funds and other resources among major defense acquisition programs.

(b) ELEMENTS.—The strategy required by subsection (a) shall do the following:

(1) Establish priorities among needed capabilities under major defense acquisition programs, and to assess the resources (including funds, technologies, time, and personnel) needed to achieve such capabilities.

(2) Balance cost, schedule, and requirements for major defense acquisition programs to ensure the most efficient use of Department of Defense resources.

(3) Ensure that the budget, requirements, and acquisition processes of the Department of Defense work in a complementary manner to achieve desired results.

(c) RECOMMENDATIONS.—In submitting the strategy required by subsection (a), the Secretary shall include any recommendations, including recommendations for legislative action, that the Secretary considers appropriate to implement the strategy.

(d) UTILIZATION FOR BUDGET PURPOSES.—The Secretary shall utilize the strategy required by subsection (a) in developing requests for funding and other resources to be allocated to major defense acquisition programs under the budget of the President to be submitted to Congress each fiscal year under section 1105(a) of title 31, United States Code.

(e) CURRENT PROGRAMS BEYOND MILESTONE B APPROVAL.—Pending completion of the strategy required by subsection (a), the Secretary shall, to the extent practicable, establish priorities in the allocation of funds and other resources for major defense acquisition programs that have Milestone B approval in order to ensure the acquisition of items under such programs in the most cost-effective and efficient manner.

(f) DEFINITIONS.—In this section:

(1) The term ''major defense acquisition program'' has the meaning given that term in section 2430 of title 10, United States Code.

(2) The term ''Milestone B approval'' has the meaning given that term in section 2366(e)(7) of title 10, United States Code.

**SEC. 14. ETHICS COMPLIANCE BY DEPARTMENT OF DEFENSE CONTRACTORS.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe in regulations a requirement that a contracting officer of the Department of Defense may not determine a contractor to be responsible for purposes of the award of a new covered contract for the Department, or an agency or component of the Department, unless the entity to be awarded the contract has in place, by the deadline specified in subsection (c), an internal ethics compliance program, including a code of ethics and internal controls, to facilitate the timely detection and disclosure of improper conduct in connection with the award or performance of the covered contract and to ensure that appropriate corrective action is taken with respect to such conduct.

(b) ELEMENTS OF ETHICS COMPLIANCE PROGRAM.—Each ethics compliance program required of a contractor under subsection (a) shall include the following:

(1) Requirements for periodic reviews of the program for which the covered contract concerned is awarded to ensure compliance of contractor personnel with applicable Government contracting requirements, including laws, regulations, and contractual requirements.

(2) Internal reporting mechanisms, such as a hot-line, for contractor personnel to report suspected improper conduct among contractor personnel.

(3) Audits of the program for which the covered contract concerned is awarded.

(4) Mechanisms for disciplinary actions against contractor personnel found to have engaged in improper conduct, including the exclusion of such personnel from the exercise of substantial authority.

(5) Mechanisms for the reporting to appropriate Government officials, including the contracting officer and the Office of the Inspector General of the Department of Defense, of suspected improper conduct among contractor personnel, including suspected conduct involving corruption of a Government official or individual acting on behalf of the Government, not later than 30 days after the date of discovery of such suspected conduct.

(6) Mechanisms to ensure full cooperation with Government officials responsible for investigating suspected improper conduct among contractor personnel and for taking corrective actions.

(7) Mechanisms to ensure the recurring provision of training to contractor personnel on the requirements and mechanisms of the program.

(8) Mechanisms to ensure the oversight of the program by contractor personnel with substantial authority within the contractor.

(c) DEADLINE FOR PROGRAM.—The deadline specified in this subsection for a contractor having in place an ethics compliance program required under subsection (a) for purposes of a covered contract is 30 days after the date of the award of the contract.

(d) DETERMINATION OF EXISTENCE OF PROGRAM.—In determining whether or not contractor has in place an ethics compliance program required under subsection (a), a contracting officer of the Department may utilize the assistance of the Office of the Inspector General of the Department of Defense.

(e) SUSPENSION OR DEBARMENT.—The regulations prescribed under subsection (a) shall provide that any contractor under a covered contract whose personnel are determined not to have reported suspected improper conduct in accordance with the requirements and mechanisms of the ethics compliance program concerned may, at the election of the Secretary of Defense, be suspended from the contract or debarred from further contracting with the Department of Defense.

(f) COVERED CONTRACT DEFINED.—In this section, the term ''covered contract'' means any contract to be awarded to a contractor of the Department of Defense if, in the year before the contract is to be awarded, the total amount of contracts of the contractor with the Federal Government exceeded $5,000,000.

**SEC. 15. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS ON TOTAL OWNERSHIP COSTS AND READINESS RATES FOR MAJOR WEAPON SYSTEMS.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the extent of the implementation of the recommendations set forth in the February 2003 report of the Government Accountability Office entitled ''Setting Requirements Differently Could Reduce Weapon Systems' Total Ownership Costs''.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) For each recommendation described in subsection (a) that has been implemented, or that the Secretary plans to implement—

(A) a summary of all actions that have been taken to implement such recommendation; and

(B) a schedule, with specific milestones, for completing the implementation of such recommendation.

(2) For each recommendation that the Secretary has not implemented and does not plan to implement—

(A) the reasons for the decision not to implement such recommendation; and

(B) a summary of any alternative actions the Secretary plans to take to address the purposes underlying such recommendation.

(3) A summary of any additional actions the Secretary has taken or plans to take to ensure that total ownership cost is appropriately considered in the requirements process for major weapon systems.

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By Mr. COLEMAN (for himself and Ms. COLLINS):

S. 35. A bill to amend section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004 and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. President, 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. 35

*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 ''Western Hemisphere Traveler Improvement Act of 2007''.

**SEC. 2. CERTIFICATIONS.**

Section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note) is amended—

(1) in subparagraph (B)—

(A) in clause (v)—

(i) by striking ''process'' and inserting ''read''; and

(ii) inserting ''at all ports of entry'' after ''installed'';

(B) in clause (vi), by striking ''and'' at the end;

(C) in clause (vii), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(viii) a pilot program in which not fewer than 1 State has been initiated and evaluated to determine if an enhanced driver's license, which is machine-readable and tamper-proof, not valid for certification of citizenship for any purpose other than admission into the United States from Canada, and issued by such State to an individual, may permit the individual to use the individual's driver's license to meet the documentation requirements under subparagraph (A) for entry into the United States from Canada at the land and sea ports of entry;

''(ix) the report described in subparagraph (C) has been submitted to the appropriate congressional committees;

''(x) a study has been conducted to determine the number of passports and passport cards that will be issued as a consequence of the documentation requirements under subparagraph (A); and

''(xi) sufficient passport adjudication personnel have been hired or contracted—

''(I) to accommodate—

''(aa) increased demand for passports as a consequence of the documentation requirements under subparagraph (A); and

''(bb) a surge in such demand during seasonal peak travel times; and

''(II) to ensure that the time required to issue a passport or passport card is not anticipated to exceed 8 weeks.''; and

(2) by adding at the end the following:

''(C) REPORT.—Not later than 180 days after the initiation of the pilot program described in subparagraph (B)(viii), the Secretary of Homeland Security and the Secretary of State shall submit to the appropriate congressional committees a report, which includes—

''(i) an analysis of the impact of the pilot program on national security;

''(ii) recommendations on how to expand the pilot program to other States;

''(iii) any appropriate statutory changes to facilitate the expansion of the pilot program to additional States and to citizens of Canada;

''(iv) a plan to scan individuals participating in the pilot program against United States terrorist watch lists;

''(v) an evaluation of and recommendations for the type of machine-readable technology that should be used in enhanced driver's licenses, based on individual privacy considerations and the costs and feasibility of incorporating any new technology into existing driver's licenses;

''(vi) recommendations for improving the pilot program; and

''(vii) an analysis of any cost savings for a citizen of the United States participating in an enhanced driver's license program as compared with participating in an alternative program.''.

**SEC. 3. SPECIAL RULE FOR MINORS.**

Section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note) is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR MINORS.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall permit an individual to enter the United States without providing any evidence of citizenship if the individual—

''(A)(i) is less than 16 years old;

''(ii) is accompanied by the individual's legal guardian;

''(iii) is entering the United States from Canada or Mexico;

''(iv) is a citizen of the United States or Canada; and

''(v) provides a birth certificate; or

''(B)(i) is less than 18 years old;

''(ii) is traveling under adult supervision with a public or private school group, religious group, social or cultural organization, or team associated with a youth athletics organization; and

''(iii) provides a birth certificate.''.

**SEC. 4. TRAVEL FACILITATION INITIATIVES.**

Section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note) is amended by adding at the end the following new subsections:

''(e) STATE DRIVER'S LICENSE AND IDENTIFICATION CARD ENROLLMENT PROGRAM.—

''(1) IN GENERAL.—Notwithstanding any other provision of law and not later than 180 days after the submission of the report described in subsection (b)(1)(C), the Secretary of State and the Secretary of Homeland Security shall issue regulations to establish a State Driver's License and Identity Card Enrollment Program as described in this subsection (hereinafter in this subsection referred to as the 'Program') and which allows the Secretary of Homeland Security to enter into a memorandum of understanding with an appropriate official of each State that elects to participate in the Program.

''(2) PURPOSE.—The purpose of the Program is to permit a citizen of the United States who produces a driver's license or identity card that meets the requirements of paragraph (3) or a citizen of Canada who produces a document described in paragraph (4) to enter the United States from Canada by land or sea without providing any other documentation or evidence of citizenship.

''(3) ADMISSION OF CITIZENS OF THE UNITED STATES.—A driver's license or identity card meets the requirements of this paragraph if—

''(A) the license or card—

''(i) was issued by a State that is participating in the Program; and

''(ii) is tamper-proof and machine readable; and

''(B) the State that issued the license or card—

''(i) has a mechanism to verify the United States citizenship status of an applicant for such a license or card;

''(ii) does not require an individual to include the individual's citizenship status on such a license or card; and

''(iii) manages all information regarding an applicant's United States citizenship status in the same manner as such information collected through the United States passport application process and prohibits any other use or distribution of such information.

''(4) ADMISSION OF CITIZENS OF CANADA.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, if the Secretary of State and the Secretary of Homeland Security determine that an identity document issued by the Government of Canada or by the Government of a Province or Territory of Canada meets security and information requirements comparable to the requirements for a driver's license or identity card described in paragraph (3), the Secretary of Homeland Security shall permit a citizen of Canada to enter the United States from Canada using such a document without providing any other documentation or evidence of Canadian citizenship.

''(B) TECHNOLOGY STANDARDS.—The Secretary of Homeland Security shall work, to the maximum extent possible, to ensure that an identification document issued by Canada that permits entry into the United States under subparagraph (A) utilizes technology similar to the technology utilized by identification documents issued by the United States or any State.

''(5) AUTHORITY TO EXPAND.—Notwithstanding any other provision of law, the Secretary of State and the Secretary of Homeland Security may expand the Program to permit an individual to enter the United States—

''(A) from a country other than Canada; or

''(B) using evidence of citizenship other than a driver's license or identity card described in paragraph (3) or a document described in paragraph (4).

''(6) RELATIONSHIP TO OTHER REQUIREMENTS.—Nothing in this subsection shall

have the effect of creating a national identity card or a certification of citizenship for any purpose other than admission into the United States as described in this subsection.

''(7) STATE DEFINED.—In this subsection, the term 'State' means any of the several States of the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

''(f) WAIVER FOR INTRASTATE TRAVEL.—The Secretary of Homeland Security shall accept a birth certificate as proof of citizenship for any United States citizen who is traveling directly from one part of a State to a noncontiguous part of that State through Canada, if such citizen cannot travel by land to such part of the State without traveling through Canada, and such travel in Canada is limited to no more than 2 hours.

''(g) WAIVER OF PASS CARD AND PASSPORT EXECUTION FEES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, during the 2-year period beginning on the date on which the Secretary of Homeland Security publishes a final rule in the Federal Register to carry out subsection (b), the Secretary of State shall—

''(A) designate 1 facility in each city or port of entry designated under paragraph (2), including a State Department of Motor Vehicles facility located in such city or port of entry if the Secretary determines appropriate, in which a passport or passport card may be procured without an execution fee during such period; and

''(B) develop not fewer than 6 mobile enrollment teams that—

''(i) are able to issue passports or other identity documents issued by the Secretary of State without an execution fee during such period;

''(ii) are operated along the northern and southern borders of the United States; and

''(iii) focus on providing passports and other such documents to citizens of the United States who live in areas of the United States that are near such an international border and that have relatively low population density.

''(2) DESIGNATION OF CITIES AND PORTS OF ENTRY.—The Secretary of State shall designate cities and ports of entry for purposes of paragraph (1)(A) as follows:

''(A) The Secretary shall designate not fewer than 3 cities or ports of entry that are 100 miles or less from the northern border of the United States.

''(B) The Secretary shall designate not fewer than 3 cities or ports of entry that are 100 miles or less from the southern border of the United States.

''(h) COST-BENEFIT ANALYSIS.—Prior to publishing a final rule in the Federal Register to carry out subsection (b), the Secretary of Homeland Security shall conduct a complete cost-benefit analysis of carrying out this section. Such analysis shall include analysis of—

''(1) any potential costs of carrying out this section on trade, travel, and the tourism industry; and

''(2) any potential savings that would result from the implementation of the State Driver's License and Identity Card Enrollment Program established under subsection (e) as an alternative to passports and passport cards.

''(i) REPORT.—During the 2-year period beginning on the date that is the 3 months after the date on which the Secretary of Homeland Security begins implementation of subsection (b)(1)—

''(1) the Secretary of Homeland Security shall submit to the appropriate congressional committees a report not less than once every 3 months on—

''(A) the average delay at border crossings; and

''(B) the average processing time for a NEXUS card, FAST card, or SENTRI card; and

''(2) the Secretary of State shall submit to the appropriate congressional committees a report not less than once every 3 months on the average processing time for a passport or passport card.

''(j) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means—

''(1) the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate; and

''(2) the Committee on Appropriations, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives.''.

**SEC. 5. SENSE OF CONGRESS REGARDING IMPLEMENTATION OF THE WESTERN HEMISPHERE TRAVEL INITIATIVE.**

The intent of Congress in enacting section 546 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 120 Stat. 1386) was to prevent the Secretary of Homeland Security from implementing the plan described in section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note) before the earlier of June 1, 2009, or the date on which the Secretary certifies to Congress that an alternative travel document, known as a passport card, has been developed and widely distributed to eligible citizens of the United States.

**SEC. 6. PASSPORT PROCESSING STAFF AUTHORITIES.**

(a) REEMPLOYMENT OF CIVIL SERVICE ANNUITANTS.—Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) is amended—

(1) in paragraph (1), by striking ''To facilitate'' and all that follows through '', the Secretary'' and inserting ''The Secretary''; and

(2) in paragraph (2), by striking ''2008'' and inserting ''2010''.

(b) REEMPLOYMENT OF FOREIGN SERVICE ANNUITANTS.—Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

(1) in paragraph (1)(B), by striking ''to facilitate'' and all that follows through ''Afghanistan,''; and

(2) in paragraph (2), by striking ''2008'' and inserting ''2010''.

**SEC. 7. REPORT ON BORDER INFRASTRUCTURE.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Homeland Security, shall submit to the appropriate congressional committees a report on the adequacy of the infrastructure of the United States to manage cross-border travel associated with the NEXUS, FAST, and SENTRI programs. Such report shall include consideration of—

(1) the ability of frequent travelers to access dedicated lanes for such travel;

(2) the total time required for border crossing, including time spent prior to ports of entry;

(3) the frequency, adequacy of facilities and any additional delays associated with secondary inspections; and

(4) the adequacy of readers to rapidly read identity documents of such individuals.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate; and

(2) the Committee on Appropriations, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives.

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By Mr. KENNEDY (for himself and Mrs. HUTCHISON):

S. 1445. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish, promote, and support a comprehensive prevention, research, and medical management referral program for hepatitis C virus infection; to the Committee on Health, Education, Labor and Pensions.

Mr. KENNEDY. Mr. President, it is a privilege to join my colleague Senator HUTCHISON in introducing the Hepatitis C Epidemic Control and Prevention Act of 2007. Senator HUTCHISON's leadership has been essential in developing this legislation, which will encourage programs for hepatitis C across the country similar to the programs that have been so effective in Texas. Our goal is to expand and improve health education, screening, and treatment to deal more effectively with the epidemic of hepatitis C.

Hepatitis C is a life-threatening disease caused by a virus and is the most common chronic, blood-borne infection in the United States. An estimated 5 million people, almost 2 percent of the population, are now infected with the hepatitis C virus. More than half a million of these Americans are suffering from chronic infection, and 30,000 more are infected every year.

Those infected come from all walks of life, and their numbers are growing fast. People at greatest risk include emergency service personnel, veterans, health care workers, and intravenous drug and methamphetamine users. Hepatitis C also disproportionately affects medically underserved populations, including African Americans, Native Americans, persons of Hispanic or Asian/Pacific Island descent, and the homeless.

It is truly a ''silent'' epidemic since the vast majority of these individuals are unaware of their infection. Millions are not receiving the care that could slow the progression of the disease or even cure it. Those who are not aware of their infection are less likely to take precautions against spreading the disease to others. Unlike the hepatitis A and B viruses, there is no vaccine currently available to prevent hepatitis C infection. It is critical to improve the screening process, so that everyone infected can be identified, obtain treatment, and learn healthier behavior.

The infection has serious health effects. It can cause liver disease, including cirrhosis and liver cancer, and is the leading cause of adult liver transplants. Chronic liver disease, most of

which is caused by this virus, is now the most common cause of death among persons infected with HIV. In addition to the human costs, the disease has massive financial implications. Direct medical costs associated with care are alone expected to exceed $1 billion a year by 2010, and those costs will undoubtedly increase without better prevention and treatment programs.

Greater Federal investment will play a critical role in reversing this silent epidemic. Our bill will increase public awareness of the dangers of hepatitis C, and make testing widely available. For those already infected, it will provide counseling, referrals, and vaccination against hepatitis A and B and other infectious diseases. It will also support research, including the development of a vaccine against hepatitis C. It also supports increased hepatitis C surveillance activities by the Centers for Disease Control and Prevention, and creates hepatitis C coordinators to provide technical assistance and training to State public health agencies.

This bill will have a major impact on the lives of millions of Americans who are infected by hepatitis C, and the families and loved ones who care for them. I look forward to working closely with my colleagues to act quickly to pass this needed legislation.

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By Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. WARNER, and Mr. WEBB):

S. 1446. 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 Homeland Security and Governmental Affairs.

Mr. CARDIN. Mr. President, today I am introducing legislation to help sustain the Federal Government's longstanding commitment to the Washington Metropolitan area's Metrorail system. The National Capital Transportation Amendments Act of 2007 authorizes a total of $1,500,000,000 in matching Federal funds over the next 10 years to maintain and improve America's public transit system. It is a companion to a measure introduced in the House by Representative TOM DAVIS, with strong regional and bipartisan support, and is nearly identical to the legislation which was approved by the House in the 109th Congress.

In March 2006, the Washington Metropolitan Area Transit Authority celebrated the 30th anniversary of passenger service on the Metrorail system. Since service first began in 1976, Metrorail has grown from a 4.6-mile, five-station, 22,000-passenger system into the Nation's second busiest rapid transit operation. Today the Metrorail system consists of 106.3 miles, 86 stations and carries more than 100 million passengers a year. The Metrorail system provides a unified and coordinated transportation system for the region, enhances mobility for the millions of residents, visitors and the Federal workforce in the region, promotes orderly growth and development of the region, enhances our environment, and preserves the beauty and dignity of our Nation's Capital. It is also an example of an unparalleled partnership that spans every level of government from city to State to Federal.

As the largest employer in this region, the Federal Government has had a longstanding and unique responsibility to support the Metro system. This special responsibility was recognized more than 40 years ago in the National Capital Transportation Act of 1960, when Congress found that ''an improved transportation system for the National Capital region is essential for the continued and effective performance of the functions of the Government of the United States.'' Today more than a third of Federal employees in this region rely on Metrorail to get to work, and at rush hour, more than 40 percent of Metro's riders are Federal employees. The service that WMATA provides is also a critical component of Federal emergency evacuation plans for the region. The Federal Government's interest in Metro is ''unique and enduring.''

It took extraordinary perseverance and effort to build the 106-mile Metorail system. From its origins in legislation first approved by the Congress during the Eisenhower Administration, three major statutes, the National Capital Transportation Act of 1969, the National Capital Transportation amendments of 1979, and the National Capital Transportation Amendments of 1990 were enacted to provide Federal and matching local funds for construction of the system. In addition, in ISTEA, TEA–21 and most-recently in SAFETEA–LU, we made the Metrorail eligible for millions of dollars in Federal funds annually to maintain and modernize the system, and provided an additional $104 million for WMATA's procurement of 52 rail cars and construction of upgrades to traction power equipment on 20 stations to allow the transit agency to expand many of its trains from 6 to 8 cars.

But the system is aging and has been experiencing increasing incidents of equipment breakdowns, delays in scheduled service, and unprecedented crowding on trains. In 2004, WMATA released a ''Metro Matters'' report which found a $1.5 billion shortfall in funding over 6 years to meet WMATA's capital and operating needs. A Blue Ribbon Panel, sponsored by the Metropolitan Washington Council of Governments, the Greater Washington Board of Trade and the Federal City Council published a report a year later which concluded that WMATA faces an average annual operating and capital shortfall of approximately $300 million between fiscal year 2006 and fiscal year 2015.

This legislation seeks to provide additional Federal funds to help close this gap. To be eligible for any Federals funds that may be appropriated annually under this legislation, the District of Columbia, the State of Maryland, and the Commonwealth of Virginia must first enact the required Compact amendments and either establish or use an existing dedicated funding source, such as Maryland's Transportation Trust fund, to provide the local matching funds. The legislation is still subject to the annual appropriations process and it is my hope that federal funding authorized under this Act will be forthcoming in future years. I urge my colleagues to join me in supporting this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1446

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

**SECTION 1. SHORT TITLE; FINDINGS.**

(a) SHORT TITLE.—This Act may be cited as the ''National Capital Transportation Amendments Act of 2007''.

(b) FINDINGS.—Congress finds as follows:

(1) Metro, the public transit system of the Washington metropolitan area, is essential for the continued and effective performance of the functions of the Federal Government, and for the orderly movement of people during major events and times of regional or national emergency.

(2) On 3 occasions, Congress has authorized appropriations for the construction and capital improvement needs of the Metrorail system.

(3) Additional funding is required to protect these previous Federal investments and ensure the continued functionality and viability of the original 103-mile Metrorail system.

**SEC. 2. FEDERAL CONTRIBUTION FOR CAPITAL PROJECTS FOR WASHINGTON METROPOLITAN AREA TRANSIT SYSTEM.**

The National Capital Transportation Act of 1969 (sec. 9–1111.01 et seq., D.C. Official Code) is amended by adding at the end the following new section:

''AUTHORIZATION OF ADDITIONAL FEDERAL CONTRIBUTION FOR CAPITAL AND PREVENTIVE MAINTENANCE PROJECTS

''SEC. 18. (a) AUTHORIZATION.—Subject to the succeeding provisions of this section, the Secretary of Transportation is authorized to make grants to the Transit Authority, in addition to the contributions authorized under sections 3, 14, and 17, for the purpose of financing in part the capital and preventive maintenance projects included in the Capital Improvement Program approved by the Board of Directors of the Transit Authority.

''(b) USE OF FUNDS.—The Federal grants made pursuant to the authorization under this section shall be subject to the following limitations and conditions:

''(1) The work for which such Federal grants are authorized shall be subject to the provisions of the Compact (consistent with the amendments to the Compact described in subsection (d)).

''(2) Each such Federal grant shall be for 50 percent of the net project cost of the project involved, and shall be provided in cash from sources other than Federal funds or revenues from the operation of public mass transportation systems. Consistent with the terms of the amendment to the Compact described in

subsection (d)(1), any funds so provided shall be solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital.

''(c) APPLICABILITY OF REQUIREMENTS FOR MASS TRANSPORTATION CAPITAL PROJECTS RECEIVING FUNDS UNDER FEDERAL TRANSPORTATION LAW.—Except as specifically provided in this section, the use of any amounts appropriated pursuant to the authorization under this section shall be subject to the requirements applicable to capital projects for which funds are provided under chapter 53 of title 49, United States Code, except to the extent that the Secretary of Transportation determines that the requirements are inconsistent with the purposes of this section.

''(d) AMENDMENTS TO COMPACT.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section until the Transit Authority notifies the Secretary of Transportation that each of the following amendments to the Compact (and any further amendments which may be required to implement such amendments) have taken effect:

''(1)(A) An amendment requiring that all payments by the local signatory governments for the Transit Authority for the purpose of matching any Federal funds appropriated in any given year authorized under subsection (a) for the cost of operating and maintaining the adopted regional system are made from amounts derived from dedicated funding sources.

''(B) For purposes of this paragraph, the term 'dedicated funding source' means any source of funding which is earmarked or required under State or local law to be used to match Federal appropriations authorized under this Act for payments to the Transit Authority.

''(2) An amendment establishing the Office of the Inspector General of the Transit Authority in accordance with section 3 of the National Capital Transportation Amendments Act of 2007.

''(3) An amendment expanding the Board of Directors of the Transit Authority to include 4 additional Directors appointed by the Administrator of General Services, of whom 2 shall be nonvoting and 2 shall be voting, and requiring one of the voting members so appointed to be a regular passenger and customer of the bus or rail service of the Transit Authority.

''(e) AMOUNT.—There are authorized to be appropriated to the Secretary of Transportation for grants under this section an aggregate amount not to exceed $1,500,000,000 to be available in increments over 10 fiscal years beginning in fiscal year 2009, or until expended.

''(f) AVAILABILITY.—Amounts appropriated pursuant to the authorization under this section—

''(1) shall remain available until expended; and

''(2) shall be in addition to, and not in lieu of, amounts available to the Transit Authority under chapter 53 of title 49, United States Code, or any other provision of law.''.

**SEC. 3. WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY INSPECTOR GENERAL.**

(a) ESTABLISHMENT OF OFFICE.—

(1) IN GENERAL.—The Washington Metropolitan Area Transit Authority (hereafter referred to as the ''Transit Authority'') shall establish in the Transit Authority the Office of the Inspector General (hereafter in this section referred to as the ''Office''), headed by the Inspector General of the Transit Authority (hereafter in this section referred to as the ''Inspector General'').

(2) DEFINITION.—In paragraph (1), the ''Washington Metropolitan Area Transit Authority'' means the Authority established under Article III of the Washington Metropolitan Area Transit Authority Compact (Public Law 89–774).

(b) INSPECTOR GENERAL.—

(1) APPOINTMENT.—The Inspector General shall be appointed by the vote of a majority of the Board of Directors of the Transit Authority, and shall be appointed without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations, as well as familiarity or experience with the operation of transit systems.

(2) TERM OF SERVICE.—The Inspector General shall serve for a term of 5 years, and an individual serving as Inspector General may be reappointed for not more than 2 additional terms.

(3) REMOVAL.—The Inspector General may be removed from office prior to the expiration of his term only by the unanimous vote of all of the members of the Board of Directors of the Transit Authority, and the Board shall communicate the reasons for any such removal to the Governor of Maryland, the Governor of Virginia, the Mayor of the District of Columbia, the chair of the Committee on Government Reform of the House of Representatives, and the chair of the Committee on Homeland Security and Governmental Affairs of the Senate.

(c) DUTIES.—

(1) APPLICABILITY OF DUTIES OF INSPECTOR GENERAL OF EXECUTIVE BRANCH ESTABLISHMENT.—The Inspector General shall carry out the same duties and responsibilities with respect to the Transit Authority as an Inspector General of an establishment carries out with respect to an establishment under section 4 of the Inspector General Act of 1978 (5 U.S.C. App. 4), under the same terms and conditions which apply under such section.

(2) CONDUCTING ANNUAL AUDIT OF FINANCIAL STATEMENTS.—The Inspector General shall be responsible for conducting the annual audit of the financial accounts of the Transit Authority, either directly or by contract with an independent external auditor selected by the Inspector General.

(3) REPORTS.—

(A) SEMIANNUAL REPORTS TO TRANSIT AUTHORITY.—The Inspector General shall prepare and submit semiannual reports summarizing the activities of the Office in the same manner, and in accordance with the same deadlines, terms, and conditions, as an Inspector General of an establishment under section 5 of the Inspector General Act of 1978 (5 U.S.C. App. 5). For purposes of applying section 5 of such Act to the Inspector General, the Board of Directors of the Transit Authority shall be considered the head of the establishment, except that the Inspector General shall transmit to the General Manager of the Transit Authority a copy of any report submitted to the Board pursuant to this paragraph.

(B) ANNUAL REPORTS TO LOCAL SIGNATORY GOVERNMENTS AND CONGRESS.—Not later than January 15 of each year, the Inspector General shall prepare and submit a report summarizing the activities of the Office during the previous year, and shall submit such reports to the Governor of Maryland, the Governor of Virginia, the Mayor of the District of Columbia, the chair of the Committee on Government Reform of the House of Representatives, and the chair of the Committee on Homeland Security and Governmental Affairs of the Senate.

(4) INVESTIGATIONS OF COMPLAINTS OF EMPLOYEES AND MEMBERS.—

(A) AUTHORITY.—The Inspector General may receive and investigate complaints or information from an employee or member of the Transit Authority concerning the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety.

(B) NONDISCLOSURE.—The Inspector General shall not, after receipt of a complaint or information from an employee or member, disclose the identity of the employee or member without the consent of the employee or member, unless the Inspector General determines such disclosure is unavoidable during the course of the investigation.

(C) PROHIBITING RETALIATION.—An employee or member of the Transit Authority who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or threaten to take any action against any employee or member as a reprisal for making a complaint or disclosing information to the Inspector General, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

(5) INDEPENDENCE IN CARRYING OUT DUTIES.—Neither the Board of Directors of the Transit Authority, the General Manager of the Transit Authority, nor any other member or employee of the Transit Authority may prevent or prohibit the Inspector General from carrying out any of the duties or responsibilities assigned to the Inspector General under this section.

(d) POWERS.—

(1) IN GENERAL.—The Inspector General may exercise the same authorities with respect to the Transit Authority as an Inspector General of an establishment may exercise with respect to an establishment under section 6(a) of the Inspector General Act of 1978 (5 U.S.C. App. 6(a)), other than paragraphs (7), (8), and (9) of such section.

(2) STAFF.—

(A) ASSISTANT INSPECTOR GENERALS AND OTHER STAFF.—The Inspector General shall appoint and fix the pay of—

(i) an Assistant Inspector General for Audits, who shall be responsible for coordinating the activities of the Inspector General relating to audits;

(ii) an Assistant Inspector General for Investigations, who shall be responsible for coordinating the activities of the Inspector General relating to investigations; and

(iii) such other personnel as the Inspector General considers appropriate.

(B) INDEPENDENCE IN APPOINTING STAFF.—No individual may carry out any of the duties or responsibilities of the Office unless the individual is appointed by the Inspector General, or provides services procured by the Inspector General, pursuant to this paragraph. Nothing in this subparagraph may be construed to prohibit the Inspector General from entering into a contract or other arrangement for the provision of services under this section.

(C) APPLICABILITY OF TRANSIT SYSTEM PERSONNEL RULES.—None of the regulations governing the appointment and pay of employees of the Transit System shall apply with respect to the appointment and compensation of the personnel of the Office, except to the extent agreed to by the Inspector General. Nothing in the previous sentence may be construed to affect subparagraphs (A) through (B).

(3) EQUIPMENT AND SUPPLIES.—The General Manager of the Transit Authority shall provide the Office with appropriate and adequate office space, together with such equipment, supplies, and communications facilities and services as may be necessary for the operation of the Office, and shall provide

necessary maintenance services for such office space and the equipment and facilities located therein.

(e) TRANSFER OF FUNCTIONS.—To the extent that any office or entity in the Transit Authority prior to the appointment of the first Inspector General under this section carried out any of the duties and responsibilities assigned to the Inspector General under this section, the functions of such office or entity shall be transferred to the Office upon the appointment of the first Inspector General under this section.

**SEC. 4. STUDY AND REPORT BY COMPTROLLER GENERAL.**

(a) STUDY.—The Comptroller General shall conduct a study on the use of the funds provided under section 18 of the National Capital Transportation Act of 1969 (as added by this Act).

(b) REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General shall submit a report to the Committee on Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the study conducted under subsection (a).

Mr. WEBB. Mr. President, I am pleased to join my colleagues, Senators MIKULSKI, CARDIN and WARNER, to introduce legislation that will reaffirm the Federal Government's continuing responsibility for the Washington Metropolitan Area Transit Authority, WMATA. Our legislation, in cooperation with State and local governments of the national capital region, will aid in the preservation and maintenance of our regional transportation system.

Our predecessors in Congress had a clear vision for rapid rail and bus service that would not only transport Federal employees, residents, and visitors around the national capital region but that would also alleviate traffic congestion, spur growth and development, improve the economic welfare and vitality of all parts of the region, and ensure that all area residents have sufficient mobility options.

The Washington Metro transit system has fulfilled that vision and more, providing critical support to the Federal Government and the region during emergencies, helping to protect the environment and improve air quality in our Nation's Capital, and attracting visitors from around the country and the world to ride the system—now a monument of its own.

With the Federal Government's commitment to reduce our Nation's dependence on foreign oil and to increase national security, Federal support of the Washington Metro system is more important now than ever before. Congress has a fundamental interest in the transit system, and we must join our longstanding regional partners to help meet the demand of Metro's growing ridership and aging infrastructure.

Since the Washington Metro transit system began operating its first 4.6 miles of the Red Line between Rhode Island Avenue and Farragut North in 1976, the Metrorail system has added over 100 miles and extended operations to a total of 86 stations throughout the District of Columbia, Maryland, and Virginia. Almost half of all Metrorail stations today serve Federal facilities, and 42 percent of Metro's peak period commuters are Federal employees.

Metrorail and Metrobus ridership continue to grow as more than a million riders on average per weekday choose Metro as their preferred mode of transit for traveling around the national capital region. Metrorail ridership has grown steadily at an average annual growth of 4 percent, according to the Progress Report on the National Capital Region's Six-Year Transportation Capital Funding Needs, 2007–2012, by the Metropolitan Washington Transportation Planning Board, TPB. The report predicts that transit ridership demand will exceed system capacity by the year 2010. New funding authorized in this legislation would provide the necessary resources to increase bus and rail capacity and meet forecasted ridership demands, before the system and region become totally mired in congestion.

The Washington Metro transit system has proven critical to the Federal Government, not only in moving its employees and serving Federal facilities but also in providing significant support during emergencies. Immediately following the September 11, 2001, terrorist attack on the Pentagon, Metro continued operations and helped safely evacuate hundreds of thousands of people from the downtown core of the District of Columbia. For a 30-day period after September 11, Metro opened Metrorail service half an hour early to support the Department of Defense as it heightened security actions and encountered major traffic congestion accessing the Pentagon.

Metro is a key component in emergency transportation and continuity of operations plans for the entire region, including the civilian and military Federal workforce. Without the use of the Metro system, gridlock would ensue on the region's roadways to a degree that would make all emergency transportation evacuation plans inoperable. With enactment of the legislation we propose today, Congress will assist the Washington Metro transit system to continue to provide its vital service and bolster security measures throughout the system.

Additional funding will also enable the transit system to continue to provide the invaluable service of helping to reduce traffic congestion throughout the region. With area roadways becoming increasingly congested, the Washington Metro transit system is critical to the region's infrastructure.

According to the 2005 Urban Mobility Report by the Texas Transportation Institute, TTI, the Washington metropolitan area has the third-worst traffic congestion in the United States. Washington area commuters sat in traffic for 145.5 million hours in 2003, costing drivers an estimated $2.46 billion and wasting more than 87 million gallons of fuel. The report shows that the Washington area would have the worst congestion in the Nation if not for its public transportation system. Moreover, the report concludes that Washington Metro transit improvements are necessary to help further relieve congested corridors and serve major activity centers.

Currently, Metrorail and Metrobus services result in 580,000 cars being removed from the region's highways each weekday and eliminate the need for 1,400 additional highway lane miles. A reliable and safe public transportation system is essential to encouraging more commuters to utilize alternative modes of transportation, especially as congestion on regional roadways is projected to increase, along with strong job and population growth in the National Capital region.

The Metropolitan Washington Council of Governments, MWCOG, estimates the area's population will grow 36 percent by 2030. Already struggling to meet its current ridership demands, the Washington Metro transit system desperately needs increased support from the Federal Government and State and local governments in the national capital region to keep up with the region's current and future economic progress.

Metro is an unparalleled asset to the region, not only reducing traffic congestion and air pollutants but also helping to reduce our Nation's dependence on foreign oil. Public transportation is an inherently energy efficient travel mode, with each transit user consuming an average of one-half the oil consumed by the typical automobile user, according to the American Public Transportation Association, APTA.

Current public transportation usage reduces U.S. gasoline consumption by 1.4 billion gallons each year. In concrete terms, that means 108 million fewer cars are filling up with gas per year, or almost 300,000 per day, 34 fewer supertankers are leaving the Middle East per year, and over 140,000 fewer tanker trucks are making deliveries to service stations.

Locally, the Washington Metro transit system saves the region from using 75 million gallons of gasoline each year. As gas prices continue to rise, many Washington area residents will continue to seize upon the opportunity to save money on fuel consumption by taking public transportation. Additional Federal funding will allow Metro to purchase 340 new railcars and 275 new buses, which are necessary to accommodate more riders and help further reduce oil consumption throughout the Washington region.

Public transportation not only helps reduce our dependence on foreign oil, but it also helps reduce toxic emissions and air pollution caused by the large number of cars sitting in bumper-to-bumper traffic on area roadways. The Washington Metro transit system eliminates more than 10,000 tons of pollutants from the air each year. Much of the Metrobus fleet is comprised of eco-friendly buses that run on ultra low

sulfur diesel fuel, compressed natural gas, diesel electric hybrid and advanced technology fuels. Investing in Metro is one of the most significant contributions the Federal Government can make to help protect the environment in the Washington metropolitan area.

Reliable Metrorail and Metrobus service is an attractive alternative to sitting in traffic, but if Metro does not receive additional funding, reliability will diminish along with the public's confidence in the transit system. Already, Metro is struggling to accommodate more riders and modernize its existing assets. Additional dedicated sources of funding are needed if Metro is to continue to serve the Federal workforce and thousands of other area residents and visitors.

For the past 30 years, the Washington Metro transit system has been a bedrock for the national capital region, providing reliable transportation, facilitating day-to-day operations of the Federal Government, spurring economic growth and sensible development, reducing sprawl and traffic congestion, and improving the quality of life for the region's citizens and visitors to the Nation's Capital.

The future of Metro and its continued success relies upon consistent support from the Federal Government and the regional localities it serves. Now is the time for the Federal Government to commit itself to providing more long-term Federal funding for the Washington Metro system. Together, along with our jurisdictional partners, we must continue to invest in the transit system that has brought so many rewards not only to the region but also to the Federal Government and the entire Nation. I urge my colleagues to support this bill as it moves through the Senate.

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By Mr. REED (for himself, Mr. LEAHY, and Mr. CORNYN):

S. 1448. A bill to extend the same Federal benefits to law enforcement officers serving private institutions of higher education and rail carriers that apply to law enforcement officers serving units of State and local government; to the Committee on the Judiciary.

Mr. REED. Mr. President, on April 16, 2007, our Nation faced a terrible tragedy, the deadliest shooting in the history of our Nation. I want to express my sympathy to the victims of this senseless violence, one of whom was Daniel O'Neil, a 22-year-old Virginia Tech graduate student from Lincoln, RI.

The unfortunate truth is that this unspeakable event could have happened on any campus, anywhere. It highlighted how vulnerable our Nation's university and college campuses can be to this type of attack.

Today, I am reintroducing the Equity in Law Enforcement Act, to extend Federal benefits to law enforcement officers who serve private institutions of higher education and rail carriers, including line-of-duty death benefits under the Public Safety Officers' Benefits Program, and eligibility for bulletproof vest partnership grants through the Department of Justice. This legislation would give sworn, licensed, or certified police officers serving private institutions of higher education and rail carriers the same Federal benefits that apply to law enforcement officers serving units of State and local government.

The Public Safety Officers' Benefits, PSOB, Act of 1976 was enacted to aid in the recruitment and retention of law enforcement officers and firefighters by providing a one-time financial benefit to the eligible survivors of public safety officers whose deaths are the direct result of traumatic injury sustained in the line of duty. Specifically, this law addresses concerns that the hazards inherent in law enforcement and fire suppression, and the low level of State and local death benefits, might discourage qualified individuals from seeking careers in these fields.

The same risks also apply to police officers protecting our private universities and railways. Unfortunately, the Public Safety Officers' Benefits Act omitted coverage to sworn officers who are privately employed, even though they enforce the law and have arrest powers within their jurisdiction. These brave officers, who protect our college and university campuses and railways every day and receive the same training as their government counterparts, are thus excluded from receiving the same line-of-duty Federal death benefits as law enforcement officers serving units of State and local governments.

According to the National Law Enforcement Officers Memorial Fund, 25 college or university officers have been killed in the line of duty since September 20, 1963. The names of these 25 officers, including Officer Joseph Francis Doyle, who was killed in the line of duty at Brown University in 1988, as well as 59 railway officers who have been killed in the line-of-duty are inscribed on the Memorial.

Since September 2004, three sworn campus police officers have been killed in the line-of-duty. Two of these officers were from public universities: the University of Florida and the University of Mississippi, whose sworn officers are covered by the Public Safety Officers' Benefits Act. The third, however, was Butler University Police Department Officer James L. Davis, Jr., who was shot and killed in the line of duty on September 24, 2004, while responding to a campus disturbance. Because Butler University is a private university, Officer Davis was not eligible for the same Federal benefits as his counterparts at the University of Florida or the University of Mississippi.

I am pleased that Senators LEAHY and CORNYN have joined me in introducing this legislation to help remedy this discrepancy in death benefit payments for law enforcement officers and ensure that these public safety officers have access to the protective equipment they need.

The bill would apply only to sworn peace officers who receive State certification or licensing, and is supported by the International Association of Chiefs of Police, IACP, and the International Association of Campus Law Enforcement Administrators, IACLEA. Indeed, the benefits of this legislation far outweigh the costs. A 2004 analysis by the Congressional Budget Office found that there would be no significant budget impact by its enactment.

I urge my colleagues to join me, and Senators LEAHY and CORNYN, in cosponsoring and passing the Equity in Law Enforcement Act, to ensure that the brave officers that serve and protect our private college and university campuses and railways receive the benefits that they deserve. 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. 1448

*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 ''Equity in Law Enforcement Act''.

**SEC. 2. LINE-OF-DUTY DEATH AND DISABILITY BENEFITS.**

Section 1204(8) of part L of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b(8)) is amended—

(1) in subparagraph (B), by striking ''or'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(D) an individual who is—

''(i) serving a private institution of higher education in an official capacity, with or without compensation, as a law enforcement officer; and

''(ii) sworn, licensed, or certified under the laws of a State for the purposes of law enforcement (and trained to meet the training standards for law enforcement officers established by the relevant governmental appointing authority); or

''(E) a rail police officer who is—

''(i) employed by a rail carrier; and

''(ii) sworn, licensed, or certified under the laws of a State for the purposes of law enforcement (and trained to meet the training standards for law enforcement officers established by the relevant governmental appointing authority).''.

**SEC. 3. LAW ENFORCEMENT ARMOR VESTS.**

(a) GRANT PROGRAM.—Section 2501 of part Y of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll) is amended—

(1) in subsection (a)—

(A) by striking ''and Indian tribes'' and inserting ''Indian tribes, private institutions of higher education, and rail carriers''; and

(B) by inserting before the period the following: ''and law enforcement officers serving private institutions of higher education and rail carriers who are sworn, licensed, or certified under the laws of a State for the purposes of law enforcement (and trained to meet the training standards for law enforcement officers established by the relevant governmental appointing authority)'';

(2) in subsection (b)(1), by striking ''or Indian tribe'' and inserting ''Indian tribe, private institution of higher education, or rail carrier''; and

(3) in subsection (e), by striking ''or Indian tribe'' and inserting ''Indian tribe, private institution of higher education, or rail carrier''.

(b) APPLICATIONS.—Section 2502 of part Y of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll–1) is amended—

(1) in subsection (a), by striking ''or Indian tribe'' and inserting ''Indian tribe, private institution of higher education, or rail carrier''; and

(2) in subsection (b), by striking ''and Indian tribes'' and inserting ''Indian tribes, private institutions of higher education, and rail carriers''.

(c) DEFINITIONS.—Section 2503(6) of part Y of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll–2(6)) is amended by striking ''or Indian tribe'' and inserting ''Indian tribe, private institution of higher education, or rail carrier''.

**SEC. 4. BYRNE GRANTS.**

Section 501(b)(2) of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(b)(2)) is amended by inserting after ''units of local government'' the following: '', private institutions of higher education, and rail carriers''.

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By Mr. SALAZAR (for himself and Mr. ALLARD):

S. 1449. A bill to establish the Rocky Mountain Science Collections Center to assist in preserving the archeological, anthropological, paleontological, zoological, and geologic artifacts and archival documentation from the Rocky Mountain region through the construction of an on-site, secure collections facility for the Denver Museum of Nature and Science in Denver, Colorado; to the Committee on Energy and Natural Resources.

Mr. SALAZAR. Mr. President, today Senator ALLARD and I introduced the ''Rocky Mountain Science Collections Center Act of 2007,'' a bill to establish a secure collections facility and education center for archeological, anthropological, paleontological, zoological, and geological artifacts and archival documentation from throughout the Rocky Mountain region at the Denver Museum of Nature & Science, Denver, Colorado.

Our bill would authorize $15 million, subject to appropriations, for the Secretary of Interior to provide grants to pay the Federal share, 50 percent of the cost of constructing appropriate, museum-standard facilities to house the collections of the Museum.

Since its founding in 1900, the Denver Museum of Nature & Science has been the principal natural history museum between Chicago and Los Angeles and has educated more than 70 million visitors. The Museum holds more than a million objects in public trust. Together, the Museum's collections, library, and archives provide the foundation for understanding science and the natural and cultural history of the region and serve as the primary resource for informal science education to Colorado school and general audiences. The Museum is a world leader in creating opportunities that allow the general public to participate in authentic collection based scientific research.

The majority of the collections that the Museum maintains in perpetuity are acquired through federal authorization, are cared for on behalf of Federal agencies, or are controlled by federal legislation. Of the more than 840,000 items in the Museum's collection, more than half were recovered from federally managed public land. Construction of on-site collection facilities, exhibition facilities and an education center for the Museum will provide a secure facility for the collection and ensure that it is accessible to members of the public, universities and research scientists alike. The Federal cost share will help pay for construction as well as the costs of design, planning, furnishing, equipping and supporting the Museum.

For the benefit of my colleagues, here is a summary of the bill's provisions:

Section 1. Short Title. The Rocky Mountain Science Collections Center Act of 2007.

Section 2. Findings. Recites several of the findings of Congress, including the size and breadth of the collections held by the Denver Museum of Nature and Science and the finding that significant portions of these collections were recovered from public lands managed by various Federal agencies. The Denver Museum of Nature and Science is the federally designated repository for these collections and as such is governed by various Federal statutes and regulations in carrying out its trustee responsibilities.

Section 3. Definitions. The term ''Museum'' in the Act refers to the Denver Museum of Nature and Science. The term ''Secretary'' in the Act refers to the Secretary of the Department of the Interior.

Section 4. Grant to the Museum. This section provides that the Secretary may provide grants to pay for the Federal share of the cost of constructing appropriate, Museum standard facilities to house the collections of the Museum. The Federal share reflects the continuing Federal ownership of the artifacts and other scientifically significant materials held by the Museum in a trust responsibility. This section authorizes the use of any grant funds for construction, design, engineering, plans, equipment, furnishing and other services or goods in furtherance of the construction of the Collections Center.

Subsection 4 (b). Application. The subsection provides an application process whereby the Museum provides the Secretary with the necessary documentation and information to assure the Secretary that grant proceeds are expended for the intended result.

Subsection 4 (c). Matching Funds. This subsection requires the Museum to provide a match for any amounts granted under the section and allows the Museum to use cash, in-kind donations and/or services in satisfaction of the match requirement.

Subsection 4 (d). Authorization. The Act authorizes $15,000,000 to be appropriated to the Secretary in carrying out the Act; such funds to remain available until expended.

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By Mr. KOHL (for himself and Ms. SNOWE):

S. 1450. A bill to authorize appropriations for the Housing Assistance Council; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KOHL. Mr. President, I rise today to introduce the Housing Assistance Council Authorization Act. This legislation will authorize appropriations for the Housing Assistance Council, HAC, which has been committed to developing affordable housing in rural communities for over 35 years.

The bill provides $10 million for HAC in fiscal year 2008 and then $15 million in fiscal year 2009–2014. In the past, the Council has received appropriations from the Self Help and Assisted Homeownership Opportunity Program. The funding has helped HAC provide loans to 1,875 organizations across the country, raise and distribute over $5 million in capacity building grants and hold regional training workshops. These critical services help local organizations, rural communities and cities develop safe and affordable housing.

Throughout the country, approximately one-fifth of the Nation's population lives in rural communities. About 7.5 million of the rural population is living in poverty and 2.5 million of them are children. Nearly 3.6 million rural households pay more than 30 percent of their income in housing costs. While housing costs are generally lower in rural counties, wages are dramatically outpaced by the cost of housing. Additionally, the housing conditions are often substandard and there are many families doubled up due to lack of housing. Rural areas lack both affordable rental units and homeownership opportunities needed to serve the population.

There are several Federal programs that are aimed at developing affordable housing and economic opportunities in rural communities in both the Department of Housing and Urban Development and the Department of Agriculture. However, over the past 6 years, funding for these programs has been reduced by 20 percent. For the fiscal year 2008 budget, the administration proposed to eliminate $1.3 billion in rural housing assistance. In many regions Federal funding might be the only assistance available for housing and economic development. The Housing Assistance Council is yet another tool that rural communities can utilize when trying to develop affordable housing.

In Wisconsin, HAC has provided close to $5.2 million in grants and loans to 17 nonprofit housing organizations and helped develop 820 units of housing. Specifically, since 1972 the Southeastern Wisconsin Housing Corporation has partnered with the Housing Assistance Council to develop 268 units of self-help housing. The presence of the

Council in Wisconsin has made a huge impact on rural housing development in Wisconsin and other rural communities across the country.

I am very honored to work with Senator SNOWE this legislation. Its passage will allow every State to better serve the needs of the people living in rural areas. I look forward to Working with my colleagues to ensure the adoption of this bill.

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By Mr. WHITEHOUSE:

S. 1451. A bill to encourage the development of coordinated quality reforms to improve health care delivery and reduce the cost of care in the health care system; to the Committee on Health, Education, Labor, and Pensions.

Mr. WHITEHOUSE. Madam President, I rise today because I will be introducing my first bills as a Member of this esteemed body; legislation that I hope will provide a helpful step forward as we address one of the most significant challenges this Senate faces, reforming America's broken health care system.

I have heard from countless Rhode Islanders who have struggled to pay for their health care and who live in fear of losing coverage on which they and their families depend. I have met nurses frustrated and heartbroken that they must spend so much time coping with the paperwork and so little time caring for patients. I have talked with families whose lives and health were shaken by terrifying medical errors, lost paperwork, missed diagnoses that should have been totally avoided.

I believe our current health care system is too complex and costs so much, yet so often does not provide patients with the quality of care they should have. It does not have to be this way. I have seen firsthand that we can make the system work better for everyone, we can cut costs, save lives, and improve the quality of the health care we receive, a critical step toward ensuring that all Americans have health care they can afford.

In Rhode Island, we have been working and experimenting for years to find solutions to many of these challenges. I have been privileged to be part of much of that work, most directly when I founded the Rhode Island Quality Institute to focus on quality reforms in health care.

While we have a long way to go, so far we have been successful. It is that Rhode Island experience that I bring to you today. It is Rhode Island's good work that I hope will provide a good example.

Right now our health care system is a mess, such a mess that we should hesitate to call it a health care system. It yields unsatisfactory results at vast expense. What I wish to talk about today is not how you finance the health care system—that is an important issue—but it is a different issue. I don't even want to talk about how you get all Americans covered by our health care system. That is another important issue, but that is not the subject today.

The subject today is the issue of how the system itself runs, how it operates, put bluntly, how badly in America it runs. If we can reduce the cost of the underlying system by improving its performance, it will make solutions easier for financing our health care system and for finding a way to make sure every American gets health care coverage. Our health care system is a mess. The number of uninsured Americans is climbing and will soon reach 50 million. The annual cost of the system exceeds $2 trillion every year, and that number is expected soon to double. We spend more of our gross domestic product on health care than any other industrialized country in the world, 16 percent. That is double the European Union average.

There is today more health care in Ford cars than there is steel. There is more health care in Starbucks coffee than there are coffee beans. Worse still, for all this money we spend, we get a mediocre product. We have the best doctors, the best nurses, the best procedures and equipment, the best medical education in the world. Yet the system produces mediocre results. As many as 100,000 Americans are killed every year by unnecessary and avoidable medical errors. That is just the fatalities. Think how many people have to stay longer in the hospital and run up costs.

Life expectancy, obesity rates, and infant mortality rates are much worse than they should be in a country such as ours. We fail by most international measures. The system itself does not work. Hospitals are going broke. Doctors are furious, and paperwork chokes the system.

Quarrels between the providers and the payers drive up costs, while potential savings in billions of dollars are left lying on the table. More American families are bankrupted by health care costs than any other cause. It is a system in crisis.

I urge my colleagues to consider this point too. If we do not fix this system now, while we still can, if we don't get these savings now, then we are going to be forced to consider very tragic choices in the future: Cutting coverage for seniors now on Medicare, throwing children off S–CHIP or pushing more and more out-of-pocket costs onto families who need Medicaid in their struggle to get by.

Those will be tragic choices, awful choices, ones I hope we never have to deliberate. But if we end up having to make these choices because today we failed to do our duty, then shame on us.

I believe what is wrong with our system can be identified. The reasons for its failures can be identified. The causes of those failures can be corrected, and the failings can be cured.

In the days to come, I will speak at greater length on three critical areas of reform, one by one, and advance proposals for each one that will help provide a cure.

Today, I wish to highlight all three of the major failures, how they combine to worsen each other and keep our system broken, and how reforming those three areas can reinforce each other and repair our broken system.

Left unattended, these three conditions will continue to degrade our system. Properly reformed, they will begin to improve it. This is because what we are dealing with, in a nutshell, is market failure. Market forces are bottled up, logjammed, conflicted, and misdirected to push the health care system in a bad direction.

I trust market forces and I believe in market forces, but I see it as our job in Government to create the environment in which market forces operate in a healthy way to serve the public interest.

That is our job. It always has been. Where that healthy environment for market forces does not exist—which is the case right now in our health care system—Government must act. The market failure in health care has three core components: One, the American health care system does not optimize investment in quality of care, even where—indeed, particularly where—that quality investment in improving care would also lower costs; two, the system does not have the information technology infrastructure to support the improvements we need; three, the way we pay for health care sends perverse price signals that steer us away from the public interest.

These problems can each be fixed, but fixing each in isolation will not yield the change we need. Similar to three climbers roped together for an ascent, the three solutions need to track with each other, not necessarily in lockstep but staying close because each one reinforces the other.

Let me tell a story about each one of those problems to illustrate the three points. Let's look at the area where improved quality of care would lower costs. That intersection, where improved quality of care and lower costs converge, should be our Holy Grail. A good example comes out of the Keystone Project in Michigan, home to Senators LEVIN and STABENOW.

The Keystone Project went into a significant number of Michigan intensive care units to improve quality and reduce line infections, respiratory complications, and other conditions that are associated with intensive care units. In a 15-month span, between March 2004 and June 2005, the project saved 1,578 lives, 81,020 days patients would otherwise have been spent in the hospital, and it saved—in that 15 months—over $165 million.

The Rhode Island Quality Institute has taken this model statewide in Rhode Island, with every hospital participating. Infections in patients with catheters decreased 36 percent from the

first quarter of 2006 to the fourth quarter. Eleven out of twenty-three participating intensive care units had zero infections for 12 months. Savings from the initiative are on track to produce $4 million annually. That is pretty good money in Rhode Island.

What is true in intensive care units in Michigan and Rhode Island is also true far more broadly in health care. There are many areas where significant savings can be achieved by making care better. There could be initiatives similar to Keystone throughout the health care sector. They do not necessarily have to be reforms of existing procedures and practices because Keystone was. Quality improvements, quality reform, could well involve improvements in prevention and detection of illness, stopping it before it even gets to the hospital. There are vast and unexplored horizons out there, rich with opportunity, and the Keystone story is one example of how improved quality of care can lower costs and save lives. This takes us to the second story, this one about the reimbursement problem. Why isn't this quality reform happening spontaneously all over the country if these big savings are there? Think of Michigan, $165 million in 15 months in one State. That is big money.

Why isn't it being pursued? Why aren't we all doing this? Well, primarily because the economics of health care pays providers not to and punishes providers who try. When a group of hospitals in Utah began following the guidelines of the American Thoracic Society for treating community-acquired pneumonia, significant complications fell from 15.3 percent to 11.6 percent, inpatient mortality fell from 7.2 to 5.3 percent, and the resulting cost savings exceeded half a million dollars a year. But net operating income of participating facilities dropped by over $200,000 per year because treating the healthier patients was reimbursed at roughly $12,000 less per case.

In Rhode Island, when we got into this intensive care unit reform, the Hospital Association estimated a $400,000 cost for $8 million in savings, a 20-to-1 return on investment. But all the savings went to the insurers and the payers, and the costs came out of the hospitals' pockets. Do you know a lot of businesses that invest money in order to reduce their revenue? I don't. How many businesses would spend $400,000 in cash to lose $8 million in revenues every year? With reimbursement incentives such as the ones we have, it is no wonder that quality investments face an uphill struggle.

The final problem is our health care information technology, which is inexcusably underdeveloped and underdeployed. It has been described by the Economist magazine as the worst information technology system in any American industry except one, the mining industry. We are leaving massive savings in health care costs unclaimed as a result.

Some pretty respectable groups have looked at health information technology to see what an adequate system would save in health care costs, and here is what they report: Rand Corporation, $81 billion per year conservatively. David Brailer, the former National Coordinator for Health Information Technology, $100 billion per year. The Center for Information Technology Leadership, $77 billion per year. That is a lot of savings to leave sitting on the table, savings desperately needed by American businesses and American families.

Here is my third story, about a courageous and passionate doctor in Rhode Island trying to build an electronic health record for patients in our State. By the way of context, Rhode Island may be the lead State in the country at developing health information technology. We have PATRICK KENNEDY in the House, our Representative, who has been an absolute leader on this issue; Lifespan and other hospitals are leaders in electronic physician order entry; the Rhode Island Quality Institute is a leader in e-prescribing, electronic health records and health information exchange; Rhode Island Blue Cross is beginning to fund innovations; all the local Rhode Island health care folks are active in this. It is very impressive. I mean no criticism by telling this story, only to illustrate what an uphill struggle it is.

The lead on developing electronic health records in Rhode Island is being taken by a very frustrated doctor, Dr. Mark Jacobs, who put his practice on hold, went out and looked at what was available, found an e-clinical works platform, had it modified to suit what he thought would be more useful for his needs, and is now raising capital and trying to recruit his colleagues to get around that system and get it up. It is his passion, and he is dedicating himself to it with energy and conviction.

What Dr. Jacobs is doing is heroic, but if you went to any business school and if they asked you, what is the best way to seize that $81 billion a year in savings that RAND Corporation has said is out there, and you had said: Well, we are going to wait until a doctor gets so frustrated he is willing to give up his practice and go out and try to learn about health care technology and do it on his own, you would be laughed out of that business school classroom. They wouldn't just say you flunked the course, they would suggest you should maybe look at another livelihood. But that is exactly the system we have right now.

If a truckdriver were to go out with a pick and shovel building bits of the interstate highway for us, that would be pretty heroic and noble. But all the way back to Dwight Eisenhower, people in Government knew that would be a pretty nonsensical way to finance the Federal highway system.

We have work to do in these three areas: fixing our information technology to increase efficiency and generate savings; improving health care quality and prevention in ways that lower costs; and repairing the reimbursement system so it does not discourage those reforms but encourages and rewards them.

In the coming days, I will expand on each of these problems, and I will propose solutions in those three areas that will unleash market incentives in positive directions. As I conclude, my message is this: The health care system that underlies all our health care financing and coverage problems is itself broken. The underlying health care delivery system is itself broken. It is administrative and bureaucratic machinery, but it is still machinery. It needs to be repaired the way any broken machinery does. Fixing it, however, will reduce costs, improve care, and make a badly operating system run better and move us a critical step forward to making sure every American family has access to health care they can afford.

I sincerely hope to work with all of my colleagues on solving this. Please think of it this way: If your car is not running right, there is no Republican or Democratic way to tune it up. There is just getting it working. If your plumbing is jammed and water is flooding out, there is not a Republican or Democratic way to fix that. It is either flowing properly or it isn't. If your electric system is sparking and short circuited, again, there is no Democratic or Republican way to solve that problem. It is working right or it is not. Our health care system is not working right, and it needs to be fixed. Because the health care system is a dynamic system, you can't tell it what to do. You have to take the trouble to identify what is wrong, identify why it is wrong, and correct the cause.

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By Mrs. CLINTON (for herself and Mr. DOMENICI):

S. 1452. A bill to amend the Public Health Service Act to establish a national center for public mental health emergency preparedness, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, today Senator DOMENICI and I are introducing the Public Mental Health Emergency Preparedness Act of 2007. I originally introduced this legislation during the 109 Congress to address mental health needs of those affected by disasters and public health emergencies, and I want to thank Senator DOMENICI for his support of this legislation and for his strong leadership on mental health issues. The Public Mental Health Emergency Preparedness Act of 2007 would take several important steps toward preparing our Nation to effectively address mental health issues in the wake of public health emergencies, including potential bioterrorist attacks. We are pleased to be introducing this important legislation in anticipation of reauthorization of the Substance Abuse and Mental Health Services Administration SAMHSA.

I want to acknowledge and thank our partners from the mental health community who have collaborated with us and have been working diligently on these issues for several years, including the American Psychological Association, the American Public Health Association, the National Association of Social Workers, and the American Academy of Child and Adolescent Psychiatry, and all the other groups who have lent their support.

The events of September 11, Hurricanes Katrina and Rita, and other recent natural and man-made catastrophes have sadly taught us that our current resources are not sufficient or coordinated enough to meet the mental health needs of those devastated by emergency events. We need a network of trained mental health professionals, first responders and leaders, and a process to mobilize and deploy mental health resources in a rapid and sustained manner at times of an emergency.

It is clear that the consequences of emergency events like hurricanes or terrorist attacks result in increased emotional and psychological suffering among survivors and responders, and we must do more to assist all who are affected. That is why I, along with Senator DOMENICI, am introducing the Public Mental Health Emergency Preparedness Act of 2007.

This bill would require the Secretary of Health and Human services to establish the National Center for Public Mental Health Emergency Preparedness the National Center to coordinate the development and delivery of mental health services in collaboration with existing Federal, State and local entities when our Nation is confronted with public health catastrophes.

This legislation would charge the National Center with five functions to benefit affected Americans at the community level, including vulnerable populations like children, older Americans, caregivers, persons with disabilities, and persons living in poverty.

First, the Public Mental Health Emergency Preparedness Act of 2007 would make sure we have evidence-based or emerging best practices curricula available to meet the diverse training needs of a wide range of emergency health professionals, including mental health professionals, public health and health care professionals, and emergency services personnel, working in coordination with county emergency managers, school personnel, spiritual care professionals, and State and local government officials responsible for emergency preparedness. By using these curricula to educate responders, the National Center would build a network of trained emergency health professionals at the State and local levels.

Second, this legislation would establish and maintain a clearinghouse of educational materials, guidelines, and research on public mental health emergency preparedness and service delivery that would be evaluated and updated to ensure the information is accurate and current. Technical assistance would be provided to help users access those resources most effective for their communities.

Third, this bill would create an annual national forum for emergency health professionals, researchers, and other experts as well as Federal, State and local government officials to identify and address gaps in science, practice, policy and education related to public mental health emergency preparedness and service delivery.

Fourth, this bill would require annual evaluations of both the National Center's efforts and those across the Federal Government in building our Nation's public mental health emergency preparedness and service delivery capacity. Based on these evaluations, recommendations would be made to improve such activities.

Finally, the Public Mental Health Emergency Preparedness Act of 2007 would ensure that licensed mental health professionals are included in the deployment of Disaster Medical Assistance Teams DMAT. Deployment of licensed mental health professionals will increase the efficacy of the medical team members by providing psychological assistance and crisis counseling to survivors and to the other DMAT team members. Further, this legislation would mandate that licensed mental health professionals are included in the leadership of the National Disaster Medical System, NDMS, to provide appropriate support for behavioral programs and personnel within the DMATs.

We must not wait until another disaster strikes before we take action to improve the way we respond to the psychological needs of affected Americans. I look forward to working with all of my colleagues to ensure passage of this bill that would take critical steps toward preparing our nation to successfully deal with the mental health consequences of public health emergencies.

I ask unanimous consent that the text and a letter of support be printed in the RECORD. Thank you.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1452

*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 ''Public Mental Health Emergency Preparedness Act of 2007''.

**SEC. 2. NATIONAL CENTER FOR PUBLIC MENTAL HEALTH EMERGENCY PREPAREDNESS.**

(a) TECHNICAL AMENDMENTS.—The second part G (relating to services provided through religious organizations) of title V of the Public Health Service Act (42 U.S.C. 290kk et seq.) is amended—

(1) by redesignating such part as part J; and

(2) by redesignating sections 581 through 584 as sections 596 through 596C, respectively.

(b) NATIONAL CENTER.—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.), as amended by subsection (a), is further amended by adding at the end the following:

**''PART K—NATIONAL CENTER FOR PUBLIC MENTAL HEALTH EMERGENCY PREPAREDNESS**

**''SEC. 599. NATIONAL CENTER FOR PUBLIC MENTAL HEALTH EMERGENCY PREPAREDNESS.**

''(a) IN GENERAL.—

''(1) DEFINITION.—

''(A) IN GENERAL.—For purposes of this part, the term 'emergency health professionals' means—

''(i) mental health professionals, including psychiatrists, psychologists, social workers, counselors, psychiatric nurses, psychiatric aides and case managers, group home staff, and those mental health professionals with expertise in psychological trauma and issues related to vulnerable populations such as children, older adults, caregivers, individuals with disabilities, pre-existing mental health and substance abuse disorders, and individuals living in poverty;

''(ii) public health and healthcare professionals, including skilled nursing and assisted living professionals; and

''(iii) emergency services personnel such as police, fire, and emergency medical services personnel.

''(B) COORDINATION.—In conducting activities under this part, emergency health professionals shall coordinate with—

''(i) county emergency managers;

''(ii) school personnel such as teachers, counselors, and other personnel;

''(iii) spiritual care professionals;

''(iv) other disaster relief personnel; and

''(v) State and local government officials that are responsible for emergency preparedness.

''(2) ESTABLISHMENT.—The Secretary, in consultation with the Director of the Centers for Disease Control and Prevention, shall establish the National Center for Public Mental Health Emergency Preparedness (referred to in this part as the 'NCPMHEP') to address mental health concerns and coordinate and implement the development and delivery of mental health services in conjunction with the entities described in subsection (b)(2), in the event of bioterrorism or other public health emergency.

''(3) LOCATION; DIRECTOR.—

''(A) IN GENERAL.—The Secretary shall offer to award a grant to an eligible institution to provide the location of the NCPMHEP.

''(B) ELIGIBLE INSTITUTION.—To be an eligible institution under subparagraph (A), an institution shall—

''(i) be an academic medical center or similar institution that has prior experience conducting statewide training, and has a demonstrated record of leadership in national and international forums, in public mental health emergency preparedness, which may include disaster mental health preparedness; and

''(ii) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(C) DIRECTOR.—The NCPMHEP shall be headed by a Director, who shall be appointed by the Secretary (referred to in this part as the 'Director') from the eligible institution to which the Secretary awards a grant under subparagraph (A).

''(b) DUTIES.—The NCPMHEP shall—

''(1) prepare the Nation's emergency health professionals to provide mental health services in the aftermath of catastrophic events, such as bioterrorism or other public health

emergencies, that present psychological consequences for communities and individuals, including vulnerable populations such as children, individuals with disabilities, individuals with preexisting mental health problems (including substance-related disorders), older adults, caregivers, and individuals living in poverty;

''(2) coordinate with existing mental health preparedness and service delivery efforts of—

''(A) Federal agencies (such as the National Disaster Medical System, the Medical Reserve Corps, the Substance Abuse and Mental Health Services Administration (including the National Child Traumatic Stress Network), the Administration on Aging, the National Institute of Mental Health, the National Council on Disabilities, the Administration on Children and Families, the Department of Defense, the Department of Veterans Affairs (including the National Center for Post Traumatic Stress Disorder), and tribal nations);

''(B) State agencies (such as the State mental health authority, office of substance abuse services, public health authority, department of aging, the office of mental retardation and developmental disabilities, agencies responsible rehabilitation services);

''(C) local agencies (such as county offices of mental health and substance abuse services, public health, child and family community-based services, law enforcement, fire, emergency medical services, school districts, Aging Services Network, county emergency management, and academic and community-based service centers affiliated with the National Child Traumatic Stress Network); and

''(D) other governmental and nongovernmental disaster relief organizations; and

''(3) coordinate with childcare centers, childcare providers, community-based youth serving programs (including local Center for Mental Health Services children's systems of care grant sites), Head Start, the National Child Traumatic Stress Network, and school districts to provide—

''(A) support services to adults and their family members with mental health and substance-related disorders to facilitate access to mental health and substance-related treatment;

''(B) prevention and intervention services for mental health and substance-related disorders to youth of all ages that integrate the training curricula under section 599A; and

''(C) resources and consultation to address the psychological trauma needs of the families, caregivers, emergency health professionals; and all other professionals providing care in emergency situations.

''(c) PANEL OF EXPERTS.—

''(1) IN GENERAL.—The Director, in consultation with Federal (such as the National Association of State Mental Health Program Directors, National Association of County and City Health Officials, and the Association of State and Territorial Health Officials), State, and local mental health and public health authorities, shall develop a mechanism to appoint a panel of experts for the NCPMHEP.

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The panel of experts appointed under paragraph (1) shall be composed of individuals—

''(i) who are—

''(I) experts in their respective fields with extensive experience in public mental health emergency preparedness or service delivery, such as mental health professionals, researchers, spiritual care professionals, school counselors, educators, and mental health professionals who are emergency health professionals (as defined in subsection (a)(1)(A)) and who shall coordinate with the individuals described in subsection (a)(1)(B); and

''(II) recommended by their respective national professional organizations and universities to such a position; and

''(ii) who represent families with family members who have mental health and substance-related disorders.

''(B) TERMS.—The members of the panel of experts appointed under paragraph (1)—

''(i) shall be appointed for a term of 3 years; and

''(ii) may be reappointed for an unlimited number of terms.

''(C) BALANCE OF COMPOSITION.—The Director shall ensure that the membership composition of the panel of experts fairly represents a balance of the type and number of experts described under subparagraph (A).

''(D) VACANCIES.—

''(i) IN GENERAL.—A vacancy on the panel of experts shall be filled in the manner in which the original appointment was made and shall be subject to conditions which applied with respect to the original appointment.

''(ii) FILLING UNEXPIRED TERM.—An individual chosen to fill a vacancy shall be appointed for the unexpired term of the member replaced.

''(iii) EXPIRATION OF TERMS.—The term of any member shall not expire before the date on which the member's successor takes office.

**''SEC. 599A. TRAINING CURRICULA FOR EMERGENCY HEALTH PROFESSIONALS.**

''(a) CONVENING OF GROUP.—

''(1) IN GENERAL.—The Director shall convene a Training Curricula Working Group from the panel of experts described in section 599(c) to—

''(A) identify and review existing mental health training curricula for emergency health professionals;

''(B) approve any such training curricula that are evidence-based or emerging best practices and that satisfy practice and service delivery standards determined by the Training Curricula Working Group; and

''(C) make recommendations for, and participate in, the development of any additional training curricula, as determined necessary by the Training Curricula Working Group.

''(2) COLLABORATION.—The Training Curricula Working Group shall collaborate with appropriate organizations including the American Red Cross, the National Child Traumatic Stress Network, the National Center for Post Traumatic Stress Disorder, and the International Society for Traumatic Stress Studies.

''(b) PURPOSE OF TRAINING CURRICULA.—The Training Curricula Working Group shall ensure that the training curricula approved by the NCPMHEP—

''(1) provide the knowledge and skills necessary to respond effectively to the psychological needs of affected individuals, relief personnel, and communities in the event of bioterrorism or other public health emergency; and

''(2) is used to build a trained network of emergency health professionals at the State and local levels.

''(c) CONTENT OF TRAINING CURRICULA.—

''(1) IN GENERAL.—The Training Curricula Working Group shall ensure that the training curricula approved by the NCPMHEP—

''(A) prepares emergency health professionals, in the event of bioterrorism or other public health emergency, for identifying symptoms of psychological trauma, supplying immediate relief to keep affected persons safe, recognizing when to refer affected persons for further mental healthcare or substance abuse treatment, understanding how and where to refer for such care, and other components as determined by the Director in consultation with the Training Curricula Working Group;

''(B) includes training or informational material designed to educate and prepare State and local government officials, in the event of bioterrorism or other public health emergency, in coordinating and deploying mental health resources and services and in addressing other mental health needs, as determined by the Director in consultation with the Training Curricula Working Group;

''(C) meets the diverse training needs of the range of emergency health professionals; and

''(D) is culturally and linguistically competent.

''(2) REVIEW OF CURRICULA.—The Training Curricula Working Group shall routinely review existing training curricula and participate in the revision of the training curricula described under this section as necessary, taking into consideration recommendations made by the participants of the annual national forum under section 599D and the Assessment Working Group described under section 599E.

''(d) TRAINING INDIVIDUALS.—

''(1) FIELD TRAINERS.—The Director, in consultation with the Training Curricula Working Group, shall develop a mechanism through which qualified individuals trained through the curricula approved by the NCPMHEP return to their communities to recruit and train others in their respective fields to serve on local emergency response teams.

''(2) FIELD LEADERS.—The Director, in consultation with the Training Curricula Working Group, shall develop a mechanism through which qualified individuals trained in curricula approved by the NCPMHEP return to their communities to provide expertise to State and local government agencies to mobilize the mental health infrastructure of such State or local agencies, including ensuring that mental health is a component of emergency preparedness and service delivery of such agencies.

''(3) QUALIFICATIONS.—The individuals selected under paragraph (1) or (2) shall—

''(A) pass a designated evaluation, as developed by the Director in consultation with the Training Curricula Working Group; and

''(B) meet other qualifications as determined by the Director in consultation with the Training Curricula Working Group.

**''SEC. 599B. USE OF REGISTRIES TO TRACK TRAINED EMERGENCY HEALTH PROFESSIONALS.**

''(a) IN GENERAL.—The Director, in consultation with the mental and public health authorities of each State and appropriate organizations (including the National Child Traumatic Stress Network), shall coordinate the use of existing emergency registries (including the Emergency System for Advance Registration of Volunteer Health Professionals (ESAR–VHP)) established to track medical and mental health volunteers across all fields and specifically to track the individuals in the State who have been trained using the curricula approved by the NCPMHEP under section 599A. The Director shall ensure that the data available through such registries and used to track such trained individuals will be recoverable and available in the event that such registries become inoperable.

''(b) USE OF REGISTRY.—The tracking procedure under subsection (a) shall be used by the Secretary, the Secretary of Homeland Security, and the Governor of each State, for the recruitment and deployment of trained emergency health professionals in the event of bioterrorism or other public health emergency.

**''SEC. 599C. CLEARINGHOUSE FOR PUBLIC MENTAL HEALTH EMERGENCY PREPAREDNESS AND SERVICE DELIVERY.**

''(a) IN GENERAL.—The Director shall establish and maintain a central clearinghouse of educational materials, guidelines, information, strategies, resources, and research on public mental health emergency preparedness and service delivery.

''(b) DUTIES.—The Director shall ensure that the clearinghouse—

''(1) enables emergency health professionals and other members of the public to increase their awareness and knowledge of public mental health emergency preparedness and service delivery, particularly for vulnerable populations such as children, individuals with disabilities, individuals with pre-existing mental health problems (including substance-related disorders), older adults, caregivers, and individuals living in poverty; and

''(2) provides such users with access to a range of public mental health emergency resources and strategies to address their community's unique circumstances and to improve their skills and capacities for addressing mental health problems in the event of bioterrorism or other public health emergency.

''(c) AVAILABILITY.—The Director shall ensure that the clearinghouse—

''(1) is available on the Internet;

''(2) includes an interactive forum through which users' questions are addressed;

''(3) is fully versed in resources available from additional Government-sponsored or other relevant websites that supply information on public mental health emergency preparedness and service delivery; and

''(4) includes the training curricula approved by the NCPMHEP under section 599A.

''(d) CLEARINGHOUSE WORKING GROUP.—

''(1) IN GENERAL.—The Director shall convene a Clearinghouse Working Group from the panel of experts described under section 599(c) to—

''(A) evaluate the educational materials, guidelines, information, strategies, resources and research maintained in the clearinghouse to ensure empirical validity; and

''(B) offer technical assistance to users of the clearinghouse with respect to finding and selecting the information and resources available through the clearinghouse that would most effectively serve their community's needs in preparing for, and delivering mental health services during, bioterrorism or other public health emergencies.

''(2) TECHNICAL ASSISTANCE.—The technical assistance described under paragraph (1) shall include the use of information from the clearinghouse to provide consultation, direction, and guidance to State and local governments and public and private agencies on the development of public mental health emergency plans for activities involving preparedness, mitigation, response, recovery, and evaluation.

**''SEC. 599D. ANNUAL NATIONAL FORUM FOR PUBLIC MENTAL HEALTH EMERGENCY PREPAREDNESS AND SERVICE DELIVERY.**

''(a) IN GENERAL.—The Director shall organize an annual national forum to address public mental health emergency preparedness and service delivery for emergency health professionals, researchers, scientists, experts in public mental health emergency preparedness and service delivery, and mental health professionals (including those with expertise in psychological trauma and issues related to vulnerable populations such as children, older adults, caregivers, individuals with disabilities, pre-existing mental health and substance abuse disorders, and individuals living in poverty), as well as personnel from relevant Federal (including the National Center for Post Traumatic Stress Disorder), State, and local agencies (including academic and community-based service centers affiliated with the National Child Traumatic Stress Network), and other governmental and nongovernmental organizations.

''(b) PURPOSE OF FORUM.—The national forum shall provide the framework for bringing such individuals together to, based on evidence-based or emerging best practices research and practice, identify and address gaps in science, practice, policy, and education, make recommendations for the revision of training curricula and for the enhancement of mental health interventions, as appropriate, and make other recommendations as necessary.

**''SEC. 599E. EVALUATION OF THE EFFECTIVENESS OF PUBLIC MENTAL HEALTH EMERGENCY PREPAREDNESS AND SERVICE DELIVERY EFFORTS.**

''(a) IN GENERAL.—The Director shall convene an Assessment Working Group from the panel of experts described in section 599(c), who shall be independent from those individuals who have developed the NCPMHEP, to evaluate the effectiveness of the NCPMHEP's efforts and those across the Federal Government in building the Nation's public mental health emergency preparedness and service delivery capacity. Such group shall include individuals who have expertise on how to assess the effectiveness of the NCPMHEP's efforts on vulnerable populations (such as children, older adults, caregivers, individuals with disabilities, pre-existing mental health and substance abuse disorders, and individuals living in poverty).

''(b) DUTIES OF THE ASSESSMENT WORKING GROUP.—The Assessment Working Group shall—

''(1) evaluate—

''(A) the effectiveness of each component of the NCPMHEP, including the identification and development of training curricula, the clearinghouse, and the annual national forum;

''(B) the effects of the training curricula on the skills, knowledge, and attitudes of emergency health professionals and on their delivery of mental health services in the event of bioterrorism or other public health emergency;

''(C) the effects of the NCPMHEP on the capacities of State and local government agencies to coordinate, mobilize, and deploy resources and to deliver mental health services in the event of bioterrorism or other public health emergency; and

''(D) other issues as determined by the Secretary, in consultation with the Assessment Working Group; and

''(2) submit the annual report required under subsection (c).

''(c) ANNUAL REPORT AND INFORMATION.—

''(1) ANNUAL REPORT.—On an annual basis, the Assessment Working Group shall—

''(A) report to the Secretary and appropriate committees of Congress the results of the evaluation by the Assessment Working Group under this section; and

''(B) publish and disseminate the results of such evaluation on as wide a basis as is practicable, including through the NCPMHEP clearinghouse website under section 599C.

''(2) INFORMATION.—The results of the evaluation under paragraph (1) shall be displayed on the Internet websites of all entities with representatives participating in the Assessment Working Group under this section, including the Federal agencies responsible for funding the Working Group.

''(d) RECOMMENDATIONS.—

''(1) IN GENERAL.—Based on the annual report, the Director, in consultation with the Assessment Working Group, shall make recommendations to the Secretary—

''(A) for improving—

''(i) the training curricula identified and approved by the NCPMHEP;

''(ii) the NCPMHEP clearinghouse; and

''(iii) the annual forum of the NCPMHEP; and

''(B) regarding any other matter related to improving mental health preparedness and service delivery in the event of bioterrorism or other public health emergency in the United States through the NCPMHEP.

''(2) ACTION BY SECRETARY.—Based on the recommendations provided under paragraph (1), the Secretary shall submit recommendations to Congress for any legislative changes necessary to implement such recommendations.

**''SEC. 599F. SUBSTANCE ABUSE.**

''For purposes of this part, where ever there is a reference to providing treatment, having expertise, or provide training with respect to mental health, such reference shall include providing treatment, having expertise, or providing training relating to substance abuse, if determined appropriate by the Secretary.

**''SEC. 599G. AUTHORIZATION OF APPROPRIATIONS.**

''There are authorized to be appropriated to carry out this part—

''(1) $15,000,000 for fiscal year 2007; and

''(2) such sums as may be necessary for fiscal years 2008 through 2011.''.

**SEC. 3. DISASTER MEDICAL ASSISTANCE TEAMS.**

Section 2812(a) of the Public Health Service Act (42 U.S.C. 300hh–11(a)) is amended by adding at the end the following:

''(4) DISASTER MEDICAL ASSISTANCE TEAMS AND MENTAL HEALTH PROFESSIONALS.—

''(A) INCLUSION OF MENTAL HEALTH PROFESSIONALS.—

''(i) IN GENERAL.—The National Disaster Medical System, in consultation with the National Center for Public Mental Health Emergency Preparedness (established under section 599) and the Emergency Management Assistance Compact, shall—

''(I) identify licensed mental health professionals with expertise in treating vulnerable populations, as identified under section 599(b)(1); and

''(II) ensure that licensed mental health professionals identified under subclause (I) are available in local communities for deployment with Disaster Medical Assistance Teams (including speciality mental health teams).

''(ii) COORDINATION.—The National Disaster Medical System shall ensure that licensed mental health professionals are included in the leadership of the National Disaster Medical System, in coordination with the National Center for Public Mental Health Emergency, to provide appropriate leadership support for behavioral programs and personnel within the Disaster Medical Assistance Teams.

''(B) DUTIES.—The principal duties of the licensed mental health professionals identified and utilized under this paragraph shall be to assist Disaster Medical Assistance Teams in carrying out—

''(i) rapid psychological triage during an event of bioterrorism or other public health emergency;

''(ii) crisis intervention prior to and during an event of bioterrorism or other public health emergency;

''(iii) information dissemination and referral to specialty care for survivors of an event of bioterrorism or other public health emergency;

''(iv) data collection; and

''(v) follow-up consultations.

''(C) TRAINING.—The National Disaster Medical System shall coordinate with the National Center for Public Mental Health

Emergency Preparedness to ensure that, as part of their training, Disaster Medical Assistance Teams include the training curricula for emergency health professionals established under section 599A.

''(D) DEFINITIONS.—In this paragraph:

''(i) DISASTER MEDICAL ASSISTANCE TEAMS.—The term 'Disaster Medical Assistance Teams' means teams of professional medical personnel that provide emergency medical care during a disaster or public health emergency.

''(ii) RAPID PSYCHOLOGICAL TRIAGE.—The term 'rapid psychological triage' means the accurate and rapid identification of individuals at varied levels of risk in the aftermath of a public health emergency, in order to provide the appropriate, acute intervention for those affected individuals.

''(iii) DATA COLLECTION.—The term 'data collection' means the use of standardized, consistent, and accurate methods to report evidence-based or emerging best practices, triage mental health data obtained from survivors of an event of bioterrorism or other public health emergency.''.

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AMERICAN
PSYCHOLOGICAL ASSOCIATION,
*May 22, 2007.*

Hon. HILLARY RODHAM CLINTON,
*U.S. Senate,*
*Washington, DC.*
Hon. PETE V. DOMENICI,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATORS CLINTON AND DOMENICI: On behalf of the 148,000 members and affiliates of the American Psychological Association (APA), I am writing to express our strong support for the Public Mental Health Emergency Preparedness Act of 2007. This important legislation would significantly enhance our preparedness, response, and recovery efforts to address the mental health aspects of disasters and public health emergencies.

Both human made and natural disasters can have significant effects on the mental health and well-being of individuals, families, and communities. Among the most common mental health problems encountered by disaster survivors are posttraumatic stress disorder (PTSD), depression, anxiety, and increased alcohol, tobacco, and substance use. For many, the psychological effects of disasters may be temporary, while others may require more long-term mental health assistance.

The Public Mental Health Emergency Preparedness Act of 2007 would take several important steps toward enhancing our Nation's public mental health preparedness and response efforts in the event of a public health emergency. In particular, this legislation would establish a National Center for Public Mental Health Emergency Preparedness to prepare for and address the immediate and long-term mental health needs of the general population and potentially vulnerable subgroups, including children, individuals with disabilities, individuals with pre-existing mental health problems, older adults, caregivers, and individuals living in poverty. This center would undertake several important activities, including developing and disseminating training curricula for emergency mental health professionals, establishing a clearinghouse of mental health emergency resources, organizing an annual national forum on mental health emergency preparedness and response, and ensuring the inclusion of mental health professionals within Disaster Medical Assistance Teams.

We commend you for your leadership and commitment to public mental health preparedness and look forward to working with you to ensure enactment of the Public Mental Health Emergency Preparedness Act. If we can be of further assistance, please feel free to contact Diane Elmore, Ph.D., in our Government Relations Office.

Sincerely,

GWENDOLYN PURYEAR KEITA, PH.D.,
*Executive Director,*
*Public Interest Directorate.*

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AMERICAN PUBLIC HEALTH ASSOCIATION,
*Washington, DC, May 15, 2007.*

Hon. HILLARY RODHAM CLINTON,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR CLINTON: On behalf of the American Public Health Association (APHA), the oldest, largest and most diverse organization of public health professionals in the world, dedicated to protecting all Americans and their communities from preventable, serious health threats and assuring community-based health promotion and disease prevention activities and preventive health services are universally accessible in the United States, I write in support of the Public Mental Health Emergency Preparedness Act of 2007.

Despite recent efforts to improve all-hazards preparedness in this country, the lack of mental health services available to victims of public health emergencies remains troubling. As lessons learned from the hurricanes of 2005 and essentials to adequately prepare for and respond to a flu pandemic are incorporated into national, state and local all-hazards preparedness plans, we must also ensure that mental health emergency preparedness and delivery is integrated into all of these plans, including the HHS Pandemic Influenza Plan and the National Response Plan. To ensure that this happens, APHA supports the provisions in this bill that would require the inclusion of mental health professionals in National Disaster Medical System (NDMS) leadership and Disaster Medical Assistance Teams.

To ensure that public health preparedness and response activities are comprehensive and incorporate mental health needs and realities, APHA supports the creation of a National Center for Public Mental Health Emergency Preparedness (NCPMHEP) outlined in your legislation. The NCPMHEP would be able to use existing data to train emergency health professionals in the provision of mental health services, coordinate mental health preparedness and response activities with federal, state and local partners and ensure that trained professionals in mental health service delivery can be identified and quickly mobilized.

Thank you for your attention to and leadership on this important public health issue. We look forward to working with you to move this legislation forward this Congress. If you have questions, or for additional information, please contact me or have your staff contact Courtney Perlino (202) 777–2436 or courtney.perlino@apha.org.

Sincerely,

GEORGES C. BENJAMIN, MD,
FACP, FACEP (EMERITUS),
*Executive Director.*

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NATIONAL ASSOCIATION OF
SOCIAL WORKERS,
*Washington, DC, May 22, 2007.*

Hon. HILLARY RODHAM CLINTON,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR CLINTON: I am writing on behalf of the National Association of Social Workers (NASW), the largest professional social work organization in the world with 150,000 members nationwide. NASW promotes, develops, and protects the effective practice of social work services throughout the country. NASW strongly supports the ''Public Mental Health Emergency Preparedness Act of 2007,'' and is pleased to endorse it. We greatly appreciate your attention and that of Senator Domenici to the important but often neglected needs of emergency preparedness in mental health services. NASW is particularly pleased to see that social workers and other behavioral health professions would have an enhanced role in the Nation's disaster response teams through the National Disaster Medical System (NDMS).

NASW, both nationally and in state chapters, was a resource for the identification of trained mental health professionals during the Hurricane Katrina aftermath. In addition, several NASW state chapters worked with local Red Cross organization to ensure that mental health services were made available to hurricane victims in affected states. We recognize the need to be prepared to provide mental health training in emergencies and the steps that are required to ensure the availability of a wide network of trained professionals with the skills to provide emergency mental health evaluation and triage. We also understand the importance of providing emergency mental health services.

Your tireless efforts on behalf of consumers of behavioral health services and professional social workers nationwide are greatly appreciated by our members. We thank you for your sponsorship of this legislation. NASW looks forward to working with you on this and future issues of mutual concern.

Sincerely,

CAROLYN POLOWY,
*General Counsel.*

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AMERICAN ACADEMY OF
CHILD & ADOLESCENT PSYCHIATRY,
*Washington, DC, May 22, 2007.*

Hon. HILLARY RODHAM CLINTON,
*Russell Senate Office Building,*
*Washington, DC.*

DEAR SENATOR CLINTON: On behalf of the American Academy of Child and Adolescent Psychiatry (AACAP), I write in support of the Public Mental Health Emergency Preparedness Act of 2007. The AACAP is a medical membership association established by child and adolescent psychiatrists in 1953. Now over 7,000 members strong, the AACAP is the leading national medical association dedicated to treating and improving the quality of life for the estimated 7–12 million American youth under 18 years of age who are affected by emotional, behavioral, developmental and mental disorders. AACAP supports research, continuing medical education and access to quality care.

Tragic events, such as September 11 and Hurricane Katrina are devastating to the mental health of children and adolescents and could have significant alterations in child and adolescent development. Changes in environmental and societal patterns of parenting, socialization, education, maturation, acculturation, and technology due to a traumatic event all have significant ramifications. Too often mental health services for children are fragmented. This bill addresses the need to coordinate the delivery of mental health services in times of public health emergencies, which AACAP recognizes as elements of the treatment process.

It is your continued leadership that will help ensure a bright future for today's youth and the continued assurance of mentally healthy Americans. We look forward to working with you on this most important issue. Please contact Kristin Kroeger Ptakowski Director of Government Affairs, at 202.966.7300, x. 108 if you have any questions concerning children's mental health issues.

Sincerely,

THOMAS ANDERS, M.D.,
*President.*

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 213—SUPPORTING NATIONAL MEN'S HEALTH WEEK

Mr. CRAPO submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 213

Whereas, despite advances in medical technology and research, men continue to live an average of almost 6 years less than women, and African-American men have the lowest life expectancy;

Whereas all 10 of the 10 leading causes of death, as defined by the Centers for Disease Control and Prevention, affect men at a higher percentage than women;

Whereas, between ages 45 and 54, men are 3 times more likely than women to die of heart attacks;

Whereas men die of heart disease at almost twice the rate of women;

Whereas men die of cancer at almost 1½ times the rate of women;

Whereas testicular cancer is one of the most common cancers in men aged 15 to 34, and, when detected early, has a 95 percent survival rate;

Whereas the number of cases of colon cancer among men will reach over 55,000 in 2007, and almost ½ will die from the disease;

Whereas the likelihood that a man will develop prostate cancer is 1 in 6;

Whereas the number of men developing prostate cancer will reach over 218,890 in 2007, and almost 27,050 will die from the disease;

Whereas African-American men in the United States have the highest incidence in the world of prostate cancer;

Whereas significant numbers of health problems that affect men, such as prostate cancer, testicular cancer, colon cancer, and infertility, could be detected and treated if men's awareness of these problems was more pervasive;

Whereas more than ½ of the elderly widows now living in poverty were not poor before the death of their husbands, and by age 100 women outnumber men 8 to 1;

Whereas educating both the public and health care providers about the importance of early detection of male health problems will result in reducing rates of mortality for these diseases;

Whereas appropriate use of tests such as prostate specific antigen (PSA) exams, blood pressure screens, and cholesterol screens, in conjunction with clinical examination and self-testing for problems such as testicular cancer, can result in the detection of many of these problems in their early stages and increase the survival rates to nearly 100 percent;

Whereas women are 100 percent more likely to visit the doctor for annual examinations and preventive services than men;

Whereas men are less likely than women to visit their health center or physician for regular screening examinations of male-related problems for a variety of reasons, including fear, lack of health insurance, lack of information, and cost factors;

Whereas National Men's Health Week was established by Congress in 1994 and urged men and their families to engage in appropriate health behaviors, and the resulting increased awareness has improved health-related education and helped prevent illness;

Whereas the Governors of over 45 States issue proclamations annually declaring Men's Health Week in their States;

Whereas, since 1994, National Men's Health Week has been celebrated each June by dozens of States, cities, localities, public health departments, health care entities, churches, and community organizations throughout the Nation, that promote health awareness events focused on men and family;

Whereas the National Men's Health Week Internet website has been established at www.menshealthweek.org and features Governors' proclamations and National Men's Health Week events;

Whereas men who are educated about the value that preventive health can play in prolonging their lifespan and their role as productive family members will be more likely to participate in health screenings;

Whereas men and their families are encouraged to increase their awareness of the importance of a healthy lifestyle, regular exercise, and medical checkups; and

Whereas June 11 through 17, 2007, is National Men's Health Week, which has the purpose of heightening the awareness of preventable health problems and encouraging early detection and treatment of disease among men and boys: Now, therefore, be it

*Resolved*, That Congress—

(1) supports the annual National Men's Health Week; and

(2) calls upon the people of the United States and interested groups to observe National Men's Health Week with appropriate ceremonies and activities.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1151. Mr. INHOFE (for himself, Mr. ALEXANDER, Mr. SESSIONS, Mr. ENZI, Mr. CHAMBLISS, Mr. BURR, Mr. ISAKSON, Mr. BUNNING, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1152. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1153. Mr. DORGAN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, supra.

SA 1154. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1155. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1156. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1157. Mr. VITTER (for himself and Mr. DEMINT) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1158. Mr. COLEMAN (for himself and Mr. BOND) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1159. Mr. COLEMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1160. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1161. Mr. ALEXANDER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1162. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1163. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1164. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1165. Mr. LEAHY (for himself and Mr. KOHL) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 1151.** Mr. INHOFE (for himself, Mr. ALEXANDER, Mr. SESSIONS, Mr. ENZI, Mr. CHAMBLISS, Mr. BURR, Mr. ISAKSON, Mr. BUNNING, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 702 and insert the following:

**SEC. 702. ENGLISH AS NATIONAL LANGUAGE.**

(a) SHORT TITLE.—This section may be cited as the ''S.I. Hayakawa National Language Amendment Act of 2007''.

(b) IN GENERAL.—Title 4, United States Code, is amended by adding at the end the following new chapter:

**''CHAPTER 6—LANGUAGE OF THE GOVERNMENT**

''Sec.
''161. Declaration of national language.
''162. Preserving and enhancing the role of the national language.
''163. Use of language other than English.

**''SEC. 161. DECLARATION OF NATIONAL LANGUAGE.**

''English shall be the national language of the Government of the United States.

**''SEC. 162. PRESERVING AND ENHANCING THE ROLE OF THE NATIONAL LANGUAGE.**

''(a) IN GENERAL.—The Government of the United States shall preserve and enhance the role of English as the national language of the United States of America.

''(b) EXCEPTION.—Unless specifically provided by statute, no person has a right, entitlement, or claim to have the Government of the United States or any of its officials or representatives act, communicate, perform or provide services, or provide materials in any language other than English. If an exception is made with respect to the use of a language other than English, the exception does not create a legal entitlement to additional services in that language or any language other than English.

''(c) FORMS.—If any form is issued by the Federal Government in a language other than English (or such form is completed in a language other than English), the English language version of the form is the sole authority for all legal purposes.

**''SEC. 163. USE OF LANGUAGE OTHER THAN ENGLISH.**

''Nothing in this chapter shall prohibit the use of a language other than English.''.

(c) CONFORMING AMENDMENT.—The table of chapters for title 4, United States Code, is amended by adding at the end the following new item:

**''6. Language of the Government** ..... **161**''.

**SA 1152.** Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. EMPLOYMENT VERIFICATION REQUIREMENT FOR FEDERAL CONTRACTORS.**

(a) IN GENERAL.—A contractor shall not be eligible to be awarded a Federal contract for which registration with the Central Contractor Registration (CCR) database maintained under subpart 4.11 of the Federal Acquisition Regulation is required unless the contractor has verified as part of the Online Representations and Certifications Application (ORCA) process required under section 4.1201 of such subpart that the contractor is in compliance with paragraphs (1)(A) and (2) of section 274A(a) of the Immigration and Nationality Act (8 U.S.C. 1324A(a)).

(b) IMPLEMENTATION THROUGH THE FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council shall amend the Federal Acquisition Regulation issued under sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421) to provide for the implementation of the verification requirement under subsection (a).

(c) EFFECTIVE DATE.—The requirement under subsection (a) shall apply with respect to contracts entered into on or after the date that is 180 days after the date of the enactment of this Act.

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**SA 1153.** Mr. DORGAN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; as follows:

Strike subtitle A of title IV.

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**SA 1154.** Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, insert the following:

**Subtitle D—H–1B Visa Fraud Prevention**

**SEC. 431. SHORT TITLE.**

This subtitle may be cited as the ''H–1B Visa Fraud Prevention Act of 2007''.

**SEC. 432. H–1B EMPLOYER REQUIREMENTS.**

(a) PROHIBITION OF OUTPLACEMENT.—

(1) IN GENERAL.—Section 212(n) (8 U.S.C. 1182(n)) is amended—

(A) in paragraph (1), by amending subparagraph (F) to read as follows:

''(F) The employer shall not place, outsource, lease, or otherwise contract for the placement of an alien admitted or provided status as an H–1B nonimmigrant with another employer if the worksite of the receiving employer is located in a different State;'' and

(B) in paragraph (2), by striking subparagraph (E).

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to applications filed on or after the date of the enactment of this Act.

(b) IMMIGRATION DOCUMENTS.—Section 204 (8 U.S.C. 1154) is amended by adding at the end the following:

''(l) EMPLOYER TO SHARE ALL IMMIGRATION PAPERWORK EXCHANGED WITH FEDERAL AGENCIES.—Not later than 10 working days after receiving a written request from a former, current, or future employee or beneficiary, an employer shall provide the employee or beneficiary with the original (or a certified copy of the original) of all petitions, notices, and other written communication exchanged between the employer and the Department of Labor, the Department of Homeland Security, or any other Federal agency that is related to an immigrant or nonimmigrant petition filed by the employer for the employee or beneficiary.''.

**SEC. 433. H–1B GOVERNMENT AUTHORITY AND REQUIREMENTS.**

(a) SAFEGUARDS AGAINST FRAUD AND MISREPRESENTATION IN APPLICATION REVIEW PROCESS.—Section 212(n)(1) (8 U.S.C. 1182(n)) is amended—

(1) in the undesignated paragraph at the end, by striking ''The employer'' and inserting the following:

''(H) The employer''; and

(2) in subparagraph (H), as designated by paragraph (1) of this subsection—

(A) by inserting ''and through the Department of Labor's website, without charge.'' after ''D.C.'';

(B) by inserting '', clear indicators of fraud, misrepresentation of material fact,'' after ''completeness'';

(C) by striking ''or obviously inaccurate'' and inserting '', presents clear indicators of fraud or misrepresentation of material fact, or is obviously inaccurate'';

(D) by striking ''within 7 days of'' and inserting ''not later than 14 days after''; and

(E) by adding at the end the following: ''If the Secretary's review of an application identifies clear indicators of fraud or misrepresentation of material fact, the Secretary may conduct an investigation and hearing under paragraph (2).''.

(b) INVESTIGATIONS BY DEPARTMENT OF LABOR.—Section 212(n)(2) is amended—

(1) in subparagraph (A), by striking ''The Secretary shall conduct'' and all that follows and inserting ''Upon the receipt of such a complaint, the Secretary may initiate an investigation to determine if such a failure or misrepresentation has occurred.'';

(2) in subparagraph (C)(i)—

(A) by striking ''a condition of paragraph (1)(B), (1)(E), or (1)(F)'' and inserting ''a condition under subparagraph (B), (C)(i), (E), (F), (H), (I), or (J) of paragraph (1)''; and

(B) by striking ''(1)(C)'' and inserting ''(1)(C)(ii)'';

(3) in subparagraph (G)—

(A) in clause (i), by striking ''if the Secretary'' and all that follows and inserting ''with regard to the employer's compliance with the requirements of this subsection.'';

(B) in clause (ii), by striking ''and whose identity'' and all that follows through ''failure or failures.'' and inserting ''the Secretary of Labor may conduct an investigation into the employer's compliance with the requirements of this subsection.'';

(C) in clause (iii), by striking the last sentence;

(D) by striking clauses (iv) and (v);

(E) by redesignating clauses (vi), (vii), and (viii) as clauses (iv), (v), and (vi), respectively;

(F) by amending clause (v), as redesignated, to read as follows:

''(v) The Secretary of Labor shall provide notice to an employer of the intent to conduct an investigation. The notice shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced. The Secretary is not required to comply with this clause if the Secretary determines that such compliance would interfere with an effort by the Secretary to investigate or secure compliance by the employer with the requirements of this subsection. A determination by the Secretary under this clause shall not be subject to judicial review.'';

(G) in clause (vi), as redesignated, by striking ''An investigation'' and all that follows through ''the determination.'' and inserting ''If the Secretary of Labor, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the employer has failed to comply with the requirements under this subsection, the Secretary shall provide interested parties with notice of such determination and an opportunity for a hearing in accordance with section 556 of title 5, United States Code, not later than 120 days after the date of such determination.''; and

(H) by adding at the end the following:

''(vii) The Secretary of Labor may impose a penalty under subparagraph (C) if the Secretary, after a hearing, finds a reasonable basis to believe that—

''(I) the employer has violated the requirements under this subsection; and

''(II) the violation was not made in good faith.''; and

(4) by striking subparagraph (H).

(c) INFORMATION SHARING BETWEEN DEPARTMENT OF LABOR AND DEPARTMENT OF HOMELAND SECURITY.—Section 212(n)(2), as amended by this section, is further amended by inserting after subparagraph (G) the following:

''(H) The Director of United States Citizenship and Immigration Services shall provide the Secretary of Labor with any information contained in the materials submitted by H–1B employers as part of the adjudication process that indicates that the employer is not complying with H–1B visa program requirements. The Secretary may initiate and conduct an investigation and hearing under this paragraph after receiving information of noncompliance under this subparagraph.''.

(d) AUDITS.—Section 212(n)(2)(A), as amended by this section, is further amended by adding at the end the following: ''The Secretary may conduct surveys of the degree to which employers comply with the requirements under this subsection and may conduct annual compliance audits of employers that employ H–1B nonimmigrants.''.

(e) PENALTIES.—Section 212(n)(2)(C), as amended by this section, is further amended—

(1) in clause (i)(I), by striking ''$1,000'' and inserting ''$2,000'';

(2) in clause (ii)(I), by striking ''$5,000'' and inserting ''$10,000''; and

(3) in clause (vi)(III), by striking ''$1,000'' and inserting ''$2,000''.

(f) INFORMATION PROVIDED TO H–1B NONIMMIGRANTS UPON VISA ISSUANCE.—Section 212(n), as amended by this section, is further amended by inserting after paragraph (2) the following:

''(3)(A) Upon issuing an H–1B visa to an applicant outside the United States, the issuing office shall provide the applicant with—

''(i) a brochure outlining the employer's obligations and the employee's rights under Federal law, including labor and wage protections;

''(ii) the contact information for Federal agencies that can offer more information or assistance in clarifying employer obligations and workers' rights; and

''(iii) a copy of the employer's H–1B application for the position that the H–1B nonimmigrant has been issued the visa to fill.

''(B) Upon the issuance of an H–1B visa to an alien inside the United States, the officer of the Department of Homeland Security shall provide the applicant with—

''(i) a brochure outlining the employer's obligations and the employee's rights under Federal law, including labor and wage protections;

''(ii) the contact information for Federal agencies that can offer more information or assistance in clarifying employer's obligations and workers' rights; and

''(iii) a copy of the employer's H–1B application for the position that the H–1B nonimmigrant has been issued the visa to fill.''.

**SEC. 434. H–1B WHISTLEBLOWER PROTECTIONS.**

Section 212(n)(2)(C)(iv) (8 U.S.C. 1182(n)(2)(C)(iv)) is amended—

(1) by inserting ''take, fail to take, or threaten to take or fail to take, a personnel action, or'' before ''to intimidate''; and

(2) by adding at the end the following: ''An employer that violates this clause shall be liable to the employees harmed by such violation for lost wages and benefits.''.

**SEC. 435. FRAUD ASSESSMENT.**

Not later than 30 days after the date of the enactment of this Act, the Director of United States Citizenship and Immigration Services shall submit to Congress a fraud risk assessment of the H–1B visa program.

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**SA 1155.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, insert the following:

**SEC. 427. REPORT ON THE Y NONIMMIGRANT VISA PROGRAM.**

(a) IN GENERAL.—Not later than 2 years and 2 months after the date on which the Secretary of Homeland Security makes the certification described in section 1(a) of this Act, the Secretary shall report to Congress on the number of Y nonimmigrant visa holders that return to their foreign residence, as required under section 218A(j)(3) of the Immigration and Nationality Act, as added by section 402 of this Act.

(b) TERMINATION OF Y NONIMMIGRANT VISA PROGRAM.—

(1) IN GENERAL.—If the Secretary of Homeland Security reports to the Congress under subsection (a) that 15 percent or more of Y nonimmigrant visa holders provided Y nonimmigrant visas in the first 2 years after the date on which the Secretary of Homeland Security makes the certification described in section 1(a) of this Act do not comply with the return requirement under section 218A(j)(3) of the Immigration and Nationality Act, then—

(A) the Y nonimmigrant visa program shall be immediately terminated; and

(B) section 218A of the Immigration and Nationality Act shall have no force or effect, except with respect to those Y immigrant visa holders described under paragraph (2).

(2) COMPLIANT Y NONIMMIGRANT VISA HOLDERS.—If the Y nonimmigrant visa program is terminated under paragraph (1), any Y nonimmigrant visa holder who is found to have been in compliance with the return requirement under section 218A(j)(3) of the Immigration and Nationality Act on the date of such termination shall be allowed to continue in the program until the expiration of the period of authorized admission of such visa holder.

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**SA 1156.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 419, insert the following:

(e) H–1B VISA EMPLOYER FEE.—

(1) IN GENERAL.—Section 214(c)(9)(B) (8 U.S.C. 1184(c)(9)(B)) is amended by striking ''$1,500'' and inserting ''$2,000''.

(2) USE OF ADDITIONAL FEE.—Section 286 (8 U.S.C. 1356) is amended by inserting after subsection (x), as added by section 402(b), the following:

''(y) GIFTED AND TALENTED STUDENTS EDUCATION ACCOUNT.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'Gifted and Talented Students Education Account'. Notwithstanding any other provision of law, there shall be deposited as offsetting receipts into the account 25 percent of the fees collected under section 214(c)(9)(B).

''(2) USE OF FEES.—Amounts deposited into the account established under paragraph (1) shall remain available to the Secretary of Education until expended for programs and projects authorized under the Jacob K. Javits Gifted and Talented Students Education Act of 2001 (20 U.S.C. 7253 et seq.).''.

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**SA 1157.** Mr. VITTER (for himself and Mr. DEMINT) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike title VI.

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**SA 1158.** Mr. COLEMAN (for himself and Mr. BOND) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC._____. INFORMATION SHARING BETWEEN FEDERAL AND LOCAL LAW ENFORCEMENT OFFICERS.**

(a) Subsection (b) of section 642 of the Illegal Immigration Reform and Immigrant. Responsibility Act of 1996 (8.U.S.C. 1373) is amended by adding at the end the following new paragraph:

''(4) Acquiring such information, if the person seeking such information has probable cause to believe that the individual is not lawfully present in the United States.''

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**SA 1159.** Mr. COLEMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

**SEC. 711. WESTERN HEMISPHERE TRAVEL INITIATIVE IMPROVEMENT.**

(a) CERTIFICATIONS.—Section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note) is amended—

(1) in subparagraph (B)—

(A) in clause (v)—

(i) by striking ''process'' and inserting ''read''; and

(ii) inserting ''at all ports of entry'' after ''installed'';

(B) in clause (vi), by striking ''and'' at the end;

(C) in clause (vii), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(viii) a pilot program in which not fewer than 1 State has been initiated and evaluated to determine if an enhanced driver's license, which is machine-readable and tamper-proof, not valid for certification of citizenship for any purpose other than admission into the United States from Canada, and issued by such State to an individual, may permit the individual to use the individual's driver's license to meet the documentation requirements under subparagraph (A) for entry into the United States from Canada at the land and sea ports of entry;

''(ix) the report described in subparagraph (C) has been submitted to the appropriate congressional committees;

''(x) a study has been conducted to determine the number of passports and passport cards that will be issued as a consequence of the documentation requirements under subparagraph (A); and

''(xi) sufficient passport adjudication personnel have been hired or contracted—

''(I) to accommodate—

''(aa) increased demand for passports as a consequence of the documentation requirements under subparagraph (A); and

''(bb) a surge in such demand during seasonal peak travel times; and

''(II) to ensure that the time required to issue a passport or passport card is not anticipated to exceed 8 weeks.''; and

(2) by adding at the end the following:

''(C) REPORT.—Not later than 180 days after the initiation of the pilot program described in subparagraph (B)(viii), the Secretary of Homeland Security and the Secretary of State shall submit to the appropriate congressional committees a report, which includes—

''(i) an analysis of the impact of the pilot program on national security;

''(ii) recommendations on how to expand the pilot program to other States;

''(iii) any appropriate statutory changes to facilitate the expansion of the pilot program to additional States and to citizens of Canada;

''(iv) a plan to scan individuals participating in the pilot program against United States terrorist watch lists;

''(v) an evaluation of and recommendations for the type of machine-readable technology that should be used in enhanced driver's licenses, based on individual privacy considerations and the costs and feasibility of incorporating any new technology into existing driver's licenses;

''(vi) recommendations for improving the pilot program; and

''(vii) an analysis of any cost savings for a citizen of the United States participating in an enhanced driver's license program as compared with participating in an alternative program.''.

(b) SPECIAL RULE FOR MINORS.—Section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note) is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR MINORS.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall permit an individual to enter the United States without providing any evidence of citizenship if the individual—

''(A)(i) is less than 16 years old;

''(ii) is accompanied by the individual's legal guardian;

''(iii) is entering the United States from Canada or Mexico;

''(iv) is a citizen of the United States or Canada; and

''(v) provides a birth certificate; or

''(B)(i) is less than 18 years old;

''(ii) is traveling under adult supervision with a public or private school group, religious group, social or cultural organization,

or team associated with a youth athletics organization; and

''(iii) provides a birth certificate.''.

(c) TRAVEL FACILITATION INITIATIVES.—Section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note) is amended by adding at the end the following new subsections:

''(e) STATE DRIVER'S LICENSE AND IDENTIFICATION CARD ENROLLMENT PROGRAM.—

''(1) IN GENERAL.—Notwithstanding any other provision of law and not later than 180 days after the submission of the report described in subsection (b)(1)(C), the Secretary of State and the Secretary of Homeland Security shall issue regulations to establish a State Driver's License and Identity Card Enrollment Program as described in this subsection (hereinafter in this subsection referred to as the 'Program') and which allows the Secretary of Homeland Security to enter into a memorandum of understanding with an appropriate official of each State that elects to participate in the Program.

''(2) PURPOSE.—The purpose of the Program is to permit a citizen of the United States who produces a driver's license or identity card that meets the requirements of paragraph (3) or a citizen of Canada who produces a document described in paragraph (4) to enter the United States from Canada by land or sea without providing any other documentation or evidence of citizenship.

''(3) ADMISSION OF CITIZENS OF THE UNITED STATES.—A driver's license or identity card meets the requirements of this paragraph if—

''(A) the license or card—

''(i) was issued by a State that is participating in the Program; and

''(ii) is tamper-proof and machine readable; and

''(B) the State that issued the license or card—

''(i) has a mechanism to verify the United States citizenship status of an applicant for such a license or card;

''(ii) does not require an individual to include the individual's citizenship status on such a license or card; and

''(iii) manages all information regarding an applicant's United States citizenship status in the same manner as such information collected through the United States passport application process and prohibits any other use or distribution of such information.

''(4) ADMISSION OF CITIZENS OF CANADA.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, if the Secretary of State and the Secretary of Homeland Security determine that an identity document issued by the Government of Canada or by the Government of a Province or Territory of Canada meets security and information requirements comparable to the requirements for a driver's license or identity card described in paragraph (3), the Secretary of Homeland Security shall permit a citizen of Canada to enter the United States from Canada using such a document without providing any other documentation or evidence of Canadian citizenship.

''(B) TECHNOLOGY STANDARDS.—The Secretary of Homeland Security shall work, to the maximum extent possible, to ensure that an identification document issued by Canada that permits entry into the United States under subparagraph (A) utilizes technology similar to the technology utilized by identification documents issued by the United States or any State.

''(5) AUTHORITY TO EXPAND.—Notwithstanding any other provision of law, the Secretary of State and the Secretary of Homeland Security may expand the Program to permit an individual to enter the United States—

''(A) from a country other than Canada; or

''(B) using evidence of citizenship other than a driver's license or identity card described in paragraph (3) or a document described in paragraph (4).

''(6) RELATIONSHIP TO OTHER REQUIREMENTS.—Nothing in this subsection shall have the effect of creating a national identity card or a certification of citizenship for any purpose other than admission into the United States as described in this subsection.

''(7) STATE DEFINED.—In this subsection, the term 'State' means any of the several States of the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

''(f) WAIVER FOR INTRASTATE TRAVEL.—The Secretary of Homeland Security shall accept a birth certificate as proof of citizenship for any United States citizen who is traveling directly from one part of a State to a noncontiguous part of that State through Canada, if such citizen cannot travel by land to such part of the State without traveling through Canada, and such travel in Canada is limited to no more than 2 hours.

''(g) WAIVER OF PASS CARD AND PASSPORT EXECUTION FEES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, during the 2-year period beginning on the date on which the Secretary of Homeland Security publishes a final rule in the Federal Register to carry out subsection (b), the Secretary of State shall—

''(A) designate 1 facility in each city or port of entry designated under paragraph (2), including a State Department of Motor Vehicles facility located in such city or port of entry if the Secretary determines appropriate, in which a passport or passport card may be procured without an execution fee during such period; and

''(B) develop not fewer than 6 mobile enrollment teams that—

''(i) are able to issue passports or other identity documents issued by the Secretary of State without an execution fee during such period;

''(ii) are operated along the northern and southern borders of the United States; and

''(iii) focus on providing passports and other such documents to citizens of the United States who live in areas of the United States that are near such an international border and that have relatively low population density.

''(2) DESIGNATION OF CITIES AND PORTS OF ENTRY.—The Secretary of State shall designate cities and ports of entry for purposes of paragraph (1)(A) as follows:

''(A) The Secretary shall designate not fewer than 3 cities or ports of entry that are 100 miles or less from the northern border of the United States.

''(B) The Secretary shall designate not fewer than 3 cities or ports of entry that are 100 miles or less from the southern border of the United States.

''(h) COST-BENEFIT ANALYSIS.—Prior to publishing a final rule in the Federal Register to carry out subsection (b), the Secretary of Homeland Security shall conduct a complete cost-benefit analysis of carrying out this section. Such analysis shall include analysis of—

''(1) any potential costs of carrying out this section on trade, travel, and the tourism industry; and

''(2) any potential savings that would result from the implementation of the State Driver's License and Identity Card Enrollment Program established under subsection (e) as an alternative to passports and passport cards.

''(i) REPORT.—During the 2-year period beginning on the date that is the 3 months after the date on which the Secretary of Homeland Security begins implementation of subsection (b)(1)—

''(1) the Secretary of Homeland Security shall submit to the appropriate congressional committees a report not less than once every 3 months on—

''(A) the average delay at border crossings; and

''(B) the average processing time for a NEXUS card, FAST card, or SENTRI card; and

''(2) the Secretary of State shall submit to the appropriate congressional committees a report not less than once every 3 months on the average processing time for a passport or passport card.

''(j) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means—

''(1) the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate; and

''(2) the Committee on Appropriations, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives.''.

(d) SENSE OF CONGRESS REGARDING IMPLEMENTATION OF THE WESTERN HEMISPHERE TRAVEL INITIATIVE.—The intent of Congress in enacting section 546 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 120 Stat. 1386) was to prevent the Secretary of Homeland Security from implementing the plan described in section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note) before the earlier of June 1, 2009, or the date on which the Secretary certifies to Congress that an alternative travel document, known as a passport card, has been developed and widely distributed to eligible citizens of the United States.

(e) PASSPORT PROCESSING STAFF AUTHORITIES.—

(1) REEMPLOYMENT OF CIVIL SERVICE ANNUITANTS.—Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) is amended—

(A) in paragraph (1), by striking ''To facilitate'' and all that follows through '', the Secretary'' and inserting ''The Secretary''; and

(B) in paragraph (2), by striking ''2008'' and inserting ''2010''.

(2) REEMPLOYMENT OF FOREIGN SERVICE ANNUITANTS.—Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

(A) in paragraph (1)(B), by striking ''to facilitate'' and all that follows through ''Afghanistan,''; and

(B) in paragraph (2), by striking ''2008'' and inserting ''2010''.

(f) REPORT ON BORDER INFRASTRUCTURE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Homeland Security, shall submit to the appropriate congressional committees a report on the adequacy of the infrastructure of the United States to manage cross-border travel associated with the NEXUS, FAST, and SENTRI programs. Such report shall include consideration of—

(A) the ability of frequent travelers to access dedicated lanes for such travel;

(B) the total time required for border crossing, including time spent prior to ports of entry;

(C) the frequency, adequacy of facilities and any additional delays associated with secondary inspections; and

(D) the adequacy of readers to rapidly read identity documents of such individuals.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Appropriations, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives.

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**SA 1160.** Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 601(h), strike paragraphs (1) and (2), and insert the following:

(h) TREATMENT OF APPLICANTS.—

(1) IN GENERAL.—An alien who files an application for Z nonimmigrant status shall, upon submission of any evidence required under subsections (f) and (g) and after the Secretary has conducted appropriate background checks, to include name and fingerprint checks, that do not produce information rendering the applicant ineligible—

(A) be granted probationary benefits in the form of employment authorization pending final adjudication of the alien's application;

(B) may in the Secretary's discretion receive advance permission to re-enter the United States pursuant to existing regulations governing advance parole;

(C) may not be detained for immigration purposes, determined inadmissible or deportable, or removed pending final adjudication of the alien's application, unless the alien is determined to be ineligible for Z nonimmigrant status; and

(D) may not be considered an unauthorized alien (as defined in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3))) unless employment authorization under subparagraph (A) is denied.

(2) TIMING OF PROBATIONARY BENEFITS.—No probationary benefits shall be issued to an alien until the alien has passed all appropriate background checks.

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**SA 1161.** Mr. ALEXANDER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE __—STRENGTHENING AMERICAN CITIZENSHIP**

**SECTION __01. SHORT TITLE.**

This title may be cited as the ''Strengthening American Citizenship Act of 2007''.

**SEC. __02. DEFINITION.**

In this title, the term ''Oath of Allegiance'' means the binding oath (or affirmation) of allegiance required to be naturalized as a citizen of the United States, as prescribed in subsection (e) of section 337 of the Immigration and Nationality Act (8 U.S.C. 1448(e)), as added by section __31(a)(2).

**Subtitle A—Learning English**

**SEC. __11. ENGLISH FLUENCY.**

(a) EDUCATION GRANTS.—

(1) ESTABLISHMENT.—The Chief of the Office of Citizenship of the Department (referred to in this subsection as the ''Chief'') shall establish a grant program to provide grants in an amount not to exceed $500 to assist lawful permanent residents of the United States who declare an intent to apply for citizenship in the United States to meet the requirements under section 312 of the Immigration and Nationality Act (8 U.S.C. 1423).

(2) USE OF FUNDS.—Grant funds awarded under this subsection shall be paid directly to an accredited institution of higher education or other qualified educational institution (as determined by the Chief) for tuition, fees, books, and other educational resources required by a course on the English language in which the lawful permanent resident is enrolled.

(3) APPLICATION.—A lawful permanent resident desiring a grant under this subsection shall submit an application to the Chief at such time, in such manner, and accompanied by such information as the Chief may reasonably require.

(4) PRIORITY.—If insufficient funds are available to award grants to all qualified applicants, the Chief shall give priority based on the financial need of the applicants.

(5) NOTICE.—The Secretary, upon relevant registration of a lawful permanent resident with the Department of Homeland Security, shall notify such lawful permanent resident of the availability of grants under this subsection for lawful permanent residents who declare an intent to apply for United States citizenship.

(b) FASTER CITIZENSHIP FOR ENGLISH FLUENCY.—Section 316 (8 U.S.C. 1427) is amended by adding at the end the following:

''(g) A lawful permanent resident of the United States who demonstrates English fluency, in accordance with regulations prescribed by the Secretary of Homeland Security, in consultation with the Secretary of State, will satisfy the residency requirement under subsection (a) upon the completion of 4 years of continuous legal residency in the United States.''.

**SEC. __12. SAVINGS PROVISION.**

Nothing in this subtitle shall be construed to—

(1) modify the English language requirements for naturalization under section 312(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1423(a)(1)); or

(2) influence the naturalization test redesign process of the Office of Citizenship of the United States Citizenship and Immigration Services (except for the requirement under section __31(b)).

**Subtitle B—Education About the American Way of Life**

**SEC. __21. AMERICAN CITIZENSHIP GRANT PROGRAM.**

(a) IN GENERAL.—The Secretary shall establish a competitive grant program to provide financial assistance for—

(1) efforts by entities (including veterans and patriotic organizations) certified by the Office of Citizenship of the Department to promote the patriotic integration of prospective citizens into the American way of life by providing civics, history, and English as a second language courses, with a specific emphasis on attachment to principles of the Constitution of the United States, the heroes of American history (including military heroes), and the meaning of the Oath of Allegiance; and

(2) other activities approved by the Secretary to promote the patriotic integration of prospective citizens and the implementation of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including grants—

(A) to promote an understanding of the form of government and history of the United States; and

(B) to promote an attachment to the principles of the Constitution of the United States and the well being and happiness of the people of the United States.

(b) ACCEPTANCE OF GIFTS.—The Secretary may accept and use gifts from the United States Citizenship Foundation, established under section __22(a), for grants under this section.

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

**SEC. __22. FUNDING FOR THE OFFICE OF CITIZENSHIP.**

(a) AUTHORIZATION.—The Secretary, acting through the Director of United States Citizenship and Immigration Services, is authorized to establish the United States Citizenship Foundation (referred to in this section as the ''Foundation''), an organization duly incorporated in the District of Columbia, exclusively for charitable and educational purposes to support the functions of the Office of Citizenship, which shall include the patriotic integration of prospective citizens into—

(1) American common values and traditions, including an understanding of the history of the United States and the principles of the Constitution of the United States; and

(2) civic traditions of the United States, including the Pledge of Allegiance, respect for the flag of the United States, and voting in public elections.

(b) DEDICATED FUNDING.—

(1) IN GENERAL.—Not less than 1.5 percent of the funds made available to United States Citizenship and Immigration Services (including fees and appropriated funds) shall be dedicated to the functions of the Office of Citizenship, which shall include the patriotic integration of prospective citizens into—

(A) American common values and traditions, including an understanding of American history and the principles of the Constitution of the United States; and

(B) civic traditions of the United States, including the Pledge of Allegiance, respect for the flag of the United States, and voting in public elections.

(2) SENSE OF CONGRESS.—It is the sense of Congress that dedicating increased funds to the Office of Citizenship should not result in an increase in fees charged by United States Citizenship and Immigration Services.

(c) GIFTS.—

(1) TO FOUNDATION.—The Foundation may solicit, accept, and make gifts of money and other property in accordance with section 501(c)(3) of the Internal Revenue Code of 1986.

(2) FROM FOUNDATION.—The Office of Citizenship may accept gifts from the Foundation to support the functions of the Office.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the mission of the Office of Citizenship, including the patriotic integration of prospective citizens into—

(1) American common values and traditions, including an understanding of American history and the principles of the Constitution of the United States; and

(2) civic traditions of the United States, including the Pledge of Allegiance, respect for the flag of the United States, and voting in public elections.

**SEC. __23. RESTRICTION ON USE OF FUNDS.**

Amounts appropriated to carry out a program under this subtitle may not be used to organize individuals for the purpose of political activism or advocacy.

**SEC. __24. REPORTING REQUIREMENT.**

The Chief of the Office of Citizenship shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on the Judiciary of the Senate, the Committee on Education and Labor of the House of Representatives, and the Committee on the Judiciary of the House of

Representatives, an annual report that contains—

(1) a list of the entities that have received funds from the Office of Citizenship during the reporting period under this subtitle and the amount of funding received by each such entity;

(2) an evaluation of the extent to which grants received under this subtitle and subtitle A successfully promoted an understanding of—

(A) the English language; and

(B) American history and government, including the heroes of American history, the meaning of the Oath of Allegiance, and an attachment to the principles of the Constitution of the United States; and

(3) information about the number of lawful permanent residents who were able to achieve the knowledge described under paragraph (2) as a result of the grants provided under this subtitle and subtitle A.

**Subtitle C—Codifying the Oath of Allegiance**

**SEC. _31. OATH OR AFFIRMATION OF RENUNCIATION AND ALLEGIANCE.**

(a) REVISION OF OATH.—Section 337 (8 U.S.C. 1448) is amended—

(1) in subsection (a), by striking ''under section 310(b) an oath'' and all that follows through ''personal moral code.'' and inserting ''under section 310(b), the oath (or affirmation) of allegiance prescribed in subsection (e).''; and

(2) by adding at the end the following:

''(e)(1) Subject to paragraphs (2) and (3), the oath (or affirmation) of allegiance prescribed in this subsection is as follows: 'I take this oath solemnly, freely, and without any mental reservation. I absolutely and entirely renounce all allegiance to any foreign state or power of which I have been a subject or citizen. My fidelity and allegiance from this day forward are to the United States of America. I will bear true faith and allegiance to the Constitution and laws of the United States, and will support and defend them against all enemies, foreign and domestic. I will bear arms, or perform noncombatant military or civilian service, on behalf of the United States when required by law. This I do solemnly swear, so help me God.'.

''(2) If a person, by reason of religious training and belief (or individual interpretation thereof) or for other reasons of good conscience, cannot take the oath prescribed in paragraph (1)—

''(A) with the term 'oath' included, the term 'affirmation' shall be substituted for the term 'oath'; and

''(B) with the phrase 'so help me God' included, the phrase 'so help me God' shall be omitted.

''(3) If a person shows by clear and convincing evidence to the satisfaction of the Attorney General that such person, by reason of religious training and belief, cannot take the oath prescribed in paragraph (1)—

''(A) because such person is opposed to the bearing of arms in the Armed Forces of the United States, the words 'bear arms, or' shall be omitted; and

''(B) because such person is opposed to any type of service in the Armed Forces of the United States, the words 'bear arms, or' and 'noncombatant military or' shall be omitted.

''(4) As used in this subsection, the term 'religious training and belief'—

''(A) means a belief of an individual in relation to a Supreme Being involving duties superior to those arising from any human relation; and

''(B) does not include essentially political, sociological, or philosophical views or a merely personal moral code.

''(5) Any reference in this title to 'oath' or 'oath of allegiance' under this section shall be deemed to refer to the oath (or affirmation) of allegiance prescribed under this subsection.''.

(b) HISTORY AND GOVERNMENT TEST.—The Secretary shall incorporate a knowledge and understanding of the meaning of the Oath of Allegiance into the history and government test given to applicants for citizenship.

(c) NOTICE TO FOREIGN EMBASSIES.—Upon the naturalization of a new citizen, the Secretary, in cooperation with the Secretary of State, shall notify the embassy of the country of which the new citizen was a citizen or subject that such citizen has—

(1) renounced allegiance to that foreign country; and

(2) sworn allegiance to the United States.

(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 6 months after the date of the enactment of this Act.

**Subtitle D—Celebrating New Citizens**

**SEC. _41. ESTABLISHMENT OF NEW CITIZENS AWARD PROGRAM.**

(a) ESTABLISHMENT.—There is established a new citizens award program to recognize citizens who—

(1) have made an outstanding contribution to the United States; and

(2) are naturalized during the 10-year period ending on the date of such recognition.

(b) PRESENTATION AUTHORIZED.—

(1) IN GENERAL.—The President is authorized to present a medal, in recognition of outstanding contributions to the United States, to citizens described in subsection (a).

(2) MAXIMUM NUMBER OF AWARDS.—Not more than 10 citizens may receive a medal under this section in any calendar year.

(c) DESIGN AND STRIKING.—The Secretary of the Treasury shall strike a medal with suitable emblems, devices, and inscriptions, to be determined by the President.

(d) NATIONAL MEDALS.—The medals struck pursuant to this section are national medals for purposes of chapter 51 of title 31, United States Code.

**SEC. _42. NATURALIZATION CEREMONIES.**

(a) IN GENERAL.—The Secretary, in consultation with the Director of the National Park Service, the Archivist of the United States, and other appropriate Federal officials, shall develop and implement a strategy to enhance the public awareness of naturalization ceremonies.

(b) VENUES.—In developing the strategy under this section, the Secretary shall consider the use of outstanding and historic locations as venues for select naturalization ceremonies.

(c) REPORTING REQUIREMENT.—The Secretary shall annually submit a report to Congress that contains—

(1) the content of the strategy developed under this section; and

(2) the progress made towards the implementation of such strategy.

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**SA 1162.** Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. GOVERNMENT ACCOUNTABILITY OFFICE STUDY ON ENGLISH PROFICIENCY.**

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on—

(1) the needs of citizens and lawful permanent residents of the United States whose native language is not English to obtain English language and literacy proficiency; and

(2) the estimated costs to the public and private sector resulting from those residents of the United States who lack English language proficiency.

(b) STUDY COMPONENTS.—The study conducted under subsection (a) shall include—

(1) an inventory of all existing Federal programs designed to improve English language and literacy acquisition for adult citizens and lawful permanent residents of the United States, including—

(A) a description of the purpose of each such program;

(B) a summary of the Federal expenditures for each such program during fiscal years 2002 through 2006;

(C) data on the participation rates of individuals within each such program and those who have expressed an interest in obtaining English instruction but have been unable to participate in existing programs;

(D) a summary of evaluations and performance reviews of the effectiveness and sustainability of each such program; and

(E) a description of the coordination of Federal programs with private and nonprofit programs;

(2) the identification of model programs at the Federal, State, and local level with demonstrated effectiveness in helping adult citizens and lawful permanent residents of the United States gain English language and literacy proficiency;

(3) a summary of funding for State and local programs that support improving the English language proficiency and literacy of citizens and lawful permanent residents of the United States;

(4) a summary of the costs incurred by Federal, State, and local governments to serve citizens and lawful permanent residents of the United States who are not proficient in English, including—

(A) costs for foreign language translators;

(B) the production of documents in multiple languages; and

(C) compliance with Executive Order 13166;

(5) an analysis of the costs incurred by businesses that employ citizens and lawful permanent residents of the United States who are not proficient in English, including—

(A) costs for English training and foreign language translation; and

(B) an estimate of lost productivity;

(6) the number of lawful permanent residents who are eligible to naturalize as citizens of the United States;

(7) the number of citizens of the United States who are eligible to vote and are unable to read English well enough to read a ballot in English;

(8) the number of citizens of the United States who request a ballot in a language other than English; and

(9) recommendations regarding the most cost-effective actions the Federal government could take to assist citizens and lawful permanent residents of the United States to quickly learn English.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report containing the findings from the study conducted under this section to—

(1) the Committee on Health, Education, Labor, and Pensions of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Education and Labor of the House of Representatives; and

(4) the Committee on the Judiciary of the House of Representatives.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for fiscal years 2008 and 2009 to carry out this section.

**SA 1163.** Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. PRESIDENTIAL AWARD FOR BUSINESS LEADERSHIP IN PROMOTING AMERICAN CITIZENSHIP.**

(a) ESTABLISHMENT.—There is established the Presidential Award for Business Leadership in Promoting American Citizenship, which shall be awarded to companies and other organizations that make extraordinary efforts in assisting their employees and members to learn English and increase their understanding of American history and civics.

(b) SELECTION AND PRESENTATION OF AWARD.—

(1) SELECTION.—The President, upon recommendations from the Secretary, the Secretary of Labor, and the Secretary of Education, shall periodically award the Citizenship Education Award to large and small companies and other organizations described in subsection (a).

(2) PRESENTATION.—The presentation of the award shall be made by the President, or designee of the President, in conjunction with an appropriate ceremony.

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**SA 1164.** Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. _. DEDUCTION FOR EMPLOYER-PROVIDED ENGLISH LANGUAGE INSTRUCTION.**

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to itemized deductions for individuals and corporations) is amended by inserting after section 194A the following new section:

**''SEC. 194B. EMPLOYER-PROVIDED ENGLISH LANGUAGE INSTRUCTION.**

''(a) ALLOWANCE OF DEDUCTION.—There shall be allowed as a deduction for the taxable year an amount equal to—

''(1) $500, multiplied by

''(2) the number of limited English proficient employees for which English language instruction is provided free of charge to the employee during such taxable year.

''(b) DOLLAR LIMITATION.—The deduction allowable under subsection (a) for any taxable year shall not exceed $150,000.

''(c) LIMITED ENGLISH PROFICIENT EMPLOYEE.—For purposes of this section, the term 'limited English proficient employee' means an employee of the taxpayer—

''(1)(A) who was not born in the United States or whose native language is a language other than English,

''(B)(i) who is a Native American or Alaska Native, or a native resident of the outlying areas (within the meaning of section 9101(25)(C)(ii)(I) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(25)(C)(ii)(I)), and

''(ii) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency, or

''(C) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant,

''(2) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual—

''(A) the ability to maintain employment, or

''(B) the ability to participate fully in society, and

''(3) the English language instruction of whom has not previously been taken into account under this section.

''(d) DENIAL OF DOUBLE BENEFIT.—No other deduction or credit shall be allowed under any other provision of this chapter with respect to the amount of the deduction determined under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 194A the following item:

''Sec. 194B. Employer-provided English language instruction''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

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**SA 1165.** Mr. LEAHY (for himself and Mr. KOHL) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 218E(d) of the Immigration and Nationality Act (as added by section 404(a)), strike paragraphs (2) and (3) and redesignate paragraph (4) as paragraph (3).

At the end of section 218E of the Immigration and Nationality Act (as added by section 404(a)), add the following:

''(i) SPECIAL RULES FOR ALIENS EMPLOYED AS SHEEPHERDERS, GOAT HERDERS, AND DAIRY WORKERS.—Notwithstanding any provision of the Agricultural Job Opportunities, Benefits, and Security Act of 2007, an alien admitted under section 101(a)(15)(H)(ii)(a) for employment as a sheepherder, goat herder, or dairy worker—

''(1) may be admitted for an initial period of 1 year;

''(2) subject to subsection (j)(5), may have that initial period of admission extended for a period of up to 3 years; and

''(3) shall not be subject to the requirements of subsection (h)(5) (relating to periods of absence from the United States).

''(j) ADJUSTMENT TO LAWFUL PERMANENT RESIDENT STATUS FOR ALIENS EMPLOYED AS SHEEPHERDERS, GOAT HERDERS, OR DAIRY WORKERS.—

''(1) DEFINITION OF ELIGIBLE ALIEN.—In this subsection, the term 'eligible alien' means an alien—

''(A) having nonimmigrant status under section 101(a)(15)(H)(ii)(a) based on employment as a sheepherder, goat herder, or dairy worker;

''(B) who has maintained that nonimmigrant status in the United States for a cumulative total of 36 months (excluding any period of absence from the United States); and

''(C) who is seeking to receive an immigrant visa under section 203(b)(3)(A)(iii).

''(2) CLASSIFIED PETITION.—In the case of an eligible alien, the petition under section 204 for classification under section 203(b)(3)(A)(iii) may be filed by—

''(A) the eligible alien's employer, on behalf of the eligible alien; or

''(B) the eligible alien.

''(3) NO LABOR CERTIFICATION REQUIRED.—Notwithstanding section 203(b)(3)(C), no determination under section 212(a)(5)(A) is required with respect to an immigrant visa described in paragraph (1)(C) for an eligible alien.

''(4) EFFECT OF PETITION.—The filing of a petition described in paragraph (2), or an application for adjustment of status based on the approval of such a petition, shall not constitute evidence of an alien's ineligibility for nonimmigrant status under section 101(a)(15)(H)(ii)(a).

''(5) EXTENSION OF STAY.—The Secretary shall extend the stay of an eligible alien having a pending or approved classification petition described in paragraph (2) in 1-year increments until a final determination is made on the alien's eligibility for adjustment of status to that of an alien lawfully admitted for permanent residence.

''(6) CONSTRUCTION.—Nothing in this subsection prevents an eligible alien from seeking adjustment of status in accordance with any other provision of law.

In section 218G of the Immigration and Nationality Act (as amended by section 404(a)), strike paragraph (11) and insert the following:

''(11) SEASONAL.—

''(A) IN GENERAL.—The term 'seasonal', with respect to the performance of labor, means that the labor—

''(i) ordinarily pertains to or is of the kind exclusively performed at certain seasons or periods of the year; and

''(ii) because of the nature of the labor, cannot be continuous or carried on throughout the year.

''(B) INCLUSION.—Labor performed on a dairy farm shall be considered to be seasonal labor.

At the end of section 404, add the following:

(c) CONFORMING AMENDMENT.—Section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) is amended by inserting ''or work on a dairy farm,'' after ''seasonal nature,''.

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## AUTHORITY FOR COMMITTEES TO MEET

AIRLAND SUBCOMMITTEE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Airland Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 22, 2007 at 12:30 p.m. in closed session to mark up the airland programs and provisions contained in the National Defense Authorization Act for fiscal year 2008.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Tuesday, May 22, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building. The purpose of the hearing is to discuss reauthorization of the Federal rail safety program.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Tuesday, May 22, 2007, at 2:30 p.m. in

room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on S. 645, a bill to amend the Energy Policy Act of 2005 to provide an alternate sulfur dioxide removal measurement for certain coal gasification project goals; S. 838, a bill to authorize funding joint ventures between United States and Israeli businesses and academic persons; S. 1089, a bill to amend the Alaska Natural Gas Pipeline Act to follow the Federal Coordinator for Alaska Natural Gas Transportation projects to hire employees more efficiently, and for other purposes; S. 1203, a bill to enhance the management of electricity programs at the Department of Energy; H.R. 85, a bill to provide for the establishment of centers to encourage demonstration and commercial application of advanced energy methods and technologies; and H.R. 1126, a bill to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, May 22, 2007, at 2:30 p.m. in room 406 of the Dirksen Senate Office Building for a hearing entitled ''Examining the Case for the California Waiver.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 22, 2007, at 10 a.m. to hold a nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Tuesday, May 22, 2007, at 3 p.m. for a hearing titled ''Implementing FEMA Reform: Are We Prepared for the 2007 Hurricane Season?''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on ''Restoring Habeas Corpus: Protecting American Values and the Great Writ'' for Tuesday, May 22, 2007, at 10 a.m. in Dirksen Senate Office Building room 226.

Witness list: RADM Donald Guter, USN (ret.), Dean, Duquesne University School of Law, Pittsburgh, PA; William Howard Taft IV, Of Counsel Fried, Frank, Harris, Shriver & Jacobson LLP, Washington, DC; Mariano-Florentino Cuellar, Professor, Stanford Law School, Stanford, CA; David B. Rivkin, Jr., Partner, Baker & Hostetler LLP, Washington, DC; and Orin Kerr, Professor, George Washington University Law School, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a hearing entitled ''Minority Entrepreneurship: Assessing the Effectiveness of SBA's Programs for the Minority Business Community,'' on Tuesday, May 22, 2007, beginning at 10 a.m. in room 428A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, May 22, 2007, after the first rollcall vote of the day in the reception room adjacent to the Floor, to conduct a vote on the nomination of Dr. Michael J. Kussman to be Under Secretary for Health at the Department of Veterans Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

EMERGING THREATS AND CAPABILITIES SUBCOMMITTEE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Emerging Threats and Capabilities Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 22, 2007 at 5:30 p.m. in closed session to mark up the Emerging Threats and Capabilities Programs and Provisions contained in the National Defense Authorization Act for fiscal year 2008.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERSONNEL SUBCOMMITTEE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Personnel Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 22, 2007 at 10 a.m. in closed session to mark up the Personnel Programs and Provisions contained in the National Defense Authorization Act for fiscal year 2008.

The PRESIDING OFFICER. Without objection, it is so ordered.

READINESS AND MANAGEMENT SUPPORT SUBCOMMITTEE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Readiness and Management Support Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 22, 2007 at 4 p.m. in closed session to mark up the Readiness and Management Support Programs and Provisions contained in the National Defense Authorization Act for fiscal year 2008.

The PRESIDING OFFICER. Without objection, it is so ordered.

SEAPOWER SUBCOMMITTEE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Seapower Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 22, 2007 at 9 a.m. in closed session to mark up the Seapower Programs and Provisions contained in the National Defense Authorization Act for fiscal year 2008.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMPLOYMENT AND WORKPLACE SAFETY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Employment and Workplace Safety, be authorized to hold a hearing on the MINER Act during the session of the Senate on Tuesday, May 22, 2007 at 10 a.m. in room 628 of the Senate Dirksen office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet on Tuesday, May 22, 2007, at 10 a.m. to conduct a joint hearing entitled ''GAO Personnel Reform: Does it meet expectations?''

The joint hearing will take place in conjunction with the House Committee on Oversight and Government Reform, and the House Subcommittee of Federal Workforce, Postal Service, and the District of Columbia.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. KENNEDY. Mr. President, I ask unanimous consent that the following detailees and fellows on my staff, Mary Giovagnoli, Todd Kushner, and Mischelle VanBrakle, be granted floor privileges for the remainder of the first session of the 110th Congress.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of S. Res. 105, adopted April 13,

1989, as amended by S. Res. 149, adopted October 5, 1993, as amended by Public Law 105–275, adopted October 21, 1998, further amended by S. Res. 75, adopted March 25, 1999, amended by S. Res. 383, adopted October 27, 2000, and amended by S. Res. 355, adopted November 13, 2002, and further amended by S. Res. 480, adopted November 20, 2004, the appointment of the following Senators to serve as members of the Senate National Security Working Group for the 110th Congress: Senator CARL LEVIN of Michigan, Democratic Co-Chairman; Senator JOSEPH R. BIDEN, Jr. of Delaware, Democratic Co-Chairman; Senator FRANK R. LAUTENBERG of New Jersey, Democratic Co-Chairman; Senator EDWARD M. KENNEDY of Massachusetts, Senator BYRON L. DORGAN of North Dakota, Senator RICHARD J. DURBIN of Illinois, Senator BILL NELSON of Florida, Senator JOSEPH I. LIEBERMAN of Connecticut, and Senator ROBERT C. BYRD of West Virginia, Majority Administrative Co-Chairman.

## WAIVING APPLICATION OF THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 109, S. 375.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 375) to waive application of the Indian Self-Determination and Education Assistance Act to a specific parcel of real property transferred by the United States to 2 Indian tribes in the State of Oregon, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. CASEY. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD, without further intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 375) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 375

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

**SECTION 1. FINDINGS.**

With respect to the parcel of real property in Marion County, Oregon, deeded by the United States to the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon by quitclaim deed dated June 18, 2002, and recorded in the public records of Marion County on June 19, 2002, Congress finds that—

(1) the parcel of land described in the quitclaim deed, comprising approximately 19.86 acres of land originally used as part of the Chemawa Indian School, was transferred by the United States in 1973 and 1974 to the State of Oregon for use for highway and associated road projects;

(2) Interstate Route 5 and the Salem Parkway were completed, and in 1988 the Oregon Department of Transportation deeded the remaining acreage of the parcel back to the United States;

(3) the United States could no longer use the returned acreage for the administration of Indian affairs, and determined it would be most appropriate to transfer the property to the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon;

(4) on request of the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon, the United States transferred the parcel jointly to the Tribes for economic development and other purposes under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.);

(5) the transfer of the parcel was memorialized by the United States in 2 documents, including—

(A) an agreement titled ''Agreement for Transfer of Federally Owned Buildings, Improvements, Facilities and/or Land from the United States of America the [sic] Confederated Tribes of the Grand Ronde Community of Oregon and the Confederated Tribes of Siletz Tribe [sic] of Oregon'', dated June 21, 2001; and

(B) a quitclaim deed dated June 18, 2002, and recorded in the public records of Marion County, Oregon, on June 19, 2002 (reel 1959, page 84);

(6) use of the parcel by Tribes for economic development purposes is consistent with the intent and language of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) and other Federal Indian law—

(A) to encourage tribal economic development; and

(B) to promote economic self-sufficiency for Indian tribes;

(7) the United States does not desire the return of the parcel and does not intend under any circumstances to take action under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or any other legal authority to seek the return of the parcel; and

(8) in reliance on this intent, the Tribes have committed over $2,500,000 to infrastructure improvements to the parcel, including roads and sewer and water systems, and have approved plans to further develop the parcel for economic purposes, the realization of which is dependent on the ability of the Tribes to secure conventional financing.

**SEC. 2. WAIVER OF APPLICATION OF INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.**

(a) NONAPPLICATION OF LAW.—Notwithstanding any other provision of law, the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) shall not apply to the transfer of the parcel of real property in Marion County, Oregon, deeded by the United States to the Confederated Tribes of Siletz Indians of Oregon and the Confederated Tribes of the Grand Ronde Community of Oregon by quitclaim deed dated June 18, 2002, and recorded in the public records of Marion County on June 19, 2002.

(b) NEW DEED.—The Secretary of the Interior shall issue a new deed to the Tribes to the parcel described in subsection (a) that shall not include—

(1) any restriction on the right to alienate the parcel; or

(2) any reference to any provision of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(c) PROHIBITION ON GAMING.—Class II gaming and class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall not be conducted on the parcel described in subsection (a).

## AMENDING THE DISTRICT OF COLUMBIA HOME RULE ACT

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 145, H.R. 2080.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2080) to amend the District of Columbia Home Rule Act to conform the District charter to revisions made by the Council of the District of Columbia relating to public education.

There being no objection, the Senate proceeded to consider the bill.

Mr. CASEY. Mr. President, I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2080) was ordered to a third reading, was read the third time, and passed.

## REDESIGNATING THE OFFICE FOR VOCATIONAL AND ADULT EDUCATION

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 33, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 33) to redesignate the Office for Vocational and Adult Education as the Office of Career, Technical, and Adult Education.

There being no objection, the Senate proceeded to consider the bill.

Mr. CASEY. Mr. President, I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 33) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 33

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

**SECTION 1. REDESIGNATION OF THE OFFICE OF VOCATIONAL AND ADULT EDUCATION.**

(a) REDESIGNATION.—Section 206 of the Department of Education Organization Act (20 U.S.C. 3416) is amended—

(1) in the section heading, by striking ''OFFICE OF VOCATIONAL AND ADULT EDUCATION'' and inserting ''OFFICE OF CAREER, TECHNICAL, AND ADULT EDUCATION'';

(2) in the first sentence—

(A) by striking ''Office of Vocational and Adult Education'' and inserting ''Office of Career, Technical, and Adult Education''; and

(B) by striking ''Assistant Secretary for Vocational and Adult Education'' and inserting ''Assistant Secretary for Career, Technical, and Adult Education''; and

(3) in the second sentence, by striking ''vocational and adult education'' each place the term appears and inserting ''career, technical, and adult education''.

(b) CONFORMING AMENDMENTS.—

(1) DEPARTMENT OF EDUCATION ORGANIZATION ACT.—The Department of Education Organization Act (as amended in subsection (a)) (20 U.S.C. 3401 et seq.) is further amended—

(A) in section 202—

(i) in subsection (b)(1)(C), by striking ''Assistant Secretary for Vocational and Adult Education'' and inserting ''Assistant Secretary for Career, Technical, and Adult Education''; and

(ii) in subsection (h), by striking ''Assistant Secretary for Vocational and Adult Education'' each place the term appears and inserting ''Assistant Secretary for Career, Technical, and Adult Education''; and

(B) in the table of contents in section 1, by striking the item relating to section 206 and inserting the following:

''Sec. 206. Office of Career, Technical, and Adult Education.''.

(2) CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006.—Section 114(b)(1) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2324(b)(1)) is amended by striking ''Office of Vocational and Adult Education'' and inserting ''Office of Career, Technical, and Adult Education''.

## ORDERS FOR WEDNESDAY, MAY 23, 2007

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Wednesday, May 23; that on Wednesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period for the transaction of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled, with the majority controlling the first half and the Republicans controlling the final half; that at the close of morning business, the Senate resume consideration of S. 1348, the immigration bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. CASEY. Mr. President, if there is no further business, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:30 p.m., adjourned until Wednesday, May 23, 2007, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate May 22, 2007:

### DEPARTMENT OF STATE

ANNE WOODS PATTERSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF PAKISTAN.

### DEPARTMENT OF EDUCATION

DIANE AUER JONES, OF MARYLAND, TO BE ASSISTANT SECRETARY FOR POSTSECONDARY EDUCATION, DEPARTMENT OF EDUCATION, VICE SALLY STROUP, RESIGNED.

### RAILROAD RETIREMENT BOARD

JEROME F. KEVER, OF ILLINOIS, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2008. (REAPPOINTMENT)

MICHAEL SCHWARTZ, OF ILLINOIS, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2012. (REAPPOINTMENT)

VIRGIL M. SPEAKMAN, JR., OF OHIO, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2009. (REAPPOINTMENT)

### FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

DANIEL K. BERMAN, OF CALIFORNIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

CAROL M. CHESLEY, OF THE DISTRICT OF COLUMBIA
HOLLY S. HIGGINS, OF IOWA
SCOTT S. SINDELAR, OF MINNESOTA

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED. FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS ONE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

### DEPARTMENT OF STATE

LINDA THOMPSON TOPPING GONZALEZ, OF FLORIDA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS TWO, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

### DEPARTMENT OF STATE

GARY ANDERSON, OF TEXAS
MARIO A. FERNANDEZ, OF TEXAS
BRIDGET FITZGERALD GERSTEN, OF ARIZONA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

### DEPARTMENT OF AGRICULTURE

VALERIE R. BROWN-JONES, OF TEXAS
KARI A. ROJAS, OF VIRGINIA
OLIVER L. FLAKE, OF MARYLAND
DEPARTMENT OF STATE
MERRY MILLER, OF TEXAS

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

### DEPARTMENT OF STATE

JAMES E. AGUIRRE, OF VIRGINIA
PETER DONALD ANDREOLI, OF VIRGINIA
ROBERT B. ANDREW, OF TEXAS
BENJAMIN STEPHEN BALL, OF CALIFORNIA
JEREMY H. BEER, OF COLORADO
SARAH K. BELLMAN, OF NEW JERSEY
JONATHAN M. BERGER, OF MICHIGAN
KELLY ANNE BILLINGSLEY, OF FLORIDA
ALFRED MICHAEL BOLL, OF WISCONSIN
HAROLD FRANK BONACQUIST, OF NEW YORK
QIANA BRADFORD, OF GEORGIA
MOZELLA N. BROWN, OF THE DISTRICT OF COLUMBIA
ELIZABETH A. CAMPBELL, OF TEXAS
EDWARD THOMAS CANUEL, OF MASSACHUSETTS
NATHAN C. CARTER, OF GEORGIA
WILLEAH CATO, OF VIRGINIA
ALEXANDER P. DELOREY, OF FLORIDA
CHRISTOPHER HAYES DORN, OF VIRGINIA
SHAWN H. DUNCAN, OF WASHINGTON
ANA M. DUQUE-HIGGINS, OF FLORIDA
CARRIE ELIZABETH REICHERT FLINCHBAUGH, OF VIRGINIA
ANDREA B. GOODMAN, OF CALIFORNIA
SHARON ELIZABETH GORDON, OF CALIFORNIA
JOSHUA M. HANDLER, OF THE DISTRICT OF COLUMBIA
SARAH E. HANKINS, OF NORTH CAROLINA
JOSHUA M. HARRIS, OF NEW JERSEY
DAVID PARKER HAUGEN, OF TENNESSEE
TIMOTHY B. HEFNER, OF NORTH CAROLINA
RICHARD C. HINMAN, OF NEW JERSEY
ERIC A. JOHNSON, OF THE DISTRICT OF COLUMBIA
KAREN YOUNG KESHAP, OF VIRGINIA
MARK EDWARD KISSEL, OF MARYLAND
DENISE LYNNETTE KNAPP, OF TEXAS
ANNEMETTE LAVERY, OF ARIZONA
JINNIE J. LEE, OF NEW YORK
MICHELLE ANNE LEE, OF OHIO
TELSIDE LOGAN MANSON, OF VIRGINIA
KIMBERLY M. MCCLURE, OF KENTUCKY
JAMES N. MILLER, OF CONNECTICUT
WILLIAM JOSEPH PATON, OF NEW YORK
JESSICA H. PATTERSON, OF VIRGINIA
MARGO LYNN POGORZELSKI, OF NEW YORK
MUSTAFA MUHAMMAD POPAL, OF VIRGINIA
CARSON R. RELITZ, OF INDIANA
CURTIS RAYMOND RIED, OF CALIFORNIA
WESLEY W. ROBERTSON, OF NEVADA
JOY MICHIKO SAKURAI, OF HAWAII
CORINA R. SANDERS, OF FLORIDA
PETER TIMOTHY SHEA, OF THE DISTRICT OF COLUMBIA
EDWARD W. SOLTOW, OF ARIZONA
MARJORIE A. STERN, OF CALIFORNIA
BRADLEY KILBURN STILWELL, OF WASHINGTON
ALEXANDRA ZWAHLEN TENNY, OF WASHINGTON
KENICHIRO TOKO, OF NEW JERSEY
MICHELLE NICOLE WARD, OF MARYLAND
BRADLEY G. WILDE, OF TEXAS
BRIAN CHARLES WINANS, OF ILLINOIS
ANDREW VAUGHN WITHERSPOON, OF NEW HAMPSHIRE
CHRISTIAN MICHAEL WRIGHT, OF TEXAS
THOMAS A. YEAGER, OF MARYLAND

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED: CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

### DEPARTMENT OF COMMERCE

MARK COHEN, OF PENNSYLVANIA
FRANKLIN D. JOSEPH, OF THE DISTRICT OF COLUMBIA
DEAN R. MATLACK, OF THE DISTRICT OF COLUMBIA
ELIZABETH M. SHIEH, OF NEW YORK

### DEPARTMENT OF STATE

ROBERT NEIL AINSLIE, OF VIRGINIA
SARA J. AINSWORTH, OF THE DISTRICT OF COLUMBIA
KIMBERLY A. AJTAJI, OF VIRGINIA
LOREN B. ALLEN, OF VIRGINIA
JAVIER ALFREDO ALVAREZ, OF VIRGINIA
MOHAMMAD K. AL-WESHAHI, OF VIRGINIA
WALTER B. ANDONOV, OF NEVADA
CHASITY TIFFANY ANTHONY, OF VIRGINIA
BRANDON SCOTT ARMITAGE, OF VIRGINIA
LARRY R. BALDWIN, JR., OF VIRGINIA
ERIC MATTHEW BARBEE, OF VIRGINIA
BERNARD BARRIE, OF VIRGINIA
LORI A. BATTISTA, OF VIRGINIA
BRIAN ANDREW BERGER, OF VIRGINIA
PRENTISS RAY BERRY, OF VIRGINIA
DEBORAH A. BIERBACH, OF VIRGINIA
ROBERT CRAIG BOND, OF THE DISTRICT OF COLUMBIA
ANDREA K. BOYLAN, OF VIRGINIA
GREGORY ANTHONY BOYLAN, OF VIRGINIA
JASON MICHAEL BRANDON, OF VIRGINIA
CARYN D. BREEDEN, OF WEST VIRGINIA
MELISSA LEIGH BREWSTER, OF VIRGINIA
EDWARD A. BRISTOL, OF VIRGINIA
ROBERT J. BROCKWAY, OF VIRGINIA
KAREN L. BRONSON, OF WASHINGTON
DAVID PENN BROWNSTEIN, OF NEW YORK
EMILIE SUZANNE BRUCHON, OF VIRGINIA
ERIKA BREE BRUMBELOW, OF VIRGINIA
ROBERT W. BUNNELL III, OF NORTH CAROLINA
MARY A. CALLAGHAN, OF VIRGINIA
TINA MARIE CAPPA, OF VIRGINIA
STEPHANE MARC CASTONGUAY, OF HAWAII
THOMAS CATUOGNO, OF THE DISTRICT OF COLUMBIA
CHRISTA MARIE CAVALUCHI, OF VIRGINIA
THOMAS D. CELESTINA, OF FLORIDA
JANET CHEUNG, OF VIRGINIA
JANE JERA CHONGCHIT, OF CALIFORNIA
MARVEL C. CHURCH, OF VIRGINIA
ROBIN S. CLUNE, OF CALIFORNIA
HEATHER L. COBLE, OF VIRGINIA
HANAN COHEN, OF VIRGINIA
CURTIS GOLDEN CONOVER, OF VIRGINIA
AMY ELIZABETH CONRAD, OF VIRGINIA
CHRISTOPHER T. CORKEY, OF THE DISTRICT OF COLUMBIA
WILLIAM P. COX, OF MARYLAND
SEAN PATRICK COYAN, OF VIRGINIA
NESA J. CRISP, OF VIRGINIA
MICHAEL P. CROISSANT, OF VIRGINIA
JEFFREY ROSS CUIPER, OF VIRGINIA
MELISSA LYNN CUTLER, OF VIRGINIA
JOSEPH V. DAMUSIS, OF VIRGINIA
JOHN A. DEGORY, OF PENNSYLVANIA
JOHN ALVIN RAYMOND DEHOFF, OF THE DISTRICT OF COLUMBIA
CHRIS ANN DELMASTRO, OF CALIFORNIA
MARK C. DEMIER, OF THE DISTRICT OF COLUMBIA
CARLOS POURUSHASP DHABHAR, OF NEW YORK
ANDREA T. DIAZ, OF VIRGINIA
KELLY L. DIIRO, OF VIRGINIA
ROBERT ALAN DOLLINGER, JR., OF VIRGINIA
ARA SEBASTIAN DONABEDIAN, OF VIRGINIA
JENNIFER L. DOUGHERTY, OF VIRGINIA
DAVID M. DUERDEN, OF IDAHO
TIMOTHY T. DYKE, OF VIRGINIA
WILLIAM M. ELLIOTT, OF VIRGINIA
JOHN B. EVERMAN, JR., OF WISCONSIN
DOROTHEA L. EWING, OF VIRGINIA
CHRISTINE M. FAGAN, OF TEXAS
GABRIELA ALEJANDRA FERNANDEZ, OF VIRGINIA
RICHARD G. FITZMAURICE, OF INDIANA
STEPHANIE J. FITZMAURICE, OF INDIANA
MATTHEW C. FLIERMANS, OF GEORGIA
DAVID MICHAEL FOGELSON, OF CALIFORNIA
RICHARD WILLIAM FROST, OF VIRGINIA
ELIZABETH J. FUSAKIO, OF VIRGINIA
ERIC R. GARDNER, OF WASHINGTON
CHRISTINE GETZLER VAUGHAN, OF ARIZONA
VALLERA MICHELE GIBSON, OF GEORGIA
PETER P. GIOIELLA III, OF THE DISTRICT OF COLUMBIA
JAVIER A. GONZALEZ, OF VIRGINIA
SUSANNA GRANSEE, OF NORTH CAROLINA
JASON T. GRIFFITH, OF VIRGINIA
LORRAINE A. GRIGGS, OF VIRGINIA
ZACHARY T. GROVE, OF VIRGINIA
NORA CATHERINE GRUBBS, OF VIRGINIA
PAUL M. GUERTIN, OF RHODE ISLAND
CHARLES OVERTON HALL II, OF THE DISTRICT OF COLUMBIA

PAMELA A. HAMBLETT, OF OKLAHOMA
BLYTHE B. HAMILTON
CONARD C. HAMILTON, OF CALIFORNIA
SHANA LORELLE HANSELL, OF THE DISTRICT OF COLUMBIA
J.J. HARDER, OF NEBRASKA
THEODORE RAY HARKEMA, OF VIRGINIA
DANE D. HART, OF VIRGINIA
KIMBERLY L. HAWK, OF VIRGINIA
AMANDA E. HICKS, OF OREGON
COURTNEY D. HILL, OF THE DISTRICT OF COLUMBIA
GERARD THOMAS HODEL, OF NEW YORK
JENNIFER M. HOFFMAN, OF VIRGINIA
VICTORIA HOILES, OF CALIFORNIA
ASHLEY A. HOKE, OF VIRGINIA
MARY DANIELLE MYERS HOKE, OF FLORIDA
NICHOLAS M. HOLT, OF THE DISTRICT OF COLUMBIA
ERIC ALDEN HUFFMAN, OF VIRGINIA
LINDSAY NICOLE JONES, OF VIRGINIA
LISA BARBARA KALECZYC, OF VIRGINIA
MARGARET E. KAMMEYER, OF VIRGINIA
MARLYSSA ANN KARCZ, OF VIRGINIA
GERRY PHILIP KAUFMAN, OF FLORIDA
DANIEL GILBERT DURAN KEEN, OF VIRGINIA
JAMES ROY KELLEHER, OF VIRGINIA
ANSON MORE KELLER, OF MARYLAND
MEGAN MARISA KELLER, OF VIRGINIA
SUSANNE PATRICE KELLER, OF MISSOURI
KWINN S. KELLEY, OF CALIFORNIA
SYLBETH KENNEDY, OF CALIFORNIA
KRISTI A. KENNISTON, OF MARYLAND
LINDSAY KIEFER, OF WASHINGTON
NEIL R. KINGLSEY, OF VIRGINIA
NICOLE SIMONE KIRKWOOD, OF VIRGINIA
ROBERT ZACHARY KOESTER, OF VIRGINIA
STEPHEN SETH KOLB, OF TEXAS
CINDY L. KONISKY, OF VIRGINIA
KELLY LEE KOPCIAL, OF VIRGINIA
ALETA MARIE KOVENSKY, OF VIRGINIA
JAN JOZEF KOZUBSKI, OF MARYLAND
KEVIN KRAPF, OF CALIFORNIA
KYLER O. KRONMILLER, OF VIRGINIA
JAMES M., KUEBL, OF FLORIDA
KENNETH C. KUEHN, OF MARYLAND
JOHN MICHAEL LANKENAU, OF MARYLAND
ERIC J. LEEDER, OF VIRGINIA
ANNE WOOD LESSMAN, OF VIRGINIA
JONATHAN J. LITTLE, OF VIRGINIA
WILLIAM LONGO, OF MARYLAND
SANTIAGO J. LOPEZ, OF FLORIDA
JENNIFER T. LOPRESTO, OF VIRGINIA
KEVIN MICHAEL LOVE, OF NEW YORK
ROBERTA LOWE, OF ARIZONA
JASON P. LOWRY, OF VIRGINIA
R. GREG LYON, OF VIRGINIA
MONICA R. MARIELLO, OF VIRGINIA
KRISTINE ANN MARSH, OF NEW YORK
JAMES R. MARSHALL, OF TENNESSEE
BRADLEY J. MATHEWS, OF VIRGINIA
HERBERT F. MAXWELL III, OF GEORGIA
BRIAN J. MCALLISTER, OF VIRGINIA
EMILY D. MCCARTHY, OF FLORIDA
PETER R. MCDONALD, OF VIRGINIA
BILLY E. MCFARLAND, JR., OF ARIZONA
MARK R. MCINTYRE, OF WASHINGTON
LOIS MCKAY, OF MARYLAND
SUSAN P. MCLENNAND, OF VIRGINIA
CATHERINE MCLEOD, OF TEXAS
MARC A. MEYER, OF NEW JERSEY
JAMES MICSAN, OF VIRGINIA
ANGELA L. REVELS MIDDLETON, OF VIRGINIA
NICHOLAS A. MILLER, OF VIRGINIA
CHRISTIE MILNER, OF TEXAS
ADAM L. S. MITCHELL, OF OKLAHOMA
CATHERINE E. MITCHELL, OF VIRGINIA
P. CHRISTOPHER MIZELLE, OF VIRGINIA
THOMAS MOORE, OF GEORGIA
SERGIO ANTONIO MORENO, OF TEXAS
PAMELA MORRIS, OF THE DISTRICT OF COLUMBIA
NEJDAT ROBERT MULLA, OF VIRGINIA
GEORGEANNA LILA MURGATROYD, OF NEW YORK
REDDING E. NEWBY, OF VIRGINIA
BRENT EDWARD NORTON, OF VIRGINIA
ALAN M. OLSON, OF MARYLAND
STEPHEN JOHN ORLOSKI, OF VIRGINIA
PEDRO ISRAEL ORTA, OF VIRGINIA
JENNIFER DYAN PAGE, OF VIRGINIA
ERIC E. PARAS, OF VIRGINIA
ERIC W. PARKER, OF NORTH CAROLINA
EDGAR K. PARKS, OF VIRGINIA
SCOTT D. PARRISH, OF CALIFORNIA
MICHAEL S. PASSEY, OF VIRGINIA
CLAYTON S. PEACOCK, OF VIRGINIA
JENNIFER PLANTY, OF VIRGINIA
ELIZABETH J. POKELA, OF MINNESOTA
STEVEN N. PROHASKA, OF VIRGINIA
TIFFANY MARIE QUANSTROM, OF VIRGINIA
JOHN V. QUIMBY, OF VIRGINIA
MATTHEW WILLIAM RAFFENBEUL, OF VIRGINIA
BRYAN RECCORD, OF VIRGINIA
CHRISTOPHER RENDO, OF MISSOURI
MARK ANTHONY RICARD, OF VIRGINIA
LARRY T. RICH, OF VIRGINIA
REINALDO RIVERA, OF VIRGINIA
DOUGLAS BRADY ROBERSON, OF VIRGINIA
KATHLEEN M. ROBERTSON, OF VIRGINIA
LEIGH W. ROBERTSON, OF FLORIDA
IAN D. ROZDILSKY, OF NEW YORK
KIMBERLEE ANN RUDISILLE-TORRES, OF VIRGINIA
OLSEN J. SALGADO, OF VIRGINIA
MARK L. SAND, OF VIRGINIA
CYNTHIA YESMEEN SARKES, OF MARYLAND
SARA E. SAUKAS, OF VIRGINIA
GREGORY G. SCHEER, OF VIRGINIA
JOSEPH JEROME SCHMANK, OF VIRGINIA
GEORGE S. SCHROEDER, OF VIRGINIA
MICHAEL REUBEN SCHWARTZBECK, OF VIRGINIA
DAVINIA MICHELLE SEAY, OF THE DISTRICT OF COLUMBIA
TIMOTHY BARRETT SEXTON, OF VIRGINIA
MARISSA SHAPIRO, OF VIRGINIA
ROBERT WALTER SIMMONS, OF PENNSYLVANIA
PATRICK M. SKINNER, OF MARYLAND
MARK IRVIN SNOW, OF VIRGINIA
JAY M. SORENSEN, OF NORTH CAROLINA
LOUISE MARIE STEEN-SPRANG, OF VIRGINIA
ERIN SUGARMAN, OF VIRGINIA
MARY BETH SWOFFORD, OF VIRGINIA
KATHRYN ANNE SZIGETI, OF VIRGINIA
KAREN A. TAYERLE, OF VIRGINIA
ALYSSA TEACH, OF MICHIGAN
LISA TERRY, OF CALIFORNIA
THOMAS A. THLIVERIS, OF NORTH CAROLINA
MICHAEL P. THOMAN, OF NEW JERSEY
BARBARA G. THOMPSON, OF VIRGINIA
STEVEN J. THOMPSON, OF VIRGINIA
LAURA L. TISCHLER, OF THE DISTRICT OF COLUMBIA
ELIZABETH MARIE VANDERVEEN, OF VIRGINIA
JENNIFER VAN ETTE, OF NEW YORK
CAROL M. VARGAS, OF CALIFORNIA
ERIN MARIE VASQUEZ, OF VIRGINIA
RICHARD DALE VASQUEZ, OF VIRGINIA
ANDREW MCKENZIE VENNEKOTTER, OF THE DISTRICT OF COLUMBIA
LEE A. VIENS, OF MARYLAND
JACK D. VINES, OF THE DISTRICT OF COLUMBIA
AYINDE WAGNER-SIMPSON, OF VIRGINIA
JOHN W. WHITE, OF MARYLAND
JOSEPH L. WHITMORE, OF VIRGINIA
THOMAS WHITNEY, OF CONNECTICUT
DOUGLAS EDWARD WHITTINGTON, OF VIRGINIA
LEINE ELIZABETH WHITTINGTON, OF VIRGINIA
HEIDI M. WILKINSON, OF PENNSYLVANIA
EDWARD MICHAEL WILLHIDE, OF VIRGINIA
JUSTIN W. WILLIAMSON, OF TEXAS
CHRISTOPHER JOHN WIRTANEN, OF VIRGINIA
BRYAN G. WOCKLEY, OF VERMONT
RICHARD C. YARBROUGH, OF VIRGINIA
MICHAEL SEAN ZEBLEY, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE/APHIS FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

DANNY J. SHEESLEY, OF COLORADO

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

GARY GREENE, OF GEORGIA
KAREN SLITER, OF OHIO

# EXTENSIONS OF REMARKS

## TRIBUTE TO C. MICHAEL BRIGHT, GOVERNMENT PRINTING OFFICE

### HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. BRADY of Pennsylvania. Madam Speaker, as chairman of the Committee on House Administration and of the Joint Committee on Printing, I want my colleagues to note that June 1, 2007, will mark the retirement of C. Michael Bright from Federal service following a dedicated career of 33 years at the Government Printing Office. Mike, as he is known, compiled an exemplary record of service at the GPO that benefited not only GPO's Federal-agency customers, the public seeking access to Government information, but Members and staff of the Congress as well.

Mike served most of his career in the GPO's Superintendent of Documents operation, which makes published Federal documents available to the public via sales and through Federal depository libraries nationwide. Beginning as an editor of GPO's sales catalog, he later worked as a marketing specialist for Government documents and then was the principal assistant to the Superintendent of Documents. Among the duties Mike performed from that post during the 1980's was service as GPO liaison to the Books Abroad program, a U.S. Information Agency initiative to expand distribution of Federal Government publications overseas to counter the Soviet Union's distribution of its publications.

Mike was a principal in helping to shape GPO's support for electronic information dissemination, later assisting Federal agencies in creating their own electronic information products through GPO, and for a time he served as an assistant to GPO's chief of staff. Most recently, as a congressional relations officer he was trusted by the staffs of the Joint Committee on Printing as well as other Member and committee offices to provide expert advice and assistance on GPO-related matters. In recognition of his accomplishments, over the years Mike earned both the Public Printer's distinguished service and meritorious service awards as well as the thanks of the congressional and agency staffs who worked with him.

Madam Speaker, please join the Members of the House Administration Committee and the Joint Committee on Printing in expressing their heartfelt thanks for Mike Bright's career of outstanding service to the Government Printing Office, and in extending their best wishes to Mike and his family—wife Susan and son Andrew—as Mike embarks on the next stage of his life.

## PERSONAL EXPLANATION

### HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Ms. LORETTA SANCHEZ of California. Madam Speaker, on Monday, May 21, 2007, I was unavoidably detained during official travel. Had I been present and voting, I would have voted as follows:

Rollcall No. 384: "yes." On Motion to Suspend the Rules and Pass H.R. 698.

Rollcall No. 385: "yes." On Motion to Suspend the Rules and Pass H.R. 1425.

## TRIBUTE TO DR. DAVID LONG, RIVERSIDE COUNTY SUPERINTENDENT OF SCHOOLS

### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Riverside, California are exceptional. Riverside County has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Dr. David Long is one of these individuals. On Thursday, May 24, 2007, Dr. Long will be honored at a farewell dinner at the Riverside Convention Center.

Dr. Long is originally from Mason City, Iowa, and obtained is Ph.D. from Iowa State University. Over the years, Dr. Long has served as a classroom teacher, coach, principal, and district superintendent. He was elected Riverside County Superintendent of Schools in 1998. The Riverside County Office of Education (RCOE) has 2,000 employees and a budget totaling more than $260 million. RCOE is a service agency supporting the county's 23 local districts with training, fiscal support, and certain state mandated educational programs.

The Riverside County Office of Education has been dramatically improved by Dr. Long's innovation and dedication to excellence. Under his leadership, RCOE created the nationally recognized Riverside County Achievement Teams (RCAT), which have helped Riverside County outpace the state in improving test scores, and focused attention on specific issues that create problems for students.

Dr. Long has been active in both state and national arenas, serving as the President of the California County Superintendents Educational Services Association (CCSESA), and chairing the national Safe and Drug Free Schools and Community Advisory Committee for the U.S. Department of Education.

Dr. Long has been honored as California Administrator of the Year by the National Organization of Partners in Education, Superintendent of the Year, and received the Governor's Award for school leadership. Dr. Long received the Inland Empire 2003 Entrepreneur of the Year award for his innovative approach to raising student achievement through the Riverside County Achievement Teams. Dr. Long is also the recipient of the prestigious Marcus Foster Memorial Award from the Association of California School Administrators for outstanding leadership and significant contributions to public education by a school administrator.

Dr. Long was recently selected by Gov. Schwarzenegger to serve as California's Secretary of Education and the Governor could not have picked a more qualified individual. Dr. Long's tireless passion for community service has contributed immensely to the betterment of the community of Riverside and the entire State of California. Dr. Long has been the heart and soul of Riverside County education and he will be sorely missed. I know that so many community members and leaders are grateful for his service and salute him as he moves on to the next stage of his career On behalf of Representatives Lewis, Bono and Issa, I also add my expression of admiration and appreciation to Dr. Long for his outstanding service to our children and our community. We wish him the best of luck and all blessings in his new position.

## HONORING HURRICANE, WV MAYOR F. RAYMOND PEAK

### HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mrs. CAPITO. Madam Speaker, today, I have the distinct privilege to recognize a man of remarkable vision and unyielding commitment to the community of Hurricane, WV.

Mr. Peak is a native of Dakota, WV, where he began his career of public service in the school patrol. His family relocated to Putnam County in 1948.

In 1951, Mr. Peak was elected to his first public position in Hurricane as city recorder, which he held for 4 years. The job carne right after graduation from Morris Harvey College, now the University of Charleston.

In 1957, Mr. Peak ran for the office of mayor pledging to build a city Hall. He accomplished that promise in two construction phases with no long-term indebtedness to the citizens.

Mr. Peak served in the West Virginia House of Delegates from 1973 to 1977. In his desire to see small towns and cities grow, he was instrumental in the organization of the West Virginia Municipal League and served as president and he was a charter board member of the Regional Intergovernmental Council, serving twice as Chairman.

Peak has been a mentor to young people in the Hurricane community for several generations, as a math and business teacher, band

instructor and girl's basketball coach at Hurricane High School. He was always available to read aloud in the elementary schools and to attend extracurricular events to recognize students.

Serving the community as mayor of Hurricane for 40 years, recently Mr. Peak has brought about a new $1.8 million municipal complex, a $10.6 million upgrade to the regional wastewater treatment facility, and water improvements to a system that has received the 2006 Drinking Silver Award.

Perhaps Mr. Peak's greatest accomplishment is his bond he unwaveringly nourishes with his family. Mayor Peak and his wife, Gloria, are enjoying a marriage of 52 years. They are blessed with three children, five grandchildren, and two great grandchildren.

Through the leadership of Mayor F. Raymond Peak, the city of Hurricane has experienced growth and prosperity. His good works have been enjoyed by generations past and will continue to benefit generations to corne.

Madam Speaker, I ask you to join me and the community in expressing our thanks and to honor Mr. Peak's accomplishments and commitment to public service. His commendable service serves as an attribute which we should all strive to emulate as we attempt to make the world a better place. As he leaves the mayor's office, we extend our best wishes for joy and happiness in the months and years ahead.

## HONORING REVEREND FREDERICK ''JERRY'' STREETS

### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Ms. DELAURO. Madam Speaker, it is with great pleasure that I rise today to join the many family, friends, and community leaders who have gathered to pay tribute to one of New Haven's most outstanding religious leaders and one of my friends, Reverend Frederick ''Jerry'' Streets. There is no doubt that Reverend Streets has touched the lives of many in the Yale community and beyond. Though he will be missed, the legacy he leaves will continue to inspire others for years to come.

Today marks the end of an era as we bid farewell to a real community treasure. Reverend Streets, the first African-American and Baptist to hold the position of University chaplain, will conclude 15 years of service to Yale since being appointed to this position in 1992. Under the University's term limit rules for chaplaincy, he must now pass on his legacy to a newly appointed chaplain. Reverend Streets' commitment to service through religious leadership has been unwavering and his involvement, not only with his chaplaincy and pastoral duties at Yale, but with his congregation at University Church, has been essential to its spiritual growth and prosperity. He expanded the multi-faith dialogue at Yale and had a deep sense of his social responsibility to the surrounding residents of the New Haven community.

During his tenure, Reverend Streets did spear-head a rapid growth of religious diversity within the student population. His natural gravitation toward tolerance for all ethnicities and religious freedoms began as a boy growing up on the South Side of Chicago. Here, amid much diversity, he learned the need for acceptance of others which shaped his character and influenced his professional life. Perhaps best known for his development of Yale's undergraduate multi-faith council—a group with faiths ranging from Protestant to Baha'i—he promoted discussions between students of different faiths and helped other chaplains to grasp an understanding of a diverse student population.

In addition to his work in our community, Reverend Streets has represented Yale across the globe by lecturing or presenting workshops on issues of global justice and mental health. He has traveled worldwide to places such as Bosnia, Cuba, and West Africa, and served as a delegate to the first global conference of religious leaders to convene at the United Nations.

As a spiritual guide, he has nourished the souls of many—often providing much needed comfort in the hardest of personal trials. It was evident through his work that he had a strong devotion and compassion to helping many Yale students restore their faith and bring a sense of balance back to their lives. There is no better example of living faith with commitment and dignity. He will be sorely missed and we cannot thank him enough.

It is with great pride that I stand today to join his wife Annette, his children, family, friends, and the Yale community to extend my deepest thanks and appreciation to Reverend Jerry Streets for all of the good work he has done. May God bless him and keep him well as he continues in his mission of peace, compassion, hope and tolerance.

## HONORING THE LIFE AND LEGACY OF VAL McCOMBIE, FORMER AMBASSADOR OF BARBADOS AND FORMER ASSISTANT SECRETARY GENERAL OF THE ORGANISATION OF AMERICAN STATES

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. RANGEL. Madam Speaker, I rise today to pay honor to a great man, Ambassador Val McCombie, of Barbados and to enter into the record an article from Carib News by Tony Best titled, Diplomat Who Paved The Way For Others. He passed away after a lengthy illness and was funeralized on May 9, 2007.

Val McCombie inspired me in so many ways. He was a man who had a commanding presence, but was not commanding at all. He was powerful, but gentle. Further, he was well respected, articulate, and giving.

Serving as a public servant was the calling on his life. Early in his career, he spent a great deal of his time teaching French and Spanish to young people. Pursuing the desire to represent the people of Barbados, he became the Ambassador to the United States. Serving as an ambassador provided him an awesome opportunity to bridge a gap between Caribbean nations and Latin American nations. His great ability to lead and serve paved the way for other public servants, some of which he mentored.

I'm honored to have known him and feel blessed to have had the opportunity to learn from such a dignified man. I urge young people and my colleagues to learn more about his life and contribution to Barbados.

DIPLOMAT WHO PAVED THE WAY FOR OTHERS

(By Tony Best)

Two diplomats who took turns occupying the same Ambassadorial office offered different assessments of the man who had set the standard they later followed. ''He built a career strengthening relationships'' between CARICOM and ''the rest of Latin America,'' said Michael King, Barbados' current top diplomat to the U.S. and the Organization of American States.

Sir Courtney Blackman, King's immediate predecessor, succinctly summed up the diplomat's career in a different way. ''He was an Ambassador's Ambassador,'' said Sir Courtney. Both men were reflecting on the life and career of Valerie Theodore McComie, Barbados' first resident Ambassador in Washington, who later became the first person from the English-speaking Caribbean to be elected Assistant Secretary-General of the OAS, a position he held from 1980–1990. McComie died in Washington on Friday after a lengthy illness.

Called ''Val'' by his friends and colleagues, the linguist and educator who once taught French and Spanish to students in Barbados and St. Kitts-Nevis, English to Venezuelans and French-speaking students in Martinique and France and both languages to Americans and Ghanaians in high schools in the U.S. and Africa used his facility with language to advance the Caribbean's cause on the international stage. He did that during a diplomatic career that began in 1967 and ended in the early 1990s.

Along the way, he served as Barbados' Ambassador in Caracas, the first diplomat from the country to do so; its non-resident envoy to Brazil; and Alternate-Governor to the Inter-American Development Bank.

Born in Trinidad and Tobago on April 1, 1920, McComie received his early education in his birthplace and Barbados, before he went on to London University in England which awarded him a Bachelor's degree in mediaeval and modern languages; and later the University of Bordeaux in France and the University of California at Los Angeles. As Barbados' first resident Ambassador in Washington McComie was his country's eyes and ears in the U.S. capital and in Latin America at a time when Caribbean nations were just beginning to extend their diplomatic links to Latin America.

Whether it was at the OAS headquarters or along ambassador's row, McComie was at home, so to speak. ''He had a tremendous presence and in any room he stood out, tall, handsome and very comfortable with strangers,'' Sir Courtney said. But even more than that, he earned the respect of the Latins, who were skeptical of the interest the small English-speaking nations with a British orientation were showing in the OAS, first with Trinidad and Tobago's membership in the Western Hemisphere body. Next was Barbados. ''The respect was tremendous and it came from all of the ambassadors and their governments,'' added Sir Courtney who served in Washington in the 1990s. ''It was that respect that enabled him to become the Assistant Secretary-General of the OAS.''

By any objective assessment, McComie performed his OAS duties with aplomb, ever mindful though of the gap in influence between the Secretary-General and the Assistant. Still, he paved the way for Chris Thomas, the Trinidad and Tobago diplomat, who succeeded him. His ability to play the diplomatic game with ease and his record of getting results allowed him to serve as a role model for many of the young people in the Caribbean who aspired to diplomatic careers.

''He was a pioneer in our foreign service and a driving force behind our membership in the OAS in 1967 and he ably performed the duties of Ambassador in Venezuela when we opened a mission in Caracas in 1974,'' said King. ''He was a mentor to many people. He was able to use his brilliance as a teacher to encourage many young diplomats to develop their careers in the area of representation. ''

Less than four years ago at a ceremony in which he was being awarded the Order of Christopher Columbus by the Dominican Republic, Luigi R. Einaudi, at the time the OAS Assistant Secretary-General, described McComie as a visionary, who like Columbus ''sailed unchartered waters, who came to harbors that became the ports and bridges of the future.'' But it was Barbados' Prime Minister, Owen Arthur, who best summed up McComie record, when he told the OAS General Assembly in Barbados in 2002 that ''his contribution as an educator in Barbados and St. Kitts-Nevis helped to encourage many key decision-makers in newly independent states to become more aware of our Latin neighbors at a time when political contact could have been said to be almost nonexistent.''

Little wonder, then, that the Barbados leader, speaking for the entire Caribbean told him ''Val, we all owe you debt of gratitude for having the foresight of and appreciation for the value of cross-cultural contact.''

## PERSONAL EXPLANATION

### HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Ms. CARSON. Madam Speaker, on Monday, May 21, 2007, I was unable to vote on roll No. 384 and No. 385 as a result of my flight, US Airways #3088, being delayed 65 minutes. Had I been present, I would have voted ''Yes'' on both.

## RECOGNIZING RAINDROP TURKEVI FOUNDATION

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to recognize the efforts of the Raindrop Turkevi Foundation of Dallas, TX.

As a non-profit, relatively new organization, the Raindrop Turkevi Foundation of Dallas is committed to facilitating common ground amongst diverse communities and assisting Turkish Americans in the Dallas area. The Foundation provides Turkish Americans with various resources in order for them to prosper socially and culturally.

In regard to education, the Raindrop Turkevi Foundation hosts various cultural scholarship opportunities and creates programs that benefit the Turkish-American Youth, such as K–12 and SAT tutoring, ESL classes, Turkish classes, and college advising. As for social development, the foundation holds conferences that promote diversity.

In collaboration with various local entities, the Raindrop Turkevi Foundation hosts meaningful events as well. It sponsors and cosponsors ethnic picnics and organizes athletic events for children, such as weekly soccer games.

All in all, this organization's benevolent objectives and current exploits make it an invaluable member to the Dallas area. The Raindrop Turkevi Foundation has playing an integral part in aiding the success of the Turkish American population and unionizing different communities in Texas.

On behalf of the 30th Congressional District of Texas, I am honored to recognize and commend Raindrop Turkevi of Dallas for accepting all ethnicities and for their leadership and hard work in the Dallas community as well as in the great State of Texas.

## PERSONAL EXPLANATION

### HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. PENCE. Madam Speaker, I was unable to vote on May 21, 2007. Had I been present, I would have voted in the following manner:

Rollcall 384 (On Motion to Suspend the Rules and Pass, as Amended—H.R. 698) ''aye''; and

Rollcall 385 (On Motion to Suspend the Rules and Pass—H.R. 4096)—''aye.''

## COPS IMPROVEMENT ACT OF 2007

SPEECH OF

### HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 15, 2007*

Mr. WELDON of Florida. Mr. Speaker, recently, the House considered legislation to reauthorize the Community Oriented Police, COPS, program. Unfortunately, this bill was brought up for consideration with no opportunity to amend and improve the bill. Rather than allowing an open discussion and amendment process, it was a take it or leave it choice that Members were given.

In reauthorizing this program little has been done to address the glaring shortcomings of the program as pointed out in audits by The Department of Justice Office of Inspector General, OIG, the Government Accountability Office, GAO, and other independent analyses—including one by the USA Today newspaper. Before tripling a program that the Office of Management and Budget has graded as ''Not Performing: Results Not Demonstrated,'' members should have been given an opportunity to consider amendments aimed at improving this bill. This is particularly important at a time when the size of the program is being tripled from an appropriation of about $540 million in 2007 to nearly $1.5 billion within 5 years.

These audits point out that New York City, the largest recipient of COPS funding—$422 million—actually has 300 fewer officers today than they did before they received $422 in Federal tax dollars. In 1994, New York City had 36,693 officers, yet by 2004 this had dropped by 321 officers to 36,372. The audit shows that Miami, while receiving over $45 million, increased their police force by only 21 officers. That works out to over $2 million per officer according to the audit.

Since the creation of this program in 1994, over $13 billion has been spent on the COPS program. While some of that funding has been well spent, I am concerned that audits determined that, at a minimum, hundreds of millions of dollars were misspent. We have a responsibility to the taxpayers to make sure that the money that the Federal Government takes from them is not misspent.

Analyses showed that in spite of spending $6 billion dollars in the first 6 years of the program, COPS fell short of placing 100,000 police on the streets. While the GAO found that the shortfall was about 12 percent, when you factor in historical hiring trends, the number of new police on the streets is far less. In fact, the Heritage Foundation analysis found when these historical police hiring trends are accounted for, the actual number of new police on the street nationwide is somewhere between 7,000 and 39,000—less than half of what was promised.

While the COPS grants were not supposed to supplant local funds, the U.S. Department of Justice OIG audit of expenditures found that grant recipients routinely supplanted local funding with COPS grants: simply allowing the Federal Government to pick up the tab for what they otherwise would have and should have paid for. The OIG audit of 147 high-risk grants found that 41 percent used the COPS grant to supplant local funds.

An investigative report by USA Today found in an audit of 3 percent of COPS grants that $277 million was misspent and ''tens of thousands of jobs funded by the grants were never filled, or weren't filled for long.'' This is particularly concerning given that my constituents, who happen to be net donors to this program, receive less than half of their equitable share of Federal COPS grants.

Finally, the purpose of the COPS program was to reduce crime. While many of the grant recipients saw a reduction in crime, a USA Today analysis found that crime fell at the same rates in communities that did not get COPS grants.

So, before we all embrace a bill that triples the size of this program, we should first make sure that we are being responsible with taxpayer dollars and getting the most out of every dollar. I am not sure the bill before us does that.

## FEDERAL HOUSING FINANCE REFORM ACT OF 2007

SPEECH OF

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 17, 2007*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1427) to reform the regulation of certain housing-related Government-sponsored enterprises, and for other purposes.

Mr. PAUL. Mr. Chairman, H.R. 1427 fails to address the core problems with the Government Sponsored Enterprises, GSEs. Furthermore, since this legislation creates new government programs that will further artificially increase the demand for housing, H.R. 1427 increases the economic damage that will occur from the bursting of the housing bubble.

The main problem with the GSEs is the special privileges the Federal Government gives the GSEs. According to the Congressional Budget Office, the housing-related GSEs received almost 20 billion dollars worth of indirect Federal subsidies in fiscal year 2004 alone, while Wayne Passmore of the Federal Reserve estimates the value of the GSE's Federal subsides to be between $122 and $182 billion dollars.

One of the major privileges the Federal Government grants to the GSEs is a line of credit from the United States Treasury. According to some estimates, the line of credit may be worth over 2 billion dollars. GSEs also benefit from an explicit grant of legal authority given to the Federal Reserve to purchase the debt of the GSEs. GSEs are the only institutions besides the United States Treasury granted explicit statutory authority to monetize their debt through the Federal Reserve. This provision gives the GSEs a source of liquidity unavailable to their competitors.

This implicit promise by the Government to bail out the GSEs in times of economic difficulty helps the GSEs attract investors who are willing to settle for lower yields than they would demand in the absence of the subsidy. Thus, the line of credit distorts the allocation of capital. More importantly, the line of credit is a promise on behalf of the Government to engage in a massive unconstitutional and immoral income transfer from working Americans to holders of GSE debt.

The connection between the GSEs and the Government helps isolate the GSEs' managements from market discipline. This isolation from market discipline is the root cause of the mismanagement occurring at Fannie and Freddie. After all, if investors did not believe that the Federal Government would bail out Fannie and Freddie if the GSEs faced financial crises, then investors would have forced the GSEs to provide assurances that the GSEs are following accepted management and accounting practices before investors would consider Fannie and Freddie to be good investments.

Federal Reserve Chairman Alan Greenspan has expressed concern that the government subsidies provided to the GSEs makes investors underestimate the risk of investing in Fannie Mae and Freddie Mac. Although he has endorsed many of the regulatory ''solutions'' being considered here today, Chairman Greenspan has implicitly admitted the subsidies are the true source of the problems with Fannie and Freddie.

Mr. Chairman, H.R. 1427 compounds these problems by further insulating the GSEs from market discipline. By creating a ''world-class'' regulator, Congress would send a signal to investors that investors need not concern themselves with investigating the financial health and stability of Fannie and Freddie since a ''world-class'' regulator is performing that function.

However, one of the forgotten lessons of the financial scandals of a few years ago is that the market is superior at discovering and punishing fraud and other misbehavior than are government regulators. After all, the market discovered, and began to punish, the accounting irregularities of Enron before the government regulators did.

Concerns have been raised about the new regulator's independence from the Treasury Department. This is more than a bureaucratic ''turf battle'' as there are legitimate worries that isolating the regulator from Treasury oversight may lead to regulatory capture. Regulatory capture occurs when regulators serve the interests of the businesses they are supposed to be regulating instead of the public interest. While H.R. 1427 does have some provisions that claim to minimize the risk of regulatory capture, regulatory capture is always a threat where regulators have significant control over the operations of an industry. After all, the industry obviously has a greater incentive than any other stakeholder to influence the behavior of the regulator.

The flip side of regulatory capture is that mangers and owners of highly subsidized and regulated industries are more concerned with pleasing the regulators than with pleasing consumers or investors, since the industries know that investors will believe all is well if the regulator is happy. Thus, the regulator and the regulated industry may form a symbiosis where each looks out for the other's interests while ignoring the concerns of investors.

Furthermore, my colleagues should consider the constitutionality of an ''independent regulator.'' The Founders provided for three branches of government—an executive, a judiciary, and a legislature. Each branch was created as sovereign in its sphere, and there were to be clear lines of accountability for each branch. However, independent regulators do not fit comfortably within the three branches; nor are they totally accountable to any branch. Regulators at these independent agencies often make judicial-like decisions, but they are not part of the judiciary. They often make rules, similar to the ones regarding capital requirements, that have the force of law, but independent regulators are not legislative. And, of course, independent regulators enforce the laws in the same way, as do other parts of the executive branch; yet independent regulators lack the day-to-day accountability to the executive that provides a check on other regulators.

Thus, these independent regulators have a concentration of powers of all three branches and lack direct accountability to any of the democratically chosen branches of government. This flies in the face of the Founders' opposition to concentrations of power and government bureaucracies that lack accountability. These concerns are especially relevant considering the remarkable degree of power and autonomy this bill gives to the regulator. For example, in the scheme established by H.R. 1427 the regulator's budget is not subject to appropriations. This removes a powerful mechanism for holding the regulator accountable to Congress. While the regulator is accountable to a board of directors, this board may conduct all deliberations in private because it is not subject to the Sunshine Act.

Ironically, by transferring the risk of widespread mortgage defaults to the taxpayers through Government subsidies and convincing investors that all is well because a ''world-class'' regulator is ensuring the GSEs' soundness, the Government increases the likelihood of a painful crash in the housing market. This is because the special privileges of Fannie and Freddie have distorted the housing market by allowing Fannie and Freddie to attract capital they could not attract under pure market conditions. As a result, capital is diverted from its most productive uses into housing. This reduces the efficacy of the entire market and thus reduces the standard of living of all Americans.

Despite the long-term damage to the economy inflicted by the Government's interference in the housing market, the Government's policy of diverting capital into housing creates a short-term boom in housing. Like all artificially created bubbles, the boom in housing prices cannot last forever. When housing prices fall, homeowners will experience difficulty as their equity is wiped out. Furthermore, the holders of the mortgage debt will also have a loss. These losses will be greater than they would have been had government policy not actively encouraged overinvestment in housing.

H.R. 1427 further distorts the housing market by artificially inflating the demand for housing through the creation of a national housing trust fund. This fund further diverts capital to housing that, absent Government intervention, would be put to a use more closely matching the demands of consumers. Thus, this new housing program will reduce efficacy and create yet another unconstitutional redistribution program.

Perhaps the Federal Reserve can stave off the day of reckoning by purchasing the GSEs' debt and pumping liquidity into the housing market, but this cannot hold off the inevitable drop in the housing market forever. In fact, postponing the necessary and painful market corrections will only deepen the inevitable fall. The more people are invested in the market, the greater the effects across the economy when the bubble bursts.

Instead of addressing Government polices encouraging the misallocation of resources to the housing market, H.R. 1427 further introduces distortion into the housing market by expanding the authority of Federal regulators to approve the introduction of new products by the GSEs. Such regulation inevitability delays the introduction of new innovations to the market, or even prevents some potentially valuable products from making it to the market. Of course, these new regulations are justified in part by the GSEs' government subsidies. We once again see how one bad intervention in the market (the GSEs' government subsides) leads to another (the new regulations).

In conclusion, H.R. 1427 compounds the problems with the GSEs and may increase the damage that will be inflicted by a bursting of the housing bubble. This is because this bill creates a new unaccountable regulator and introduces further distortions into the housing market via increased regulatory power. H.R. 1427 also violates the Constitution by creating yet another unaccountable regulator with quasi-executive, judicial, and legislative powers. Instead of expanding unconstitutional and market distorting government bureaucracies, Congress should act to remove taxpayer support from the housing GSEs before the bubble bursts and taxpayers are once again forced to bailout investors who were misled by foolish Government interference in the market.

## PERSONAL EXPLANATION

### HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. FORTENBERRY. Madam Speaker, on Monday, May 21, 2007, I was unavoidably detained and thus I missed rollcall votes Nos.

384 and 385. Had I been present, I would have voted ''aye'' on both votes.

## CONGRATULATING THE UNIVERSITY OF FLORIDA GATORS

### HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise to congratulate the University of Florida Gators for winning the 2007 men's basketball NCAA championship title.

After a hard fought season and tournament, the Florida, Gator men's basketball team proved victorious, on April 2, 2007, with a dazzling 84–75 triumph over the Ohio State University Buckeyes.

I want to extend special congratulations to Florida's head coach, Billy Donovan, who trained this team to be the best in the country. All of the athletes are shining stars for the university and deserve our highest praise.

This year, the men's basketball team made history by becoming the first school to win back to back championships since 1992. The Florida Gators also maintain a record as the only university in history to win simultaneous championships in both men's basketball and football.

Florida's academic reputation is stellar, our sports teams are number one and our fans are like none other.

Madam Speaker, it is great to be a Florida Gator! Congratulations to the students, faculty, alumni, and friends of the University of Florida.

Go Gators!

## TRIBUTE TO MR. JAY EAGEN

### HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. BOEHNER. Madam Speaker, I rise to honor Jay Eagen, this body's Chief Administrative Officer, upon his retirement. Mr. Eagen has served with distinction in this executive capacity since July 31, 1997, and has been in continual service to the House since 1982. As Chief Administrative Officer, Mr. Eagen was responsible for managing this body's support services, finances, procurement, and information technology.

Mr. Eagen faced head-on the rapid rise of computer technology in the 1990s that forever changed the worlds of business and government. Through Mr. Eagen's persistence the House's information systems were modernized and placed at the cutting edge of public sector information services.

Mr. Eagen's efforts to modernize the House also extended to financial accounting and auditing. Before his tenure as CAO, the House's accounting systems were found to be byzantine and indecipherable. During Mr. Eagen's tenure, the House has received eight consecutive ''clean opinions'' on its financial statements.

Madam Speaker, I ask that my colleagues join me in honoring Mr. Eagen, a dedicated public servant who always operated with the highest standards of professionalism and respect for this House. His commitment to improving this institution's services have made a critical difference as we meet the demands of a changing marketplace and in meeting the American public's desire for information and transparency. This body will miss Mr. Eagen's fairness and bipartisanship as well as his spirit of innovation.

## PREAKNESS DELIVERS THREE FLORIDA CHAMPIONS

### HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. STEARNS. Madam Speaker, I am thrilled to announce that the winner of the recent Preakness Stakes, along with those horses that placed and showed (came in second and third, respectively), all have strong ties to stables in my district.

Street Sense and Hard Spun, who placed second and third respectively, were both broken and received elementary training at Ocala training centers. As if this were not enough cause for celebration, Curlin, the victor of the Preakness Stakes, is partially owned by Padua Stable, also in Ocala. Satish Sanan, a computer CEO, founded Padua Stable in 1997, choosing the Ocala location for its pristine pastures and renowned reputation among horse enthusiasts.

Curlin's story is especially unique. Though entering the competition for the Kentucky Derby after only three career starts, Curlin was an unlikely early favorite due to his victory in the Arkansas Derby in which he crushed eight foes and won by 10½ lengths.

Shirley Cunningham, Jr., a lawyer hailing from Georgetown, is one of Curlin's former owners, and it is from his family history that the horse's name is derived. Cunningham's great-grandfather, Charlie Curlin, is a legend in the area in and around Trigg County, Kentucky due to his service on behalf of the U.S. Colored Troops battalion of the Union Army in 1864. Curlin, a freed slave, represented the hallmark American ideal of service to one's country, fighting nobly to make freedom a reality for all United States citizens. Thus, in winning the Preakness Stakes, and putting forth a gallant effort in the Kentucky Derby, Curlin the horse is carrying the family history, serving as a reminder to all of the benefits of perseverance and faith in one's cause.

Though Curlin, Street Sense, and Hard Spun are more prominent examples of success derived from Ocala stables, the city's strong reputation in equine breeding and training is by no means new or rare. Ocala, within Marion County, is considered the ''Horse Capital of the World'' by the Florida Thoroughbred Breeders' and Owners' Association. In 1995, Ocala was named an All-America-City winner, due largely in part to its reputation for expansive and well-kept pastureland. More than 450 farms and training centers in the Marion County area are devoted to breeding, training, and showing breeds such as the thoroughbred, Arabian, quarter horses, and even draft horses. The USDA's Census of Agriculture reported that Marion led all U.S. counties in total number of horses and ponies in residence in 1997, cut-off year for the 5-year census. Furthermore, the county ranked third nationally (behind two counties in Kentucky) in total value of horses sold. Horses are big business in Marion County. Between 45 and 50 different breeds are represented in the area. Nearly 29,000 residents are employed in the county's thoroughbred industry alone. Florida thoroughbreds finish first in 20 percent of the foremost stakes races in the U.S. and are counted among Triple Crown, Breeders' Cup, Belmont Stakes, Preakness and Kentucky Derby winners. The thoroughbred industry's economic impact on the state is considered to be in excess of $1 billion dollars annually, and the exciting horse sales at the Ocala Breeder's Sales Complex run into the millions.

One cannot visit Marion County without becoming immediately aware of the impact the horse industry has on the area. This is currently evidenced by the enthusiasm exhibited by many of my constituents in having not one, but three horses sweep the top spots in the Preakness Stakes. I believe that this much-celebrated victory will serve to further illustrate the excellence of stables and breeders in Marion County and Ocala, and encourage others in the industry to consider the area as a future home for both their horses and their families.

Finally, I am honored to be the new cochair of the Congressional Horse Caucus, and I look forward to cochairing with Representative BEN CHANDLER of Kentucky. Many may not realize the magnitude of the equine industry and its importance to our national, state and local economies. It is a diverse industry, involving business, agriculture, sport, entertainment, gaming and recreation, and we hope Members will join the Caucus.

By the way: I have stood on this House Floor three times in the past year to herald national victories from the University of Florida in my district—twice for Men's Basketball championships, and January for the 2006 Bowl Championship in football. I suspect my colleagues will begin to find me immodest if I keep bragging and offering resolutions on my winning constituent athletes, both human and equine.

## IN HONOR OF THE STUDENT GRADUATES OF WOODCLIFF LAKE'S D.A.R.E. PROGRAM

### HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. GARRETT of New Jersey. Madam Speaker, today, the Woodcliff Lake Police Department will hold its D.A.R.E. graduation ceremony with the students of Dorchester School. More than 100 students are participating in this important program that gives young people the support they need to say no to drugs, underage drinking, and gang violence.

Drug Abuse Resistance Education, or D.A.R.E., began as a small program in Los Angeles in 1983. Today, it is implemented in more than 75 percent of our Nation's school districts and in more than 43 other nations. It uses positive peer pressure to help children defeat the negative cultural influences that bombard them daily.

I am proud of the young boys and girls who participated in this program in Woodcliff Lake, and I would like to recognize them all for taking this step toward positive citizenship:

Erica Aborlleile, Samantha Acciardi, Stephanie Alberti, Jillian Anderson, Houssein Assi, Sydney Badway, Mark Bannon, Jasmine Barkley, Sigourney Barman, Daniel Bazzini, Michael Benducci, Jacob Bloom, Thomas Cahill, Kenneth Caspert, Neil Chopra, Romy Conrad, Arie1 Danziger, Julie DiPiazza, Victoria Eichenlaub, Gregory Fassuliotis, Jake Fischer, Kelly Gao, Austin Gebbia, Julie Gerstley, Jake Goldstein, Jonah Gould, Samara Gould, Ross Greenberg, Connor Hammalian, Dylan Herman, Alexa Hirschberg, Magdaline Hurtado, Randi Ivler, Susan Janowsky, Ian Johnson, Mark Kaplan, Rebecca Karpinos, Joshua Katsnelson, Jake Kessel, Jonathan Lam, Mila Lam, Jordan Lazarus, Jamie Lee, Caroline Lerche, Eric Li, Amanda Lindefjeld, Samantha Livingstone, Frank Lomia, Jerry Lubrano, Alexandra Mangino, Raymond Maresca, Christina Masciale, Jacquelyn Michaels, Liana Mino, Taylor Muller, Andrew Nathin, Olivia Nikol, Olivia Novak, Nicole O'Brien, Noah Panagia, Lindsay Panagia, Alexis Pearlman, Michael Pierro, Lucas Pontillo, Frank Purritano, Michael Raevsky, Jason Rosen, Jonathan Rosenberg, Taylor Rosenblatt, Angela Rossi, Lena Safron, Robert Sarakin, Sydney Schlicher, Michelle Schumacher, Matthew Shafran, Matthew Sherman, Jared Siegel, Brian Silver, Alec Silverman, Marc Solomon, Max Spelling, Jacob Sperber, Rachel Spiro, Gregory Steiger, Ethan Strauss, Kayla Strick, Ryan Stroud, Michael Tortora, William Trumbetti, Jackie Tsontakis, Noah Tucker, Daniel Velez, Philip Volkov, Sean Wang, Justin Weinfeld, Nicholas Weingartner, Sara Wexler, Austin Willock, Devon Willock, Benjamin Wolfin, Amy Yakomin, Bernard Yannelli.

## TRIBUTE TO TIMOTHY EDWARD BARTLETT, A TRUE FRIEND

### HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. CAMP of Michigan. Madam Speaker, there is an old saying in Washington, DC, that goes: if you want a friend, then you better get a dog. While Nancy, the kids and I did just get a dog, I have long considered myself lucky enough to have been in the Circle of Friends with Timothy Edward Bartlett. For that I thank him.

And for those of us who knew Tim, friend is the word that comes to mind when we think of him. He embodied the word and gave it greater meaning. He was more than a person you knew and liked. He was a person who inspired, excelled and, despite returning to God much too soon, he lived a full life.

Tim's obituary read in part that he was passing ''into an eternal community without limits.'' It will be the second such home he lives in, for Tim never allowed himself to be restrained. In that sense he was Myrna and Ed Bartlett's son. He took risks and was rewarded and as a result he set out and not only lived in his own home, but gave others the courage to do the same; he was active in his faith and improved our community; and his adventures led him to see and learn things many only dream about.

I remember one such trip to our Nation's capital. It was my great pleasure to show Tim the U.S. House of Representatives, where he was able to see the House Chamber firsthand. In fact, Tim came away from that experience with more than just a view of how laws are made, he came away with the Speaker's gavel. In all of my years serving in the House, no one but Tim has ever managed that.

And, while the Good Lord has gaveled Tim's session here on earth to a close, he remains my Friend; he remains an inspiration to us all. It is with deep sadness I say goodbye to my Friend, Timothy Edward Bartlett.

Lord, as many others did, I knew and liked this man. I know You will do the same. May You keep him close and may his spirit light your community of angels as he lit ours.

## HONORING GLORIA LYNNE

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. CONYERS. Madam Speaker, I rise to call attention to the lifetime artistic achievements of singer Gloria Lynne, an outstanding vocalist whose unique style and sound has blurred the distinctions among pop, jazz, and blues.

Born Gloria Alleyne in the Harlem section of New York City on November 23, 1931, Gloria Lynne compensated for a bleak domestic life of poverty by absorbing everything she could of the city's vibrant night life. Exposed to gospel music at a young age by her mother, Lynne quickly graduated from singing at home to singing in the local African Methodist Episcopal Zion Church's choir. However, it was Lynne's first place performance at the Apollo Theater's Amateur Night, at the age of 15, which introduced America to her unique and impressive ability to tell stories that leaves audiences spellbound.

Twelve years later, in 1958, after singing with groups like the Dell-Tones and Enchanters, Ms. Lynne signed with Everest Records and began her solo career. This marked the beginning of her most prolific period: between 1958 and 1963 she cut 10 records and had hits with ''I Wish You Love'' (a song she virtually made a standard) and ''I'm Glad There Is You.'' ''I Wish You Love'' not only became a signature song for Lynne, it sold in the millions and was the first song to become a hit on the jazz, rhythm & blues and pop music charts at the same time. Her popularity during this time enabled her to work with many of jazz's greatest masters, teaming up with musicians like Ray Charles, Billy Eckstine, Ella Fitzgerald, Quincy Jones, Harry Belafonte and others, as well as co-writing ''Watermelon Man'' with Herbie Hancock and ''All Day Long'' with Kenny Burrell.

Gloria Lynne continues to perform before enthusiastic audiences. She was a special honoree at the Apollo's 2006 Amateur Night Celebration and recently performed to sold-out crowds at Dizzy's Coca Cola Room at New York's Lincoln Center for 5 consecutive nights. Ms. Lynne performed before a standing-room-only audience in May 2005 in Washington, DC at the 1,200-seat Historic Lincoln Theater in Washington, DC as part of Jazz in Southwest. She performed at the Kennedy Center's Women in Jazz Festival in 2003; and also in 2003, she received the National Treasure A ward from the Seasoned Citizens Theatre Organization. She has been inducted into the National Black Sports & Entertainment Hall of Fame. She is also the recipient of The Rhythm & Blues Foundation's Pioneer Award in honor of her lasting contributions to the music world. In 1996, she received the International Women of Jazz Award. On April 7, 2007, she received the Living Legend Award from the State of Pennsylvania.

Teaming up with her son, Richard Alleyne, a writer and producer, Lynne also helps run their production company, Family Bread Music, Inc.

On May 23, 2007, Ms. Lynne will be returning to Washington, DC. to receive a tribute from the Southwest Renaissance Development Corporation for her contributions to jazz. I am pleased to take this opportunity to add my voice to theirs and congratulate Gloria Lynne on her long and fruitful career. I wish her many more years of success.

## PERSONAL EXPLANATION

### HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. KIND. Madam Speaker, on Monday, May 22, 2007, I was detained in my district due to a family emergency and was unable to have my votes recorded on the House floor for H.R. 698 (Roll No. 384) and H.R. 1425 (Roll No. 385). Had I been present, I would have voted in favor of both measures.

## TRIBUTE TO THE GUILD OF SAINT AGNES AND EDWARD MADAUS, EXECUTIVE DIRECTOR

### HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. MCGOVERN. Madam Speaker, I rise today to pay tribute to the Guild of Saint Agnes, an extraordinary childcare organization headquartered in my hometown of Worcester, Massachusetts. Later this evening the very talented and dedicated staff members of the Guild will be recognized for their contributions to the success of this agency at an employee appreciation dinner. Due to scheduled roll callvotes, I am unable to attend that event but wanted to take this opportunity to publicly thank the staff of the Guild for the exceptional care they provide to more than 1,100 children and families all across central Massachusetts.

As the father of a young son and daughter, I know full well the love, patience and understanding it takes to care for children. While the demands are often great, the rewards are more often times immeasurable. Each and every employee of the Guild should be commended for the profoundly positive influence they have had and are having on the scores of young boys and girls in their care. Nothing we debate in this body is as important as the future we give our young people and the good work of the people at the Guild of Saint Agnes must not go unnoticed by Congress.

Madam Speaker, I believe it is also equally important on this occasion that we in the U.S. House of Representatives take notice of the

visionary leadership the Guild of Saint Agnes has enjoyed these past 14 years. Notwithstanding the Guild's proud history, the organization has prospered and thrived like no other in the region under the skilled and expert stewardship of Ed Madaus. As Executive Director of the Guild, Ed has transformed the agency into the most widely-known and highly-regarded childcare provider in greater Worcester County. In addition to growing the annual operating budget of the Guild from $1 million to $9 million, Ed has led the organization through the rigorous process of having all of its childcare centers fully accredited by the National Association for the Education of Young Children. He has also built successful partnerships with the Worcester Public Schools and other area school districts to provide after-school care for countless working families. Ed has long understood the intrinsic connection between early childhood education and child development, and was the primary proponent for seeking the highly-competitive 21st Century grant to better connect parents and children to their schools. Perhaps most impressive among Ed's numerous achievements at the Guild has been his steadfast refusal to ignore the pressing needs of the most vulnerable children in our midst. He has aggressively pursued childcare placements for children who might otherwise find themselves in foster care and thereby given stability and hope to an untold number of families struggling to remain intact.

Not satisfied to do right by just the Guild's clients, Ed has also instituted a number of employee benefit programs as Executive Director. At his insistence, the Guild established a 100 percent tuition assistance program to encourage staff members to further their education and training in early childhood development and teaching. Today, one-third of the Guild's employees are enrolled in college. The success of that program reflects Ed's own lifelong commitment to learning. A graduate of Holy Cross College, Ed holds both a master's degree in Education from Worcester State College and a second master's degree in Social Work from Boston College.

Madam Speaker, in my 10 years in Congress I have seldom encountered a more consummate professional and decent human being than Ed Madaus. In the tradition of Marian Wright Edelman, the founder of the Children's Defense Fund, Ed Madaus has time and again proven himself to be a fierce, unrelenting and committed advocate for children. Whether at the state's Department of Social Services or as Executive Director for the Guild of Saint Agnes, Ed has surpassed that test made famous by Wright Edelman when she said, ''If we don't stand up for children, then we don't stand for much.

Madam Speaker, in closing, I humbly ask that today we in the U.S. House of Representatives stand up to publicly thank Edward Madaus for his lifetime of devoted service to our nation's children and, in particular, for his leadership at the Guild of Saint Agnes. He deserves our admiration, respect and gratitude for a career spent in the most noble cause of all.

## IN RECOGNITION OF THE 82ND ANNIVERSARY OF THE HALL MEMORIAL CHRISTIAN METHODIST EPISCOPAL CHURCH OF VALLEY, ALABAMA

### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. ROGERS of Alabama. Madam Speaker, I respectfully ask the attention of the House today to pay recognition to The Hall Memorial Christian Methodist Episcopal Church of Valley, Alabama, which is celebrating their 82nd Anniversary on May 27, 2007.

In 1866, the General Conference of the Methodist Episcopal Church allowed African Americans to have their own congregations. Many years later, in 1925, Hall Memorial Christian Methodist Episcopal Church was founded.

In 1941 Hall Memorial CME was rebuilt after a devastating fire, and in 1969, was remodeled. With dedicated pastors and a committed congregation, the church has grown and prospered over the years. The pastor there now is Rev. Pierre K. Primm.

I am pleased to recognize the members of The Hall Memorial Christian Methodist Episcopal Church of Valley, Alabama, today for reaching this important milestone in the history of Valley, and congratulate the church family on their 82nd Anniversary.

## TRIBUTE TO REV. THOMAS CHARLES

### HON. BOBBY JINDAL

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. JINDAL. Madam Speaker, I rise today to honor the Reverend Thomas Charles French, Jr., for his 49-year service to the congregation of Jefferson Baptist Church in Baton Rouge, Louisiana.

Reverend French, who retired this May, departs from a pastorship he has held since Jefferson Baptist's founding. In the five decades since; he has overseen its growth from a mere 17 members to nearly 1,500, has played an active role in the Southern Baptist Convention, has developed a television ministry program in collaboration with his church, and has ministered to four generations of some of the families at Jefferson Baptist.

Though officially he is retired, Reverend French will continue to serve the community on various governing boards in Louisiana. He also will act as Jefferson Baptist's pastor emeritus after a new pastor is found. I know that even in retirement, Revered French will continue the good works that have made him so beloved to his community in Baton Rouge.

Madam Speaker, I ask that all my colleagues join me today in honoring my good friend Reverend Thomas French's life and works. His exceptional energy, service to the public good, and lifelong dedication to his church and his state are an example for all of us to follow. I am honored to call him a friend, and I wish him the best in retirement.

## TRIBUTE TO CALIFORNIA NATIONAL GUARD SERGEANT RHYS W. KLASNO

### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. CALVERT. Madam Speaker, I rise to pay tribute to a hero from my congressional district, California National Guard Sergeant Rhys W. Klasno. Today I ask that the House of Representatives honor and remember this incredible young man who died in service to his country.

Rhys was born in Orange, California and attended Woodcrest Christian middle and high schools in Riverside, California. School officials and teachers remember Rhys fondly—he was a good student who was friendly with classmates and teachers.

Sergeant Klasno enlisted in the California National Guard in 2004 and was trained as an ammunition Sergeant before being reassigned in April 2006 as a heavy vehicle driver for the 1114th Transportation Company, according to the Riverside Press Enterprise. Members of Rhys's unit recall a young man who was ready to help others. After his enlistment in the National Guard, Rhys had planned to become a paramedic and to help save lives. Rhys deployed to Iraq in July 2006 and was killed Sunday, May 13, 2007, by a roadside bomb in Haditha, Iraq. Rhys received the National Defense Medal, the Army Service Ribbon and the Drill Attendance Ribbon. Today Sergeant Klasno was laid to rest at Riverside National Cemetery in California.

Rhys leaves behind his wife, Stephanie Ann Klasno and their soon-to-be-born daughter, London; his mother and father Michael and Lynn Klasno; and his grandparents Elisabeth Klasno of Temecula and Robert E. Jardinico of Arizona.

As we look at the incredibly rich military history of our country, we realize that this history is comprised of men, just like Rhys, who bravely fought for the ideals of freedom and democracy. Each story is unique and humbling for those of us who, far from the dangers they have faced, live our lives in relative comfort and ease. Today was probably the hardest day the Klasno family has ever faced and my thoughts, prayers and deepest gratitude for their sacrifice goes out to them. There are no words that can relieve their pain and what words I offer only begin to convey my deep respect and highest appreciation.

Sergeant Klasno's wife and family have all given a part of themselves today in the loss of their loved one and I hope they know that their husband, son and grandson, the goodness he brought to this world and the sacrifice he has made, will be remembered.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

SPEECH OF

### HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 17, 2007*

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2008, and for other purposes:

Mr. ROGERS of Michigan. Mr. Chairman, I rise today to share my concerns with Section 703 of the FY 2008 Defense Authorization Bill, H.R. 1585. This provision would allow the Secretary to exclude prescription drugs that our soldiers and their families rely on to treat diabetes, asthma, cholesterol and hypertension from the TRICARE uniform formulary. This provision would create a fundamental change in the TRICARE pharmacy benefit program. Currently our military personnel have access to all drugs, even non-formulary drugs, but with a substantially higher co-pay. This provision could exclude altogether access to important lifesaving treatments and medicines.

This provision is indirectly a price control. It places a ceiling on prices that can be negotiated. The GAO and CBO previously have said that when price controls are expanded, it could have the effect of raising prices for other programs. The provision could have the unintended consequence of affecting the prices paid by the Veterans Administration, which could impact veterans' access to medicine. Price controls are also harmful to innovation, which could impede the discoveries of cures and treatments for the illnesses suffered by our soldiers, veterans and their families.

I urge my colleagues to strike this provision in conference to ensure that our soldiers and their families have access to the treatments that will allow them to continue to live healthy and productive lives.

## TRIBUTE TO LANE BEATTIE

### HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. BISHOP of Utah. Madam Speaker, today I would like to pay tribute to Lane Beattie, president and CEO of the Salt Lake Chamber. Lane was honored last week as the Distinguished Utahn of the Year, joining the ranks of many other Utahns who have contributed to the development of the State. Each year the Salt Lake City Chapter of the BYU Management Society recognizes individuals in the State of Utah for their exemplary leadership and service to the community, and Lane is a well-deserving recipient.

Lane was a professional real estate broker and developer. He has also given extensive service in the public sector. Lane, a friend and colleague of mine from the State legislature, was elected to the Utah State Senate in 1989. He quickly ascended the ranks of leadership, becoming Utah Senate President just 5 years later. He served as president of the Senate for 6 years and established a reputation as one who had the best interests of Utahns at heart.

While in the Senate, Lane proposed and implemented some of the most sweeping changes in the legislative process in several decades, including total internet access for legislators as well as the public. This made the legislative process significantly more efficient and allowed more legislator and citizen involvement. This is just one example of his commitment to truly serving the citizens of Utah by making the process and product of the legislature better.

This award is evidence of the high esteem in which Lane is held by all those who know him. His colleagues in the Senate have commented that, under his leadership, the Senate became "more efficient, productive, professional, and more open to the public." For those of us who know something about the Senate, that's saying a lot! One quality that I admired about Lane when we served together in the Utah State Legislature was his ability to build consensus. Having a good leader in the Senate certainly made my life easier on the House side.

I always appreciated Lane's commitment to lowering taxes. As leader of the Senate, he made sure the Senate passed major tax reforms and reductions across the State that have saved taxpayers millions of dollars. The Taxpayers Association, in presenting Lane the Taxpayers Advocate Award in 1999, estimated that, during his leadership in the Senate, permanent tax cuts amounting to $1 billion were enacted.

Lane has represented our State well, being asked to speak locally, nationally, and internationally. In 1996 he was invited to address the European Union in Italy on Federalism and State's rights. He also served as a representative for all United States Senate Presidents when he was elected as Chairman of the National Senate Presidents Forum in 1998. The following year he headed a delegation from the United States on an official visit to China as a guest of the Vice President of China.

In June 2000, Governor Leavitt asked Lane to accept the post as Chief State Olympic Officer for the State of Utah to oversee and manage the 2002 Winter Olympic Games. As State Olympic Officer, Lane was in charge of coordinating the legal, financial and intergovernment arrangements for Utah's hosting of the 2002 Winter Olympics. Other members of the Salt Lake Organizing Committee for the Olympics commended Lane for his unwavering commitment and tireless efforts at the Olympics. He was particularly effective at bringing together different groups and uniting everyone toward accomplishing a common goal. Lane's effectiveness at finding solutions to problems greatly contributed to the success of the 2002 Winter Olympics. His reputation as a leader extends beyond just the State of Utah.

Following the Olympics, Lane was chosen as president and CEO of the Salt Lake Chamber. His experience in both the public and private sector has been a tremendous asset to the business community in the Salt Lake area and his vision for Utah has improved the state as a whole. Lane is truly a voice for the business community in Utah.

Working with and supporting Lane in his various civic pursuits is Lane's wife Joy and their three children. His contributions as a legislator, businessman, and Olympic Officer have truly made Utah a better place to live. Lane Beattie is one of Utah's most accomplished leaders and I am pleased to honor him today for his outstanding contributions and achievements.

## PRIVILEGED MOTION REGARDING ALLEGATIONS AGAINST REPRESENTATIVE MURTHA

### HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. UDALL of Colorado. Madam Speaker, I cannot support this motion.

If the Committee on Standards of Official Conduct (the so-called Ethics Committee) were to report such a resolution, it would be a matter demanding careful consideration by the House.

But that is not the case with this resolution. It has not been considered by the Ethics Committee or by any other Committee and its author seeks to have the full House of Representatives act on it without having the benefit of any hearings before it is debated here on the floor.

To me, Madam Speaker, that is not the appropriate way to proceed.

The resolution combines elements of an indictment—in the form of allegations stated as facts—with those of a verdict in the form of a conclusion that there has been a violation of the Rules of the House.

I do not know whether any or all of the allegations are true, and so I cannot say whether or not the proposed verdict would be just.

Rather than ask the House to vote today on those allegations and the proposed verdict, I think the resolution's author should bring the matters dealt with in this resolution to the attention of the Ethics Committee so they can be considered in a way that allows for a fair process aimed at determining the facts and making such recommendations as the facts will support.

Because that has not been done, I think the resolution is premature at best and so I cannot support it.

## INTRODUCTION OF THE RURAL AMERICA JOB ASSISTANCE AND CREATION ACT

### HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. MCHUGH. Madam Speaker, I rise today to introduce the Rural America Job Assistance and Creation Act, which is a comprehensive measure designed to address a host of issues identified as problematic for residents and businesses in my central and northern New York district and the rest of rural America.

The need for this legislation, which I have introduced in each of the past three Congresses, has been reillustrated by a recent development in my district. Specifically, on May 14, 2007, the General Motors, GM, Corporation announced that it would phase out some 500 jobs at its Powertrain plant in Massena, NY. While such an unfortunate event would have a negative impact on any community, it is especially devastating for my constituents in St. Lawrence and Franklin Counties, as GM's $31 million annual payroll served as a cornerstone to the local economy and will be difficult to replace.

The GM situation in Massena particularly illustrates the need for two provisions of this

legislation. First, when GM made its decision regarding the Massena Powertrain plant, the company failed to notify me or any elected officials in advance. However, under the Rural America Job Assistance and Creation Act, companies that employ 100 or more workers would have to provide the impacted elected officials with 60 days' advance notice of a decision to reduce its workforce or close. This notice would serve two purposes: (1) to alert these officials to the situation and the impact it will have on workers and the community; and (2) to provide these officials with the opportunity to assist in determining if State and/or Federal resources are available and can be utilized to prevent closure or layoffs and the resulting loss of employment opportunities.

Secondly, the GM situation in Massena also highlights the need for a provision in the Rural America Job Assistance and Creation Act that would exclude from gross income up to $25,000 of any qualified severance pay. Needless to say, it is often very difficult for employees who suffer layoffs or the shutdown of their place of employment, particularly in rural areas, to find new employment that provides a comparable income. While severance pay certainly provides affected individuals with a small sense of security and is without a doubt a helping hand in a time of great need, unfortunately, the recipients often lose a third of their severance pay to taxes because they are pushed into a higher bracket.

Madam Speaker, this bill is also designed to help my district and the rest of rural America develop jobs, in the wake of plant closings and otherwise. For example, the Rural America Job Assistance and Creation Act would establish regional skills alliances to help identify needed skills and create and implement effective training solutions. In addition, the bill would also encourage cooperation between educational institutions and entrepreneurs who have innovative ideas but cannot afford the legal and consultant fees necessary to take their ideas from the drawing board to the production line or otherwise make them a reality.

To increase international cooperation in the development of economic and job opportunities, the Rural America Job Assistance and Creation Act would also streamline the immigration visa procedures for H1–B professional specialty workers by requiring the submission of the H1–B labor condition application to the U.S. Department of Labor at the same time as the classification petition is submitted to the U.S. Department of Homeland Security. By reducing unnecessary delays in the processing of these visas, this provision would help facilitate the employment-related travel necessary for border areas like my northern New York congressional district to further its symbiotic relationship with Canada and thereby create good jobs.

Finally, the Rural America Job Assistance and Creation Act would expand the work opportunity tax credit to include both small businesses and individuals found in communities experiencing population loss and low job growth rates such as those in central and northern New York. Approximately 100 such communities would be so designated, subsidizing some 8,000 jobs in each area.

Accordingly, I ask my colleagues to join with me to enact this important legislation. It not only would help my Massena constituents as they face the fallout of GM's decision, it also would enhance the economic opportunities available and quality of life throughout our great Nation.

## CALLING FOR THE IMMEDIATE RELEASE OF DR. HALEH ESFANDIARI

### HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. VAN HOLLEN. Madam Speaker, in December 2006, while visiting her ailing 93-year-old mother in Iran, Dr. Haleh Esfandiari, a respected American scholar, and director of the Middle East Program at the Smithsonian's Woodrow Wilson Center in Washington, DC, was imprisoned by the Government of Iran.

Dr. Esfandiari is a dual U.S.-Iranian citizen who has lived in the United States for more than 25 years. She taught Persian language and literature for many years at Princeton University where she inspired untold numbers of students to study the rich Persian language and culture.

While preparing to board her flight back to the United States, Dr. Esfandiari was stopped by Iranian officials, and forced at knife point to turn over her passport. Afterwards, she was repeatedly interrogated by Iranian intelligence officials and, though the Ministry of Intelligence has yet to produce any evidence of wrong-doing, she has been held in Iran's notorious Evin Prison since May 7, 2007.

Iran's imprisonment of Haleh Esfandiari shows a gross disregard for the rule of law and belies statements by Iranian government officials that Iran would like to improve relations with the United States.

I ask my congressional colleagues to join me in passing this resolution to demand that the government of Iran immediately release Dr. Haleh Esfandiari and to encourage the U.S. Government to employ all appropriate means to expedite the process.

## TRIBUTE TO WHITE CHURCH CHRISTIAN CHURCH OF KANSAS CITY, KANSAS

### HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. MOORE of Kansas. Madam Speaker, I rise today to pay tribute to the White Church Christian Church of Kansas City, Kansas, which will celebrate the 175th anniversary of its founding on June 2, 2007.

White Church Christian Church is the oldest continuously operating church in the State of Kansas; the church and the Delaware Indian Cemetery west of the church are listed on the Register of Historic Kansas Places. The inside walls of the original log building were whitewashed, so the native Indians referred to it as the ''white church.'' As a result, the surrounding area became known as White Church, Kansas.

In 1830, the Missouri Conference of the Methodist Church met in St. Louis to establish the mission society that would soon begin its work among the Kansas Indians. The Rev. Thomas Johnson was appointed to serve as superintendent of what was then known as the Kansas Indiana Missionary District. Two years later, Rev. Thomas Johnson, his brother Rev. William Johnson, and Rev. Thomas Markham established a mission school and church at the site of today's church. In the 1834 annual report of the Missionary Society, it was reported: ''The church has forty members, some serving as exhorters, and they were regular in attendance at preaching and other means of grace. There are twenty-four native children in the mission school who are learning well.'' In 1844, the original church was destroyed by fire and a new church was built. Beginning in 1850, the land in the reservation was deeded by the government to Indians individually. Some sold their ground and soon the area began to be settled by white people.

In 1870, a school district was established and a school located near the church adopted the same name, White Church School. Disaster struck the church for a second time on May 11, 1886, when the walnut-framed White Church and the original White Church School building were destroyed by a tornado. In the following year, a two-story school building was erected on the present site of the White Church Elementary School. On May 4, 1904, the cornerstone of the present native stone church structure was laid. The Gothic building included 21 memorial stained glass windows.

The adjoining Delaware Indian Cemetery is the oldest area cemetery in which burials are still conducted, with the earliest recorded burial having taken place in 1881. For approximately 100 years, White Church, under the direction of the Methodist Church, served both Native Americans and White Americans. In 1931, the White Church withdrew its affiliation from the Methodist Church and organized a Community Church at White Church. Later, in 1956, the congregation voted to become affiliated with the Christian Church, Disciples of Christ and was renamed White Church Community Christian Church. In 1968, the word ''Community'' was removed from the church name. In 1965, an educational unit was built on top of the stone foundation at the south end of Fellowship Hall, and in 1966, the church board established a pre-school and child care center to serve the community. Expansion of the congregation and improvements to the property have continued to the present day, as we approach the 175th anniversary of this anchor of the Kansas City community. As a history of the church, published in 1996, notes, ''It is the prayer of the present generation of God's servants, that there always be a Church at this place, and that the generations which follow will continue to serve the Lord to the End of Time.''

Madam Speaker, I know that you and all members of the House of Representatives join with me in commending the White Church Christian Church on its upcoming 175th anniversary celebration and I thank you for the opportunity to place this statement of commendation in the CONGRESSIONAL RECORD.

## RECOGNIZING THE RETIREMENT OF LINDA K. BOWMAN

### HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. MILLER of Florida. Madam Speaker, it is an honor for me to rise today and recognize the retirement of Linda K. Bowman. Over the last three decades, Mrs. Bowman has dedicated her work to improving the quality of life in my district of northwest Florida.

Throughout her entire career, Linda has been unquestionably devoted to serving her community. She earned her bachelor's and master's degrees in Home Economics Education from Florida State University. In 1973, she joined the University of Florida's Institute of Food and Agriculture Sciences (UF/IFAS) as a faculty member with the Escambia County Extension Service. Here she began a career with Family and Consumer Sciences that would extend over 30 years.

In an effort to further her education and better serve her community, Linda became a Registered Dietician in 1980 and soon relocated to the Santa Rosa County Extension Service, where she has been for the last 16 years of her career.

Since college, Linda has maintained active membership in numerous professional organizations. These include the Extension Honorary Society, Epsilon Sigma Phi; the Florida Extension Association; the American Dietetic Association; and she is a graduate of the Santa Rosa Chamber of Commerce's Leadership Class.

She dedicated her energy toward making northwest Florida the best place to live and she is well known for the efforts she put forth toward that goal. Throughout her career, Linda has been blessed with the support from her husband Chuck, and their three loving children: Kevin, Heather, and Amy. She has spent her entire career sharing her insights with others and looking at ways to better aid and care for her community.

There is no question that Linda is a leader for northwest Florida and has set the bar high for all those who will follow. Her leadership and knowledge helped to create a better place, and her service to those in this community will, be missed. I remain confident that Linda's input will still play a great role in continuing the efforts to sustain and enhance the quality of human life. Madam Speaker, on behalf of the United States Congress, it is with great admiration that I recognize Mrs. Linda K. Bowman, our community has benefited greatly from her service, and I wish her well in her retirement.

## TRIBUTE TO DR. MARTHA JEAN ADAMS-HEGGINS

### HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to a wonderful woman who has dedicated her entire career to ensuring that our youngest students receive the best education possible. On Friday, May 25, 2007, Dr. Martha Jean Adams-Beggins is retiring as the Director of South Carolina State University's Family Life Center. Dr. Heggins' retirement is the culmination of a 43-year career in early childhood education.

A native of Florence, South Carolina, Dr. Beggins began her teaching career there after graduating from South Carolina State University (SCSU) in 1964. She spent 2 years as a first grade teacher at Carver Elementary in Florence, and then went on to teach in Cope and Orangeburg, South Carolina before deciding to pursue her master's at Bank Street College of Education in New York. After she earned her advanced degree, Dr. Beggins returned to South Carolina to teach kindergarten at Felton Laboratory School at SCSU. The following year, she became an instructor at the university and went on to become the Assistant Director of Student Teaching.

However, Martha Heggins knew she wanted to pursue her doctorate and moved to New Jersey to attend Rutgers University. While earning her PhD, she was an Instructor of Early Childhood Education, a Teaching Assistant in the Urban Education Department, and the Director of Demonstration Day Care Learning Center in New Brunswick, New Jersey. She received a Ford Foundation Research Award for her ''Study of the Relationship of Logical Thinking to School Achievement in Elementary School Children.''

Upon earning her doctorate, Dr. Heggins returned home to South Carolina and her beloved SCSU. In 1975, she became an Assistant Professor of Early Childhood Education and has not left the university since. Over the years, Dr. Beggins has become a highly valued member of SCSU's education department. She has served as an Associate Professor of Early Childhood Education, Director of the Title XX Project, Assistant Professor of Early Childhood Education, and in 1982 became a full Professor.

Dr. Heggins has implemented, directed and served as the Coordinator of the Undergraduate and Graduate Early Childhood Programs at SCSU. Since 1999, she has served as the Director of SCSU's Family Life Center. In this position, she oversees a program for at-risk students and parents from the poorest neighborhoods in Orangeburg, South Carolina. The program focuses on 6 core areas: academic development, personal development, career enrichment, cultural enrichment, family bonding, and recreational development. Under Dr. Heggins' leadership, the program has received national recognition by the Family and Community Violence Prevention Program at Central State University in Wilberforce, Ohio. Dr. Beggins has also been involved with the Orangeburg Gang Summit Task Force.

She is a member of the America Association of University Women, the Association for Childhood Education International, Association for Supervision and Curriculum Development, the South Carolina Association for Supervision and Curriculum Development, the Southern Poverty Law Center, the National Organization for Women, Phi Delta Kappa International, and Kappa Omicron Nu. Dr. Heggins has received numerous honors including Teacher of the Year 1991–92 for SCSU's School of Education; Distinguish Faculty Chair 1982–83 at SCSU; and inclusion in a number of Who's Who listings. She is the organizer, founder and vice president of the National Black Child Development Institute at SCSU, which is the first undergraduate chapter in the United States.

Madam Speaker, I ask you and my colleagues to join me in applauding Dr. Martha Jean Adams-Heggins for her exemplary career. I commend her dedication to educating young people and to ensuring that those with the least among us are given the tools necessary to succeed in life. I wish her a wonderful retirement and Godspeed.

## TRIBUTE TO THE LIFE AND SERVICE OF STAFF SERGEANT ANSELMO MARTINEZ III

### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. ORTIZ. Madam Speaker, like so many young soldiers fighting for this Nation in Iraq—whose tours have been extended by the current surge in Iraq—Army SSG Anselmo Martinez III, from Robstown, Texas, was due for a 2-week leave from his first tour duty in Iraq around Mother's Day, but it kept getting pushed back.

He was due to come home sometime in July. On May 18, after the armored vehicle he was riding in ran over an improvised explosive device in Tahrir, Iraq, his time on this Earth ended, and he won't see his mother or his wife and two children ever again.

Each time we lose a soldier, it breaks my heart. It hurts all the more when it is a soldier from South Texas. This one is from my hometown.

SSG Anselmo Martinez was stationed in Fort Hood, where his wife Christina Martinez lives their two daughters. He graduated from Robstown High School in 1998 and joined the Army in 2002 for job security.

Sergeant Martinez deployed to Iraq in October with the 1st Battalion, 12th Cavalry Regiment, 3rd Brigade Combat Team, 1st Cavalry Division, out of Fort Hood, Texas.

Everyone called him B.J., short for ''Baby Junior,'' because no one wanted to call him a number; he was the third in his family sharing the same name.

He loved to fish, and the first thing he would want to do when he came home was grab a fishing pole and head to Oso Bay.

BJ loved to work with his hands, to shape things. At Robstown High School, he was a member of the woodshop club. He was a funny, sweet, and polite young man who was loved by everyone and who was proud to serve his country.

A fellow soldier from Robstown who knew him said Sergeant Martinez was an excellent role model and a great noncommissioned officer. He thought of his men while in Iraq; yet he was missed badly at home.

On February 4, his wife told him: ''Hola papa. I feel so bad that you couldn't be here today for baby's birthday.''

Madam Speaker, I ask my colleagues to join me today in paying tribute to the life and service of Army SSG Anselmo Martinez III, from Robstown, Texas, who gave the last full measure of devotion to his country.

## TRIBUTE TO UNIVERSITY OF KANSAS HOSPITAL PRESIDENT/CEO IRENE CUMMING

### HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. MOORE of Kansas. Madam Speaker, I rise today to pay tribute to the outgoing president/chief executive officer of the University of Kansas Hospital, Irene Cumming, who is leaving KU's hospital after 11 years to become chief executive officer of the Oak Brook, Illinois, based University HealthSystem Consortium, a group of 97 academic medical centers and their affiliated hospitals.

During her tenure as president/CEO of the University of Kansas Hospital, Irene Cumming compiled what the Kansas Legislature recently described as a ''stunning list of successes and achievements.'' As Lawrence Journal-World editor Dolph Simons, Jr., recently noted, ''Cumming became CEO of the hospital in 1996 after serving as its chief financial officer since 1994. The hospital was in bad shape in terms of the number and excellence of its doctors, staff and patients. Staff morale was very low, and its perceived excellence in the minds of greater Kansas City residents was suffering. Today, it is the best hospital in Kansas City. Its patient load is growing each year, it enjoys a solid financial base and it provides great support for the KU medical school both in the quality of training it provides to residents and in the dollars it provides to the school. Cumming helped to build a true winner and model for other hospitals, particularly those with close historical ties to a medical school.''

The improvements and accomplishments credited to the University of Kansas Hospital under Irene Cumming's leadership are numerous, including:

Since 1998, patient volume has grown by 50 percent to nearly 20,000 patients, shattering all existing patient volume records in the 100 year history of the hospital;

Financial health has improved steadily every year, with revenue climbing 185 percent to more than half a billion dollars since the Hospital Authority was established;

Financial strength has allowed significant capital investment in resources and facilities, totaling nearly $450 million in the 8 years following the establishment of the Hospital Authority;

This financial strength has also permitted a 340 percent increase in support provided for the hospital for the university since 1998, with $31 million this year alone;

After purchasing the outpatient cancer program from a for-profit corporation to which the university had transferred it in the 1990s, the hospital has invested $75 million in cancer services, including the construction of the largest outpatient cancer center in the region, opening this summer on the hospital's Westwood campus;

In 2000, the heart program at the hospital was revitalized, culminating in the 2006 opening of the $77 million Center for Advanced Heart Care;

The hospital became, and continues to be, the region's only nationally-accredited level 1 Trauma Center;

The hospital's Bennett Burn Center is the only adult/pediatric burn center in Kansas City accredited by the American College of Surgeons and the American Burn Association;

The quality and safety of patient care has improved dramatically and gained national recognition; in 2006, the hospital ranked 11th among the Nation's 81 academic medical centers in overall safety and quality rankings;

The hospital ranks in the top 17 percent of institutions in the University HealthSystem Consortium database in mortality;

The hospital earned Magnet designation from the American Nurses Credentialing Center of the American Nurses Association, the first designation for a Kansas-based hospital [only 3.5 percent of the Nation's health care organizations are Magnet hospitals];

The hospital received the first Annual Performance Achievement Award from the American Heart Association for stroke care in a six-state region;

The hospital's cancer program received the 2004 Commission on Cancer Outstanding Achievement Award, achieved by only eight percent of cancer programs in the country;

The hospital is a nationally recognized leader in the Institute for Healthcare Improvement's 100,000 lives campaign;

The hospital pioneered the creation of partnerships between physicians and hospital staff to raise quality, with a model so successful it has been adopted by many institutions across the country;

Patient satisfaction ratings have climbed more than 900 percent since 1998 in the Kansas City area;

Employee turnover has dropped from 33 percent in 1998 to 11.69 percent, the lowest among Kansas City hospitals;

Sixty-one percent of the hospital's nurses have BSN degrees, compared to a 33 percent national average, and the hospital has the second lowest nursing turnover rate among large hospitals in Kansas City;

The hospital's staffed beds have nearly doubled, from 275 to 508; and

The hospital has achieved all of this while still providing care for those who can't afford it; fiscal year 2007 projections are to absorb nearly $100 million in uncompensated care charges.

Prior to joining KU Hospital, Irene Cumming was associate director of medical affairs for St. Luke's Health System and chief executive officer of St. Luke's Medical Development Corporation in Kansas City, Missouri. From 1989–1993, she was executive vice president and chief financial officer of Allegheny Health, Education and Research Foundation of Philadelphia. Additionally, she previously was a partner in the national health care division of Price Waterhouse, where she was one of the first women to be admitted to the partnership.

Clearly, Irene Cumming is a woman of vision, distinction and achievement. The University of Kansas Hospital was very fortunate to have her as its president/CEO for the past 11 years and her departure leaves an exceptional pair of shoes to fill. Madam Speaker, on behalf of all residents of the Kansas City region and all consumers of KU Hospital, I thank Irene Cumming for her many accomplishments while associated with the University of Kansas Hospital and wish her every success in future endeavors, as well.

## IN RECOGNITION OF THE RETIREMENT OF LUKE McCOY FROM ''PENSACOLA SPEAKS''

### HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. MILLER of Florida. Madam Speaker, it is a great honor for me to rise today to recognize a living legend in northwest Florida. After nearly 15 years, Mr. Luke McCoy is stepping down as the host of the long-running ''Pensacola Speaks'' talk radio show in my district.

Luke's viewpoints were as well-known as his distinctive voice as he took to the airwaves in the afternoon. However, he let all callers and guests offer their own opinions and insights and never hesitated to broach a tough political issue. The topics covered both national and local levels, and the callers always numerous and well-informed no matter the issue. Luke was well-known as the ''Common Man's Intellectual'' as he brought these issues into a forum where all felt comfortable discussing them and offering their views.

It was not just the topics brought up on Luke McCoy's show that made it great, but also the way Luke presented them—sometimes with humor, sometimes with a touch of irreverence, and when appropriate with well-deserved dignity. However, his respect for differing viewpoints was always constant, and northwest Florida will miss having his familiar presence on the airwaves in the afternoons. Fortunately, listeners will still get to hear Luke on the local morning show, and I know his unique personality will be a breath of fresh air.

Luke McCoy is more than a radio personality, though, Madam Speaker. More than anything, he is a patriot, having served his country in combat and being wounded in action in Vietnam. He served with both the Army's 82nd Airborne Division as well as the Marine Corps as he recognized the greatness of this Nation and answered a call to duty. Those that listen to Luke and meet him know this patriotism is still strong today. He recognizes the different opinions and people that have come together to make America what it is today, but his support goes to what he sees as keeping this the greatest Nation in the world.

Madam Speaker, I know many share my sadness with Luke's departure from ''Pensacola Speaks.'' His name is a fixture in the community, and I know many will seek his advice for years to come. His passion to contribute to this country is endless, and I know as he rides his Harley through northwest Florida and elsewhere that he will always maintain his support and love for the United States of America.

## TRIBUTE TO TRACY DELLA VECCHIA

### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. SKELTON. Madam Speaker, as our men and women in uniform are deployed all over the world, they leave behind parents, siblings, spouses, children, and friends. It has

come to my attention that Tracy Della Vecchia has formed a network in order for families of those deployed in the United States Marine Corps to stay connected and informed.

When Operation Iraqi Freedom began, Tracy's son, Derrick Johnson, was in marine basic training. Like so many others, he was deployed to Iraq after training. Not long into Derrick's tour Tracy met several other mothers with concerns similar to her own, and it was after this meeting that she decided to create www.marineparents.com. The website was designed for others to reach out through chat rooms in order to post questions and get answers from other families that have been in the same situations and circumstances. Since creating this forum in 2003, Tracy has spent countless hours organizing, sorting, and sending care packages to marines who are serving in Iraq.

Tracy Della Vecchia formed this organization with the intention of making a difference, and the care packages she has mailed have done just that. Recently, she sent hundreds of AA batteries for personal CD players; however, the batteries were put to use in night vision goggles when the unit's supply was exhausted. Personal hygiene and first aid items have also been included in care packages; however, they were used in combat situations to ease the pain of the wounded.

Madam Speaker, I know the Members of the House will join me in thanking Tracy Della Vecchia for all that she does for the United States Marine Corps and the men and women who are currently serving overseas.

## RECOGNIZING THE ACCOMPLISHMENTS OF SPECIAL AGENT ERNEST A. SIMON

### HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 22, 2007*

Mr. MORAN of Virginia. Madam Speaker, I rise today to recognize the accomplishments that Special Agent Ernest A. Simon has made to the safety and security of our Nation. Mr. Simon currently serves as the Executive Assistant Director for Criminal Investigations or the Naval Criminal Investigative Service (NCIS), and is a member of the Senior Executive Service. Special Agent Simon is retiring from federal service after an illustrious 31 year career in federal law enforcement.

Special Agent Simon began his career with the Naval Investigative Service (NIS) in October 1975 following his graduation from San Diego State University. From December 1978 to December 1980, Mr. Simon was assigned to the NCIS Office in Guam, after which served as Staff Assistant to the Regional Director for Operations of the NIS Regional Office New York. In 1982, Mr. Simon was appointed Assistant Special Agent in Charge (ASAC) of the NIS Newport, Rhode Island Office, and in 1984 he returned to New York City as ASAC of the NIS Office in New York.

In 1986, Mr. Simon transferred back to the West Coast as Special Agent in Charge (SAC) of the NIS Office in Miramar, California, and named SAC of the newly-formed San Diego Regional Fraud Unit, a highly specialized office that focuses on major procurement fraud investigations. In 1990, Mr. Simon transferred to NISHQ, as a Division Head of the Fraud Department, as part of the reorganization of NIS to NCIS; Mr. Simon was named Deputy Assistant Director for Fraud in the Criminal Investigations Directorate in 1993. In 1996, Mr. Simon was appointed Assistant Director for Government Liaison & Public Affairs and subsequently named Assistant Director for Criminal Investigations.

In July 2001, Mr. Simon was appointed to the Senior Executive Service as the Executive Assistant Director (EAD) for Pacific Operations, headquartered in San Diego, CA. In this capacity, he served as the primary focal point for major Navy and Marine Corps Commands on all force protection, investigations and operations affecting the Pacific region and supervised seven NCIS Field Offices. In April 2006, Mr. Simon was again transferred back to NCIS Headquarters to serve in his current position as EAD for Criminal Investigations.

By promoting results-oriented strategies, as well as focusing on those crime problems that are known to have a debilitating effect on operational readiness or, have the potential to precipitate a serious international political incident, Executive Assistant Director Simon has made the criminal investigations program as a model program for how federal law enforcement should operate in today's high impact and highly charged threat environment.

Mr. Simon's career has been marked by sustained progression, significant challenges and numerous successes. He has earned the reputation over the years of being a stellar investigator who steadfastly adheres to the highest ethical standards of the law enforcement profession, and most importantly, an accomplished and dedicated leader. He will long be remembered as a leader who was deliberate and always maintained a sense of compassion and understanding for the people of NCIS.

# *Daily Digest*

# Senate

## *Chamber Action*

*Routine Proceedings, pages S6417–S6494*

**Measures Introduced:** Fifteen bills and one resolution were introduced, as follows: S. 15, 31, 32, 33, 34, 35, 1444–1452, and S. Res. 213. **Pages S6461–62**

**Measures Reported:**

S. 294, to reauthorize Amtrak, with amendments. (S. Rept. No. 110–67)

S. 879, to amend the Sherman Act to make oil producing and exporting cartels illegal. (S. Rept. No. 110–68)

S. 863, to amend title 18, United States Code, with respect to fraud in connection with major disaster or emergency funds. (S. Rept. No. 110–69)

H.R. 414, 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".

H.R. 437, to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the "Lino Perez, Jr. Post Office".

H.R. 625, to designate the facility of the United States Postal Service located at 4230 Maine Avenue in Baldwin Park, California, as the "Atanacio Haro Marin Post Office".

H.R. 988, to designate the facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, as the "Lieutenant Todd Jason Bryant Post Office".

H.R. 1402, to designate the facility of the United States Postal Service located at 320 South Lecanto Highway in Lecanto, Florida, as the "Sergeant Dennis J. Flanagan Lecanto Post Office Building".

S. 1352, to designate the facility of the United States Postal Service located at 127 East Locust Street in Fairbury, Illinois, as the "Dr. Francis Townsend Post Office Building". **Page S6461**

**Measures Passed:**

***Indian Self Determination and Education Assistance Act Waiver:*** Senate passed S. 375, to waive application of the Indian Self-Determination and Education Assistance Act to a specific parcel of real property transferred by the United States to 2 Indian tribes in the State of Oregon. **Page S6492**

***District of Columbia Home Rule Act Amendment:*** Senate passed H.R. 2080, to amend the District of Columbia Home Rule Act to conform the District charter to revisions made by the Council of the District of Columbia relating to public education, clearing the measure for the President. **Page S6492**

***Office of Career, Technical, and Adult Education:*** Senate passed S. 33, to redesignate the Office for Vocational and Adult Education as the Office of Career, Technical, and Adult Education. **Pages S6492–93**

**Measures Considered:**

**Comprehensive Immigration Reform:** Senate continued consideration of S. 1348, to provide for comprehensive immigration reform, and taking action on the following amendment proposed thereto: **Pages S6422–55**

Rejected:

By 31 yeas to 64 nays (Vote No. 174), Dorgan/Boxer Amendment No. 1153 (to Amendment No. 1150), to strike the Y nonimmigrant guestworker program. **Pages S6434–54**

Pending:

Reid (for Kennedy/Specter) Amendment No. 1150, in the nature of a substitute. **Page S6422**

A unanimous-consent agreement was reached proving for further consideration of the bill at 10:30 a.m., on Wednesday, May 23, 2007. **Page S6493**

**Appointments:**

***Senate National Security Working Group for the 110th Congress:*** The Chair announced, on behalf of the Majority Leader, pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275 (adopted October 21, 1998), further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted November 20, 2004), the appointment of the following Senators to serve as

members of the Senate National Security Working Group for the 110th Congress: Senators Levin (Democratic Co-Chairman), Biden (Democratic Co-Chairman), Lautenberg (Democratic Co-Chairman), Kennedy, Dorgan, Durbin, Nelson (FL), Lieberman, and Byrd (Majority Administrative Co-Chairman).

Pages S6491–92

**Nominations Received:** Senate received the following nominations:

Anne Woods Patterson, of Virginia, to be Ambassador to the Islamic Republic of Pakistan.

Diane Auer Jones, of Maryland, to be Assistant Secretary for Postsecondary Education, Department of Education.

Jerome F. Kever, of Illinois, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2008.

Michael Schwartz, of Illinois, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2012.

Virgil M. Speakman, Jr., of Ohio, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2009.

Routine lists in the Foreign Service.

Pages S6493–94

**Messages from the House:** Page S6459

**Measures Referred:** Page S6459

**Measures Placed on the Calendar:** Page S6459

**Executive Communications:** Pages S6459–61

**Executive Reports of Committees:** Page S6461

**Additional Cosponsors:** Pages S6462–63

**Statements on Introduced Bills/Resolutions:** Pages S6463–84

**Additional Statements:** Pages S6458–59

**Amendments Submitted:** Pages S6484–90

**Authorities for Committees to Meet:** Pages S6490–91

**Record Votes:** One record vote was taken today. (Total—174) Page S6454

**Adjournment:** Senate convened at 10 a.m., and adjourned at 6:30 p.m., until 9:30 a.m. on Wednesday, May 23, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6493.)

# *Committee Meetings*

*(Committees not listed did not meet)*

### APPROPRIATIONS: U.S. FOREST SERVICE

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2008 for the United States Forest Service, after receiving testimony from Mark E. Rey, Under Secretary for Natural Resources and Environment, and Lenise Lago, Director, Forest Service Budget, both of the Department of Agriculture.

### AUTHORIZATION: DEFENSE

*Committee on Armed Services:* Subcommittee on Seapower met in a closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2008.

### AUTHORIZATION: DEFENSE

*Committee on Armed Services:* Subcommittee on Personnel met in a closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2008.

### AUTHORIZATION: DEFENSE

*Committee on Armed Services:* Subcommittee on Airland met in a closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2008.

### AUTHORIZATION: DEFENSE

*Committee on Armed Services:* Subcommittee on Readiness and Management Support met in a closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2008.

### AUTHORIZATION: DEFENSE

*Committee on Armed Services:* Subcommittee on Emerging Threats and Capabilities met in a closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2008.

### RAIL SAFETY AUTHORIZATION

*Committee on Commerce, Science, and Transportation:* Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security concluded a hearing to examine rail safety authorization, after receiving testimony from Senators Schumer and Clinton; Jo Strang, Associate Administrator for Safety, Federal Railroad Administration, and Kurt W. Hyde, Assistant Inspector General for Surface and Maritime Programs, both of the Department of

Transportation; Robert L. Sumwalt, Vice-Chairman, National Transportation Safety Board; Katherine Siggerud, Director, Physical Infrastructure Issues, Government Accountability Office; and Edward R. Hamberger, Association of American Railroads, Edward Wytkind, AFL–CIO, and Richard F. Timmons, American Short Line and Regional Railroad Association, all of Washington, D.C.

**ENERGY BILLS**

*Committee on Energy and Natural Resources:* Subcommittee on Energy concluded a hearing to examine S. 645, to amend the Energy Policy Act of 2005 to provide an alternate sulfur dioxide removal measurement for certain coal gasification project goals, S. 838, to authorize funding for eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, S. 1089, to amend the Alaska Natural Gas Pipeline Act to allow the Federal Coordinator for Alaska Natural Gas Transportation Projects to hire employees more efficiently, S. 1203, to enhance the management of electricity programs at the Department of Energy, H.R. 85, to provide for the establishment of centers to encourage demonstration and commercial application of advanced energy methods and technologies, and H.R. 1126, to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988, after receiving testimony from Drue Pearce, Federal Coordinator, Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects, Department of the Interior; and David R. Hill, General Counsel, Department of Energy.

**CALIFORNIA WAIVER**

*Committee on Environment and Public Works:* Committee concluded a hearing to examine the case for the California waiver, focusing on California's pending request that the Environmental Protection Agency waive federal preemption for the state's greenhouse gas emission standards for motor vehicles, after receiving testimony from California Attorney General Edmund G. Brown, Jr., Sacramento; Pete Grannis, New York Department of Environmental Conservation, Albany; and Jonathan H. Adler, Case Western Reserve University School of Law, Cleveland, Ohio.

**NOMINATIONS**

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of James R. Keith, of Virginia, to be Ambassador to Malaysia, Miriam K. Hughes, of Florida, to be Ambassador to the Federated States of Micronesia, Hans G. Klemm, of Michigan, to be Ambassador to the Democratic Republic of Timor-Leste, Cameron R. Hume, of New York, to be Ambassador to the Republic of Indonesia, and Ravic Rolf Huso, of Hawaii, to be Ambassador to the Lao People's Democratic Republic, after the nominees testified and answered questions in their own behalf.

**FEMA REFORM**

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine implementing Federal Emergency Management Agency (FEMA) reform, focusing on preparation for the 2007 hurricane season, after receiving testimony from Michael P. Jackson, Deputy Secretary, and R. David Paulison, Administrator, Federal Emergency Management Agency, both of the Department of Homeland Security.

**MINE IMPROVEMENT AND NEW EMERGENCY RESPONSE ACT**

*Committee on Health, Education, Labor, and Pensions:* Subcommittee on Employment and Workplace Safety concluded a hearing to examine the progress of the Mine Improvement and New Emergency Response Act, after receiving testimony from Jeffery L. Kohler, Associate Director for Mining and Construction Safety and Health Research, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Department of Health and Human Services; Dennis O' Dell, United Mine Workers of America, Fairfax, Virginia; S.L. Bessinger, BHP Billiton, Waterflow, New Mexico; and Bruce Watzman, National Mining Association, Washington, D.C.

**RESTORING HABEAS CORPUS**

*Committee on the Judiciary:* Committee concluded a hearing to examine restoring habeas corpus, focusing on protecting American values and the Great Writ, including the Military Commissions Act (Public Law 109–366), S. 185, to restore habeas corpus for those detained by the United States, the Administrative Procedures Act, and the Detainee Treatment Act, after receiving testimony from Rear Admiral Donald J. Guter, (Ret.) USN, Duquesne University School of Law, Pittsburgh, Pennsylvania; Mariano-Florentino Cuellar, Stanford Law School, Stanford, California; and David B. Rivkin, Jr., Baker and Hostetler LLP, Orin S. Kerr, George Washington University Law School, and William Howard Taft, IV, Fried, Frank, Harris, Shriver and Jacobson LLP, all of Washington, D.C.

**MINORITY ENTREPRENEURSHIP**

*Committee on Small Business and Entrepreneurship:* Committee concluded a hearing to examine minority entrepreneurship, focusing on the effectiveness of Small Business Administration programs for the minority

business community, after receiving testimony from Calvin Jenkins Deputy Associate Administrator for Government Contracting and Business Development, Small Business Administration; Jon S. Wainwright, National Economic Research Associates, Inc., Austin, Texas; Anthony W. Robinson, Minority Business Legal Defense and Educational Fund, Largo, Maryland; Bill M. Miera, Fiore Industries, Inc., Albuquerque, New Mexico; and Fernando V. Galaviz, Small Businesses Association in Technology, Alexandria, Virginia.

**NOMINATION**

*Committee on Veteran's Affairs:* Committee ordered favorably reported the nomination of Michael K. Kussman, of Massachusetts, to be Under Secretary for Health of the Department of Veterans Affairs.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 28 public bills, H.R. 2419–2446; 8 resolutions, H. Con. Res. 151–154; and H. Res. 426–428, 430 were introduced. **Pages H5620–21**

**Additional Cosponsors:** **Pages H5621–23**

**Reports Filed:** Reports were filed today as follows:

H.R. 957, to amend the Iran Sanctions Act of 1996 to expand and clarify the entities against which sanctions may be imposed, with an amendment (H. Rept. 110–163, Pt. 1);

H.R. 65, to provide for the recognition of the Lumbee Tribe of North Carolina, with an amendment (H. Rept. 110–164); and

H. Res. 429, providing for consideration of the bill H.R. 1100 to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina (H. Rept. 110–165).

**Pages H5585, H5619–20**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Israel to act as Speaker Pro Tempore for today. **Page H5535**

**Recess:** The House recessed at 9:10 a.m. and reconvened at 10 a.m. **Page H5536**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Honoring the Marquis de Lafayette on the occasion of the 250th anniversary of his birth:*** H. Res. 171, amended, to honor the Marquis de Lafayette on the occasion of the 250th anniversary of his birth;

**Pages H5539–42**

***Expressing the sympathy of the House of Representatives to the citizens of Greensburg, Kansas, over the devastating tornado of May 4, 2007:*** H. Res. 400, to express the sympathy of the House of Representatives to the citizens of Greensburg, Kansas, over the devastating tornado of May 4, 2007;

**Pages H5542–44**

***Recognizing the service of United States Merchant Marine veterans:*** H. Res. 413, to recognize the service of United States Merchant Marine veterans; **Pages H5544–47**

***Authorizing the printing of a commemorative document in memory of the late President of the United States, Gerald Rudolph Ford:*** H. Con. Res. 128, to authorize the printing of a commemorative document in memory of the late President of the United States, Gerald Rudolph Ford; **Pages H5547–48**

***Internet Spyware (I–SPY) Prevention Act of 2007:*** H.R. 1525, amended, to amend title 18, United States Code, to discourage spyware;

**Pages H5548–51**

***Securing Aircraft Cockpits Against Lasers Act of 2007:*** H.R. 1615, amended, to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes; **Pages H5551–53**

***Preserving United States Attorney Independence Act of 2007:*** S. 214, to amend chapter 35 of title 28, United States Code, to preserve the independence of United States attorneys, by a 2/3 yea-and-nay vote of 306 yeas to 114 nays, Roll No. 397—clearing the measure for the President;

**Pages H5553–56, H5580–81**

***Amending the Sherman Act to make oil-producing and exporting cartels illegal:*** H.R. 2264, amended, to amend the Sherman Act to make oil-producing and exporting cartels illegal, by a 2/3 yea-and-nay vote of 345 yeas to 72 nays, Roll No. 398;

**Pages H5556–60, H5581–82**

***Increasing the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants:*** S. 1104, amended, to increase the number of Iraqi and

Afghani translators and interpreters who may be admitted to the United States as special immigrants, by a ⅔ yea-and-nay vote of 412 yeas to 8 nays, Roll No. 399; and **Pages H5572–76, H5582**

Agreed to amend the title so as to read: "To increase the number of Iraqi and Afghani translators and interpreters who may be admitted to the United States as special immigrants, and for other purposes." **Page H5582**

***Amending the Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and related activities:*** H.R. 2399, amended, to amend the Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and related activities, by a ⅔ yea-and-nay vote of 412 yeas with none voting "nay" and 6 voting "present", Roll No. 400. **Pages H5576–80, H5582–83**

**Federal Housing Finance Reform Act of 2007:** The House passed H.R. 1427, amended, to reform the regulation of certain housing-related Government-sponsored enterprises by a recorded vote of 313 ayes to 104 noes, Roll No. 396. Consideration of the bill began on Thursday, May 17th. **Pages H5560–72**

Rejected the Cantor motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 182 ayes to 232 noes, Roll No. 395. **Pages H5569–71**

On a demand for a separate vote on a certain amendment agreed to in the Committee of the Whole:

By a recorded vote of 383 ayes to 36 noes, Roll No. 394, agreed to the Neugebauer amendment (No. 4 printed in the Congressional Record of May 16th) that was debated on Thursday, May 17th, that gives the regulator the authority to limit the size of growth of a GSEs portfolio only to specifically address the safety and soundness concerns with respect to the institution (agreed to in the Committee of the Whole on May 17th by voice vote). **Page H5569**

Earlier, agreed to amendments in the Committee of the Whole:

Agreed to:

Price (GA) amendment (No. 8 printed in the Congressional Record of May 16th) that was debated on Thursday, May 17th, that prevents illegal immigrants from owning or renting housing built by funds from the affordable housing fund by requiring adult occupants of that housing to establish their legal residency through the use of secure forms of identification (by a recorded vote of 235 ayes to 188 noes, Roll No. 387) and **Pages H5562–63**

Doolittle amendment (No. 19 printed in the Congressional Record of May 16th) that was debated on Thursday, May 17th, that prohibits all three mortgage lending government-sponsored enterprises (GSE's) from obtaining primary residential mortgages being granted to any person who does not have a valid Social Security number (by a recorded vote of 217 ayes to 205 noes, Roll No. 391). **Pages H5565–66**

Rejected:

Feeney modified amendment (No. 6 printed in the Congressional Record of May 16th) that was debated on Thursday, May 17th, that sought to strike low income housing grants from the affordable housing fund and inserts housing assistance provisions for the areas affected by Hurricanes Katrina and Rita, strike language outlining affordable housing grant formulas for Indian tribal members and directs funds to be allocated "based on the formula used for the Continuum of Care competition of the Department of Housing and Urban Development", and insert language requiring that affordable housing grants after 2007 be reserved only for rental housing voucher assistance in accordance with the Housing act of 1937 (by a recorded vote of 174 ayes to 246 noes, Roll No. 386); **Pages H5561–62**

Sessions amendment (No. 10 printed in the Congressional Record of May 16th) that was debated on Thursday, May 17th, that sought to require the Director of the new GSE Regulator to provide information to mortgage originators about any added mortgage costs to consumers associated with the new Housing Fund; in turn, originators would have to furnish this written information to homebuyers at or before closing to qualify their mortgages for purchase, service, holding, lending on the security of or selling by the GSE's (by a recorded vote of 183 ayes to 240 noes, Roll No. 388); **Pages H5563–64**

Brady (TX) amendment (No. 34 printed in the Congressional Record of May 16th) that was debated on Thursday, May 17th, that sought to redistribute the affordable housing grants for use in disaster areas from a ratio of 75% for Louisiana and 25% for Mississippi to create 10% for Texas by taking 5% each from the allotment for Louisiana and Mississippi (by a recorded vote of 163 ayes to 260 noes, Roll No. 389); **Pages H5564–65**

Price (GA) amendment (No. 9 printed in the Congressional Record of May 16th) that was debated on Thursday, May 17th, that sought to require the director of a GSE to study and certify to Congress that its contributions to the affordable housing fund wouldn't contribute to its financial instability or impair its safety and soundness (by a recorded vote of 180 ayes to 243 noes, Roll No. 390); **Page H5565**

Hensarling amendment (No. 30 printed in the Congressional Record of May 16th) that was debated on Thursday, May 17th, that sought to strike the

Affordable Housing Trust Fund budgetary placeholder language in the bill (by a recorded vote of 155 ayes to 263 noes, Roll No. 392); and

**Pages H5566–67**

Neugebauer amendment (No. 1 printed in the Congressional Record of May 14th) that was debated on Thursday, May 17th, that pertained to allocations of amounts by enterprise (by a recorded vote of 164 ayes to 256 noes, Roll No. 393). **Pages H5567–68**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H5586**

H. Res. 404, the rule providing for consideration of the bill, was agreed to on Thursday, May 17th.

**Suspension—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measure which was debated on Monday, May 21st:

***Leonard W. Herman Post Office Designation Act:*** H.R. 1722, to designate the facility of the United States Postal Service located at 601 Banyan Trail in Boca Raton, Florida, as the "Leonard W. Herman Post Office" by a ⅔ yea-and-nay vote of 417 yeas with none voting "nay", Roll No. 401.

**Pages H5583–84**

**Privileged Resolution:** The House agreed to table H. Res. 428, relating to a question of the privileges of the House, by a recorded vote of 219 ayes to 189 noes, with 13 voting "present", Roll No. 402.

**Pages H5584–85**

**Senate Message:** Message received from the Senate today appears on page H5536.

**Senate Referrals:** S. 254 was referred to the Committee on Financial Services. **Page H5618**

**Quorum Calls—Votes:** Five yea-and-nay votes and twelve recorded votes developed during the proceedings of today and appear on pages H5561–62, H5562–63, H5563–64, H5564–65, H5565, H5565–66, H5567, H5567–68, H5569, H5571, H5571–72, H5580–81, H5581–82, H5582, H5582–83, H5583–84, and H5584–85. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 10:23 p.m.

# *Committee Meetings*

### 2007 FARM BILL

*Committee on Agriculture:* Subcommittee on Conservation, Credit, Energy, and Research approved for full Committee action H.R. 2419, Farm Bill Extension Act of 2007.

### MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Military Construction, Veterans Affairs, and Related Agencies approved for full Committee action the Military Construction, Veterans Affairs, and Related Agencies appropriations for fiscal year 2008.

### IRAQI SECURITY FORCE TRAINING

*Committee on Armed Services:* Subcommittee on Oversight and Investigations held a hearing on training of Iraqi Security Forces (ISF) and employment of transition teams. Testimony was heard from the following officials of the Department of Defense: Peter Velz, Office of the Secretary, Iraq Directorate; and BG Michael D. Jones, USA, Deputy Director, Politico-Military Affairs (Middle East), J5, The Joint Staff.

### FEDERAL-STATE HEALTH CARE COORDINATION

*Committee on Education and Labor:* Subcommittee on Health, Employment, Labor and Pensions held a hearing on Health Care Reform: Recommendations to Improve Coordination of Federal and State Initiatives. Testimony was heard from Representatives Tierney, Price of Georgia, and Baldwin; John Colmers, Secretary, Department of Health and Mental Hygiene, State of Maryland; Steven Goldman, Commissioner, Department of Banking and Insurance, State of New Jersey; John Morrison, Auditor and Commissioner of Insurance and Securities, State of Montana; and public witnesses.

### PEDIATRIC THERAPIES SAFETY AND INNOVATION

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled "Programs Affecting Safety and Innovation in Pediatric Therapies." Testimony was heard from the following officials of the Department of Health and Human Services: RADM Sandra L. Kweder, USN, M.D., Deputy Director, Office of New Drugs, Center for Drug Evaluation and Research, FDA; and Donald Mattison, M.D., Chief Obstetric and Pediatric Pharmacology Branch, National Institute of Child Health and Human Development, National Institutes of Health; Marcia Crosse, Director, Health Care Issues, GAO; and public witnesses.

### GASOLINE PRICES

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing entitled "Gasoline Prices, Oil Company Profits, and the American Consumer." Testimony was heard from William E. Kovacic, Commissioner, FTC; Guy F.

Caruso, Administrator, Energy Information Administration, Department of Energy; Thomas J. McCool, Director, Center for Economics, Applied Research and Methods, GAO; Stanley F. Pruss, Deputy Director, Department of Environmental Quality, State of Michigan; and public witnesses.

## WORLD BANK COMBATING GLOBAL POVERTY

*Committee on Financial Services:* Held a hearing entitled "The Role and Effectiveness of the World Bank in Combating Global Poverty." Testimony was heard from public witnesses.

## IRAQ: IS RECONSTRUCTION FAILING?

*Committee on Foreign Affairs:* Held a hearing on Iraq: Is Reconstruction Failing? Testimony was heard from Stuart W. Bowen, Jr., Special Inspector General for Iraq Reconstruction, Office of the Special Inspector General for Iraq Reconstruction.

## AFRICA DEBT RELIEF

*Committee on Foreign Affairs:* Subcommittee on Africa and Global Health held a hearing on Vulture Funds and the Threat to Debt Relief in Africa: A Call to Action at the G8 and Beyond. Testimony was heard from public witnesses.

## FEDERAL GULF COAST REBUILDING EFFORTS

*Committee on Homeland Security:* Held a hearing on The Role of the Department of Homeland Security in Gulf Coast Rebuilding and Recovery Efforts. Testimony was heard from Bryan McDonald, Director, Office of Recovery and Renewal, State of Mississippi; and public witnesses.

## OVERSIGHT—INTERNET TAX FREEDOM ACT

*Committee on the Judiciary:* Subcommittee on Commercial and Administrative Laws held an oversight hearing on the Internet Tax Freedom Act: Internet Tax Moratorium. Testimony was heard from public witnesses.

## MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on the following bills: H.R. 1943, Stop AIDS in Prison Act of 2007; and H.R. 1199, Drug Endangered Children Act of 2007. Testimony was heard from Representative Cardoza; RADM Newton E. Kendig, M.D., USN, Assistant Director, Health Services Division, Federal Bureau of Prisons, Department of Justice; Devon Brown, Director, Department of Corrections, District of Columbia; and public witnesses.

## IMMIGRATION REFORM

*Committee on the Judiciary:* Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law held a hearing on Comprehensive Immigration Reform: Perspectives from Faith-Based and Immigration Communities. Testimony was heard from public witnesses.

## CARL SANDBURG HOME NATIONAL HISTORIC SITE BOUNDARY REVISION ACT OF 2007

*Committee on Rules:* Granted, by a voice vote, a structured rule. The rule provides 1 hour of general debate on H.R. 1100, Carl Sandburg Home National Historic Site Boundary Revision Act of 2007, equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except clauses 9 and 10 of rule XXI.

The rule makes in order only those amendments printed in the Rules Committee report. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Representatives Grijalva and Shuler.

## FEDERAL RAILROAD SAFETY IMPROVEMENT ACT OF 2007

*Committee on Transportation and Infrastructure:* Subcommittee on Railroads, Pipelines, and Hazardous Materials approved for full Committee action, as amended, H.R. 2095, Federal Railroad Safety Improvement Act of 2007.

### COURT OF APPEALS FOR VETERANS CLAIMS

*Committee on Veterans' Affairs:* Subcommittee on Disability Assistance and Memorial Affairs held a hearing on the Challenges Facing the U.S. Court of Appeals for Veterans Claims. Testimony was heard from William P. Greene, Jr., Chief Judge, U.S. Court of Appeals for Veterans Claims; James P. Terry, Chairman, Board of Veterans' Appeals, Department of Veterans Affairs; and representatives of veterans' organizations.

### MEDICARE FEE-FOR-SERVICE PLANS

*Committee on Ways and Means:* Subcommittee on Health held a hearing on Medicare Advantage Private Fee-For-Service Plans. Testimony was heard from Abby L. Block, Center for Beneficiary Choice, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Sean Dilweg, Commissioner of Insurance, State of Wisconsin; and public witnesses.

### GLOBAL WARMING—ECONOMIC IMPACTS

*Select Committee on Energy Independence and Global Warming:* Held a hearing entitled ''Economic Impacts of Global Warming: Green Collar Jobs.'' Testimony was heard from public witnesses.

## *Joint Meetings*

### GAO REFORMS

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a joint hearing with the House Subcommittee on the Federal Workforce, Postal Service, and the District of Columbia to examine Government Accountability Office Personnel reforms, focusing on expectations, after receiving testimony from David M. Walker, Comptroller General, Ann Wagner, General Counsel, Personnel Appeals Board, Ronald Stroman, Managing Director, Office of Opportunity and Inclusiveness, Office of the General Counsel, Barry J. Seltser, former Director, Center for Design, Newton, Massachusetts, and Janice M. Reece, former General Council, Upper Marlboro, Maryland, all of the Government Accountability Office; Curtis Copeland, and Jon Shimabukuro, both of the Congressional Research Service, Library of Congress; Jane K. Weizmann, Watson Wyatt Worldwide, Arlington, Virginia; Charles H. Fay, Rutgers University School of Management and Labor Relations, Piscataway, New Jersey; Max Stier, Partnership for Public Service, Washington, D.C.; and Greg Junemann, International Federation of Professional and Technical Engineers, Silver Spring, Maryland.

## COMMITTEE MEETINGS FOR WEDNESDAY, MAY 23, 2007

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Armed Services:* Subcommittee on Strategic Forces, closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for Fiscal Year 2008, 11:30 a.m., SR–222.

Full Committee, closed business meeting to markup the proposed National Defense Authorization Act for Fiscal Year 2008, 2:30 p.m., SR–222.

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Security and International Trade and Finance, to hold hearings to examine United States economic relations with China, focusing on strategies and options on exchange rates and market access, 2:30 p.m., SD–538.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine communications, taxation and federalism, 10 a.m., SR–253.

*Committee on Energy and Natural Resources:* business meeting to consider S. 126, to modify the boundary of Mesa Verde National Park, S. 175, to provide for a feasibility study of alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the District, S. 324, to direct the Secretary of the Interior to conduct a study of water resources in the State of New Mexico, S. 542, to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the State of Idaho, S. 553, to amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile River in the State of Connecticut as components of the National Wild and Scenic Rivers System, S. Con. Res. 6, expressing the sense of Congress that the National Museum of Wildlife Art, located in Jackson, Wyoming, should be designated as the ''National Museum of Wildlife Art of the United States'', S. 580, to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, S. 637, to direct the Secretary of the Interior to study the suitability and feasibility of establishing the Chattahoochee Trace National Heritage Corridor in Alabama and Georgia, S. 686, to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historical Trail, S. 797, to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail, S. 890, to provide for certain administrative and support services for the Dwight D. Eisenhower Memorial Commission, S. 1037, to authorize the Secretary

of the Interior to assist in the planning, design, and construction of the Tumalo Irrigation District Water Conservation Project in Deschutes County, Oregon, S. 1110, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for the conjunctive use of surface and ground water in Juab County, Utah, S. 1139, to establish the National Landscape Conservation System, S. 1152, to promote wildland firefighter safety, S. 1281, to amend the Wild and Scenic Rivers Act to designate certain rivers and streams of the headwaters of the Snake River System as additions to the National Wild and Scenic Rivers System, H.R. 161, to adjust the boundary of the Minidoka Internment National Monument to include the Nidoto Nai Yoni Memorial in Bainbridge Island, Washington, H.R. 235, to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District, H.R. 247, to designate a Forest Service trail at Waldo Lake in the Willamette National Forest in the State of Oregon as a national recreation trail in honor of Jim Weaver, a former Member of the House of Representatives, H.R. 276, to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, and for other purposes, H.R. 376, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefields and related sites of the First and Second Battles of Newtonia, Missouri, during the Civil War as part of Wilson's Creek National Battlefield or designating the battlefields and related sites as a separate unit of the National Park System, and for other purposes, H.R. 482, to direct the Secretary of the Interior to transfer ownership of the American River Pump Station Project, and certain other pending calendar business and nominations, 11:30 a.m., SD–366.

*Committee on Finance:* to hold hearings to examine funding Social Security's administrative costs, focusing on the budget resolution, 10 a.m., SD–215.

*Committee on the Judiciary:* Subcommittee on Crime and Drugs, to hold hearings to examine rising crime in the United States, focusing on the federal role in helping communities prevent and respond to violent crime, 9:30 a.m., SD–226.

Full Committee, to hold hearings to examine S. 1257, to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives, focusing on ending taxation without representation, 1:30 p.m., SD–226.

*Committee on Veterans' Affairs:* to hold hearings to examine health care legislation, 9:30 a.m., SD–562.

## House

*Committee on Appropriations,* Subcommittee on Energy and Water Development, and Related Agencies, to mark up appropriations for fiscal year 2008, 11 a.m., 2362 Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, to mark up appropriations for fiscal year 2008, 3 p.m., B–308 Rayburn.

*Committee on Financial Services,* to consider the following: H.R. 180, Darfur Accountability and Divestment Act of 2007; H.R. 2347, Iran Sanctions Enabling Act of 2007; H.R. 1851, Section 8 Voucher Reform Act of 2007; H.R. 1980, Housing Assistance Council Authorization Act of 2007; H.R. 1982, Rural Housing and Economic Development Act of 2007; HR. 2139, FHA Manufactured Housing Loan Modernization Act of 2007; and pending Committee business, 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs,* to mark up the following legislation: H.R. 885, International Nuclear Fuel for Peace and Nonproliferation Act 2007; Afghanistan Freedom Support Act of 2007; International Climate Cooperation Re-Engagement Act of 2007; S. 676, To provide that the Executive Director of the Inter-American Development Bank or the Alternate Executive Director of the Inter-American Development Bank may serve on the Board of Directors of the Inter-American Foundation; H. Con. Res. 21, Calling on the United Nations Security Council to charge Iranian President Mahmoud Ahmadinejad with violating the 1948 Convention on the Prevention and Punishment of the Crime of Genocide and the United National Charter because of his calls for the destruction of the State of Israel; H. Con. Res. 80, Calling on the Government of Uganda and the Lord's Resistance Army (LRA) to recommit to a political solution to the conflict in northern Uganda and to recommence vital peace talks, and urging immediate and substantial support for the ongoing peace process from the United States and the international community; H. Res. 137, Honoring the life and six decades of public service of Jacob Birnbaum and especially his commitment freeing Soviet Jews from religious, cultural and communal extinction; H. Res. 233, Recognizing over 200 years of sovereignty of the Principality of Liechtenstein, and expressing support for efforts by the United States continue to strengthen its relationship with that country; H. Res. 295, Recognizing the strong alliance between the Republic of Korea and the United States and expressing appreciation to the Republic of Korea for its efforts in the global war against terrorism; a resolution relating to the 40th anniversary of the Six Day War and the reunification of the City of Jerusalem; H. Res. 395, Supporting the ideals and values of the Olympic movement; H. Res. 397, Condemning violence in Estonia and attacks on Estonia's embassies in 2007, and expressing solidarity with the Government and the people of Estonia; H. Res. 412, Expressing gratitude to her Majesty Queen Elizabeth II and His Royal Highness, Prince Philip, Duke of Edinburgh, for their State Visit to the United States and reaffirming the friendship that exists between the United States and the United Kingdom; H. Res. 418, Recognizing and welcoming the delegation of Presidents, Prime Ministers and Foreign Ministers from the Caribbean to Washington, D.C., and commending the Caribbean Community (CARICOM) for holding the Conference on the Caribbean; and a resolution calling on the Government of the People's Republic of China to use its unique influence and economic leverage to stop genocide and violence in Darfur, Sudan, 10 a.m., 2172 Rayburn.

Subcommittee on Middle East and South Asia, hearing on U.S. Assistance to the Palestinians, 2 p.m., 2172 Rayburn.

*Committee on Homeland Security,* Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing entitled "Reducing Threats to Our Nation's Agriculture: Authorizing a Bio and Agro-Defense Facility," 1 p.m., 311 Cannon.

*Committee on the Judiciary,* hearing to continue investigation into the U.S. Attorneys Controversy and Related Matters, 10:15 a.m., 2141 Rayburn.

Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, to continue hearings on Comprehensive Immigration Reform: Becoming Americans—U.S. Immigrant Integration, 5:30 p.m., 2226 Rayburn.

*Committee on Natural Resources,* hearing on the Energy Policy Reform and Revitalization Act of 2007, 10 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform,* hearing on Achievements and Opportunities for Climate Protection under the Montreal Protocol, 10 a.m., 2154 Rayburn.

Subcommittee on National Security and Foreign Affairs, hearing on Weaponizing Space: Is Current U.S. Policy Protecting Our National Security? 2 p.m., 2154 Rayburn.

*Committee on Rules,* to consider H.R. 2316, Honest Leadership and Open Government Act of 2007, 3 p.m., H–313 Capitol.

*Committee on Science and Technology,* to consider the following: H.R. 364, To provide for the establishment of the Advanced Research Projects Agency-Energy; H.R. 1467, 10,000 Trained by 2010 Act; H.R. 1716, Green Energy Education Act of 2007; and H.R. 632, H-Prize Act of 2007, 10 a.m., 2318 Rayburn.

*Committee on Small Business,* to mark up the following bills: H.R. 2359, SBA Entrepreneurial Development Programs Act of 2007; H.R. 2366, SBA Veterans' Programs Act of 2007; H.R. 2284, To amend the Small Business Act to expand and improve the assistance provided by Small Business Development Centers to Indian tribe members, Alaska Natives, and Native Hawaiians; H.R. 2397, SBA Women's Business Programs Act of 2007; and H.R. 2389, Small Energy Efficient Businesses Act, 10 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure,* to consider the following: H.R. 2011, To designate the Federal building and United States courthouse located at 100 East 8th Avenue in Pine Bluff, Arkansas, as the "George Howard, Jr., Federal Building and United States Courthouse;" H. Res. 400, Expressing the sympathy of the House of Representative to the citizens of Greensburg, Kansas, over the devastating tornado of May 4, 2007; General Services Administration Capital Investment Resolutions; U.S. Army Corps of Engineers Survey Resolutions, and other pending business, 11 a.m., 2167 Rayburn.

*Committee on Ways and Means,* hearing on IRS's Private Debt Collection, 10 a.m., 1100 Longworth.

*Permanent Select Committee on Intelligence,* executive, briefing on Hot Spots, 8:45 a.m., H–405 Capitol.

## Joint Meetings

*Joint Economic Committee:* to hold hearings to examine the United States petroleum industry, focusing on potentially harmful conditions for consumers, 10 a.m., SH–216.

*Next Meeting of the* **SENATE**

**9:30 a.m., Wednesday, May 23**

**Senate Chamber**

**Program for Wednesday:** Senate will be in a period of morning business (not to extend beyond 60 minutes). Senate will continue consideration of S. 1348, Comprehensive Immigration Reform.

*Next Meeting of the* **HOUSE OF REPRESENTATIVES**

**10 a.m., Wednesday, May 23**

**House Chamber**

**Program for Wednesday:** Consideration of the following suspensions: (1) H. Res. 392—Urging Americans and people of all nationalities to visit the American Cemeteries, Memorials and Markers; (2) H.R. 67—Veterans Outreach Improvement Act of 2007; (3) H.R. 1660—To direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the southern Colorado region; (4) H.R. 612—Returning Servicemember VA Healthcare Insurance Act of 2007; (5) H.R. 1470—Chiropractic Care Available to All Veterans Act; (6) H.R. 2199—Traumatic Brain Injury Health Enhancement and Long-Term Support Act of 2007; and (7) H.R. 2239—Early Access to Vocational Rehabilitation and Employment Benefits Act. Consideration of H.R. 1100—Carl Sandburg Home National Historic Site Boundary Revision Act of 2007 (Subject to a Rule).

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